

FREEDOM OF EXPRESSION IN SOCIAL MEDIA IN  
BANGLADESH

BY

MD NORULLAH

A dissertation submitted in fulfilment of the requirement for  
the degree of Master of Comparative Laws

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SEPTEMBER 2021

## ABSTRACT

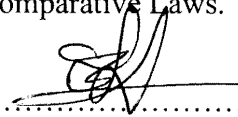
Social media is the best platform for freedom of expression nowadays. As Bangladesh is a democratic country, it provides the right to express an individual's opinion under the Constitution of People's Republic of Bangladesh. The country has several obligations as well as restrictions towards freedom of expression because the constitution has two different Acts namely the Information Communication Technology (ICT) Act 2006 (which was amended in 2013) and the Digital Security Act (DSA) 2018. These Acts give freedom of speech and expression with restrictions while the Constitution clearly provides "the right of every citizen to freedom of speech and expression" under Article 39(2). However, people all over the world, including the people of Bangladesh, are used to express their opinion in social media such as Facebook, Twitter, LinkedIn, blogs and other platforms at this age of modernization. Claims are being made in Bangladesh that the citizens are not enjoying their rights to freedom of expression properly and cannot use the social media as a way to freely express their opinion. Having stated the problem, this study has found the loopholes leading to the violation of the right to express an opinion. This study has also identified and examined the current laws and regulations providing the people their freedom of expression in social media. In addition, the strengths and weaknesses of present laws to protect and restrict the freedom of expression or rights to express an opinion have been explored. The qualitative research approach was used to identify gaps in these laws and regulations to protect the people's rights of expression. The Constitution of Peoples Republic of Bangladesh contains the main source of the right to express opinions freely, while the Information and Communication Act 2006 and the Digital Security Act 2018 are the core Acts to be explored to come up with a solution. This study has also reviewed other laws and regulations with scholarly articles, books, reports, magazines, newspapers, blogs and so on to present previous and recent incidents that took place due to the use of social media and expressing an opinion. Finally, the researcher has found that social media is the only platform that the people of Bangladesh choose to express their opinion today and they do not feel comfortable with the current laws. There should be amendments in both of the ICT and DSA Acts, and retraction should be limited in terms of the people's right to expression and right to information. Therefore, this study concluded with a few recommendations for the government and other authorities related to human rights for further action.

## خلاصة البحث

حرية التعبير هي حق التعبير عن الرأي والفكرة والتعليق والفلسفة وما إلى ذلك. ووسائل التواصل الاجتماعي هي أفضل منصة للتعبير عن تلك الحرية في الوقت الحاضر. نظرًا لأن بنغلاديش دولة ديمقراطية، فإنها توفر الحق في التعبير عن الرأي بموجب دستور جمهورية بنغلاديش الشعبية. على الرغم من أن للدولة العديد من الالتزامات بالإضافة إلى القيود المفروضة على حرية التعبير عن الرأي بسبب وجود قانونين مختلفين، وهما: قانون تكنولوجيا المعلومات والاتصالات لعام 2006م (تم تعديله في 2013م) وقانون الأمن الرقمي لعام 2018م. تمنح القوانين حرية التعبير بقيود بينما ينص الدستور بوضوح على "حق كل مواطن في حرية الكلام والتعبير" بموجب المادة 39 (2). ومع ذلك، في عصر التحديث، تستخدم شعوب العالم بما في ذلك شعب بنغلاديش وسائل التواصل الاجتماعي مثل Facebook (فيسبوك) و Twitter (تويتر) و LinkedIn (لينكدين) والمدونات (Blog) وغيرها من المنصات للتعبير عن الآراء. وهناك ادعاءات في بنغلاديش مفادها أن المواطنين لا يتمتعون بحقوقهم في حرية التعبير بشكل صحيح ولا يمكنهم استخدام وسائل التواصل الاجتماعي بطريقة للتعبير عن آرائهم. وعليه، اكتشفت هذه الدراسة الثغرات الملهمة لانتهاك حق التعبير عن الرأي. كما حددت الدراسة وفحصت القوانين واللوائح الحالية التي تعطي الناس حرية التعبير في وسائل التواصل الاجتماعي. بالإضافة إلى ذلك، تم الوقوف على نقاط القوة والضعف في القوانين الحالية لحماية حرية التعبير وكذلك تقييد التعبير عن الرأي. تم استخدام منهج البحث النوعي لتحديد الثغرات الموجودة في تلك القوانين واللوائح لحماية حقوق التعبير للأفراد. كما يحتوي دستور جمهورية بنغلاديش الشعبية على المصدر الرئيسي لحق الناس في التعبير عن الرأي بحرية في حين أن قانون المعلومات والاتصالات لعام 2006م وقانون الأمن الرقمي لعام 2018م هما القانونان الأساسيان للاستكشاف والتوصل إلى الحل. ومرت الدراسة أيضًا بقوانين وأنظمة أخرى مع مقالات علمية وكتب وتقارير ومجلات وصحف ومدونات وما إلى ذلك للتوصل إلى الأحداث السابقة والمعاصرة التي حدثت بسبب استخدام وسائل التواصل الاجتماعي والتعبير عن الرأي. أخيرًا، وجد الباحث أن وسائل التواصل الاجتماعي هي المنصة الوحيدة للتعبير عن اختيار الرأي من قبل الناس اليوم ولا يرتاحون تجاه القوانين الحالية كما يجب أن يكون هناك تعديل في كل من قانون المعلومات والاتصالات و قانون الأمن الرقمي DSA ويجب أن يكون التراجع محدودًا من حيث حق الأفراد في التعبير والحق في المعلومات. وخلصت الدراسة إلى بعض التوصيات للحكومة والجهات الأخرى ذات الصلة بحقوق الإنسان.

## APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Master of Comparative Laws.



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Md. Zahidul Islam  
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Nor Hafizah Bt Mohd Badrol  
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Head, Department of Civil Law

This dissertation was submitted to the Ahmad Ibrahim Kulliyah of Laws and is accepted as a fulfilment of the requirement for the degree of Master of Comparative Laws.

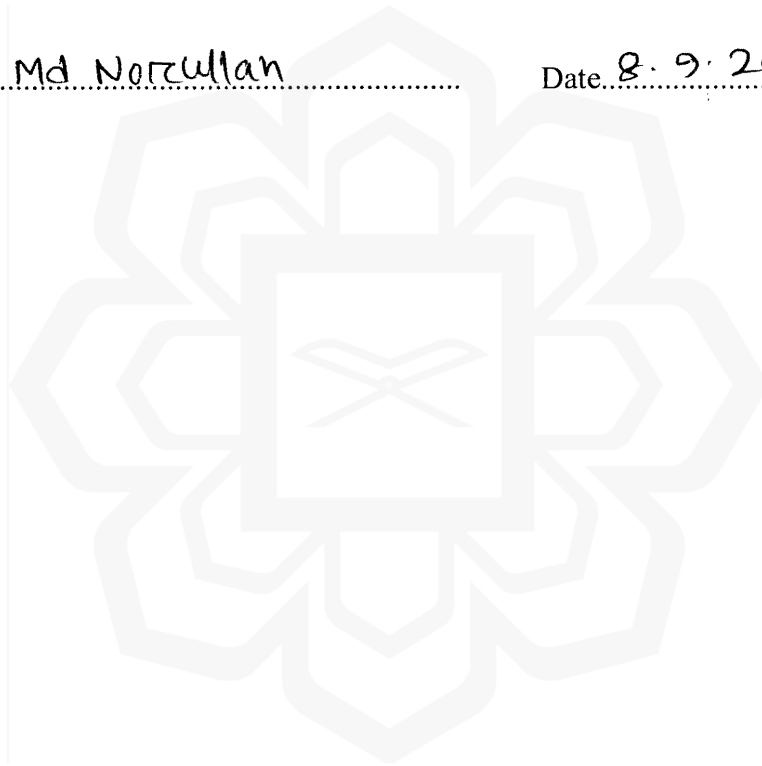
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## DECLARATION

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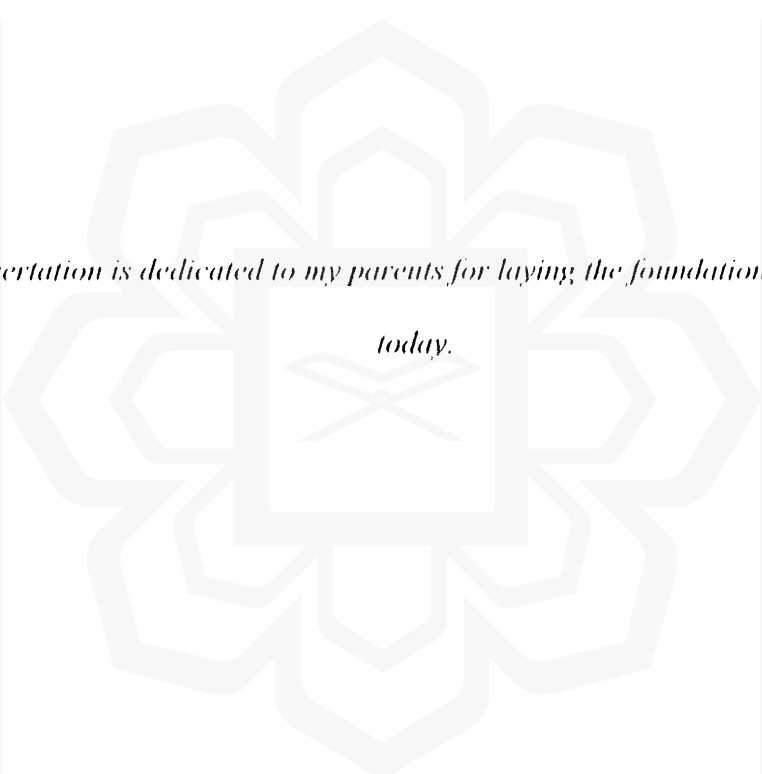
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*This dissertation is dedicated to my parents for laying the foundation for what I am  
today.*

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## LIST OF CASES

*AKM Shafiuddin v Bangladesh and Others* (2012) 41 CLC (HCD).

*Bangladesh v H. M Ershad* (2000) 52 DLR (AD) 162.

*Ekramul Haque Balbul v Md. Faiz and Others* (2014) 43 CLC (AD).

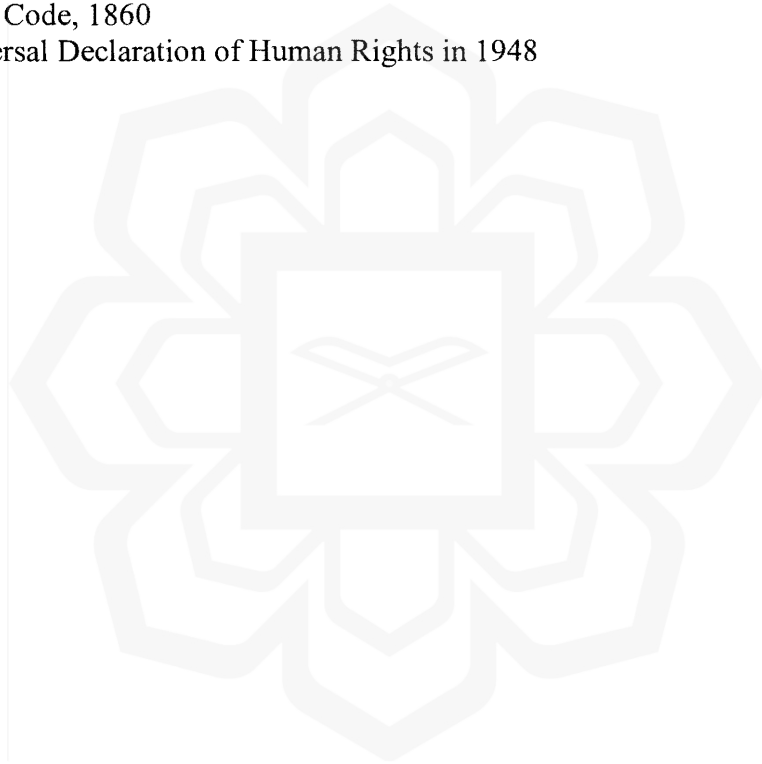
*Ghosh v Joseph* (1962) II-LL. J 615.

*Oxinel Services Pte. Ltd v SOM Kalimullah, MD, Bangladesh Telecommunication Company Limited (BTCL) and Others* (2014) 43 CLC (HCD).



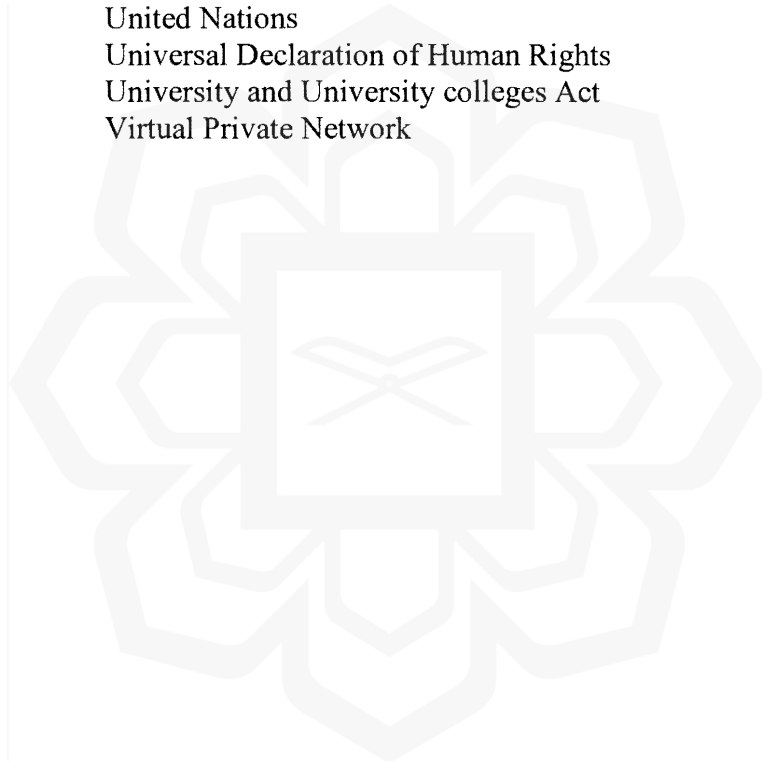
## LIST OF STATUTES

Bangladesh Digital Security Act 2018  
Bangladesh Telecommunications Act 2001  
Information and Communication Technology Act of 2006  
International Covenant on Civil and Political Rights  
Official Secrets Act of 1923  
Printing presses and publication Act 1973  
Right to information Act 2009  
The Cairo Declaration of Human Rights  
The Constitution of the People's Republic of Bangladesh, 1972  
The Information and Communications Technology Act 2006  
The Penal Code, 1860  
The Universal Declaration of Human Rights in 1948



## LIST OF ABBREVIATION

BDSA	Bangladesh Digital Security Act
CDHR	Cairo Declaration of Human Rights
DSA	Digital Security Act
HRC	Human Rights Commission
ICCPR	International Covenant on Civil and Political Rights
ICT	Information Communication Technology
ISA	Internal Security Act
PIL	Public International law
SC	Supreme Court
US	United States
UN	United Nations
UDHR	Universal Declaration of Human Rights
UUCA	University and University colleges Act
VPN	Virtual Private Network



# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 RESEARCH BACKGROUND**

Freedom of expression is a significant human right recognized by the major international law as well as constitutional law in Bangladesh. It is one of the fundamental elements of a society where people enjoy the opportunity to express their valuable opinion with regard to social, political, religious, economic and other crucial matters that attract the mind of the people of a particular society. This right enables the free exchange of ideas, opinions and information, and thus allows members of society to form their own opinions on issues of public importance. Freedom of expression serves public debate and supports a free and independent press, informed citizenship and the transparent functioning of the state. Nevertheless, the term contains wide range of means and ways to express opinion, thus the dimensions of freedom of expression remain undefined and are rather left to the time and context of the society to define freedom of expression according to the society's need.

On the other hand, international laws as well as national laws of the countries impose restriction on the freedom of expression for showing ambiguous context of national security and peace. In addition, sometimes national authorities penalize individuals or groups for their distinct opinion and therefore, persecute and force to flee to other jurisdiction. Mass media and other media such as social, traditional, mainstream or new are considered the main ways to practice this freedom. Nowadays social media and Internet blogging platforms are popular all over the world. Anyone may have connection anywhere and instantly access information as frequently as one desires.

## **1.2 STATEMENT OF THE PROBLEM**

Bangladesh as a nation and its people have witnessed, to a certain extent, the abuse of this right through extra-legal mechanisms. The violation to a large extent has been worsened by the brand of laws used in curtailing free speech and expression on various grounds which are always forwarded as a defense such as the national security, political stability, friendly relationship with neighboring countries and many more. In this study therefore, the author's argument is that the limitations imposed on this right largely can be attributed to the legal provisions in the constitution and other statutory provisions though might have been drafted with good intention like maintaining harmony in the polity, yet they are still ambiguous and too general and thus in return have led to the abuse of silencing the right to free speech and expression.

## **1.3 RESEARCH QUESTIONS**

The Following are the research questions selected for this research:

1. What are the extent and limitation of freedom of expression in Bangladesh?
2. What are the laws relating to freedom of expression in social media in Bangladesh?
3. What are the strengths and weaknesses of the regulations related to social media of Bangladesh?
4. What are the suggested improvements for the regulations (if any) of freedom of expression in social media?

#### **1.4 RESEARCH OBJECTIVES**

1. To examine the extent and limitation of freedom of expression in Bangladesh.
2. To identify laws relating to freedom of expression in social media in Bangladesh.
3. To explore the strengths and weaknesses of the regulation related to freedom of expression and social media in Bangladesh.
4. To recommend improvements (if any) relating to freedom of expression in social media in Bangladesh.

#### **1.5 HYPOTHESIS**

Right to freedom of expression in social media of Bangladesh is consistent with the constitution of Bangladesh.

#### **1.6 SCOPE AND LIMITATIONS OF THE STUDY**

The scope of this research is to examine and identify the strengths and weaknesses of freedom of expression in social media in Bangladesh. In addition, the research further contains the significance of freedom of expression for establishing a modern democratic society where everyone should contribute to the policy and decision making. Furthermore, the research elaborates the characteristics and scope of freedom of expression in Bangladesh law perspectives. Moreover, it also investigates the challenges that are hindering the safeguard of freedom of expression in a society and finds possible roadmap for resolving those obstructions and restriction. The first limitation of this study comes from its focus on fundamental issues around the concept of freedom of expression. Secondly, the research does not go beyond the above scope



of the study therefore, it does not cover the freedom of expression in electronic and printed media and freedom of expression in the current discussion. Thirdly, the in depth research on freedom of expression requires adequate financial budget which is a significant limitation of the study. In addition, it was difficult to interview the government's spokesman about this crucial issue and therefore, it was hard to diagnose the situation with great level of precision and the causes behind restrictions on freedom of expression in many jurisdictions.

## **1.7 METHODOLOGY**

This research employs a qualitative research method and this study is purely a doctrinal research. Within the approaches of legal research, this study follows descriptive and analytical approaches to achieve the objective of the research. In the descriptive approach the research looks into the background of the emergence of the freedom of expression under Bangladeshi law by referring to the ongoing situation in the current time. Analytical approach addresses strengths and weaknesses of freedom of expression in social media in Bangladesh. Furthermore, it contains the discourses with regard to freedom of expression with regard to objectives and application of this right. The scope and dimensions of freedom of speech and expression comply with the laws of Bangladesh. The analysis further addresses the major grounds for obstruction of the freedom of expression around the world in both democratic societies as well as non-democratic monarchical societies, and investigate the roadmap for overcoming the dichotomy.

In order to achieve the goal of this study, the researcher consulted with the constitutional law of Bangladesh and international human rights instrument such as

conventions, covenants, declarations, treaties on human rights as a primary source for the analysis.

### **1.8 SIGNIFICANCE OF THE RESEARCH**

This study is important because it helps with the analysis and review on current freedom of expression in social media in Bangladesh. Freedom of expression is one of the most important rights for every human. For this reason, the study will broadly discuss extensions and limitations of freedom of speech and expression in Bangladesh. Moreover, this benchmarking study will help to identify and analyze the current approach and study any law framework that permits the Internet content filtering in Bangladesh. Furthermore, in every research conducted, limitations from the study related can be used as guidance for potential future research. Therefore, in this cycle, knowledge will be expanded and it will open opportunities for further research.

### **1.9 LITERATURE REVIEW**

Researchers from different interrelated fields and trends have conducted extensive research on freedom of speech and expression, including social, human rights, law, opinions, etc. Although many research related to freedom of speech and expression rights have been conducted before, the impact of free speech and expression on social media perspective has not focused on this particular point. Then, countless examinations of freedom of speech and freedom of expression have been conducted through web-based media, covering a wide range of surveys, stating the exploration of different foundations and results. There are several factors that clarify why no exploration, on to what extent freedom of speech and expression in social media in Bangladesh can be exercised, has been done here. It is most likely due to the

quantitative tendency of social attractiveness, and it is difficult to get a real response due to the influence of the subject. To be sure, these developments are difficult to accurately quantify, which can be determined by begging to prove that they may have used the debatable methodology in the past studies. Few samples of previous research have been given below among all other studies related to freedom of speech and expression in social media in Bangladesh.

Dr. Shakiul Alam Khan, whose research is titled "Freedom of Expression in Bangladesh: A Critical Analysis and Evaluation of Article 57 of the Information and Communication Technology Act of 2013 (Amended)"<sup>1</sup>. The author talks about freedom of speech and expression in Bangladesh Article 39 of the country's constitution and other global instruments that ensure this and focus on consistency with section 57 of the 2013 Information and Communication Technology Act. Similarly, the study showed that Section 57 of the 2006 ICT Act (amended in 2013) governs penalties for spreading falsified, indecent or critical information in an electronic structure, in which case appearance is often associated with "freedom of thought and expression" conflict. Part of the "right to privacy" is extremely active, which brings huge uncertainty. This article focused on Article 57 of the 2013 ICT Law, and requires online media views.

Sadia Jamil's book "The Handbook of Research on Combating Threats to Media Freedom and Journalist Safety"<sup>2</sup> is an essential reference source that evaluates how diverse threats impact journalists' wellbeing, their right to freedom of expression,

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<sup>1</sup> Md. Shakiul Alam Khan, "Freedom of Expression in Bangladesh: A Critical Analysis and Evaluation of Section 57 of the Information and Communication Technology Act, 2013 (Amended)", <[https://www.academia.edu/36083268/Freedom of Expression in Bangladesh A Critical Analysis and Evaluation of Section 57 of The Information and Communication Technology Act 2013 amended](https://www.academia.edu/36083268/Freedom_of_Expression_in_Bangladesh_A_Critical_Analysis_and_Evaluation_of_Section_57_of_The_Information_and_Communication_Technology_Act_2013_amended)>. - (accessed 10 March, 2020).

<sup>2</sup> Sadia Jamil (ed.), *Handbook of Research on Combating Threats to Media Freedom and Journalist Safety*, (UAE: IGI Global, 2020), 51.

and overall media freedoms in various contexts and assesses inadequacies in national security policies, planning, and coordination relating to the safety of journalists in different countries. The writer stated in the book that “The freedom of expression and the freedom of information are the indispensable components of free media. Without these two basic rights, an informed, active, and participatory citizenry is impossible”. The book features research on topics such as freedom of the press, professional journalism, and media security. The book is ideally designed for journalists, news writers, editors, columnists, press, broadcasters, newscasters, government officials, lawmakers, diplomats, international relations officers, law enforcement, industry professionals, academicians, researchers, and students.

Wolfgang and Matthias in their book named “Freedom of Expression and the Internet”<sup>3</sup> have set out to answer key questions regarding the extents and limits of freedom of expression online. The book seeks to shed light on the often obscure landscape of what we are allowed to say online and how our ideas and the process of imparting and receiving information are protected. The book also shows the large ambit of rights protected by freedom of expression, including freedom of the media and the right to access information, and confirms that all aspects of the communicative process, offline just as online, are protected by freedom of expression. However, the book marked an important point that “freedom of expression online must be protected just like freedom expression offline, taking into account the nature of the Internet, it is an synchronicity, ubiquity and speed”.

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<sup>3</sup> Wolfgang Benedek and et al, *Freedom of Expression and the Internet: Updated and Revised*. (London: Council of Europe, 2nd edn., 2020), 122.

S. M. Saiful Haque in his insightful work named "The Freedom of Thought and Social Networking in Bangladesh: Case Analysis on Facebook"<sup>4</sup> aimed to understand the functions of interpersonal organizations; facebook follows Bangladesh's constitutional protection of freedom of thought. Now, Facebook has opened up another system management period. Personally it is inevitable tool for sharing words, thoughts and emotions. The study found that almost 92% of the Bangladeshi public (especially children) are interested in using Facebook, their view is to share words and contemplation with others. However, Facebook has a huge function in the network with other people. Nonetheless, Facebook has been found to be a media that spreads fake news, teaches unsocial behaviour, psychological oppression and even state behaviour. The article provides an understanding of the freedom of thought and speech in the colony of Bangladesh, especially an evaluation of the legal rights perspective. Through investigations to determine the public and global arrangements for freedom of thought and speech, soul, news and basic human rights, the inspection work analyzes the existence and truth of the miracle in Bangladesh. In any case, the author has found that the digital access of electronic instruments can increase the individual's compulsion to informal communication, and can expand the space to realize freedom of thought, freedom of opinion and freedom of the Internet. Similarly, the rapid development of the Internet and the increase in electronic availability will certainly stifle free reasoning and writing in the digital circle. Despite the dangers, the Internet can still keep young people alive so that they can exchange ideas on different public and global issues. Research has found that Section 57 of the Information and Communication Technology Act is indeed a real threat to free planners, and the ongoing struggle against this oppressive arrangement

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<sup>4</sup> S M Shyful Hoque, "Freedom of Thought and Social Networking in Bangladesh : Case Studies on Facebook", *Banglavisoin Research Journal*, vol. 17, no. 1 (2017): 56-72.

continues. Although public agencies have hoped to publish the "Digital Security Act"(DSA), the Act will further limit the scope of free deductions as a protective layer to stifle human freedom. The author pointed out that in any case, Facebook and section 57 of the 2013 ICT Act have disadvantages. This exploration did not consider other online media stages and DSA.

Ummay Habiba, and others in their book named "Freedom of Expression in Bangladesh in the Context of Bloggers' Killings"<sup>5</sup>, the image of freedom of speech and the killing of bloggers in Bangladesh are studied. First of all, how do Bangladeshi media outline the killing of bloggers, and how does inclusiveness correspond to freedom of speech? In addition, what about the freedom of speech for bloggers? How do Bangladesh's legal, social and strict institutions affect them? The topic of this article is Bloggers' freedom of speech and freedom of expression on the website, and the author is open to the expression of blogs based on web media.

Abu Bakar Siddik and Saida Talukder Rahi in their article titled "Cybercrime in Social Media and Analysis of Existing Legal Framework: Bangladesh in the Context"<sup>6</sup> attempted to investigate the current laws and institutions governing cybercrime in Bangladesh. The document found that the legal system for regulating cybercrimes in Bangladesh is extensive, but it is actually insecure and confusing. Therefore, this article largely cancels the existing legal arrangements, such as the "Information and Communication Technology Act" and the "Digital Security Act". The paper was finally completed by proposing the "Social Media Security and Misuse Restraint Act." This article covers cybercrime and current laws regarding web-based

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<sup>5</sup> Ummay Habiba and et al., "Freedom of Expression in Bangladesh in the Context of Bloggers' Killings", in *Negotiating Journalism: Core Values and Cultural Diversities*. (Gothenburg: Nordicom, 2017): 137–148.

<sup>6</sup> Md Abu Bakar Siddik and et al, "Cybercrime in Social Media and Analysis of Existing Legal Framework: Bangladesh in Context", *BiLD Law Journal*, vol. 5, no. 1 (2020): 68–92.

media in Bangladesh, and does not mention specific rights to freedom of speech and expression in online media. Therefore, rights and guarantees should be further studied.

In the article "Discontentedness in the Rights of Freedom of Expression: Bangladeshi Perspective"<sup>7</sup>, it was focused on the most contemporary issue of the privilege of "Freedom of expression", which allows humans to communicate their feelings freely. Although this basic human right allows a person to communicate and gain feelings, it still relies on certain restrictions in a democratic society. In Article 19 of the Universal Declaration of Human Rights (UDHR), the basic human right to have the opportunity to express has been recognized worldwide and is regarded as international human rights law in the International Covenant on Civil and Political Rights (ICCPR). In this article, the author mainly focuses on Bangladesh's dissatisfaction with the right to express opinion covered by Article 39 of the Constitution, as well as international instruments such as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights in safeguarding human rights. Finally, this article assesses whether the external human rights framework is not enough to ensure Bangladesh's "right to express" or whether internal application measures are not enough to ensure basic human rights. In general discussions, it is usually emphasized from the article that the Bangladesh Constitution grants freedom of speech and freedom of expression, and those freedom of speech and expression will not affect the harmony and safety of the country, morality, profound qualities, public requirements and public well-being. In any case, Bangladesh's public authorities actually still need to fulfil their commitments under the commitments of public and international experts to ensure that there is a clear opportunity to establish a better democratic government. Moreover, Bangladesh's public authorities still actually

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<sup>7</sup> S M Sadat al Sajib and et al, "Discontentedness in the Rights of Freedom of Expression: Perspective Bangladesh", *Research Front*, vol. 4, no. 1 (2016): 75–88.

need to fulfill these commitments. The article also stated that Bangladesh governments are not serious about achieving a reasonable harmony between the privilege of having an opportunity for clear expression and other human rights that the Constitution and International Covenants also guarantee.

Ziaur Rahman, in his article on "Democracy: Freedom of Speech and Floor-crossing interface"<sup>8</sup> stated that the framers of the Bangladesh Constitution have made many provisions to ensure that a genuine democratic system is adopted in many articles of the Constitution. As an integral part of these contents, preamble articles 7, 9, 11 and 59 have the characteristics of public institutions based on democracy. Then, Article 39 provides for the right to freedom of speech. In any case, Article 70 restricts members' voting opportunities against their assembly options. The arrangement of Article 70 of the Bangladesh Constitution is promoting the majority system in the back stage. This arrangement does not help the Parliament maintain the constitution's estimate of the majority rule. Through this arrangement, the right to speak freely stated in Article 39 of the Constitution has become a futile method of voting within the parliament. This is why the research aims to discover the connection between the majority of the ruling governments, the right to speak, the free and fair democracy of people, analyze the attractive quality of floor-crossing arrangements, and investigate the terrible impact of Article 70 on the Bangladesh's culture of equality, and find a feasible solution to this problem. The constitution of Bangladesh states in its preamble that a democratic system will be the ultimate goal of the government, and the government will guarantee a majority rule system. In any case, to ensure the majority rule of the government, opportunity is an important angle. This part of the people's government is reflected in the majority sharing rules, as well as the central position of

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<sup>8</sup> Ziaur Rahman, "Democracy: Freedom of Speech and Floor-crossing interface", *Northern University Journal of Law*, vol. 4, no. 1 (2010): 24–38.