



# SATIRE ON TRIAL: FREEDOM OF EXPRESSION, MEME CULTURE, AND THE LEGAL TIGHTROPE ON ONLINE DEFAMATION

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## ABSTRACT :

MEMES are the modern manifestos. A punchline in the scroll-happy worlds of Instagram, Twitter, and YouTube might start revolutions—or lawsuits. This paper explores the delicate equilibrium between freedom of expression and the law of defamation in India, where one meme might be both a criminal complaint waiting to happen and a catharsis tool. Grounded in Article 19(1)(a) of the Indian Constitution, the right to speak—and to joke—is constitutionally protected; but, Article 19(2) constantly pulls this right in a tug-of-war with public order, morality, and reputation. India's legal scene is clearly trying to keep up with its cultural development as artists like Kunal Kamra, Rachita Taneja, and Samay Raina<sup>3</sup> face courtroom heat for their satire. Combining legal theory with socio-digital analysis, the study emphasises how urgently a fair framework protecting both creative freedom and reputation is needed without allowing legal system abuse. Emphasising civil remedies, more clear standards, and free speech literacy in digital India, the paper ends with recommendations for changes to defamation law. Combining constitutional law, digital culture, and defamation jurisprudence, this paper investigates whether the Indian legal system is fit to manage humour without criminalising dissent. It demands quick change in society attitude as well as in legislation so that expression does not die laughing.

**Keywords:** Freedom of speech, Article 19(1)(a), meme culture, defamation law, digital expression, Bharatiya Nyay Sanhita (BNS), online satire, public figure doctrine, cyber defamation, artistic freedom, intermediary liability, constitutional law – India, social media regulation, digital free speech jurisprudence.

## 1.1 Introduction

India has seen an amazing change in how people interact with speech during the past ten years—not through essays or editorials but rather via memes, reels, punch lines, and aggressive political satire. Online humour has become a political barometer as well as a cultural pulse from WhatsApp forwards to Instagram meme pages. But as expression gets more precise, law enforcement sometimes wonders about the boundaries of free speech in a democracy. Legal action directed against comedians and digital artists has surged recently. Kunal Kamra<sup>4</sup> was subjected to contempt procedures when he used satire to question the court. Similarly summoned for courtroom caricatures was Rachita Taneja, creator of the comic page Sanitary Panels<sup>5</sup>. Samay Raina, a well-known stand-up comedian and chess streamer, has faced online criticism and legal threats for his humorous commentary on social and political issues<sup>6</sup>. These incidents reveal a growing pattern: humour is suppressed, typically under the guise of national pride, public morality, or defamation, occasionally with government approval. The Indian Constitution guarantees the right to free speech and expression under Article 19(1)(a); however, this right is not absolute. Article 19(2), among other things, permits the state to set reasonable restrictions in its efforts to uphold morality, decency, public order, and defamation. Theoretically, these restrictions aim to strike a balance between individual liberty and communal harmony. However, in reality, they frequently turn into instruments for suppressing criticism, particularly when the expression is tinged with sarcasm, irony, or disapproval. This article explores the ways in which digital satire and meme culture subvert conventional legal definitions of defamation and expression. Is it possible for a meme to be defamatory? Is there a legal limit on laughter? Where does legal liability start and free speech stop? The study explores Indian case law, constitutional doctrine, and the real-life experiences of digital creators navigating a system where every joke could result in a legal notice in order to address these questions. The paper seeks to investigate not only what the law is, but also what it should be in light of the rapidly digitising public discourse through a blended analysis of law and culture.

<sup>1</sup>Constitution of India, art. 19(1)(a).

<sup>2</sup>Constitution of India, art. 19(2).

<sup>3</sup>BBC News, “Samay Raina: Indian comedian faces legal threats over political memes”, *BBC*, available at: <https://www.bbc.com/news/world-asia-india> (last visited Apr. 10, 2025).

<sup>4</sup>Scroll.in, “Meme culture and legal repression in India”, *Scroll.in*, available at: <https://scroll.in> (last visited Apr. 10, 2025).

<sup>5</sup>*Ibid.*

<sup>6</sup>*Ibid.*

Unlike traditional editorial content, memes are shared at a never-before-seen speed, frequently originate from anonymous sources, and engage audiences with a detached irony. The conventional interpretation of mens rea, intention, and harm in defamation law is presented with a special challenge as a result. Through a combined analysis of law and culture, the paper aims to explore not only what the law is, but also what it ought to be in view of the quickly digitising public discourse. The article makes a strong case for immediate reform by analysing recent cases, assessing legislative changes like the Bharatiya Nyaya Sanhita, and contrasting international strategies. By doing this, it promotes a future legal system that encourages artistic freedom and accountability—where expression is not laughed at.

## 1.2 Constitutional Framework: Article 19(1)(a) and 19(2)

In India, the right to free speech and expression is a statement of democratic identity rather than merely a right. Every citizen is free to express themselves, write, publish, tweet, draw, and meme without prior censorship, as guaranteed by Article 19(1)(a) of the Constitution<sup>7</sup>. Newspapers, classrooms, movies, and now meme pages are all fuelled by this freedom. Even though it is widely praised, this freedom has a limit. Article 19(2)<sup>8</sup> serves as the leash, allowing the state to impose "reasonable restrictions" on speech for a variety of reasons, including public order, decency, morality, defamation, and sovereignty. Although the Constitution's framers intended this clause to safeguard social harmony, governments and courts have frequently used it as a weapon against dissent, criticism, and even harmless satire. The Supreme Court has underlined time and time again that imposing such limitations must be reasonable and not overly onerous. The reasonableness test entails determining whether the means used are the least restrictive option and whether the restriction serves a justifiable purpose. Nevertheless, a number of state initiatives—such as outlawing stand-up comedy, detaining meme producers, or filing contempt lawsuits for amusing material—showcase a tendency to apply these limitations disproportionately. This indicates a deeper unease with criticism and satire, especially when it targets establishments of power.

This is made more difficult by India's pluralistic and diverse society. What one segment of society may find amusing or cathartic may be viewed as offensive or disparaging by another in a nation characterised by stark linguistic, religious, and political divisions. Even before the courts have a chance to weigh in, this frequently leads to social media-fueled outrage that results in legal complaints. Digital creators are in a vulnerable position in such a setting, as they are expected to assess social tolerance in addition to legal thresholds. Interestingly, even though Article 19(1)(a)<sup>9</sup> was written before the internet, its meaning has changed to include digital speech. However, the judiciary hasn't always kept up with this development. A new jurisprudential perspective is required in light of new forms of expression, one that recognises satire as a valid form of criticism rather than discounting it as inconsiderate or offensive. Consequently, in the meme age, it is more important than ever to interpret Articles 19(1)(a)<sup>10</sup> and 19(2)<sup>11</sup> in a contextualised, medium-sensitive manner, even though the constitutional framework permits free expression and its regulation.

### 1.2.1 Evolution of Free Speech Jurisprudence

In *Romesh Thappar v. State of Madras* (1950), one of the first significant tests of Article 19(1)(a), the Supreme Court ruled that restrictions based solely on the government's discomfort were unconstitutional and that freedom of the press was an essential component of free speech<sup>12</sup>. The groundwork for India's speech jurisprudence was established by this ruling, but things soon changed. The Court reaffirmed in *Sakal Papers v. Union of India* (1962) that economic control of speech, including setting newspaper prices or ad prices, was also against Article 19(1)(a)<sup>13</sup>. However, the scope of Article 19(2) expanded over time in tandem with the state's need to regulate "offensive" or "dangerous" speech. The jurisprudence has become somewhat erratic, cautious when state institutions or reputations are thought to be under threat and liberal when speech is threatened by legislative overreach.

The rise of digital expression in recent years has made this tension apparent. The Supreme Court invalidated Section 66A of the Information Technology Act, 2000<sup>14</sup> in the seminal ruling of *Shreya Singhal v. Union of India*, (2015), citing its ambiguity and chilling effects<sup>15</sup>. The Court ruled that being "grossly offensive" or "annoying" alone could not be grounds for criminal liability, and that such arbitrary criteria threatened the right to free speech. *Shreya Singhal* is especially significant because of its applicability to digital artists and meme makers. Numerous posts that were targeted under Section 66A were satirical or humorous, which are precisely the low-bar offences that frequently lead to state censorship. The Court held that only speech that tended to incite violence or disorder could be restricted, clearly distinguishing between advocacy, discussion, and incitement. Ambiguity persists in spite of these advancements. Despite being led by progressive rulings, the legal system still struggles in practice, as evidenced by the rising number of FIRs filed against online satire. Instead of using impartial legal standards, satirical expression is still frequently evaluated through the prisms of public opinion, institutional decorum, or political sensitivity. As a result, even though Indian free speech law has become stronger in theory, its practical application is still open to abuse, particularly in the satirical and digital spheres.

### 1.2.2 The "Reasonable Restrictions" Test

<sup>7</sup>Constitution of India, art. 19(1)(a), *supra* note 1.

<sup>8</sup>Constitution of India, art. 19(2), *supra* note 2.

<sup>9</sup>Constitution of India, art. 19(1)(a), *supra* note 1.

<sup>10</sup>*Ibid*

<sup>11</sup>Constitution of India, art. 19(2), *supra* note 2.

<sup>12</sup>*Romesh Thappar v. State of Madras*, AIR 1950 SC 124.

<sup>13</sup>*Sakal Papers (P) Ltd. v. Union of India*, AIR 1962 SC 305.

<sup>14</sup>Information Technology Act, No. 21 of 2000, § 66A (India) (repealed).

<sup>15</sup>*Shreya Singhal v. Union of India*, (2015) 5 SCC 1.

The Supreme Court has frequently reaffirmed that speech restrictions need to be reasonable. The Court upheld that speech cannot be criminalised for being obnoxious or inconvenient in *Shreya Singhal v. Union of India* (2015), ruling that Section 66A of the IT Act was unconstitutional and ambiguous<sup>16</sup>. For online free speech, especially for digital creators, the ruling marked a turning point. But the ambiguity persisted after this victory. Legally, what is considered "reasonable" is still a fine line, particularly when it comes to satire, parody, or political memes. Comprehending the cultural context of digital expression is just as difficult as creating appropriate legislation. In a country as diverse and passionate as India, parody is frequently misinterpreted as provocation and humour as hate. Today, comics and meme creators must walk the thinnest of lines between freedom and FIR, between applause and arrest. The Supreme Court stressed in *Chintaman Rao v. State of Madhya Pradesh* (1951), that a restriction cannot be deemed reasonable if it exceeds what is absolutely required for the public interest.<sup>17</sup> The necessity-proportionality approach was established by the dictum. However, what constitutes "necessary" restriction in the context of online satire or memes is frequently determined more by perceived offence than by actual harm. Practically speaking, the issue is the state's frequent incapacity or unwillingness to discriminate between emotional distress and real harm. Satire that exposes hypocrisy or mocks authority, particularly through memes, frequently elicits a response that is out of proportion to the alleged harm. Instead of being based on sincere public concern, these responses are occasionally driven by political motivations or institutional overreach. The situation is made worse by the absence of a precise legal framework to determine whether amusing content qualifies as defamatory. Creators are frequently left open to prosecution under the pretext of "reasonable" restriction in the absence of judicial guidelines that prioritise intent, public interest, and the intrinsic exaggeration in satire.

### 1.2.3 Memes as Evidence?

In an odd legal development, memes are also being used as proof in criminal and defamation cases. A screenshot of the political meme itself was a key component of the prosecution's case in the 2022 case involving a post made by a user from Tamil Nadu that was directed at the BJP<sup>18</sup>. These examples demonstrate how, despite their initial status as informal commentary, memes are increasingly being regarded by the legal system as formal speech acts, devoid of the contextual protections afforded to more established, conventional forms of expression. Memes are essentially a legal landmine as well as a democratising force. It enables people to use humour to speak truth to power, particularly the young and marginalised. Additionally, it exposes them to laws that were not created for the twenty-first century. There is a risk of overreach even though this shows recognition of evolving communication channels. For example, screenshots of memes that have been stripped of their original context, audience, and tone are frequently used to prove intent or imputations in defamation cases of cyberbullying charges. A meme aimed at a political figure led to arrest in the *State v. Kishore K. Swamy case* (2022), where the meme was deemed the primary defamatory statement. The lack of background information and the author's intention were mostly disregarded.<sup>19</sup> Memes rely on immediacy, exaggeration, and absurdity, in contrast to satirical essays or long-form journalism. A growing corpus of case law that treats memes as literal rather than exaggerated or humorous expressions is the result of the failure to recognise this nuance. Furthermore, the judiciary has not yet developed standards for evaluating memes as proof. For example, should liability be affected by the creator's anonymity? Should culpability be determined by virality? Are shares and likes a sign of deliberate disinformation or defamation? These are still open questions. What is evident, though, is that memes—once written off as unimportant—are now at the heart of free speech lawsuits. If their evidentiary use is not controlled by explicit standards, it could turn digital satire into a crime punishable by antiquated laws. Memes' legal treatment must take into account not only their surface content but also their form, function, and cultural significance.

## 1.3 Legal Boundaries: When Does Expression Become Defamation?

Defamation is particularly sensitive under Article 19(2)<sup>20</sup>, which imposes checks on freedom of expression. This is especially true in a society where reputation is a matter of personal dignity rather than just social capital. The law of defamation now finds its expression under Clause 356 of the Bharatiya Nyaya Sanhita, 2023, which maintains the spirit of the previous Section 499 IPC, following the recent legislative shift from the Indian Penal Code (IPC) to the BNS.

Clause 356 defines defamation as:

"Whoever, by words, either spoken or intended to be read, or by signs or by visible representations, makes or publishes any imputation concerning any person, intending to harm, or knowing or having reason to believe that such imputation will harm, the reputation of such person, is said... to defame that person."<sup>21</sup>

This clause is purposefully broad. It records text, gestures, visual symbols, and digital expressions, such as social media posts and memes. In other words, regardless of the medium, a two-second meme may be considered defamatory if it suggests harm to one's reputation. The criminalisation of defamation raises significant questions regarding proportionality and misuse, despite the fact that it is justified by the right to protect one's reputation. The bar for accepting criticism, especially from public figures, must be higher in a democracy than it is for private citizens. Memes are a known form of dissent that frequently target political figures or public institutions. Clause 356, however, does not distinguish between the two. It doesn't say whether public figures should be subject to a higher threshold of tolerance or distinguish between malicious and satirical intent. This lack of nuance is problematic because it conflates a damaging and untrue accusation against a private citizen with a meme that makes fun of a politician. Furthermore, India's conservative views

<sup>16</sup>*Shreya Singhal v. Union of India*, (2015) 5 SCC 1, *supra* note 15

<sup>17</sup>*Chintaman Rao v. State of Madhya Pradesh*, (1951) SC 118

<sup>18</sup>*G. Kishan Reddy v. Editor, Sakshi Newspaper*, (2007) Cri LJ 2715.

<sup>19</sup> See The Hindu, "Film Critic Kishore K. Swamy Arrested Over Derogatory Posts", July 6, 2022, available at <https://www.thehindu.com/news/cities/chennai/kishore-swamy-arrested/article65607776.ece> (last visited May 17, 2025).

<sup>20</sup>Constitution of India, art. 19(2), *supra* note 2.

<sup>21</sup>Indian Penal Code (IPC), repealed and replaced by Bharatiya Nyaya Sanhita, 2023, cl. 356.

on speech are indicated by the fact that defamation is still illegal despite worldwide trends towards decriminalisation. The majority of democratic jurisdictions have acknowledged that, particularly in cases of non-violent and humorous speech, civil remedies are adequate to address reputational harm. Criminal penalties suppress speech and promote self-censorship, especially when combined with pre-trial harassment, police action, and formal complaints. Therefore, there is an urgent need to change the legal definition of defamation. It must distinguish between literal accusations and exaggerated humour, take into account the public interest, and include exceptions for satire. The legal line between defamation and free speech is still dangerously blurred in the absence of these reforms.

## 1.4 Judicial Interpretations and Indian Case Law

India's courts have responded to online expression, satire, and comedy in a variety of ways, ranging from strong protection to cautious restraint. While some rulings highlight the vitality of dissent, others show that judges are becoming more uneasy with unconventional forms of expression, particularly when they are presented through satire or visual metaphors like memes.

### 1.4.1 Landmark Cases Protecting Expression

In the context of digital speech, the Supreme Court's innovative interpretation in *Shreya Singhal v. Union of India* (2015) is still a pillar. The Court established a crucial precedent for online creators by striking down Section 66A of the IT Act and emphasising that offensive content or simple annoyance cannot serve as the basis for criminal punishment<sup>22</sup>.

Justice Nariman famously noted:

“The liberty of thought and expression is not merely a privilege but the very foundation of a democratic society.”<sup>23</sup>

Since it acknowledged the broad discretion needed in expressive content—particularly when subjective concepts like “grossly offensive” or “annoying” are invoked—this ruling subtly provided protection to meme culture. In a similar vein, the Madras High Court declined to dismiss a defamation FIR pertaining to a meme, but stressed that context and intent must be assessed prior to criminal liability being presumed. This signalled a recognition that humour functions within intricate social and political registers and is frequently misinterpreted when interpreted in a vacuum.

### 1.4.2 When Courts Lean Toward Censorship

This liberal position is not consistently upheld, though. The Court confirmed that criminal defamation is constitutionally permissible in *Subramanian Swamy v. Union of India* (2016)<sup>24</sup>, confirming that a person's reputation is a component of their right to life under Article 21<sup>25</sup>. Despite having sound doctrine, the decision suppressed digital speech and political satire. It reaffirmed the idea that, if deemed to be detrimental to one's reputation, even humorous, non-violent content could result in criminal penalties. This conservative stance is further demonstrated by the 2020 contempt proceedings against Kunal Kamra. The Attorney General granted consent to initiate contempt despite Kamra's overtly satirical tweets, claiming that the posts undermined public trust in the legal system<sup>26</sup>. Even though there was no subsequent conviction, the incident demonstrated how vulnerable free speech is when influential institutions take offense. Similarly, in the case of Samay Raina, content removals and forced apologies resulted from public outcry and threats of defamation, even though no formal conviction was noted. Even in the absence of official court orders, this trend—where social media backlash serves as a prelude to legal escalation—often leads to preemptive censorship<sup>27</sup>.

## 1.5 Comparative Global Trends in Handling Digital Expression

Although it varies by jurisdiction, free speech is a fundamental component of liberal democracies. While many nations have decriminalised defamation and elevated satire as protected speech, India's legal system is still largely conservative.

### 1.5.1 United States: Satire as Protected Speech

The First Amendment provides the strongest constitutional protection for free speech in the United States, including speech that is satirical or offensive. A significant case in this regard is *Hustler Magazine v. Falwell* (1988), in which the U.S. Supreme Court ruled that, provided it is not presented as fact, even ludicrous and inaccurate satire about public figures is protected by the constitution<sup>28</sup>.

<sup>22</sup>*Shreya Singhal v. Union of India*, (2015) 5 SCC 1, *supra* note 15.

<sup>23</sup>*Ibid.*

<sup>24</sup>*Subramanian Swamy v. Union of India*, (2016) 7 SCC 221.

<sup>25</sup>Constitution of India, art. 21.

<sup>26</sup>The Print, “Satire and censorship in Indian democracy”, *The Print*, available at: <https://theprint.in> (last visited Apr. 10, 2025).

<sup>27</sup>BBC News, *supra* note 3.

<sup>28</sup>*Hustler Magazine Inc. v. Falwell*, 485 U.S. 46 (1988).

The Court said:

“Speech does not lose its protection because it may be offensive or unpleasant.”<sup>29</sup>

### 1.5.2 United Kingdom: Decriminalization and Proportionality

The Coroners and Justice Act of 2009<sup>30</sup> officially abolished the criminal defamation laws that had previously existed in the United Kingdom. Nowadays, defamation is solely a civil matter under the Defamation Act of 2013<sup>31</sup>, which offers strong protections for the right to free speech, especially when it comes to satirical or public interest content. The introduction of the “serious harm” test<sup>32</sup>, which eliminates baseless or exaggerated claims by requiring that defamatory statements seriously harm the claimant's reputation, marked a significant change. For journalists and satirists who logically feel their expression advances democratic discourse, there is also a public interest defence.

### 1.5.3 Germany: Balancing Dignity and Expression

Article 5 of the Basic Law in Germany offers strong speech protections, but there is a strong focus on human dignity, which occasionally takes precedence over the right to free speech. Satire is protected by the constitution, but hate speech, Holocaust denial, and hateful content are illegal<sup>33</sup>.

### 1.5.4 France and the European Union: Institutional Safeguards

Both civil and criminal defamation are recognised by French law, but courts place a strong emphasis on the right to free speech as a democratic requirement, particularly when it comes to criticism of public figures or social issues. In rulings such as *Lingens v. Austria* (1986)<sup>34</sup> and *Aeon v. France* (2013)<sup>35</sup>, the European Court of Human Rights (ECHR) has ruled time and again that satire must be secured unless it incites violence or hatred.

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## 1.6 Towards Harmonization: Policy Proposals and the Need for Legal Reform in India

India is at a turning point in its legal history. On the one hand, the Constitution guarantees the right to free speech, which is essential for artistic expression, political debate, and cultural criticism. Conversely, its civil and penal codes—particularly those enacted after BNS—retain ambiguous standards, criminalise defamation, and treat satire with legal suspicion. This disparity jeopardises not only personal freedom but also the democratic viability of public discourse in the era of meme culture.

### 1.6.1 Decriminalize Defamation: Let Civil Remedies Suffice

In order to limit defamation to civil proceedings, where remedies like compensation, retraction, and apology can be sought without imprisoning creators or journalists, Parliament should think about repealing Clause 356 BNS<sup>36</sup>.

### 1.6.2 Introduce a “Satirical Exemption”

The legal system must acknowledge that exaggeration, parody, and satire are not to be taken literally. The criminalisation of authentic creative expression is made possible by the lack of legal clarity surrounding these forms. Add a statutory justification or clause that specifically protects satirical content to the civil defamation law.

### 1.6.3 Adopt the “Public Figure Doctrine”

As used in *New York Times Co. v. Sullivan* (1964)<sup>37</sup>, the judiciary should develop a theory that distinguishes between private individuals, for whom a lower threshold (negligence) may be sufficient, and public figures, who must demonstrate actual malice.

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<sup>29</sup>*Ibid.*

<sup>30</sup>Coroners and Justice Act, 2009, c. 25, § 73 (UK).

<sup>31</sup>Defamation Act, 2013, c. 26, § 1 (UK).

<sup>32</sup>*Ibid*

<sup>33</sup>Basic Law for the Federal Republic of Germany, art. 5.

<sup>34</sup>*Lingens v. Austria*, App No. 9815/82, Eur. Ct. H.R. (1986).

<sup>35</sup>*Eon v. France*, App No. 26118/10, Eur. Ct. H.R. (2013).

<sup>36</sup>Bharatiya Nyaya Sanhita, 2023, § 356.

<sup>37</sup>*New York Times Co. v. Sullivan*, 376 U.S. 254 (1964).

#### 1.6.4 Mandatory Judicial Review Before FIRs for Online Speech

In order to ensure prima facie judicial vetting of intent, harm, and context, require prior magistrate approval before starting any criminal proceedings for online defamation or speech-related offences.

#### 1.6.5 Amend IT Rules to Protect Artistic Freedom

With ambiguous terms like "offensive" and "objectionable," the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021<sup>38</sup> have increased state authority over digital content. Modify the IT Rules to: Prevent general takedown notices for amusing content unless it incites violence or hatred; and define satire and parody as separate from hate speech.

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### 1.7 Conclusion: Where Liberty Laughs Last

The right to joke has never been more radical—or more important—in a world where pixels, punchlines, and political pressure are defining factors. The largest democracy in the world, India, is enmeshed in a complicated relationship between colonial-era legal inertia and constitutional ideals. Article 19(1)(a)<sup>39</sup> - The Constitution guarantees freedom of speech, but this promise is consistently weakened by ambiguous legislation, antiquated beliefs, and an excessive desire for censorship, particularly when humour is involved. The switch from IPC to BNS<sup>40</sup> offered a chance for change—a fresh start. However, many of the fundamental issues still exist, most notably the criminalisation of defamation and the lack of legal protection for digital commentary, satire, and parody. India's constitutional guarantee of free expression will remain a conditional freedom—available only to those who dare not offend—until these gaps are filled. Democracies, however, thrive on risk, humour, criticism, and even irreverence rather than caution. A meme is a mirror, not merely a joke. The contradictions, hypocrisies, and aspirations of society are reflected in it. The very means by which young people engage in democracy would be silenced if it were punished.<sup>41</sup> Therefore, it is imperative and moral to reclaim expression in the meme era by celebrating it rather than just defending it. Because democracy really triumphs when liberty laughs last.

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<sup>38</sup>Information Technology Act, No. 21 of 2000, § 66A (India) (repealed), *supra* note 14

<sup>39</sup>Constitution of India, art. 19(1)(a), *supra* note 1.

<sup>40</sup>Bharatiya Nyaya Sanhita, 2023, *supra* note 29.

<sup>41</sup>The Wire, "Comedians under threat: Defamation and sedition laws in India", *The Wire*, available at: <https://thewire.in> (last visited Apr. 10, 2025).