

## **Trial by Media: Social Media as the Judge, Jury and Executioner in Megha Majumdar's *A Burning***

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### **Abstract:**

In the present-day world, life without social media has become quite unimaginable. Especially among the young adults, there is an unflinching desire to seek admiration and approval from the hundreds and thousands of people crowding social media. From what they eat to what they wear or even what they think, everything gets showcased in the social media so as to get like, shares and comments. In a way, people have forgotten to think for themselves and get swayed by the opinions projected via social media handles. And this often leads to misjudgement, fed not by reason and legal provisions but by digital outcry. Megha Majumdar's *A Burning* projects a cautionary tale of this society where an innocent person is murdered by the State so as to appease the digital mob swayed by misinformation. Social media is not just a platform for connectivity; it can shape public opinion and influence legal outcomes just as in the case of Jivan. A casual statement made by Jivan on the facebook timeline propels a legal case against her eventually leading to her execution. Obviously, Jivan's trial had much to do with State Politics and her status as a minority in India but the role of media in propagating falsehood and thereby swaying public opinion against her needs to be examined thoroughly.

**Keywords:** Trial by media, digital outcry, virality, public conscience, minority status, murder by the State

**“What can the courts do if the media does not?”**- asks Jivan, the young Muslim woman who is accused of helping terrorists set fire to a train in a local railway station near the slum where she lives. Jivan's helpless frustration reinstates not only hers but an entire generation's belief in the power of social media platforms. The media can generate, nourish and strengthen public opinion. We live in a digital era where social platforms give people a voice so powerful at times that even Governments are forced to act in a manner as to satisfy public conscience. Strangely, in Jivan's case, the same media that buoys Jivan with a hope to reach out to the masses and enlist their support also purrs the state to act in immediacy so as to avoid mass unrest and civil anarchy.

**“There is a case to be made... for soothing the conscience of the city, of the country. The people demand justice”**

The technology that connects us also controls us. The nation wants justice for the hundred and twelve innocent lives killed in the train attack by terrorists, and thus, a case has to be made. Jivan is accused of “sedition” and “crime to the state”- of “Waging war against the government, murder and criminal conspiracy, knowingly facilitating acts preparatory to a terrorist act [and] voluntarily harbouring terrorist” -and all these charges are substantiated and ratified by nothing more fragile than circumstantial evidences: statement of witnesses who have seen Jivan on the cursed night with a packet under her arms , her chat records with a person who is now revealed

to be a known terrorist recruiter, and something as common as the presence of kerosene soaked clothes in the kitchen of her home. Of graver imputation and serious legal culpability are her blatant remarks on the incompetency of a maladroit government:

**“if the police didn't help ordinary people like you and me, if the police watched them die, doesn't that mean that the government is also a terrorist?”**

In a democratic country, difference of opinion ought to be respected and criticism of the Government welcomed for constructive self appraisal and reforms but sadly in our country, bitter truth about the government is labelled as seditious and deemed anti national in spirit especially when the speech comes from a marginalized voice. Majumdar highlights how a simple online post can be stripped of its nuance and used as an evidence of guilt. Jivan's post does not just express her opinion but becomes the basis of accusation. Truth in India happens to be subjective to the Government, to the authorities in power who decide on the type of discourses that are acceptable and can be made functional as true. Thus Jivan's honest assessment of the ineffectual police-force, string-pulled by a bumbling Government, is slammed as seditious and tainted by a 'marked absence of loyalty to the state' while her own life of poverty, struggle and misfortune receives a deformed and derogatory colouring so much so that she herself could hardly call her own. Jivan does not understand why the media reports her as someone who used to work at a call centre and publish pictures of an entirely different person on the back of a motorcycle with a man or why the media claims that an internet cafe operator in the neighbourhood has affirmed that Jivan often made calls to Pakistan numbers. Americandi's explication of the media's desperate predisposition for falsification is however interesting in this context:

**“They work on deadlines, she says. “if they miss their deadlines they are fired. Who has time to ask questions?”**

With what sheer casualness, the media has supplanted its professed search for truth with an urgency to provide sensational pieces of news items before meeting the ghost of a deadline. And what is more, with the surge of online polling games that insinuate people to take sides and with talk shows on TV channels accounting for terrorist-like behaviour in poor young adults, Jivan is already slammed as a terrorist even before the court proceedings begin. The government that arrests Jivan for her blunt dig at its inefficacy does nothing to prevent the dissemination of false information shrouding her life and career. On the corollary, we are left to marvel at the complicity and lethargy of an entire generation of people who have forgotten to question even when a serious matter such as a terrorist attack is involved affecting the life and death of an accused.

Social media often prioritize engagement over accuracy enabling the spread of misinformation and falsehood, undermining rational discourse and exacerbating division among the public. The lure of TRP and financial gains emanating from likes, shares and comments on media feeds often goad the users to manufacture and manipulate information so as to achieve financial goals. Jivan's story is one such news material that could go viral and trending on the social media and hence, a web of misinformation spun around it. This brings us to another premise of social media behaviour prevalent in people. Social media virality dissolves the notion of truth

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as reality in social media is constructed through human activity: the more the likes and shares, the more is the contents propensity to truth- such is the belief.

Faced with the task of warring with the state and the state run system of justice that treat her as a terrorist even before her trial and use force to subdue her to confession, Jivan's only hope rests with the social media that can help her reach out to the masses and mould their response in her favour. Ironically, this move of Jivan lands her into greater troubles ultimately leading to her execution by the State. So long as she remained inaccessible to the media, the TV channels could only blabber that the accused is silent in prison, that she has granted no interviews, that she has offered no details other than a confession which she insist she was forced to sign and that she is protesting that she is innocent but as soon as her interview with Purnendu Sarkar, the editor of the *Daily Beacon* gets published, her animosity towards the government becomes apparent and begins to sway public judgement against her. People read in her story of poverty and misfortune, a history of lifelong anger at the Government, a potential motif for terrorist activities. Although Jivan delivers all those events of her life that are close to her heart and had made or unmade her, all that the media picks up are "bombs", "animosity towards the Police", "chat with terrorists" - hashtags that fit in with the necessity of a viral sensational story: "Who asks for the corroborative statement of the terrorist recruiter whom Jeevan had befriended on Facebook? Who cares to question the nature of the conversation she had with this person? Who is ready to believe or even presume that Jivan might be telling the truth? Rather than fostering an informed narrative, media often encourages and reaffirms societal divisions where users seek out contents that reinforce their own beliefs and opinions. Jivan's status as a poor Muslim is enough to warrant the possibility of her being involved in the terrorist attack. On the media, consensus gentium tends to gravitate towards a public outrage that confirms the existing distrust of the poor and the Muslims, closing their eyes to diverse perspectives. Even American who is a victim of such falsifications in her private life, doubt Jivan's innocence. For the users, the issue no longer remains about getting to the truth but about picking a side. Emotional resonance overshadows the factuality of information where people cannot but fall prey to their own whims and prejudices. In such an electrified ambience of personal politics, social interactions often aim at provoking and owning viewpoints rather than structuring a constructive debate. The desire for ideological affirmation and identity expression subdues the quest for truth.

We might question what would have happened if Jivan did not come from a Muslim or poor family? The novel provides ample instances to show how law differs for the poor and for the rich. The whooping boys who swoosh past the police van after their night club adventure can go scot free because their rich fathers know police commissioners and members of the legislature, figures who are 'capable of making all problems disappear' but for Jivan who has neither money nor connection, only despair awaits. The meaning of arrest is also different for the poor and for the rich. While Jivan is shoved into a dungeon and has to suffer like hell in prison, Sonali Khan, an eminent film-producer is confined to house arrest for a crime no less than killing an endangered species of rhinoceros. And to speak of her status as a Muslim before law, we need no saying as we can hardly lose sight of how a Muslim family is mutilated to death because of their supposed crime of consuming beef in a secular country. We are obviously

reminded of the Foucauldian notion of power as defining and controlling every other discourse in a society including the concept of truth and justice. As Foucault says-

**“Truth is a thing of the world: it is produced only by virtue of multiple forms of constraint. And it induces regular effects of power”**

What the society accepts as truth and regards as just is not a transcendental empirically verifiable reality but rather an epistemological premise, linked to a whole range of institutions, economic relations and political issues of social regulation. The inhuman massacre of human lives is so easily hushed up as an unfortunate accident so as to not let the conscience of the nation suffer. The public sentiment cannot be put to risk, The verdict accorded in Jivan's case also has much to do with appeasing public outrage and gaining political mileage. In a hard and troubled time when

**“The public is wanting blood [and]**

**The media is wanting death”**

what the Government can do best is to accord death sentence to the accused and save its image in the eyes of the public. Eager to show action, Jivan is used as a scape goat and her guilt is staged and consumed by the social media. As Jivan says,

**“The country needs someone to punish and I am that someone”**

Jivan's statement points out to the fragility of justice in an era swayed by digital hashtags and viral sentiments. Of course, the media does come up at times with a counter discourse, questioning the authenticity of the charges slammed against Jivan but that voice is too weak to persist and like the testimony of Lovely, the marginalized Hijra, perishes under the burden of the dominant discourse.

.In principle, Justice is blind in that it does not discriminate between the rich and the poor or between the Muslim and the non-Muslim. It weighs and considers all evidences, and delivers a fair verdict. Justice rests on law, evidence and due process but in today's world, justice is the prerogative of the rich and the powerful. In addition, law is often blinded by viral hashtags that replace trial procedures in court. Public anger becomes evidence and a digital mob function as the judge, jury and executioner. The danger lies in how social media accelerates fast tracked trials, driven more by legal outcry rather than thought, empathy and legal procedure. In Jivan's case, even her Mercy petition is denied and her execution is rushed. In the hands of the powerful, Jivan's life turns into a political tool. Politicians like Bimala Pal and PT sir exploit Jivan's case to prove their nationalistic loyalty and uplift their party's image and in doing so, they fuel the public narrative of guilt and make statements about sending a strong message to the nation. Jivan never gets a fair chance to speak for herself. Like a straw doll at the mercy of wild boys, she watches in helpless frustration as she is consumed by the fumes of digital outrage. In the digital era, the machinery of justice serves power and spectacle, not truth.

Majumdar's novel takes its cue from real world cases where accusations made online have led to arrests, social ostracism and legal penalization. Through the predicament of a poor Muslim like Jivan, the novel shows how allowing social platforms to influence legal outcomes can

perpetuate in not just a failure of the legal system but a moral collapse in itself. One of the central premises in Camu's Reflections on the Guillotine, pertains to capital punishment being "the most premeditated of murders". Camu argues that the state betrays its role as a moral guardian when it punishes a convict for killing a person by killing him legally. Besides capital punishment cannot be reversed: If an innocent person is put to death, no one can make amends for the loss of human life. This is precisely what happens in Jivan's case. The innocent Jivan is murdered by the State without a fair trial. In a world increasingly swayed by timeline feeds and hashtags, the novel urges us to examine how technology can be weaponised by those in power and how the line between public opinion and state violence is thinner than we presume,

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