

Online anonymity protects free speech more than it enables toxicity. Agree or Disagree?

The Debate Club — Debate #86

A balanced factsheet for participants

Context and Background

MeitY notified the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Amendment Rules, 2026 on 10 February 2026, and they took effect on 20 February 2026 [1][2]. They rewrote rules 2(1A), 3(1)(b) to (d), 3(2), 3(3), 4(1A), 4(2) and 4(4) [2]. Rule 3(1)(d) cuts the window to act on a court order or reasoned government intimation from 36 hours to three [1][3]; Rule 3(2)(b) cuts removal of non-consensual intimate imagery and impersonation to two hours [1]; police intimations must come from an officer of at least Deputy Inspector General rank [1]. Rule 3(3)(a)(ii) requires synthetically generated information to be labelled and embedded with permanent provenance metadata and a unique identifier [1]. The three-hour rule was absent from the 22 October 2025 draft and was never separately consulted on [5][8].

Rule 4(1A) is the part that touches identity: significant social media intermediaries must obtain a declaration from every user on whether content is synthetically generated, and deploy automated tools to verify that declaration before publication [1]. The Internet Freedom Foundation calls this compelled speech, and objects that intermediaries may disclose a user's identity to a complainant without a prior judicial order [4]. The setting is scale. MeitY's blocking orders roughly doubled to about 24,300 in 2025, and state police issued 2,312 blocking orders through the Sahyog portal between October 2024 and October 2025 across 19 platforms [7], a portal reaching roughly 16,000 police stations [6]. At least 22 constitutional challenges to the 2021 Rules remain consolidated before the Delhi High Court [28].

Arguments to AGREE — “anonymity shields dissent, sources and survivors more than it fuels abuse”

1. The one large real-name experiment produced almost nothing. South Korea's Real Name Verification Law of 2007 required identity verification before posting on most large sites. The leading study, using real platform data, found a significant reduction in uninhibited posting at the aggregate level but no substantial shift in individual users' behaviour, and no increase in participation [10]. It is observational, not randomised, and an aggregate drop is equally consistent with fewer people posting rather than the same people behaving better. Identity rules changed who spoke more than how they spoke.

2. Most abuse already comes from accounts that are identifiable. After the Euro 2020 final Twitter removed 1,961 tweets proactively by 14 July and reported that 99 percent of the accounts it permanently suspended for racist abuse were not anonymous [12]. Rost, Stahel and Frey's study of 532,197 comments across 1,612 online petitions found non-anonymous participants were more aggressive than anonymous ones, with only 29.2 percent choosing anonymity [11]. That study is observational and platform-specific, but it points away from those arguing to disagree.

3. Anonymity is load-bearing for sources, survivors and dissidents. The Electronic Frontier Foundation's case is that whistleblowers, human rights workers, abuse survivors and political dissidents cannot speak at all if identity is the entry price [14]. In the UNESCO and ICFJ survey of 714 women journalists, 41 percent believed the attacks on them were linked to orchestrated disinformation campaigns [13]. Orchestrated networks are funded and organised; ending anonymity raises the cost for the lone dissident far more than for the paid mob.

4. India has already watched a court order ordinary contributors to be unmasked. In ANI Media's defamation suit a Delhi High Court single judge directed the Wikimedia Foundation to disclose subscriber details of editors, and the Division Bench then ordered removal of the page reporting the case. On 9 May 2025 the Supreme Court set that removal aside, holding that takedowns require a real and substantial risk of prejudice and that the right to receive information is part of Article 19(1)(a) [27]. Unmasking arrived through ordinary civil litigation, not terrorism law.

5. Verification builds a database that then has to be defended. Draft Rule 10 of the DPDP Rules would have parents prove identity through government ID or DigiLocker before a child's data is processed [22], and PRS notes that verifiable parental consent for everyone under 18 means every data fiduciary must age-check every user [23]. *Puttaswamy* requires any such intrusion to be necessary and proportionate [17]. A universal identity layer is a permanent target, and its failure mode is exposing exactly the people anonymity protects.

6. Real-name rules fall hardest on people with the best reasons for another name. By December 2015 Facebook had been forced to add a special-circumstances route and a stricter reporting flow, conceding that its names process failed communities that are marginalised or face discrimination [15]. The pattern repeats: performers, trans users, survivors and activists lose accounts through mass reporting, while abusers posting under their legal names keep theirs [14][12].

7. The system that would receive an unmasked name has a poor record. Section 66A was struck down in March 2015 yet survived as a legal zombie, with fresh cases filed until the Supreme Court issued four implementation directions on 12 October 2022 [16]. On 24 September 2025 the Karnataka High Court upheld the Sahyog portal in *X Corp. v. Union of India* and declined to read *Shreya Singhal's* safeguards into the 2021 Rules [18]. Delhi High Court petitions in 2026 showed accounts blocked with no pre-decisional notice and no reasoned order [19].

Arguments to DISAGREE — “unaccountable identity makes online abuse cheap, scalable and unpunishable”

1. Disinhibition is a real mechanism, not folklore. Suler's account of the online disinhibition effect identifies dissociative anonymity, invisibility, asynchronicity and a sense that online life is a game as the drivers of conduct people would not risk face to face [9]. The Korean data are not empty either: the same study cited against real-name rules found a statistically significant aggregate reduction in uninhibited posting once verification was in place [10]. A small deterrent applied across millions of posts is not nothing.

2. Anonymous accounts are the largest single reported source of online violence against women journalists. In the UNESCO and ICFJ study, 57 percent of respondents named anonymous or unknown attackers as the most frequent source, ahead of political actors at 37 percent. Seventy-three percent had experienced online violence, 25 percent were threatened with physical violence, 18 percent with sexual violence, and 20 percent were attacked offline in incidents that began online [13]. The harm does not stay online.

3. Synthetic sexual abuse scaled faster than any speech benefit. In January 2026 image generation on X was used to sexualise thousands of women and children in India, and that episode drove the 2026 amendments [7]. The government's answer was a two-hour removal deadline for non-consensual intimate imagery and impersonation under Rule 3(2)(b) [1]. A two-hour deadline is an admission that by the time a victim is heard, the material has already been copied elsewhere.

4. Traceability exists because attribution is the only remedy that scales. Rule 4(2) of the 2021 Rules requires significant messaging intermediaries to identify the first originator of information [21]. When WhatsApp announced a usernames feature on 29 June 2026, MeitY's notice invoked that rule alongside sections 66C and 66D of the IT Act on identity theft and cheating by personation, and told the company not to roll the feature out pending consultation [21]. Pseudonymity at messaging scale removes the only handle investigators have.

5. Without identity, victims get deletion instead of justice. The 2026 Rules permit intermediaries to disclose a violator's identity to a victim-complainant in accordance with law [1]. Deletion alone leaves the account free to repost, so a two-hour or three-hour takedown becomes a treadmill unless someone can be named, sued or charged. Anonymity converts a legal wrong into a moderation ticket, and moderation tickets deter nobody who can open a new account in a minute.

6. When attribution fails, states reach for the crudest lever. Tamil Nadu police sought the blocking of Proton Mail under Section 69A in February 2024 after hoax bomb threats to Chennai schools were sent through the encrypted service, and MeitY reportedly acted on that request [20]. IFF opposed the block because it would cut lawful users off from secure communication [20]. That collateral damage is the price of untraceability, and it is paid by ordinary users, not by the person who sent the threat.

7. Courts and regulators are converging on verified access, not away from it. In *Free Speech Coalition, Inc. v. Paxton* (No. 23-1122, 27 June 2025) the US Supreme Court upheld Texas HB 1181 by six to three under intermediate scrutiny, holding that adults have no First Amendment right to avoid age verification [26]. The European Commission's guidelines of 14 July 2025 under Article 28 of the Digital Services Act endorse age verification for adult content [25], Ofcom required age checks from July 2025 [24], and India's DPDP framework requires verifiable parental consent for under-18s [23].

Key Questions for the Debate

- If 99 percent of the accounts Twitter suspended for racist abuse were identifiable, what exactly does ending anonymity fix?
- Rule 4(1A) makes every user declare whether their content is synthetic and has machines check the declaration; is that a labelling rule or an identity rule wearing a label?
- Should an intermediary ever hand a user's identity to a private complainant without a judge, as the 2026 Rules appear to allow?
- If verifiable parental consent under the DPDP framework means age-checking everyone, has India already traded away anonymity by accident rather than by decision?
- Would you accept verified pseudonymity, where platforms hold identity but release it only on a court order, and which link in that chain do you not trust?
- Does a two-hour takedown deadline for non-consensual intimate imagery help a victim more than a traceable originator would?

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