

UNIT 4 COMMUNICATION PROCESS

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4.0 INTRODUCTION

As we have learnt, communication is a pervasive activity which encompasses almost all facets of our lives. Much of our life is spent communicating with each other, be it at our work place or in our family life. Various models and processes of communication have been developed by theorists and scientists. A few of the distinct characteristics of communication are as follows:

- Communication involves at least two persons—the sender and the receiver.
- It involves the transfer of ideas, facts, emotions, gestures, symbols and action from sender to receiver.
- Understanding is an essential component of communication, that is, the ideas, opinions, emotions, and so on, conveyed should be accurately replicated in the receivers' mind.
- Communication may be intentional or unintentional.
- The purpose of communication is to elicit action, inform or to express a certain point of view.

This unit will discuss the human communication process. It will also review some of the basic models of communication.

4.1 OBJECTIVES

After going through this unit, you will be able to:

- Examine the human communication process
- Briefly discuss the various models of communication

4.2 THE HUMAN COMMUNICATION PROCESS

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The process of communication is implicit in the way in which a society functions. It is, in fact, integral to the existing and prevailing social norms which guide the everyday life of individuals living in society.

Communication is a process that involves a series of actions and a number of factors to transmit a message from one end to another. It would be good for you if you look for the examples of communication around and then work out various steps of this process. Let us think of normal conversations in which we engage every now and then. Think and analyse what happens when one is thirsty and wants a glass of water to quench the thirst. The person in question in this case is the sender of a message which is formulated in a language which the receiver of that message understands. If the language is English the message prepared could be a sentence such as 'give me a glass of water please!' This is sent through a medium and the communication is considered as complete if the receiver of the message gives a glass of water to the originator of the message. In this case the action of giving water would be the feedback.

Sometimes the act of communication becomes difficult as there are many people talking to each other and in spite of talking loudly, to the extent of shouting, may not reach the ears of the selected respondent. It is said that the noise in the channel has not allowed the communication to take place and as a result the receiver of the message has not reacted in the manner desired by the speaker.

The process of communication possesses certain dynamism and goes through various phases. This has been described below:

1. The sender has an idea

It is indeed very difficult to think of a situation in which individuals are trying hard to communicate using common ground. This phase begins the moment the sender has an idea and decides to send a message to someone, intentionally.

2. The sender encodes the idea

Human beings have learned the skills to transmit symbols as representations of their ideas and thoughts. Such symbols are varied in nature and content. People use a variety of symbols to convey their thoughts and ideas. Such symbols have evolved linguistically (verbal or written) to develop into sophisticated languages. There are many types of languages: the Braille language, the Morse code, the American Sign Language, and every other spoken and dead language in the world. Apart from this, there are other symbols that are used to communicate: paintings, pictographs, traffic signals, zip codes, mathematical formulas, hieroglyphs, baseball gestures conveying instructions from managers to players, etc.

The expression 'TREE' written on a blackboard is not a tree in reality. These are but the agreed representations of some reality. It is obviously the sender's responsibility to select a code best capable of carrying the message. While encoding one's idea, the individual should choose the code which will suit the message thus allowing the receiver to understand it completely. So we can say that the sender encodes the message.

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3. The sender transmits the message

To suitably transmit the encoded message, the sender is required to select a channel or a medium to send the message. The information can be sent verbally or non-verbally by the sender. The messages are sent with the help of the tone of voice, gestures and the use of space in non-verbal communication. On the other hand, in verbal communication, messages are conveyed through speeches or documents. Hence the messages are sent through different media like telephones, computers, videocassettes, DVDs, CDs, papers, faxes, radios, etc. However, few channels are more suitable for some messages in comparison to others. For instance, a five-page memo is not a good choice for a lunch invitation. The particular characteristics of all the mediums somewhat decide their capability to serve a particular objective. Such characteristics explain the richness and suitability of a particular medium. A rich medium can:

- convey a message using more than one kind of clue (visual, verbal or vocal)
- facilitate feedback
- establish personal focus

Face-to-face conversation is the richest medium. Such conversations enable the receiver to receive the sender's message verbally (i.e., spoken words), non-verbally (i.e., gestures and the facial expressions) and vocally (i.e., voice tone or the pace of the speech). In face-to-face conversations, there is immediate feedback from the receiver. They also enable the sender to take control of few of the environmental noises as well. Such conversations can be personalized by the sender to all receivers concerned.

Apart from the richness, the chosen medium should be evaluated for other characteristics as well. The speed of the medium might be a criterion for its selection. For instance, the quickness of a message prepared on a particular medium (formal letter versus memo) or delivered (snail mail versus email) can be the criterion to opt for that medium. One of the criteria for a medium's choice is its ability to be permanently preserved. The reason to pick a particular medium is also dependent upon whether the record of a message can be kept on it or not (email versus 3M note). Other criteria of the medium comprise:

- feedback capacity (letter versus telephone conversation)

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- ability to convey the intensity or the sophistication of a message (formal written report versus casual conversation)
- level of formality (formal letter versus email)
- level of confidentiality (fax versus sealed hand-delivered letter)

The sender should also choose the medium capable of efficiently and effectively conveying the message. While selecting a media, one should opt for the one capable of conveying the message appropriately to the target audience. Hence the sender transmits the message.

4. The receiver gets the message

Unless he/she is suffering from a hearing problem or he/she is distracted by noises distorting the receiving of the message, the receiver gets the signal sent by the sender.

5. The receiver decodes the message

The receiver decodes the message with the use of his/her knowledge of the code that has been used to encode the message. If the receiver has a poor knowledge of the language that is used, he/she is likely to decode the message inappropriately. Also, a receiver putting an effort to decode conflicting nonverbal and verbal messages is likely to incorrectly decode the intended message. The receiver selects the code he/she is going to use for decoding the message. Selecting the wrong code is similar to use a wrong key—the message may not open its secret if the wrong code is used. The receiver will select a code on the basis of his/her background and environment. The receiver possesses the accountability to choose the right code for decoding the message. Essentially, the receiver also has to listen to the sender. Hence the receiver decodes the message.

6. The receiver sends feedback to the sender

With the use of the same phases as the sender, the receiver sends a message back to the sender. It provides information on his/her level of understanding of the message. This message is called feedback. Feedback may be classified into two types: immediate feedback and delayed feedback. Immediate feedback is the type of feedback where learners do not have to wait to receive the feedback as they receive it immediately. However, areas where feedback generation requires deep assessment may take some time to be produced. This kind of feedback is termed as delayed feedback. This feedback can be used to improve performance in the future.

Noises or barriers to communication process

All through the process of communication, unintended interferences take place. These distort or interrupt the process. Such interferences are known as 'noises'.

These may be real noises, i.e., auditory stimuli such as people talking, phones ringing or jack-hammering street workers. Other noises comprise distractions such as a stalker running across a stage. Noises create distortions as well. We are yet to come across communication without noises. Hence, finding out the sources of noise and making an effort to minimize its effect are necessary to improve the communication efficiency. Noise may be classified into four types: physical, psychological, physiological and semantic. Physical noise is the noise that is produced externally while the speaker and listener are trying to communicate. For example, a song being played in another room or the noise of construction in the neighbourhood is an example of physical noise. Psychological noise is the one that interferes with communication taking place between two people because one of them is not attentive to the communication, and is mentally absent. Any physiological problem such as headache or pain can make it difficult for a listener to concentrate on the communication. This is termed as physiological noise. Semantic noise takes place when there is no shared meaning in a communication. This may happen when the speaker is using a particular jargon or parlance that is not understandable by the layman listener.

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4.3 A REVIEW OF SOME BASIC MODELS AND THE INGREDIENTS

We have already discussed the basic communication models and their ingredients in Unit 2. Let us revisit some of the concepts discussed there in brief.

Aristotle Model

According to the Aristotle model, the speaker plays a vital role in communication. According to the model, the speaker communicates in such a way that the listeners get influenced and respond accordingly. This model is the most widely accepted and the most common model of communication where the sender sends the information or a message to the receivers to influence them and make them respond and act accordingly.

Berlo's Model

While the Aristotle model of communication puts the speaker in the central position and suggests that the speaker is the one who drives the entire communication, the Berlo's model of communication takes into account the emotional aspect of the message. Berlo's model of communication operates on the SMCR model.

In the SMCR model

- S - Stands for Source
- M -Message
- C -Channel
- R –Receiver

There are different issues in the Berlo's model of communication. According to this model, the speaker and the listener must be on a common ground for smooth conversion which is sometimes not practical in the real scenario.

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Shannon and Weaver Model

This model simply proposes that a message is initiated from the person who gets the thought or has the information. The sender is also called the Source of information or the Information Source. The information then gets transferred from the brain to the mouth and comes out as a signal which then reaches the recipient after joining hands with several noises and other disturbances. The recipient then further passes on the message to its final destination or other minds of other persons. The issue with this model is that the message while reaching the final destination might get distorted sometimes as individuals interpret messages in different ways.

Schramm's Model

According to the Schramm's Model, coding and decoding are the two vital processes of an effective communication. He also stressed that the communication is incomplete unless and until the sender receives a feedback from the recipient. According to the Schramm Model of communication then, when a sender passes on the information to the receiver, the receiver must deduce it in the desired form the sender wants and give him the feedback or respond accordingly. In this model, any type of communication where the sender does not get the feedback, the communication is not complete and thus useless.

Helical Model of Communication

According to the Helical Model of communication, the process of communication develops from the very birth of an individual and continues till the existing moment. This model comprehends communication in a broader perspective and considers almost all the activities of a person from day one to till date. It cumulates all the activities occurring in the complete span of an individual that affects the process of communication, which in turn goes forward and also depends on the past activities.

Check Your Progress

1. What is the process of communication?
2. What does the sender need to do to suitably transmit the encoded message?
3. What are the two vital processes of effective communication according to the Schramm model?
4. On what does Berlo's model of communication operate?

4.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. Communication is a process that involves a series of actions and a number of factors to transmit a message from one end to another.
2. To suitably transmit the encoded message, the sender is required to select a channel or a medium to send the message.
3. According to the Schramm's model, coding and decoding are the two vital processes of an effective communication.
4. Berlo's model of communication operates on the SMCR model.

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4.5 SUMMARY

- Communication is a process that involves a series of actions and a number of factors to transmit a message from one end to another.
- Sometimes the act of communication becomes difficult as there are many people talking to each other and in spite of talking loudly, to the extent of shouting, may not reach the ears of the selected respondent.
- To suitably transmit the encoded message, the sender is required to select a channel or a medium to send the message. The information can be sent verbally or non-verbally by the sender.
- All through the process of communication, unintended interferences take place. These distort or interrupt the process. Such interferences are known as 'noises'.
- Noise may be classified into four types: physical, psychological, physiological and semantic.
- According to the Aristotle Model, the speaker communicates in such a way that the listeners get influenced and respond accordingly.
- The Shannon and Weaver Model simply proposes that a message is initiated from the person who gets the thought or has the information. The sender is also called the Source of information or the Information Source.
- According to the Schramm Model of communication then, when a sender passes on the information to the receiver, the receiver must deduce it in the desired form the sender wants and give him the feedback or respond accordingly.
- According to the Helical Model of communication, the process of communication develops from the very birth of an individual and continues till the existing moment.

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4.6 KEY WORDS

- **Feedback:** It refers to information about reactions to a product, a person's performance of a task, etc. which is used as a basis for improvement.
- **Coding:** It means to convert (the words of a message) into a code so as to convey a secret meaning.
- **Distortions:** Things that are twisted or altered out of its true, natural, or original state.

4.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What are the four types of noise?
2. What is the Aristotle model of communication?

Long-Answer Questions

1. Examine the process of communication.
2. What are the barriers to the communication process? Discuss.

4.8 FURTHER READINGS

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BLOCK - II

JOURNALISM AND ITS ETHICS

*Concept and Functions of
Journalism*

UNIT 5 CONCEPT AND FUNCTIONS OF JOURNALISM

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Structure

- 5.0 Introduction
- 5.1 Objectives
- 5.2 The Concept of Journalism
 - 5.2.1 The Functions of the Press
- 5.3 Press Freedom
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 - 5.4.1 Theories of Press
- 5.5 Answers to Check Your Progress Questions
- 5.6 Summary
- 5.7 Key Words
- 5.8 Self Assessment Questions and Exercises
- 5.9 Further Readings

5.0 INTRODUCTION

In the previous unit you studied the process of communication and its various models. The current unit is meant to enable you to understand the meaning, nature, scope and purpose of journalism. Journalism is a profession of disseminating news for information, education and entertainment. Mahatma Gandhi, for the same reason, described journalism as public service. However, with the growth and development of societies, it has become a sort of industry with significant power to manipulate the public opinion in order to muster power for itself or to support the political powers that be. It has also become an industry that can generate enough employment as well as millions of rupees as profits.

The purpose of this unit is to make you aware of the concept and functions of journalism. The unit will also discuss press freedom as well as the theories of the press.

5.1 OBJECTIVES

After going through this unit, you will be able to:

- Discuss the concept of journalism

- Explain the function of the press
- Describe the theories of the press
- Discuss what is meant by press freedom

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5.2 THE CONCEPT OF JOURNALISM

Journalism is reporting of daily events. In modern times, journalism is seen as the profession of gathering news and information, processing it and finally disseminating it through a particular media. The news and information so gathered is required to be relevant to the society. It is for this reason that journalism, popularly known as the press, has been defined as an institution of mass communication essentially devoted to public service. It started as a small private trade and later become an industry, but it has now sufficiently grown and has acquired gigantic proportion of corporate business which in some places has also become a multinational corporation.

Journalism has been described in the *Encyclopaedia Britannica* in the following words:

Journalism includes the writing and editing of newspapers and periodicals. Although this is the basic definition of various tasks and processes intimately connected with the production of serial publication are commonly classified as journalistic. Thus, the gathering and transmission of news, business management of journals and advertising in all its phases are often thought of as coming within the field of journalism and the following the advent of radio and television, there was a trend toward including all communication dealing with current affairs in the term.

On the other hand, the New Webster's Dictionary gives a crispier meaning of journalism: '(Journalism is) the occupation of conducting a news medium, including publishing, editing, writing or broadcasting.'

Denis McQuail states that journalism is 'paid writing (and the audiovisual equivalent) for public media with reference to actual and ongoing events of public relevance'.

Many more meanings and definition can be found in various books, dictionaries and encyclopaedia, but it would be enough to understand that journalism is an activity that involves the gathering of news and information, and processing them by contextualising them for the society where they have to be disseminated and distributed. The dissemination is actually done by replicating the said news and information with the help of one medium or the other, i.e., print, radio, television, Internet, etc.

Origin and Nature of Journalism

Journalism is as old an activity as the primitive human societies. It has been a common human tendency to share new things with the fellow beings. In interpersonal

communication we normally ask questions like ‘What is the news?’ which refer to another similar questions like ‘What is happening?’ These questions are not referring to the news as we understand it now. Some people in India say that the mythical characters like Narad Muni and Sanjay were the earliest reporters, but the fact is that these were the people who were involved in simple interpersonal communication.

The press or journalism has been seen as an important institution of society as the larger societies need to disseminate news and information for maintaining the status quo or changing the social order if the need be. The transition from feudal society to bourgeois democratic society could not have been possible without the printing press, which initially allowed the publication of books that became the instruments of advocacy of various ideologies. We may recall the great debate between the French thinkers Descartes and Pascal. The philosophical vision of Descartes served as the basis of bourgeois revolution in France. The printing press was later used for practicing journalism and was given the status of fourth estate of democracy as it had to strengthen the gains of democracy and to prevent the return of feudal system. However, when democracy became the established order of governance, the freedom of press was used by various types of interests to gain the control of the society.

During the 18th century, British newspapers started with names ‘diurnals’. In due course of time, it began to be pronounced as ‘journals’. The *Dutas* or the messengers also worked as journalists starting from the 6th century BCE. In India, the *Dharma Mahamatras*, appointed by King Ashok, also worked as journalists during the period.

The history of printing is traced back to 868 AD when Chinese used the movable types for printing. However, Johann Guttenberg has the credit of developing movable metal type and the ink suitable for them in 1456. Twenty years later the first printing press of England was set up in Westminster. Printing press was introduced in India as late as 1556 and it took us more than two centuries to get the first newspaper rolling out. There are different versions regarding the earliest newspaper in the world. Some say that the first newspaper was started by an American, John Campbell in 1704. There are others who consider *Relation aller Furnemmen und gedenckwürdigen Historien* as the first newspaper. This newspaper in German language was published in Strasbourg from 1605 onwards. According to the *Encyclopaedia Britannica*, the first newspaper in the world is *Avisa Relacion Oder Zeitung*, published in 1609 in Germany.

In modern times, journalism has become a central activity of any society. It is required to maintain the social, political and economical order; it is required by individuals in the society for all kind of information that are required in life to survive in the mass society. Journalism and media have acquired the status of industry and become a major source of employment at various levels. Journalism has evolved into many forms to keep pace with the changing interests of people and the newly found segmented audiences. It is also true that with every new

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innovation and invention in the area of media technologies, journalism has also changed itself to suit the new environment. It is for this reason that one can say that journalism as an activity will always remain relevant.

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5.2.1 The Functions of the Press

Apart from disseminating news and information in society in public interest, the press is also seen as a bridge between the government and the people, in the sense that it communicates the policy and programmes of the government to the people. At the same time, it conveys the grievances and perception of public about issues of the society to the powers that be.

As the ownership of the institutions of journalism is in the hand of people with a certain amount of capital to invest in this industry, there is always a possibility of using it for the benefit of the interests of certain individuals. In modern societies we find linkages between the economically stronger groups and the political parties. Hence, the press also functions as a means of influencing the political system by various kinds of interest groups. The exposure of the corruption in the distribution of 2G spectrums in our country in 2011 clearly showed the nexus between the top political leadership, managers of big corporate houses and the journalists trying to work for the benefit of different big players in the area of telecommunication. The investigations and publication of the tapes of discussions of Nira Radia with some prominent journalists of the Indian media had also exposed this nexus which presented an unfortunate picture of journalism playing the role of lobbying for vested economic interests.

The political system uses the press for dissemination of news and information for its own perpetuation. Besides, the role of the press is one of maintaining the status quo as every morning the newspaper by and large make us feel that things are all right in the world in general and in the country in particular. Even on the days where we get one or more shocking news, we are by and large assured that rest is all right. This could be called the assurances function of the press. The example given above also shows that the political system uses the media and the lobbyists to negotiate with each other for the formation of government as well as for reducing the conflicts that could lead to the destabilization of the political power.

Journalism as the fourth pillar of democracy has been granted the freedom of speech and expression in almost all constitutions world over. The press has to function as the watchdog of democracy by constantly being vigilant towards the functioning of the other three pillars, i.e., legislature, executive and judiciary. All governments in democratic systems try to use journalism for the propagation of their views. In some countries the government owns various media to do so, but the presence of free press in democracies has always kept these governments on their toes by constantly investigating and exposing their misdeeds or anti-people policies.

The press also has a duty and function of being vigilant to the political, economical and social processes. The watchdog function of press is one among the oldest main beliefs in journalism which maintains that the media is supposed to serve as a controller of government. Hence press was also called the watchdog. The concept of the 'watchdog' function of the press was propounded by the social theorist James Mill (1773–1836). He supported the freedom of press since it 'made known the conduct of the individuals who have chosen to wield the powers of government'.

In his 17th century pronouncement, Edmund Burke in England stated that the press had acquired the role of the Third Estate in Parliament, i.e., the press was playing the role of a watchdog over government. However, the concept was directly promulgated in the 18th century *Cato's Letters*, a series of letters in England. It advocated a free press and was comprehensively reprinted in the colonies. It spread the American idea of the press being the Fourth Estate, i.e., a watchdog of the government.

Check Your Progress

1. What is considered the earliest newspaper in the world?
2. Why does the political system use journalism?

5.3 PRESS FREEDOM

Press freedom is a logical extension of man's undeniable freedom of expression. At present, press freedom is a universal phenomenon, in spite of the ideological differences in several socio-political systems worldwide. This freedom is globally and ideally guaranteed by Article 19 of the Universal Declaration of Human Rights. It is preserved in the Constitution of almost all the countries in the world and customarily observed by societies.

Constitutional Status of the Media

Though freedom of press is a much talked about concept, interestingly, it is not mentioned as such in the Indian Constitution. It is understood to be covered under the provisions of Article 19 and derives its rights from the freedom of speech and expression, available to the citizens of India. Thus, the media has the same rights—no more no less than any individual to write, publish, circulate or broadcast. In a case relating to journalism in pre-independent India, the Privy Council held:

'The freedom of the journalist is an ordinary part of the freedom of the subject and to whatever length the subject in general may go, so also may the journalist, but, apart from statute law, his privilege is no other and no higher....No privilege attaches to his position.'

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The framework for analysing media rights remains much the same in post-independence India. In the case of *M.S.M. Sharma vs. Krishna Sinha*, the Supreme Court observed:

‘...being only a right flowing from the freedom of speech and expression, the freedom of the press does not stand on a higher footing than the freedom of speech and expression enjoyed by a citizen and that no privilege attaches to the press as such, that is to say, as distinct from the freedom of speech and expression of a citizen.’

In other words, the media enjoys no special immunity or elevated status compared to an Indian citizen and is subject to the general laws of the Constitution.

Contrary to the Indian Constitution, the First Amendment to the Constitution of the United States of America makes a specific reference to the freedom of press. Further, while the restrictions on the right to freedom of speech and expression are expressly spelt out in Article 19(2) of the Indian Constitution, this is not so under the First Amendment. The Supreme Court of the United States has read into the rights of the press certain implicit restrictions which are, in principle, no different from Article 19(2). However, generally, from a judicial and societal standpoint, the freedom of press in the US is far more robust than it is in India.

Although no special provision was made to safeguard the rights of the press in India, the courts have time and again confirmed that the rights of the press are implicit in the guarantee of freedom of speech and expression. Successive judgments of the Supreme Court of India have struck down laws that abridge the freedom of the press and have echoed the sentiment expressed in the first amendment.

Let us take a look at some of the landmark cases in this context:

Romesh Thapar vs. State of Madras

This was one of the earliest cases decided by the Supreme Court. It involved a challenge against an order issued by the government of Madras under the Madras Maintenance of Public Order Act, 1949. It imposed a ban on the entry and circulation of the journal, *Cross Roads*, printed and published by the petitioner. The Court favoured the petitioner holding that the right to freedom of speech and expression was paramount and that nothing short of a danger to the foundations of the state or a threat to its overthrow could justify a curtailment of the freedom of speech and expression. (For more details, refer to the Appendix.)

Brij Bhushan vs. State of Delhi

In this case, the Supreme Court quashed a pre-censorship order passed against the publishers of the *Organizer*. The order was passed by the authorities under section 7(i)(c) of the East Punjab Safety Act, 1949. The Court held that a restriction based on this section, which related to public safety or maintenance of public order, did not fall under the purview of Article 19(2). (For more details, refer to the Appendix.)

Indian Express vs. Union of India

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The case arose out of a challenge to the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, on the ground that its provisions violated Article 19(1)(a). The Supreme Court held that the impact of the legislation on the freedom of speech was much too remote and no judicial interference was warranted. However, the Court recognized that laws which single out the press for laying excessive and prohibitive burdens upon it would be struck down as unconstitutional. This includes any burden which would restrict the circulation, impede access to all sources of information or restrict freedom of publication.

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Exhibit 5.1

The Press Freedom Index is published annually by Reporters Without Borders. According to their survey, India figured 138th among 180 countries in 2018. This was a marked deterioration from the 118th place in 2008. The index is prepared on the basis of questionnaires filled by journalists and media experts from across the globe.

Freedom of Speech and Expression under Article 19(1)(a)

Article 19(1)(a) covers the right to express oneself by word of mouth, writing, printing, picture, or in any manner. It includes the freedom of communication and the right to propagate or publish one's views. The communication of ideas may be through any medium—newspaper, magazine, movie, electronic media or audio-visual media. Freedom of speech and expression includes the following rights:

(i) Right to circulate

The right to free speech and expression includes the right not only to publish but also to circulate information and opinion. Without this, the right to free speech and expression would carry little meaning. In case of *Sakal Papers vs. Union of India*, the Supreme Court held that the State could not make laws which directly affected the circulation of a newspaper. This right extends not only to the matter which the citizens are entitled to circulate but also to the volume of circulation. This case arose out of a challenge to the newsprint policy of the government, which restricted the number of pages a newspaper was entitled to print. (For more details on the case, refer to Appendix 2.)

In another case, *Bennett Coleman & Co. vs. Union of India*, the Supreme Court held that newspapers should be left free to determine their pages and circulation. This case arose out of a constitutional challenge to the Newspaper (Price and Page) Act, 1956, which empowered the government to regulate the allocation of space for advertisements. The Court held that any restriction leading to a loss of revenue would affect the circulation, and thereby impinge on the freedom of speech.

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(ii) Right to criticize

Right to free speech includes the right to criticize the government, which is necessary for a healthy democracy. Decisions of the Supreme Court in later cases made it clear that criticism of the government was not to be regarded as a ground for restricting the freedom of speech or expression.

In *Anand Chintamani vs. State of Maharashtra* case, a full bench of the Bombay High Court upheld the right to criticize, in respect of *Me Nathuram Godse Boltoy*, a play critical of Mahatma Gandhi. The Court held:

‘...Respect for and tolerance of a diversity of viewpoints is what ultimately sustains a democratic society and government. The right of a playwright, of the artist, writer and of the poet will be reduced to husk if the freedom to portray a messageis to depend upon the popular perception of the acceptability of that message.’

(iii) Right to receive information

The right to receive information was upheld by the Supreme Court in a series of judgments in varied contexts including:

- Right to information from advertisements enabling the citizens to get vital information about life saving drugs
- Right of sports lovers to watch cricket
- Right of voters to know the antecedents of electoral candidates

(iv) Right to expression beyond national boundaries

The right to freedom of speech and expression extends beyond national boundaries. The question was considered by the Supreme Court in one of the cases related to impounding of a passport ‘in the interests of the general public’. The Court held that the direct and inevitable result of an order impounding a passport would violate the right to free speech and expression. In case, where a person plans to go abroad for the purpose of expressing himself, either through a lecture, dramatics, music, dance, etc., the impounding of his passport would impinge on his rights under Article 19(1)(a).

(v) Right of the press to conduct interviews

This is a limited right, subject to the consent of the person being interviewed. In the case of *Prabha Dutt vs. Union of India*, the petitioner was seeking to interview the condemned prisoners, Ranga and Billa. The Supreme Court held that the interview may be conducted, provided the convicts gave their consent to being interviewed, and is subject to the rules specified under the jail manuals.

(vi) Reporting court proceedings

Though in principle the press enjoys no higher status than an ordinary citizen, in practice, it does. Journalists enjoy special privileges of access to people and sitting

in the press bench, on account of the citizen's right to be informed on matters of public importance. A journalist, therefore, has the fundamental right to report judicial proceedings, though publicity of proceedings is not an absolute rule. For instance, the journalist must take care to protect the names of rape victims or riot victims. Similarly, family disputes warrant privacy to protect the children from unwanted publicity.

(vii) Reporting legislative proceedings

The right to report proceedings of the Parliament and the state assemblies derives from the public's right to be informed about the debates and deliberations of the elected representatives on matters of public importance. This right is not absolute and is subject to restrictions under legislative privilege, which confers special rights to ensure freedom of speech for legislators to enable them to discuss matters of importance without the fear of inviting liability of any sort. This includes the right to control publication of legislative proceedings, the right of the House to punish members for their conduct in the Parliament, among others. The legislature can also punish for breach of privilege or for contempt of the House.

In the *Searchlight* case, a notice for breach of privilege was issued against the editor of *Searchlight*, a well-known English daily, for publishing an expunged portion of the proceedings in the Bihar state assembly. However, with advances in technology enabling live telecast of legislative proceedings, the concept of legislative privilege and contempt is obsolete.

(viii) Right to advertise

Earlier, advertisements were excluded from the realm of free speech. However, later, the courts interpreted that the fundamental right to freedom of speech and expression included the right to advertise or the right to commercial speech. It argued that the traders and businessmen, who advertise for commercial gain, are no different from newspapers and other media, which are run as commercial enterprises.

(ix) Right of rebuttal

The right to respond or the right to rebuttal was held by the Supreme Court in *LIC vs. Manubhai Shah* case. The case arose out of the publication in a newspaper of an article by the trustee of a consumer rights organization. The article criticized unfair practices adopted by the Life Insurance Corporation (LIC) on its policy holders. Responses of LIC and further rebuttal of the trustee were also published in the same newspaper. The case arose when the author of the counter had his views published in the in-house magazine of LIC, which refused to publish the viewpoint of the trustee. The Court ruled in favour of the trustee, stating that LIC did not have the exclusive privilege to publish or refuse to publish in an in-house magazine.

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(x) Compelled speech

This refers to the 'must carry' provision in a statute that could amount to infringement of the right to free speech. But the violation depends on the nature of the provision.

Take, for instance, the obligation that a packaged food product must list all the ingredients, or the obligation that cigarette packets must carry a statutory warning that cigarette smoking is injurious to health. Such compulsory disclosures are meant to further the basic purpose of imparting relevant information, which enables the user to make a well-informed decision.

(xi) Right to broadcast

The concept of speech and expression includes broadcast and the electronic media. In some of the cases, the Court held that the right of a citizen to exhibit films on the state broadcaster *Doordarshan* is part of the fundamental right guaranteed under Article 19(1)(a). The Court held that this right was similar to the right of a citizen to publish his views through any other media such as newspapers, magazines, advertisements, hoardings, etc.

(xii) Right to entertain and be entertained

This covers the right of an individual to entertain as well as the right to be the audience in order to be entertained. In the context of a sports event, the Court held that both the participant in the sports event as well as its organizer have the right to entertain, though this right is restricted by the limited availability of the airwaves.

(xiii) Right to fly the national flag

The courts have upheld the right of a citizen to fly the national flag, as it is an expression of the citizen's loyalty and love for his nation. This right is, however, not an absolute one and one must keep in mind certain conditions for proper use.

Exhibit 5.2

Team Anna ups ante on the issue of bringing CBI under Lokpal

20 December 2011, 04.12 PM IST, PTI NEW DELHI: Team Anna today said extension of Winter Session of Parliament will be worth only if a strong Lokpal Bill is brought with CBI out of government control. 'Extension will be worth if it is for a strong Lokpal with CBI out of government control and with Lokpal. Everything depends on the content of the bill,' activist Kiran Bedi told PTI. She was reacting to reports about the Government deciding to extend the Winter Session by three days from December 27 to facilitate the passage of the Lokpal Bill and some other key legislations. Team Anna also asked the BJP whether it was determined on Lokpal as it was on issues of JPC probe into 2G scam and FDI in retail and cautioned the opposition party against 'double speak' on the question of bringing CBI under the ombudsman. 'Is BJP as determined as it was in JPC and FDI on Lokpal? When will BJP make its stand on CBI categorical?

Now that Congress' is evident!' Bedi said. She also warned the main opposition party that it will be a 'bigger loser if it does double speak' on CBI. 'People will not forgive them either,' she said. Bedi also said that it was 'frustrating to be waiting to see' what Congress does. 'It changes every minute,' she added. Her comments came as government raced against time to firm up Lokpal Bill in view of the looming threat of Anna Hazare to go on hunger strike from December 27 if Parliament fails to pass a strong Lokpal Bill. Pressing for inclusion of CBI under the Lokpal, she said, 'Unless independent Lokpal replaces government for oversight over CBI, expect no change in the anti-corruption systems. Let's not be fooled. Mere tweaking will not work. It will dilute whatever is remaining. If we leave any weak point in Lokpal bill and we do not see substantial reduction in corruption it shall be a dream shattered. Now or Never!' **Source:** Adapted from <http://economictimes.indiatimes.com/news/politics/nation/team-anna-ups-ante-on-the-issue-of-bringing-cbi-under-lokpal/articleshow/11180275.cms> (Accessed on 21 December 2011)

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Constitutional Restrictions on the Freedom of Speech and Expression

If the right to freedom of speech and expression was absolute, there would be no opportunity for people to defend themselves against written or spoken defamation. The opportunity to defend one's own self coheres with the right to freedom of expression, but is contrary to the idea that rights are absolute. That rights are relative and context-sensitive is reflected in various media law cases that have come up before the courts during the past few decades. For instance, what is libel to one person may be fair comment and exercise of the right to free speech and expression to another.

The freedom of speech and of the press does not grant an absolute right to express without any responsibility. Lord Denning, an Honorary Fellow of the British Academy, in his famous book, *Road to Justice*, stated that press acts as the watchdog to see that every trial is conducted fairly, openly and above board. However, the watchdog may sometimes break loose and has to be punished for misbehaviour.

The Indian Constitution outlines reasonable circumstances in which the right to freedom of speech and expression under Article 19 may be restricted. Reasonable restrictions can be imposed under the following heads:

- 1. Security of the State:** Reasonable restrictions can be imposed on the freedom of speech and expression, taking the security of the State into consideration. All statements that intend to jeopardize the security of the State, including activities which may overthrow the government, waging of war and rebellion against the government, external aggression or war, etc., may be restrained in the interest of the security of the State. Such restrictions do not refer to the ordinary violations of public order which do not involve any danger to the State.
- 2. Friendly relations with foreign states:** This ground was added by the Constitution (First Amendment) Act, 1951. The State can impose

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reasonable restrictions on the freedom of speech and expression, if it tends to jeopardize the friendly relations of India with foreign states.

- 3. Public order:** This ground was added by the Constitution (First Amendment) Act, 1951, in order to deal with the situation arising from the Supreme Court's decision in *Romesh Thapar's* case. The expression 'public order' connotes the sense of public peace, safety and tranquillity.

In another case, the Supreme Court clarified that mere criticism of the government does not necessarily disturb public order. However, if someone states something deliberately, tending to hurt the religious feelings of a particular community, it will be held valid as a reasonable restriction aimed to maintain public order.

- 4. Decency and morality:** The word 'obscenity' is identical with the word 'indecent' of the Indian Constitution. The Indian courts have chosen to adopt the old and outdated English test, known as Hicklin's test, which was based upon the effect of a publication on the most vulnerable members of the society, whether or not they were likely to read it. The Supreme Court chose to apply this test in the case of *Ranjit D. Udeshi vs. State of Maharashtra*, and upheld the conviction of a bookseller and his partners for being in possession of a book containing obscene material. The book was D.H. Lawrence's novel, *Lady Chatterley's Lover*.

- 5. Contempt of court:** The constitutional right to freedom of speech would not allow a person to disrespect the courts. The expression, contempt of court, has been defined under Section 2 of the Contempt of Courts Act, 1971. The term refers to civil contempt or criminal contempt under this Act. But judges do not have any general immunity from criticism of their judicial conduct, provided that it is made in good faith and is genuine criticism, and not any attempt to impair the administration of justice. In the case of *In Re: Arundhati Roy*, the Supreme Court followed the view taken in the American Supreme Court which observed:

'If men, including judges and journalists, were angels, there would be no problem of contempt of court. Angelic judges would be undisturbed by extraneous influences and angelic journalists would not seek to influence them.'

- 6. Defamation:** Clause (2) of Article 19 prevents any person from making any statement that injures the reputation of another. With the same view, defamation has been criminalized in India by incorporating it into Section 499 of the Indian Penal Code (IPC).

- 7. Incitement to an offence:** This ground was also added by the Constitution (First Amendment) Act, 1951. The Constitution prohibits a person from making any statement that incites people to commit offence.

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society who hold those characters in high esteem, invested with attributes of the virtuous and lofty.

40. Commercial exploitation of the name of prophets, seers or deities is repugnant to journalistic ethics and good taste.

Reporting on natural calamities

41. Facts and data relating to spread of epidemics or natural calamities shall be checked up thoroughly from authentic sources and then published with due restraint in a manner bereft of sensationalism, exaggeration, surmises or unverified facts.

Paramount national interest

42. Newspapers shall, as a matter of self-regulation, exercise due restraint and caution in presenting any news, comment or information which is likely to jeopardise, endanger or harm the paramount interests of the State and society, or the rights of individuals with respect to which reasonable restrictions may be imposed by law on the right to freedom of speech and expression under clause (2) of Article 19 of the Constitution of India.
43. Publication of wrong/incorrect map is a very serious offence, whatever the reason, as it adversely affects the territorial integrity of the country and warrants prompt and prominent retraction with regrets.

Newspapers may expose misuse of diplomatic immunity

44. The media shall make every possible effort to build bridges of co-operation, friendly relations and better understanding between India and foreign States. At the same time, it is the duty of a newspaper to expose any misuse or undue advantage of the diplomatic immunities.

Investigative journalism, its norms and parameters

45. Investigative reporting has three basic elements:
- a. It has to be the work of the reporter, not of others he is reporting;
 - b. The subject should be of public importance for the reader to know;
 - c. An attempt is being made to hide the truth from the people.
 - (i) The first norm follows as a necessary corollary from (a) that the investigative reporter should, as a rule, base his story on facts investigated, detected and verified by himself and not on hearsay or on derivative evidence collected by a third party, not checked up from direct, authentic sources by the reporter himself.
 - (ii) There being a conflict between the factors which require openness and those which necessitate secrecy, the investigative journalist should strike and maintain in his report a proper balance between

openness on the one hand and secrecy on the other, placing the public good above everything.

- (iii) The investigative journalist should resist the temptation of quickies or quick gains conjured up from half-baked incomplete, doubtful facts, not fully checked up and verified from authentic sources by the reporter himself.
- (iv) Imaginary facts, or ferreting out or conjecturing the non-existent should be scrupulously avoided. Facts and yet more facts are vital and they should be checked and cross-checked whenever possible until the moment the paper goes to Press.
- (v) The newspaper must adopt strict standards of fairness and accuracy of facts. Findings should be presented in an objective manner, without exaggerating or distorting, that would stand up in a court of law, if necessary.
- (vi) The reporter must not approach the matter or the issue under investigation, in a manner as though he were the prosecutor or counsel for the prosecution. The reporter's approach should be fair, accurate and balanced. All facts properly checked up, both for and against the core issues, should be distinctly and separately stated, free from any one-sided inferences or unfair comments. The tone and tenor of the report and its language should be sober, decent and dignified, and not needlessly offensive, barbed, derisive or castigatory, particularly while commenting on the version of the person whose alleged activity or misconduct is being investigated. Nor should the investigative reporter conduct the proceedings and pronounce his verdict of guilt or innocence against the person whose alleged criminal acts and conduct were investigated, in a manner as if he were a court trying the accused.
- (vii) In all proceedings including the investigation, presentation and publication of the report, the investigative journalist newspaper should be guided by the paramount principle of criminal jurisprudence, that a person is innocent unless the offence alleged against him is proved beyond doubt by independent, reliable evidence.
- (viii) The private life, even of a public figure, is his own. Exposition or invasion of his personal privacy or private life is not permissible unless there is clear evidence that the wrong doings in question have a reasonable nexus with the misuse of his public position or power and has an adverse impact on public interest.
- (ix) Though the legal provisions of Criminal Procedure do not in terms, apply to investigating proceedings by a journalist, the fundamental principles underlying them can be adopted as a guide on grounds of equity, ethics and good conscience.

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Confidence to be respected

46. If information is received from a confidential source, the confidence should be respected. The journalist cannot be compelled by the Press Council to disclose such source; but it shall not be regarded as a breach of journalistic ethics if the source is voluntarily disclosed in proceedings before the Council by the journalist who considers it necessary to repel effectively a charge against him/her. This rule requiring a newspaper not to publish matters disclosed to it in confidence, is not applicable where:

- (a) consent of the source is subsequently obtained; or
- (b) the editor clarified by way of an appropriate footnote that since the publication of certain matters were in the public interest, the information in question was being published although it had been made 'off the record'.

Caution in criticizing judicial acts

47. Excepting where the court sits 'in-camera' or directs otherwise, it is open to a newspaper to report pending judicial proceedings in a fair, accurate and reasonable manner. But it shall not publish anything:—

- which, in its direct and immediate effect, creates a substantial risk of obstructing, impeding or prejudicing seriously the due administration of justice; or
- is in the nature of a running commentary or debate, or records the paper's own findings, conjectures, reflection or comments on issues, subjudice and which may amount to arrogation to the newspaper the functions of the court; or
- regarding the personal character of the accused standing trial on a charge of committing a crime.

Newspaper shall not as a matter of caution, publish or comment on evidence collected as a result of investigative journalism, when, after the accused is arrested and charged, the court becomes seized of the case: Nor should they reveal, comment upon or evaluate a confession allegedly made by the accused.

48. While newspapers may, in the public interest, make reasonable criticism of a judicial act or the judgement of a court for public good; they shall not cast scurrilous aspersions on, or impute improper motives, or personal bias to the judge. Nor shall they scandalize the court or the judiciary as a whole, or make personal allegations of lack of ability or integrity against a judge.

49. Newspaper shall, as a matter of caution, avoid unfair and unwarranted criticism which, by innuendo, attributes to a judge extraneous consideration for performing an act in due course of his/her judicial functions, even if such criticism does not strictly amount to criminal Contempt of Court.

Newspapers to avoid crass commercialism

50. While newspapers are entitled to ensure, improve or strengthen their financial viability by all legitimate means, the Press shall not engage in crass commercialism or unseemly cut-throat commercial competition with their rivals in a manner repugnant to high professional standards and good taste.
51. Predatory price wars/trade competition among newspapers, laced with tones disparaging the products of each other, initiated and carried on in print, assume the colour of unfair 'trade' practice, repugnant to journalistic ethics. The question as when it assumes such an unethical character, is one of the fact depending on the circumstances of each case.

Plagiarism

52. Using or passing off the writings or ideas of another as one's own, without crediting the source, is an offence against ethics of journalism.

Unauthorized lifting of news

53. The practice of lifting news from other newspapers publishing them subsequently as their own, ill-comports the high standards of journalism. To remove its unethicity the 'lifting' newspaper must duly acknowledge the source the report. The position of features articles is different from 'news': Feature articles shall not be lifted without permission proper acknowledgement.
54. The Press shall not reproduce in any form offending portions or excerpts from a proscribed book.

Non-return of unsolicited material

55. A paper is not bound to return unsolicited material sent for consideration of publication. However, when the same is accompanied by stamped envelope, the paper should make all efforts to return it.

Advertisements

56. Commercial advertisements are information as much as social, economic or political information. What is more, advertisements shape attitude and ways of life at least as much, as other kinds of information and comment. Journalistic propriety demands that advertisements must be clearly distinguishable from editorial matters carried in the newspaper.
57. Newspaper shall not publish anything which has a tendency to malign wholesale or hurt the religious sentiments of any community or section of society.
58. Advertisements which offend the provisions of the Drugs and Magical Remedies (Objectionable Advertisement) Act, 1954, should be rejected.

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59. Newspapers should not publish an advertisement containing anything which is unlawful or illegal, or is contrary to good taste or to journalistic ethics or proprieties.
60. Newspapers while publishing advertisements shall specify the amount received by them. The rationale behind this is that advertisements should be charged at rates usually chargeable by a newspaper since payment of more than the normal rates would amount to a subsidy to the paper.
61. Publication of dummy advertisements that have neither been paid for, nor authorised by the advertisers, constitute breach of journalistic ethics.
62. Deliberate failure to publish an advertisement in all the copies of a newspaper offends against the standards of journalistic ethics and constitutes gross professional misconduct.
63. There should be no lack of vigilance or a communication gap between the advertisement department and the editorial department of a newspaper in the matter of considering the propriety or otherwise of an advertisement received for publication.
64. The editors should insist on their right to have the final say in the acceptance or rejection of advertisements, especially those which border on or cross the line between decency and obscenity.
65. An editor shall be responsible for all matters, including advertisements published in the newspaper. If responsibility is disclaimed, this shall be explicitly stated beforehand.

Check Your Progress

3. When was the American Society of Newspaper Editors founded?
4. What does the editor's code have to say related to accuracy?
5. According to the code, when can the press identify victims of sexual assault?
6. What are the three elements of investigative reporting?

6.4 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. Convergent journalism is the name given to multitasking in journalism where a journalist is expected to not only produce a report for the newspaper, he is also required to give it orally for radio and/or television and at the same time give a brief one for mobile news services as well.
2. Gonzo journalism is a form of journalism that is popularized by the American writer Hunter S. Thompson.

3. The American Society of Newspaper Editors was founded in 1922.
4. According to the editor's code, the Press must take care not to publish inaccurate, misleading or distorted information, including pictures. A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published.
5. According to the code, the press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.
6. Investigative reporting has three basic elements:
 - a. It has to be the work of the reporter, not of others he is reporting;
 - b. The subject should be of public importance for the reader to know;
 - c. An attempt is being made to hide the truth from the people.

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6.5 SUMMARY

- Today, the competitive markets have posed many responsibilities and the nature and work of journalists have changed.
- On the one hand, we find big conglomerates pumping huge amount of money in different media technologies and on the other hand there are people with relatively smaller capital investing on media.
- Convergent journalism is the name given to multitasking in journalism where a journalist is expected to not only produce a report for the newspaper, he is also required to give it orally for radio and/or television and at the same time give a brief one for mobile news services as well.
- Fashion journalism comprises the reports and articles on the fashion world. The journalists in this field are also called as fashion editors or fashion writers.
- Though sports belong to entertainment category, sports journalism is one of the most important aspects of journalism. For reporting sports events, the journalist should have proper knowledge of the game including points, rules and regulations etc.
- Ambush journalism connotes the aggressive tactics taken up by the journalists to abruptly confront and question the individuals who would otherwise not speak to the media. Particularly the television journalists have taken the practice on a large scale.
- Generally there are causes of dissatisfaction and complaints against journalists. People feel that they are biased, they are not truthful or they take sides.
- Journalist associations and many other bodies such as press councils have evolved certain guidelines for the journalists. Over the years, there have

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been various codes of ethics agreed and endorsed by the journalists and editors.

- Freedom of the press is to be guarded as a vital right of mankind. It is the unquestionable right to discuss whatever is not explicitly forbidden by law, including the wisdom of any restrictive statute.
- A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practice demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings.
- The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.
- The fundamental objective of journalism is to serve the people with news, views, comments and information on matters of public interest in a fair, accurate, unbiased, sober and decent manner.
- The newspaper should promptly and with due prominence, publish either in full or with due editing, free of cost, at the instance of the person affected or feeling aggrieved/or concerned by the impugned publication, a contradiction/reply/clarification or rejoinder sent to the editor in the form of a letter or note.
- There should be no lack of vigilance or a communication gap between the advertisement department and the editorial department of a newspaper in the matter of considering the propriety or otherwise of an advertisement received for publication.

6.6 KEY WORDS

- **Accuracy:** It means the quality of correctness as to fact and precision as to detail in information resources and in the delivery of news or information services.
- **Convergence:** It means the use of different media for the delivery of news and current affairs programme.
- **Bias:** It means the tendency in a news report to deviate from an accurate, neutral, balanced and impartial representation of the 'reality' of events and social world according to stated criteria.
- **Objectivity:** It means judgement based on observable phenomena and uninfluenced by emotions or personal prejudices.
- **Gonzo Journalism:** It is a style of journalism that is written without claims of objectivity, often including the reporter as part of the story via a first-person narrative.

6.7 SELF ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. Write a short-note on online journalism.
2. What is citizen journalism?
3. What is the editors' code as it relates to harassment?
4. How is the Indian press expected to cover communal and caste clashes?

Long-Answer Questions

1. Describe canons of journalism as described by Yost.
2. Examine the code of journalistic ethics provided by the Indian Press Council.
3. What do you understand by the 'canons of journalism'? Describe the different parameters set up by the American Society of Newspaper Editors.
4. Describe the basic constituents of ethical standards set up by the International Federation of Journalists (IFJ).

6.8 FURTHER READINGS

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UNIT 7 OVERVIEW OF PRESS COMMISSIONS AND COMMITTEES

Structure

- 7.0 Introduction
- 7.1 Objectives
- 7.2 Press Commissions and Committees
 - 7.2.1 First Press Commission
 - 7.2.2 Second Press Commission
- 7.3 Answers to Check Your Progress Questions
- 7.4 Summary
- 7.5 Key Words
- 7.6 Self Assessment Questions and Exercises
- 7.7 Further Readings

7.0 INTRODUCTION

In the previous unit, you learnt about the codes and ethics in journalism. In this unit, the discussion will turn towards the press commissions that have been established in independent India.

To evaluate the exact condition of press in India, the First Press Commission was appointed in September 1952. Its chairman was Justice G.S. Rajadhyaksha. In its report submitted in 1954, the Commission made many significant recommendations which resulted in the setting up of a number of institutions. These institutions were meant to organize the profession of journalism in a systematic way. It was the first enquiry of this nature looking into the functioning of press. The Second Press Commission was established in 1978 and gave rise to the Press Council in India. The Commission also argued for a 'cordial relationship between the government and the press'. The commission resigned and later another second press commission was established in 1980.

7.1 OBJECTIVES

After going through this unit, you will be able to:

- Describe the recommendations of the First Press Commission
- Discuss the Second Press Commission

7.2 PRESS COMMISSIONS AND COMMITTEES

The press played a key role in the Indian freedom struggle. From time to time, the British Government enforced legal provisions to control the press. Leaders of freedom struggle like Mahatma Gandhi and Bal Gangadhar Tilak were working as newspaper editors as well and hence were sent to jail for their writings. Just before Independence, the Interim Government formed the Press Law Enquiry Committee to study the existing laws in relation to fundamental rights.

7.2.1 First Press Commission

To study the status of the press as well as suggest measures for its healthy growth in independent India, the first Press Commission was constituted on 23 September 1952. Justice G.S. Rajadhyaksha was its chairman with very renowned persons serving as the members. The Commission gave its report in 1954.

Apart from legal provisions concerned with press, the Commission looked into the management, control, ownership and financial structure of the press. It also studied the content and working environment and service conditions prevailing in the sector. For example, the commission observed the decline in the editor's position:

There has been a general decline in the status and independence of the editor and this decline is particularly noticeable in the case of daily newspapers. In the past it was quite usual for the majority of the readers to be both aware and conscious of the role played by the editor in the formulation of the views set out in the paper, and it was quite usual to refer to the paper not merely by its name but by the name of the editor. The position has changed today and we feel that the bulk of the newspaper readers today may be unaware of who is the editor of their newspaper and indifferent to the name that appears on small print on the last page.

The Commission criticized the practice of giving astrological predictions and stated: 'The spread of the habit of consultation of, and reliance upon, astrological predictions, particularly of the nature and manner they are published at present is certain to produce an unsettling effect on the minds of readers. We would describe the practice of publishing such predictions as undesirable.'

The Commission took a serious note of the occurrence of yellow journalism, slanderous writing directed against groups or communities, sensationalism, prejudice in presenting news and lack of proper responsibility in comment, indecent remarks and crudeness and personal attacks on individuals. Nonetheless, the Commission observed that the well-established newspapers had, more or less, preserved a high journalistic standard. They had been successful in avoiding 'cheap sensationalism and unwarranted intrusion into private lives'. However, it stated that 'whatever the law relating to the Press may be, there would still be a large quantum of objectionable journalism which, though not falling within the purview

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of the law, would still require to be checked'. It held the opinion that the most suitable manner of sustaining professional journalistic standards is to set up a body of individuals mainly related to the industry. This body should be accountable to arbitrate on doubtful points and to reprimand anyone found guilty of the breach of the code of journalistic ethics.

In this connection the Commission stated the need for the establishment of a Press Council:

- (a) to safeguard the freedom of the press and help the press to maintain its independence.
- (b) to censure objectionable types of journalistic conduct and by all other possible means to build up a code in accordance with the highest professional standards.
- (c) to keep under review any development likely to restrict the supply and dissemination of news of public interest and importance.
- (d) to encourage the growth of a sense of responsibility and of public service among those engaged in the profession of journalism.
- (e) to study the developments in the press which may tend towards concentration or monopoly, and if necessary, to suggest remedies.
- (f) to publish reports, at least once a year, recording its work and reviewing the performance of the press, its development and factors affecting them and
- (g) to improve methods of recruitment, education and training for the profession by the creation of suitable agencies for the purpose such as a Press Institute.

The Commission emphasized the need for establishing the Council on a statutory basis. It noted that the Council should possess legal authority to hold inquiries or else each member, and the Council as a whole, will be subject to the danger of legal action by those whom it seeks to punish.

The Commission observed that the Council should comprise men who command the respect and confidence of the profession. It should possess twenty-five members excluding the Chairman. The Chairman, to be nominated by the Chief Justice of India, must be an individual who was or had been a Judge of the High Court. On 4 July 1966, the press council of India was established and it began functioning from 16 November 1966. This day is commemorated as the National Press Day.

The Office of the Registrar of Newspapers for India (RNI) also owes its existence to the First Press Commission's recommendations. The Commission observed: 'To prepare the account of the press and the position of every year, there should be appointment of the Registrar of Newspaper for India (RNI).'

After a detailed and careful study, the Commission concluded that both capital and the staff should be indigenized, particularly at the higher levels. Further,

it was very much expected that the proprietorial interests in daily and weekly newspapers are chiefly controlled by the Indians themselves.

After evaluating the Press Commission's recommendations and the Note provided by the Ministry of Information & Broadcasting, the Union Cabinet adopted a Resolution on 13 September 1955. It became the fundamental policy document regarding the functioning of press in India. The resolution banned Foreign Direct Investment in print media.

Concerned about the poor service conditions of working journalists, the Commission made detailed recommendations to improve them. In 1955, the Government enacted the Working Journalist and Other Newspaper Employees (Conditions of Services) and Miscellaneous Provisions Act. Under this Act, Wage Boards were appointed. The Commission also suggested that there needs to be a relationship between price and pages. It is necessary to control excessive advertising in some newspapers. The government accepted this recommendation for a Price-Page Schedule. However, the Supreme Court of India struck it down.

Many members of the Commission were freedom fighters like those in the Government, so the Commission was in favour of 'maintaining a cordial relationship between the government and the Press'. To meet this end, it recommended the setting up of a Press Consultative Committee. Consequently, a Press Consultative Committee was set up on 22 September 1962.

To assess the financial condition of the newspapers and news agencies, the Commission recommended the establishment of a fact-finding committee. As a result, a Fact Finding Committee was set up on 14 April 1972, which gave its report on 14 January 1975.

To protect the key principles of the freedom of press and to save the newspapers from monopolistic trends, the Commission suggested the formation of Newspaper Financial Corporation. On 4 December 1970, a Bill was presented in the Lok Sabha to this effect, but unfortunately it lapsed.

The Commission also recommended that a public corporation needs to run the Press Trust of India. This recommendation was not heeded to at that time. However, during the Internal Emergency this idea was revived and after the merger of four news agencies, 'Samachar' was formed. However, it was undone by the Janata Government.

7.2.2 Second Press Commission

The atmosphere in the country had changed when the Second Press Commission was appointed. The Internal Emergency had come to an end with Mrs. Indira Gandhi losing in the General Elections of 1977. After coming to power, the Janata Government appointed the Second Press Commission on 29 May 1978. Justice P.K. Goswami was its chairman. However, before the Commission could give its report, the Janata Government fell bringing elections to the Lok Sabha in its wake. In these elections, Mrs Indira Gandhi recaptured power. The Goswami Commission

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resigned on 14 January 1980. Anyway, the Second Press Commission was revived in April 1980 with Justice K.K. Mathew as its chairman. Its members included Amrita Pritam, Rajendra Mathur, Girilal Jain, K.R. Ganesh and Madan Bhatia.

The Second Press Commission expected the press to be neither a mechanical opponent nor an automatic ally of the government. It wanted the press to play a significant role in the development process in the country. 'The press should be widely accessible to the people if it is to reflect their aspirations and problems.'

The issue of urban bias also drew the attention of the Commission. It stated that for development to take place, internal stability was must to safeguard the national security. The Commission further highlighted the role and responsibility of the press in preventing communal disturbances. Moreover, the Commission maintained that development has to be the essential focus of the press. The Commission observed that a responsible press may also be a free press and vice-versa. It held that freedom and responsibility are complimentary to each other instead of being contradictory in nature.

The Commission further recommended the concept of Price-page schedule believing that the Supreme Court might revise its earlier verdict. To ensure the development and growth of small and medium newspapers, the Commission recommended the setting up of Newspaper Development Commission. It also wished that newspapers need to be separated from industries and other business interests.

Over all, the Second Press Commission's report provides a decent overview of the development of press since the report of First Press Commission. Many studies and researches were commissioned by the Commission to study various aspects of the press. All this has created a big pool of information which is very useful for the researchers. Unfortunately, unlike the First Press Commission, the institutions and authorities recommended by the Second Press Commission could not come into existence. Also, it was not able to give any specific direction to the press, because most of the media houses ignored its recommendations.

There have been demands for setting up a media commission since the turn of present century because media scene has undergone massive changes since the Second Press Commission gave its report. Nonetheless, so far no new commission is in sight of getting constituted.

Check Your Progress

1. Who was the chairman of the First Press Commission?
2. When is National Press Day celebrated?
3. When was the Second Press Commission revived?

- 8. Sovereignty and integrity of India:** This ground was also added subsequently by the Constitution (Sixteenth Amendment) Act, 1963. This is aimed to prohibit anyone from making statements that challenge the sovereignty and integrity of India.

Check Your Progress

3. Under what article of the Universal Declaration of Human Rights is press freedom guaranteed?
4. List one right that is included in the right to free speech and expression.

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5.4 RESPONSIBILITY OF THE PRESS

Journalism began as a natural activity of providing news and information in its initial days. During the turbulent days of the French Revolution, journalism became the torchbearer of revolutionary thinking and helped the bourgeoisie to accomplish their historic role. It was afterwards that the press was seen as the fourth estate of democracy. It became the fundamental duty of the press to protect the democratic principles of the state.

In the later days of bourgeois democracy, the interests of various groups led to a new kind of journalism that was supposed to work for the business interest of its owners. There would be a lot of commonality in thinking and ideology of various newspapers but on certain issues and at certain times some newspapers would speak a language that would be threatening for the powers that be. It is here that the term 'lobby' came into being.

The journalism and media was supposed to be a service and in many cases like in India it acquired the role of pioneer for the mission of the freedom of the Indian people from the British rule. It is obvious that the purpose of journalism has changed with the emergence of new technologies as well as the social changes from a traditional feudal society to a modern and now the post-modern societies.

We find a few purposes of journalism and mass media encompass public service, seeking truth, making itself a successful commercial venture, creating public opinion on the matters of national importance and persuading the masses during the election. Apart from these purposes, newspapers and other media are needed for transmitting commercial and business information in the form of advertisements, which is one of the biggest revenue earner for any news organization.

Informed Citizenry

The principal objective of journalism is to facilitate a well-informed citizenry for the socio-political structure. In his book *Democracy and the News* American sociologist Herbert J. Gans states that journalism itself 'can do little to reduce the

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political imbalance between citizens and the economic, political and other organizations’.

The theory of democracy in journalism still relies on an assumption that

- an informed citizenry means an engaged citizenry,
- an engaged citizenry is more informed and more participatory, and
- the result is a more democratic society.

Public Service

Journalism actually started as an activity of public service. It serves the people by giving them necessary information regarding the political and social changes, law and order situations, weather, sports, finance, etc. In the very early days it was also publishing governmental orders and other information meant to reach the citizens.

In various third world countries, where the liberation movements were at their peak, journalism found another purpose. It took an active part in supporting such struggle and hence it acquired the role of missionary. In India, journalism was considered as a mission rather than an occupation for many years.

Search of Truth

Right from its inception the profession of journalism has projected itself as the seeker of truth in the form of an activity of academic research. So journalism was pursued by intellectuals. Moreover, the journalists did not want to give up their zeal to know about the truth which they had learned during their education. However, the nature of truth sought by journalists is at times quite far from that a researcher would be seeking. There is a kind of pragmatic attitude attached to the process and activity of seeking truth in journalism.

Commercial Venture

Journalism was never considered as charity, there are costs involved in publishing and distribution of newspapers. Today, the costs of running the private radio and television and even magazines and newspapers are very high. Thus, whether we like it or not, journalism has come to be dominated as a commercial venture. It was also a question of survival of journalists for which the earning of money became a valid purpose.

Public Opinion and Persuasion

Journalism is an effective means of transmitting messages to the people who require various kinds of information to meet different needs in their lives. Hence, newspapers have another good purpose of assessing the public opinion on the key national issues. Further, they also venture into making public opinion during the elections and other national matters. The capability of journalism to persuade is very handy for this purpose.

There is a vast literature available in libraries and elsewhere on the role of newspapers in forming public opinion and also persuading people to have a particular attitude towards things and situations. Most of the time, the persuasion is very subtle and there are hidden biases behind such persuasion. However, journalism is also capable of entering into propaganda mode where the act of persuasion becomes obvious to the public.

It may not be journalism as such but it was the newspapers and other media that took to extensive advertising not only for sustenance but for profit making as well. Advertising is another activity where persuasion is at its peak. In recent times, unfortunately the greed for profits has also influenced the act of journalism as you may find newspapers stuffed with too much consumerist advertorials and paid news.

Promotion of Different Perspectives

The profession of journalism promotes ideology and values with an objective to project a multiperspectival approach. Journalism informs citizens about:

- the political diversity of the country,
- the politically significant ideas and activities of their fellow citizens, and
- what types of issues concern the citizens (which our elected representatives are also required to know)

For these objectives the journalists are required to be multiperspectival — to include all the essential viewpoints from people having different interests, values and incomes. Multiperspectivism refers to reporting all ideas which can resolve issues and help in solving problems, even if the ideas come from the side of ideologically tiny groups.

Independent Monitor of Power

Journalism possesses an extraordinary ability to function as the watchdog over such individuals and institutions whose position and power has a great bearing on the majority of citizens. Journalists have the responsibility to protect this watchdog freedom by not tainting it in petty use or exploit it for commercial gains.

Provide Reliable and Accurate Information

It comprises various roles—helping define community, evolving common language and shared knowledge, finding a community's objectives, specifying heroes and villains, and push people out of complacency. It also comprises other functions, e.g., entertainment, working as watchdog and providing voice to the voiceless.

Finally, we find that the basic purpose of journalism still remains the dissemination of information and news, though this activity has found many secondary purposes over a period due to the changing political-economical situation as well as the rapid growth of mass media technologies.

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National Development

It works as an agent of change in developmental perspective. Further, it works as a liaisoning agent between the government and the people for achieving development.

Cultural Integration

The purpose of journalism is to import positive sub-cultural traits from the other cultures and urge the people to adapt it. Further, it also tries to discard the negative aspect of the internal culture.

5.4.1 Theories of Press

The press does not function in vacuum in society, it always takes on the form and coloration of the social and political structures within which it operates. The scholars Fred, Peterson and Wilbur Schramm in their book called *Four Theories of the Press* first discussed the different theories of the press. According to them, the four theories of the press are as follows:

1. **Authoritarian:** This theory was developed in 17th century England, and this it is the oldest of the four theories. The authoritarian theory describes the press to be a media system that acts as a propaganda tool for a monarch, dictator or the government. Under this theory, the freedom of information is limited and the primary role of the press is to educate the masses on the policies of government and prevent threats to its rule by utilizing censorship.
2. **Soviet Communist Theory:** This theories built upon the authoritarian theory of the press and imposed even greater restrictions on the press. The Soviet Communist Theory describes a system in which the state owns or controls all forms of mass media. Under this theory, the role of the press is to bring about societal change by inculcating communist values in the masses and denouncing democratic regimes.
3. **Libertarian Theory:** This theory describes a contrasting press, which is free to report on the government. Under this theory, freedom of information is guaranteed with no restrictions or censorship. Under the libertarian theory, the press is able to play the role of a watchdog and keep the ruling party in check. The theory considers the public as being rational and being able to decide for themselves what is good and what is bad.
4. **Social Responsibility Theory:** In most democratic societies, the press belongs to the public, and yet, in capitalist societies, this is always under threat. Advertisers and the owners of major companies can always influence the media in the same way that governments can. The social Responsibility Theory of the press assumes that the press should observe a code of conduct and should not feel pressured by big businesses and investors. Under this theory, the press has a social responsibility to serve the public without any outside interference.

Check Your Progress

5. What role did journalism play during the French Revolution?
6. What is the principal objective of journalism?
7. What is the oldest theory of the press?

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5.5 ANSWERS TO CHECK YOUR PROGRESS QUESTIONS

1. There are different versions regarding the earliest newspaper in the world. Some say that the first newspaper was started by an American, John Campbell in 1704. There are others who consider *Relation aller Furnemmen und gedenckwürdigen Historien* as the first newspaper. This newspaper in German language was published in Strasbourg from 1605 onwards. According to the Encyclopaedia Britannica, the first newspaper in the world is *Avisa Relacion Oder Zeitung*, published in 1609 in Germany.
2. The political system uses journalism for dissemination of news and information for its own perpetuation.
3. Press freedom is globally and ideally guaranteed by Article 19 of the Universal Declaration of Human Rights.
4. The right to free speech and expression includes the right not only to publish but also to circulate information and opinion. Without this, the right to free speech and expression would carry little meaning.
5. During the turbulent days of the French Revolution, journalism became the torchbearer of revolutionary thinking and helped the bourgeoisie to accomplish their historic role.
6. The principal objective of journalism is to facilitate a well-informed citizenry for the socio-political structure.
7. The authoritarian theory of the press was developed in 17th century England and is the oldest of the four theories of the press.

5.6 SUMMARY

- Journalism is reporting of daily events. In modern times, journalism is seen as the profession of gathering news and information, processing it and finally disseminating it through a particular media.
- The news and information so gathered is required to be relevant to the society. It is for this reason that journalism, popularly known as the press,

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has been defined as an institution of mass communication essentially devoted to public service.

- Journalism is as old an activity as the primitive human societies. It has been a common human tendency to share new things with the fellow beings.
- The history of printing is traced back to 868 AD when Chinese used the movable types for printing.
- Apart from disseminating news and information in society in public interest, the press is also seen as a bridge between the government and the people, in the sense that it communicates the policy and programmes of the government to the people.
- The Press conveys the grievances and perception of public about issues of the society to the powers that be.
- The political system uses the press for dissemination of news and information for its own perpetuation.
- The press has to function as the watchdog of democracy by constantly being vigilant towards the functioning of the other three pillars, i.e., legislature, executive and judiciary.
- Press freedom is a logical extension of man's undeniable freedom of expression. At present, press freedom is a universal phenomenon, in spite of the ideological differences in several socio-political systems worldwide.
- Though freedom of press is a much talked about concept, interestingly, it is not mentioned as such in the Indian Constitution. It is understood to be covered under the provisions of Article 19 and derives its rights from the freedom of speech and expression, available to the citizens of India.
- Contrary to the Indian Constitution, the First Amendment to the Constitution of the United States of America makes a specific reference to the freedom of press.
- Article 19(1)(a) covers the right to express oneself by word of mouth, writing, printing, picture, or in any manner. It includes the freedom of communication and the right to propagate or publish one's views. The communication of ideas may be through any medium—newspaper, magazine, movie, electronic media or audio-visual media.
- If the right to freedom of speech and expression was absolute, there would be no opportunity for people to defend themselves against written or spoken defamation.
- The freedom of speech and of the press does not grant an absolute right to express without any responsibility.
- A few purposes of journalism and mass media include public service, seeking truth, making itself a successful commercial venture, creating public opinion

on the matters of national importance and persuading the masses during the election.

- The profession of journalism promotes ideology and values with an objective to project a multiperspectival approach.
- Journalism possesses an extraordinary ability to function as the watchdog over such individuals and institutions whose position and power has a great bearing on the majority of citizens.
- The basic purpose of journalism still remains the dissemination of information and news, though this activity has found many secondary purposes over a period due to the changing political-economical situation as well as the rapid growth of mass media technologies.
- The scholars Fred, Peterson and Wilbur Schramm in their book called *Four Theories of the Press* first discussed the different theories of the press. According to them, the four theories of the press are Authoritarian, Soviet Communist Theory, Libertarian Theory and Social Responsibility Theory.

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5.7 KEY WORDS

- **Feudal Society:** It is a society where a peasant or worker known as a vassal received a piece of land in return for serving a lord or king, especially during times of war.
- **Status Quo:** It means the existing state of affairs, especially regarding social or political issues.
- **Bourgeois Democracy:** It essentially is a government that serves in the interests of the bourgeois class.
- **French Revolution:** It was an uprising in France against the monarchy from 1789 to 1799 which resulted in the establishment of France as a republic.

5.8 SELF-ASSESSMENT QUESTIONS AND EXERCISES

Short-Answer Questions

1. What do you understand by journalism?
2. What is press freedom?
3. Write a short-note on some of the cases related to the freedom of the press in India.
4. What are the assumptions of the theory of democracy in journalism?
5. List the different theories of the press.

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Long-Answer Questions

1. Discuss the functions of the press.
2. Describe the constitutional status of the media in India.
3. Examine the rights included in freedom of speech and expression in India.
4. Describe the reasonable restrictions that can be imposed under the freedom of speech laws in India.
5. Explain the responsibility of the press in a society.

5.9 FURTHER READINGS

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UNIT 6 CODES AND ETHICS OF JOURNALISM

*Codes and Ethics of
Journalism*

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Structure

- 6.0 Introduction
- 6.1 Objectives
- 6.2 Current Trends in Journalism
- 6.3 Press Codes and Ethics of Journalism
 - 6.3.1 A Code of Ethics for the Indian Press
- 6.4 Answers to Check Your Progress Questions
- 6.5 Summary
- 6.6 Key Words
- 6.7 Self Assessment Questions and Exercises
- 6.8 Further Readings

6.0 INTRODUCTION

In the previous unit, you learnt about the concept and function of journalism. You also learnt the meaning of press freedom and the responsibility of the press. In this unit, we will discuss the codes and ethics in journalism in detail. Journalism ethics and standards comprise the principles of ethics and of good practice that are applicable to the specific challenges faced by journalists globally. This is a journalist's professional 'code of ethics' or the 'canons of journalism'. These codes and canons commonly appear in statements drafted by both professional journalism associations and individual print, broadcast, and online news organizations. The unit will begin with a discussion on the current trends in journalism.

6.1 OBJECTIVES

After going through this unit, you will be able to:

- Describe the current trends in journalism
- Discuss the codes and ethics of journalism
- Examine the code of ethics for the Indian Press

6.2 CURRENT TRENDS IN JOURNALISM

Journalism has changed a lot over the decades. It was a simple process of gathering, processing and disseminating the information. Today, the competitive markets have posed many responsibilities and the nature and work of journalists have changed. On the one hand, we find big conglomerates pumping huge amount of money in

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different media technologies and on the other hand there are people with relatively smaller capital investing on media. The technology and the economics of management of media has forced the companies to employ journalist with multiple skills.

Convergent Journalism

Convergent journalism is the name given to multitasking in journalism where a journalist is expected to not only produce a report for the newspaper, he is also required to give it orally for radio and/or television and at the same time give a brief one for mobile news services as well. A journalist needs to be trained in many skills like writing for newspapers, radio, television, online and mobile news service. For example, the Times of India (Bennett, Coleman & Co.) runs Times of India (newspaper), Times Now (TV channel), Indiatimes.com (website portal) and Radio Mirchi (private FM channel). Gone are the days when the journalism institutes were training journalist in the specialized area for a specific media only.

The convergent journalism is the end result of the convergence of media and communication technology. The most popular forms of convergent journalism are to be found in media houses owning more than one type of media. Today, almost all newspapers are having their hard copy editions and the online editions. They have also taken interest in the mobile news service as it gives them a better market reach. Even the radio and television houses have their online services where they not only provide the audio-visual content, but they also give textual reports. Looking at the economy of media management they prefer multitasking journalists instead of having specialists in a particular media, though the demand for specialization in various kinds of journalism like economic journalism, sports journalism, defence journalism, etc., has also increased over the years.

Online Journalism

We are living in an age where speed matters. The print journalism in spite of being analytical used to appear stale in comparison to the breaking news scenario of television a few years back. Today even the television news looks less fast than the SMS messaging or the various news services incorporated by the mobile service providers.

The revolution of information technology has changed the world dramatically in the past two decades. From slow word processing computers, the IT has moved towards faster processors, increased bus speed and bandwidth to allow the audio and video to be played in real time. The communication technology has also moved away from the slow and narrow copper lines to optical cable capable of carrying various signals at the same time. The widening of pathways has become possible due to the conversion of signals from analogue to digital. The information superhighway works on broadband connectivity of ever-increasing bites.

It has brought the online journalism at the forefront. Newspapers have responded well to the new culture of paperless world and have started moving in

a direction that is not only convenient but economical. Many newspapers have already started their online editions that could be accessed on the Internet by paying a certain amount as subscription. In order to keep the conventional layout of the newspaper that has become a matter of habit for many of us, they also have the replica of the hard copy on the Internet. This combination of web journalism and mobile news services is the most recent trend in the profession of journalism.

Fashion Journalism

Fashion journalism comprises the reports and articles on the fashion world. The journalists in this field are also called as fashion editors or fashion writers. The key duty is to cover the most up-to-date trends and happenings in the fashion business. It also comprises developing lifestyle articles. These fashion articles are generally found in the supplements in newspapers and specialized magazines. Presently there are many television channels which cater to fashion only. It provides abundant opportunities for journalists having a passion to cover such topics.

Celebrity Journalism

As suggested by the name, the journalist in this field deals with the news and events connected to celebrities from the various domains of life. It includes celebrities from the fields like sports, dance, music, art, politics, etc. This kind of journalism is concerned about the news related to the celebrities' professional and personal lives. Interestingly, reporting gossip is also one of the aspects of celebrity journalism. However, journalists are usually accused of misrepresenting and misconstruing news or quotes in a manipulative or intentional manner. This kind of journalism is especially popular with magazines, newspapers and television.

Sports Journalism

Though sports belong to entertainment category, sports journalism is one of the most important aspects of journalism. For reporting sports events, the journalist should have proper knowledge of the game including points, rules and regulations etc. In sports journalism, the journalists spend hours reporting on a specific sports event. A journalist is required to report the precise facts and statistics about that event. In sports journalism, interviews with celebrity sports stars are one of the interesting features. Even though the lovers of sports watch the live coverage through various media channels, still there are scores of people who still prefer reading or watching comprehensive details of the event.

Citizen Journalism

The citizen journalism is just not just the domain of professional journalists. All citizens possess the right to function as journalists and report news to the media. With the emergence of the mobile communication, the importance of citizen journalism quadrupled. Anybody can take a picture of an event and can send it to any media organisation through MMS and get it telecasted. The conscious individuals from the society collect and report news to the media. They voluntarily

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participate to further the cause of the media. Many a times they highlight critical issues that might have been missed or overlooked by the mainstream media.

Environmental Journalism

The environmental cause is getting stronger as we come across the effects of our blind race on the path of development with the use of environmentally unsustainable schemes. We have the journalists who have a preference for covering the issues concerned with the environment and its conservation and protection. Environmental journalists bring into focus various issues like greenhouse gas emission, melting polar ice, deforestation, extinction of various flora and fauna, etc.

Business and Finance Journalism

In this kind of journalism, the reporter or journalist covers detailed reports about the latest in the world of business, e.g., product launches, stock market conditions, loans, the economic conditions, etc. We have many shows solely dedicated to the business news on television. Further, in newspapers as well one can find a specific section on these subjects.

Ambush Journalism

Ambush journalism connotes the aggressive tactics taken up by the journalists to abruptly confront and question the individuals who would otherwise not speak to the media. Particularly the television journalists have taken the practice on a large scale. For instance, news shows such as The O'Reilly Factor and 60 Minutes and by Geraldo Rivera and other local television reporters conduct investigations on various socially critical issues.

Some media people have sharply criticized the practice as being very unethical and sensational in nature. However, others have defended it on the grounds that it is the only means to get an opportunity to avail comments from those who are generally beyond the reach of the media. The sting operation performed by an Indian news channel, India TV, on the involvement of umpires in match fixing is an example of ambush journalism.

Churnalism

In churnalism form of journalism the press releases, wire stories and other kinds of pre-packaged material are utilized to generate articles for the newspapers and other news media. It is done to meet the increasing pressures of cost and time without performing further checking or research.

The degree of churnalism form of journalism has increased to the point that various stories that are found in the press are not original anymore. The decline of original journalism is related to a corresponding increase in public relations.

Gonzo Journalism

Gonzo journalism is a form of journalism that is popularized by the American writer Hunter S. Thompson. Among other stories and books he authored *Fear and Loathing in Las Vegas*, *Fear and Loathing on the Campaign Trail '72* and *The Kentucky Derby is Decadent and Depraved*. This kind of journalism is specialized on account of its rough language, punchy style and apparent disregard for the conventional journalistic writing customs and forms. More significantly, the conventional objectivity of the journalist is discarded by immersing into the story itself, just like in New Journalism. Further, the reportage is taken from a participatory and first-hand perspective, even sometimes using an author surrogate like Thompson's Raoul Duke.

Gonzo journalism tries to represent a multi-disciplinary viewpoint on a specific story by drawing from sports, popular culture, and philosophical, political and literary sources. This kind of journalism has been categorized as eclectic or untraditional in nature. It is the defining feature of the popular magazines like the *Rolling Stone*. It possesses a great deal in common with new journalism and on-line journalism.

Check Your Progress

1. What is convergent journalism?
2. Who popularized gonzo journalism?

6.3 PRESS CODES AND ETHICS OF JOURNALISM

Generally there are causes of dissatisfaction and complaints against journalists. People feel that they are biased, they are not truthful or they take sides. The matter of fact is that journalists work under many kinds of pressures and the very nature of news writing is such that in spite of the good intentions of the journalists it becomes difficult to satisfy everyone. Journalist associations and many other bodies such as press councils have evolved certain guidelines for the journalists. Over the years, there have been various codes of ethics agreed and endorsed by the journalists and editors. Although these are not as 'official' as an oath, nevertheless they are generally accepted at the practical level.

The American Society of Newspaper Editors was founded in 1922. It made definite parameters meant to specify the functioning of journalists. These were known as the 'Canons of Journalism'. The list given below summarizes these canons:

1. Responsibility (of newspaper and journalist)
2. Freedom of the Press ('a vital right of mankind')

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3. Independence (fidelity to the public interest)
4. Sincerity, Truthfulness, Accuracy (good faith with reader)
5. Impartiality (news reports free from opinion or bias)
6. Fair Play, Decency (recognition of private rights, prompt correction of errors)

It is interesting to note that these canons of journalism were also described by Casper Yost in his book *Principles of Journalism* in 1924 and they still hold good though now we have added a few more things to it, as the practice of journalism has shown us the newer dimensions of the canons. The canons of journalism have turned out to be similar to the code of medical ethics by which every doctor has to abide as he takes oath of it while passing out.

In this section we would discuss various aspects of good practices in journalism. We would start our exploration with the canons as described by Yost (1924):

Responsibility

The right of a newspaper to attract and hold readers is restricted by nothing but considerations of public welfare. The use a newspaper makes of the share of public attention it gains serves to determine its sense of responsibility, which it shares with every member of its staff. A journalist who uses his power for any selfish or otherwise unworthy purpose is faithless to high trust.

Freedom of Press

Freedom of the press is to be guarded as a vital right of mankind. It is the unquestionable right to discuss whatever is not explicitly forbidden by law, including the wisdom of any restrictive statute.

Independence

Freedom from all obligations except that of fidelity to the public interest is vital. Promotion of any private interest contrary to the general welfare, for whatever reason, is not compatible with honest journalism. The so-called news communications from private source should not be published without public notice of their source or else substantiation of their claims to value as news, both in form and substance.

Partisanship in editorial comment which knowingly departs from the truth does violence to the best spirit of journalism; in the news columns it is subversive of a fundamental principle of the profession.

Sincerity, Truthfulness and Accuracy

Good faith with the reader is the foundation of all journalism worthy of the same. By every consideration of good faith a newspaper is constrained to be truthful. It

is not to be excused for lack of thoroughness or accuracy within its control or failure to obtain command of these essential qualities. Headlines should be fully warranted by the content of the articles which they surmount.

Impartiality

Sound practice makes clear distinction between news reports and expression of opinion. News reports should be free from opinion or bias of any kind. This rule does not apply to the so-called special articles unmistakably devoted to advocacy or characterized by a signature authorizing the writer's own conclusions and interpretations.

Fair Play

A newspaper should not publish unofficial charges affecting reputation or moral character without opportunity given to the accused to be heard; right practice demands the giving of such opportunity in all cases of serious accusation outside judicial proceedings.

A newspaper should not invade private rights or feelings without sure warrant of public right as distinguished from public curiosity.

It is the privilege, as it is the duty, of a newspaper to make prompt and complete correction of its own serious mistake of facts or opinion, whatever their origin.

Decency

A newspaper cannot escape conviction of insincerity if while professing high moral purpose it supplies incentives to base conduct, such as are to be found in details of crime and vice, publication of which is not demonstrably for the general good. Lacking authority to enforce its canons, the journalism here represented can but express the hope that deliberate pandering to vicious instincts will encounter effective public disapproval or yield to influence of a preponderant professional condemnation.

Ethical Standards

Similarly, the International Federation of Journalists (IFJ) has also prepared a code of conduct for journalists. Indian journalist organizations like All India Newspaper Employees Federation, Indian Journalists' Union and National Union of Journalists are the members of this organization.

The International Federation of Journalists, according to its website, is the world's largest organization of journalists. First established in 1926, it was re-launched in 1946 and again, in its present form, in 1952. Today the Federation represents around six lakh members in more than 100 countries. The IFJ Code of Conduct, first adopted in 1954, provides a code of ethics adopted by all national representative journalists' organizations in Europe. Therefore, the IFJ Code of

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Conduct provides the basis for a common understanding on ethical issues through voluntary adoption of journalists and publishers. In this area IFJ sees no active role for national governments.

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Declaration of Principles on the Conduct of Journalists

This international Declaration is proclaimed as a standard of professional conduct for journalists engaged in gathering, transmitting, disseminating and commenting on news and information in describing events.

1. Respect for truth and for the right of the public to truth is the first duty of the journalist.
2. In pursuance of this duty, the journalist shall at all times defend the principles of freedom in the honest collection and publication of news, and of the right of fair comment and criticism.
3. The journalist shall report only in accordance with facts of which he/she knows the origin. The journalist shall not suppress essential information or falsify documents.
4. The journalist shall use only fair methods to obtain news, photographs and documents.
5. The journalist shall do the utmost to rectify any published information which is found to be harmfully inaccurate.
6. The journalist shall observe professional secrecy regarding the source of information obtained in confidence.
7. The journalist shall be aware of the danger of discrimination being furthered by the media, and shall do the utmost to avoid facilitating such discrimination based on, among other things, race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
8. The journalist shall regard the following as grave professional offences:
 - Plagiarism;
 - Malicious misrepresentation;
 - Calumny, slander, libel, unfounded accusations;
 - Acceptance of a bribe in any form in consideration of either publication or suppression.
9. Journalists worthy of the name shall deem it their duty to observe faithfully the principles stated above. Within the general law of each country the journalist shall recognise in professional matters the jurisdiction of colleagues only, to the exclusion of every kind of interference by governments or others.

(Adopted by 1954 World Congress of the IFJ. As amended by the 1986 World Congress)

Press Councils and Ethics of Journalism

*Codes and Ethics of
Journalism*

In many countries including India, there are autonomous or independent institutions that look after the grievances of public regarding the work of newspapers and other periodicals. In Britain there was Press Council in the earlier days, but as it was felt that it is not very representative and effective so a new body called the Press Complaints Commission (PCC) was formed. In India there is an autonomous body chaired by a retired justice of the Supreme Court of India, which is called the Press Council of India. Similarly, in many other countries there are Press Councils that look into the grievances of public regarding the functioning of newspapers and the conduct of journalists. The process of nominations in these organizations may differ, but the journalists and media organizations are adequately represented in them along with representatives from almost all walks of life.

After the expansion of privately owned television networks in India, there have been many complaints from various groups of people regarding the news coverage and entertainment programmes. In the absence of any regulatory body for the television and the new media, public is forced to go to courts for getting their grievances redressed. In recent years, the Government of India has tried to make such a regulatory body, but it has been opposed tooth and nail by the media organizations and journalists. Some news and entertainment channels have made an independent organization called News Broadcasters' Association and have come up with certain codes of conduct. However, the issues have not been properly addressed till date.

In this subsection we will look at the code of conduct as suggested by the Press Complaints Commission (PCC) and the Press Council of India (PCI) as they are much more comprehensive than those of the journalist associations mentioned above.

The Press Complaints Commission, situated in London, is charged with enforcing the following Code of Practice, which was framed by the newspaper and periodical industry and was ratified by the PCC in September 2009.

The editors' code

All members of the press have a duty to maintain the highest professional standards. The Code, which includes this preamble and the public interest exceptions below, sets the benchmark for those ethical standards, protecting both the rights of the individual and the public's right to know. It is the cornerstone of the system of self-regulation to which the industry has made a binding commitment.

It is essential that an agreed code be honoured not only to the letter but in the full spirit. It should not be interpreted so narrowly as to compromise its commitment to respect the rights of the individual, nor so broadly that it constitutes an unnecessary interference with freedom of expression or prevents publication in the public interest.

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It is the responsibility of editors and publishers to apply the Code to editorial material in both printed and online versions of publications. They should take care to ensure it is observed rigorously by all editorial staff and external contributors, including non-journalists, in printed and online versions of publications.

It is said that the editors should co-operate swiftly with the PCC in the resolution of complaints. Any publication judged to have breached the Code must print the adjudication in full and with due prominence, including headline reference to the PCC.

1. Accuracy

- (i) The Press must take care not to publish inaccurate, misleading or distorted information, including pictures.
- (ii) A significant inaccuracy, misleading statement or distortion once recognised must be corrected, promptly and with due prominence, and - where appropriate - an apology published.
- (iii) The Press, whilst free to be partisan, must distinguish clearly between comment, conjecture and fact.
- (iv) A publication must report fairly and accurately the outcome of an action for defamation to which it has been a party, unless an agreed settlement states otherwise, or an agreed statement is published.

2. Opportunity to reply

A fair opportunity for reply to inaccuracies must be given when reasonably called for.

3. *Privacy

- (i) Everyone is entitled to respect for his or her private and family life, home, health and correspondence, including digital communications.
- (ii) Editors will be expected to justify intrusions into any individual's private life without consent. Account will be taken of the complainant's own public disclosures of information.
- (iii) It is unacceptable to photograph individuals in private places without their consent.

Note - Private places are public or private property where there is a reasonable expectation of privacy.

4. *Harassment

- (i) Journalists must not engage in intimidation, harassment or persistent pursuit.
- (ii) They must not persist in questioning, telephoning, pursuing or photographing individuals once asked to desist; nor remain on their property when asked

to leave and must not follow them. If requested, they must identify themselves and whom they represent.

- (iii) Editors must ensure these principles are observed by those working for them and take care not to use non-compliant material from other sources.

5. Intrusion into grief or shock

- (i) In cases involving personal grief or shock, enquiries and approaches must be made with sympathy and discretion and publication handled sensitively. This should not restrict the right to report legal proceedings, such as inquests.
- *(ii) When reporting suicide, care should be taken to avoid excessive detail about the method used.

6. *Children

- (i) Young people should be free to complete their time at school without unnecessary intrusion.
- (ii) A child under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- (iii) Pupils must not be approached or photographed at school without the permission of the school authorities.
- (iv) Minors must not be paid for material involving children's welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- (v) Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

7. *Children in sex cases

1. The press must not, even if legally free to do so, identify children under 16 who are victims or witnesses in cases involving sex offences.
2. In any press report of a case involving a sexual offence against a child -
 - (i) The child must not be identified.
 - (ii) The adult may be identified.
 - (iii) The word "incest" must not be used where a child victim might be identified.
 - (iv) Care must be taken that nothing in the report implies the relationship between the accused and the child.

8. *Hospitals

- (i) Journalists must identify themselves and obtain permission from a responsible executive before entering non-public areas of hospitals or similar institutions to pursue enquiries.

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- (ii) The restrictions on intruding into privacy are particularly relevant to enquiries about individuals in hospitals or similar institutions.

9. *Reporting of crime

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- (i) Relatives or friends of persons convicted or accused of crime should not generally be identified without their consent, unless they are genuinely relevant to the story.
- (ii) Particular regard should be paid to the potentially vulnerable position of children who witness, or are victims of, crime. This should not restrict the right to report legal proceedings.

10. *Clandestine devices and subterfuge

- (i) The press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorized removal of documents or photographs; or by accessing digitally-held private information without consent.
- (ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.

11. Victims of sexual assault

The press must not identify victims of sexual assault or publish material likely to contribute to such identification unless there is adequate justification and they are legally free to do so.

12. Discrimination

- (i) The press must avoid prejudicial or pejorative reference to an individual's race, colour, religion, gender, sexual orientation or to any physical or mental illness or disability.
- (ii) Details of an individual's race, colour, religion, sexual orientation, physical or mental illness or disability must be avoided unless genuinely relevant to the story.

13. Financial journalism

- (i) Even where the law does not prohibit it, journalists must not use for their own profit financial information they receive in advance of its general publication, nor should they pass such information to others.

- (ii) They must not write about shares or securities in whose performance they know that they or their close families have a significant financial interest without disclosing the interest to the editor or financial editor.
- (iii) They must not buy or sell, either directly or through nominees or agents, shares or securities about which they have written recently or about which they intend to write in the near future.

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14. Confidential sources

Journalists have a moral obligation to protect confidential sources of information.

15. Witness payments in criminal trials

- (i) No payment or offer of payment to a witness - or any person who may reasonably be expected to be called as a witness - should be made in any case once proceedings are active as defined by the Contempt of Court Act 1981.

This prohibition lasts until the suspect has been freed unconditionally by police without charge or bail or the proceeding are otherwise discontinued; or has entered a guilty plea to the court; or, in the event of a not guilty plea, the court has announced its verdict.

- * (ii) Where proceedings are not yet active but are likely and foreseeable, editors must not make or offer payment to any person who may reasonably be expected to be called as a witness, unless the information concerned ought demonstrably to be published in the public interest and there is an overriding need to make or promise payment for this to be done; and all reasonable steps have been taken to ensure no financial dealings influence the evidence those witnesses give. In no circumstances should such payment be conditional on the outcome of a trial.
- * (iii) Any payment or offer of payment made to a person later cited to give evidence in proceedings must be disclosed to the prosecution and defence. The witness must be advised of this requirement.

16. *Payment to criminals

- (i) Payment or offers of payment for stories, pictures or information, which seek to exploit a particular crime or to glorify or glamorise crime in general, must not be made directly or via agents to convicted or confessed criminals or to their associates – who may include family, friends and colleagues.
- (ii) Editors invoking the public interest to justify payment or offers would need to demonstrate that there was good reason to believe the public interest would be served. If, despite payment, no public interest emerged, then the material should not be published.

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The public Interest

There may be exceptions to the clauses marked ‘*’ where they can be demonstrated to be in the public interest.

1. The public interest includes, but is not confined to:
 - (i) Detecting or exposing crime or serious impropriety.
 - (ii) Protecting public health and safety.
 - (iii) Preventing the public from being misled by an action or statement of an individual or organisations.
2. There is a public interest in freedom of expression itself.
3. Whenever the public interest is invoked, the PCC will require editors to demonstrate fully that they reasonably believed that publication, or journalistic activity undertaken with a view to publication, would be in the public interest.
4. The PCC will consider the extent to which material is already in the public domain, or will become so.
5. In cases involving children under 16, editors must demonstrate an exceptional public interest to over-ride the normally paramount interest of the child.

6.3.1 A Code of Ethics for the Indian Press

In 1992, the Council brought out ‘A Guide to Journalistic Ethics’. An updated version of the code was published in 1996.

Principles and Ethics

The fundamental objective of journalism is to serve the people with news, views, comments and information on matters of public interest in a fair, accurate, unbiased, sober and decent manner. Towards this end, the Press is expected to conduct itself in keeping with certain norms of professionalism universally recognized. The norms enunciated below and other specific guidelines appended thereafter, when applied with due discernment and adaptation to the varying circumstance of each case, will help the journalist to self-regulate his or her conduct.

Accuracy & Fairness

1. The Press shall eschew publication of inaccurate, baseless, graceless, misleading or distorted material. All sides of the core issue or subject should be reported. Unjustified rumours and surmises should not be set forth as facts.

Pre-publication Verification

2. On receipt of a report or article of public interest and benefit containing imputations or comments against a citizen, the editor should check with due

care and attention its factual accuracy-apart from other authentic sources with the person or the organisation concerned to elicit his/her or its version, comments or reaction and publish the same with due amendments in the report where necessary. In the event of lack or absence of response, a footnote to that effect should be appended to the report.

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Caution against defamatory writings

3. Newspaper should not publish anything which is manifestly defamatory or libelous against any individual organization unless after due care and checking, they have sufficient reason to believe that it is true and its publication will be for public good.
4. Truth is no defence for publishing derogatory, scurrilous and defamatory material against a private citizen where no public interest is involved.
5. No personal remarks which may be considered or construed to be derogatory in nature against a dead person should be published except in rare cases of public interest, as the dead person cannot possibly contradict or deny those remarks.
6. The Press shall not rely on objectionable past behaviour of a citizen for basing the scathing comments with reference to fresh action of that person. If public good requires such reference, the Press should make pre-publication inquiries from the authorities concerned about the follow up action, if any, in regard to those adverse actions.
7. The Press has a duty, discretion and right to serve the public interest by drawing reader's attention to citizens of doubtful antecedents and of questionable character but as responsible journalists they should observe due restraint and caution in hazarding their own opinion or conclusion in branding these persons as 'cheats' or 'killers' etc. The cardinal principle being that the guilt of a person should be established by proof of facts alleged and not by proof of the bad character of the accused. In the zest to expose, the Press should not exceed the limits of ethical caution and fair comments.
8. Where the impugned publication are manifestly injurious to the reputation of the complainant, the onus shall be on the respondent to show that they were true or to establish that they constituted for comment made in good faith and for public good.

Parameters of the right of the Press to comment on the acts and conduct of public officials.
9. So far as the government, local authority and other organs/institutions exercising governmental power are concerned, they cannot maintain a suit for damages for acts and conduct relevant to the discharge of their official duties unless the official establishes that the publication was made with reckless

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disregard for the truth. However, judiciary which is protected by the power to punish for contempt of court and the Parliament and Legislatures, protected as their privileges are by Articles 105 and 194 respectively, of the Constitution of India, represent exception to this rule.

10. Publication of news or comments/information on public officials conducting investigations should have a tendency to help the commission of offences or to impede the prevention or detection of offences or prosecution of the guilty. The investigative agency is also under a corresponding obligation not to leak out or disclose such information or indulge in disinformation.
11. The Official Secrets Act, 1923 or any other similar enactment or provision having the force of law equally bind the press or media though there is no law empowering the state or its officials to prohibit, or to impose a prior restraint upon the Press/media.
12. Cartoons and caricatures in depicting good humour are to be placed in a special category of news that enjoy more liberal attitude.

Right to Privacy

13. The Press shall not intrude or invade the privacy of an individual unless outweighed by genuine overriding public interest, not being a prurient or morbid curiosity. So, however, that once a matter becomes a matter of public record, the right to privacy no longer subsists and it becomes a legitimate subject for comment by Press and media among others.

Explanation: Things concerning a person's home, family, religion, health, sexuality, personal life and private affairs are covered by the concept of PRIVACY excepting where any of these impinges upon the public or public interest.

14. Caution against identification: While reporting crime involving rape, abduction or kidnap of women/females or sexual assault on children, or raising doubts and questions touching the chastity, personal character and privacy of women, the names, photographs of the victims or other particulars leading to their identity shall not be published.
15. Minor children and infants who are the offspring of sexual abuse or 'forcible marriage' or illicit sexual union shall not be identified or photographed.

Recording interviews and phone conversation

16. The Press shall not tape-record anyone's conversation without that person's knowledge or consent, except where the recording is necessary to protect the journalist in a legal action, or for other compelling good reason.
17. The Press shall, prior to publication, delete offensive epithets used by an interviewer in conversation with the Press person.

18. Intrusion through photography into moments of personal grief shall be avoided. However, photography of victims of accidents or natural calamity may be in larger public interest.

Conjecture, comment and fact

19. Newspaper should not pass on or elevate conjecture, speculation or comment as a statement of fact. All these categories should be distinctly stated.

Newspapers to eschew suggestive guilt

20. Newspapers should eschew suggestive guilt by association. They should not name or identify the family or relatives or associates of a person convicted or accused of a crime, when they are totally innocent and a reference to them is not relevant to the matter reported.
21. It is contrary to the norms of journalism for a paper to identify itself with and project the case of any one party in the case of any controversy/dispute.

Corrections

22. When any factual error or mistake is detected or confirmed, the newspaper should publish the correction promptly with due prominence and with apology or expression of regrets in a case of serious lapse.

Right of Reply

23. The newspaper should promptly and with due prominence, publish either in full or with due editing, free of cost, at the instance of the person affected or feeling aggrieved/or concerned by the impugned publication, a contradiction/reply/clarification or rejoinder sent to the editor in the form of a letter or note. If the editor doubts the truth or factual accuracy of the contradiction/reply/clarification or rejoinder, he shall be at liberty to add separately at the end a brief editorial comment doubting its veracity, but only when this doubt is reasonably founded on unimpeachable documentary or other evidential material in his/her possession. This is a concession which has to be availed of sparingly with due discretion and caution in appropriate cases.
24. However, where the reply/contradiction or rejoinder is being published in compliance with the discretion of the Press Council, it is permissible to append a brief editorial note to that effect.
25. Right of rejoinder cannot be claimed through the medium of Press Conference, as publication of the news of a conference is within the discretionary powers of an editor.
26. Freedom of the Press involves the readers' right to know all sides of an issue of public interest. An editor, therefore, shall not refuse to publish the reply or rejoinder merely on the ground that in his opinion the story published

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in the newspaper was true. That is an issue to be left to the judgement of the readers. It also does not behove an editor to show contempt towards a reader.

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Letters to Editor

27. An editor who decides to open his columns for letters on a controversial subject is not obliged to publish all the letters received in regard to that subject. He is entitled to select and publish only some of them either in entirety or the gist thereof. However, in exercising this discretion, he must make an honest endeavour to ensure that what is published is not one-sided but represents a fair balance between the views for and against with respect to the principal issue in controversy.
28. In the event of rejoinder upon rejoinder being sent by two parties on a controversial subject, the editor has the discretion to decide at which stage to close the continuing column.

Obscenity and vulgarity to be eschewed

29. Newspapers/journalists shall not publish anything which is obscene, vulgar or offensive to public good taste.
30. Newspapers shall not display advertisements which are vulgar or which, through depiction of a woman in nude or lewd posture, provoke lecherous attention of males as if she herself was a commercial commodity for sale.
31. Whether a picture is obscene or not, is to be judged in relation to three tests; namely
 - (i) Is it vulgar and indecent?
 - (ii) Is it a piece of mere pornography?
 - (iii) Is its publication meant merely to make money by titillating the sex feelings of adolescents and among whom it is intended to circulate? In other words, does it constitute an unwholesome exploitation for commercial gain?

Other relevant considerations are whether the picture is relevant to the subject matter of the magazine. That is to say, whether its publication serves any preponderating social or public purpose, in relation to art, painting, medicine, research or reform of sex.

Violence not to be glorified

32. Newspapers/journalists shall avoid presenting acts of violence, armed robberies and terrorist activities in a manner that glorifies the perpetrators acts, declarations or death in the eyes of the public.

Glorification/encouragement of social evils to be eschewed

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33. Newspapers shall not allow their columns to be misused for writings which have a tendency to encourage or glorify social evils like Sati Pratha or ostentatious celebrations.

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Covering communal disputes/clashes

34. News, views or comments relating to communal or religious disputes/clashes shall be published after proper verification of facts and presented with due caution and restraint in a manner which is conducive to the creation of an atmosphere congenial to communal harmony, amity and peace. Sensational, provocative and alarming headlines are to be avoided. Acts of communal violence or vandalism shall be reported in a manner as may not undermine the people's confidence in the law and order machinery of the State. Giving community-wise figures of the victims of communal riot, or writing about the incident in a style which is likely to inflame passions, aggravate the tension, or accentuate the strained relations between the communities/religious groups concerned, or which has a potential to exacerbate the trouble, shall be avoided.

Headings not to be sensational/provocative and must justify the matter printed under them

35. In general and particularly in the context of communal disputes or clashes—
- Provocative and sensational headlines are to be avoided;
 - Headings must reflect and justify the matter printed under them;
 - Headings containing allegations made in statements should either identify the body or the source making it or at least carry quotation marks.

Caste, religion or community references

36. In general, the caste identification of a person or a particular class should be avoided, particularly when in the context it conveys a sense or attributes a conduct or practice derogatory to that caste.
37. Newspapers are advised against the use of word 'Scheduled Caste' or 'Harijan' which has been objected to by some persons.
38. An accused or a victim shall not be described by his caste or community when the same does not have anything to do with the offence or the crime and plays no part either in the identification of any accused or proceeding, if there be any.
39. Newspaper should not publish any fictional literature distorting and portraying the religious characters in an adverse light transgression of the norms of literary taste and offending the religious susceptibilities of large sections of