

Review Article

The Thin Line: Navigating Ethical Challenges in Media

Sunita Gupta

Assistant Professor, Department of Commerce, Dev Samaj College, Sector 45B, Chandigarh.

I N F O

E-mail Id:

sunita399@yahoo.com

How to cite this article:

Gupta S. The Thin Line: Navigating Ethical Challenges in Media. *J Adv Res HR Organ Mgmt* 2024; 11(3&4): 32-34.

Date of Submission: 2024-06-03

Date of Acceptance: 2024-08-13

A B S T R A C T

Democracy is a government of the people and for the people and by the people and everybody has the freedom of speech and media plays an important role in educating the people, widening their outlook, and enlightening their minds. Media is the line of communication between the ruler and the ruled. The Media, no doubt bridge the gap between the event and the people, but in most cases, they blow some events out of proportion. It has been noticed consistently and continuously that in a mad race to be first with information, most private channels trespass the boundaries of professionals and ethical standards. News is meant to be objective, fair, unbiased and neutral-this is what sets apart such information and opinion from other forms of media. But the image of journalism in India has taken quite a battering. Indeed, corruption in the mass media in India and elsewhere is as old as the media itself. If there is corruption in society, it would be unrealistic to expect the media to be free of this affliction. However, if we Indians today are supporting social activist Anna Hazare in his campaign to evade corruption from its very roots, it is also because of the unflinching support of the media. In this paper, we aim to take up case studies against the media and the final verdict thereof. The laws governing the media ethics will also be covered.

Keywords: Media, Democracy, Government, Journalism, India

Introduction

Ethics always says, 'Not I but thou' - -The vain ideas of individualism- - - must be given up - says the laws of ethics - - - The senses say 'Myself First.' Ethics says, 'I must hold myself last.' Thus, all codes of ethics are based upon this renunciation- - - of the individual on the material plane- - - Perfect self-annihilation is the idea of ethics- - -utilitarian standard cannot explain the ethical relations of men- - -. Without- - - the perception of the superconscious- - - there can be no ethics- - - ethics, itself is not the end, but the means to the end.

When we look at the world today, we cannot help but feel appalled by the rapid disappearance of the sense of

moral and ethical consciousness. Talking of media ethics--- That is an oxymoron, a contradiction in terms. There is a complete transgression. Media houses taking money to plug for politicians, demanding equity from companies in return for positive coverage, allowing marketing honchos to decide what is news, pushing editors to the margins, and reducing journalists to handymen. Haven't you been astounded at what passes for breaking news? In the quest to win circulation and TRP wars, universally accepted journalistic standards have been compromised!

Specifically referring to broadcast media, the advent of 24-hour news is to be blamed. It presented the team with a new kind of problem. How do you fill that broadcasting hole,

Journal of Advanced Research in HR and Organizational Management (ISSN: 2454-3268)

Copyright (c) 2024: Author(s). Published by Advanced Research Publications



stretching away endlessly into a distance? And even more challenging. How do you fill it in a time of severe financial constraint, where costs are rising and budgets slashed?

The answer is all too visible on your screens- repetition, trivia, and endless cheap and cheerful "opinion." News has turned into coverage. It is cheaper and requires a lot less effort when the prime minister's office flags a major speech, it is covered. It is no longer asked whether it has really said something new, changing a policy, etc. Judgements like that no longer feature in their calculation- because coverage does not require them. Now news bulletin is simply a collection of things that happened during the day's cycle- not a finely crafted collection of things that mattered. Increasingly, the news is the scorecard of the day- an avalanche of company results, trade figures, and currency prices. The decline is on both sides: both in the reporting and the reported. Ethical standards are for sure thrown out of the idiot box.

Indian TV journalism is for sure not competent to handle a crisis with care and caution. The marathon coverage of the Mumbai attack does make us realise that we are living in a dangerous media world. TV channels forgot that they were not only transmitting signals to the democratic audience but also giving sensitive and valuable information across the borders to the terrorists, who were controlling them through satellite phones. Taking up the instance of Arushi's murder case, again the media was reprimanded and was asked to exercise certain restraint and self-regulation in reporting such incident. When it comes to the laws governing the media, it does make us ponder upon the fact that "is it really effective." Throwing light on such various rules, our paper next focuses on these laws.

Media and Regulation

Mass media systems of the world vary from each other according to the economy, polity, religion, and culture of different societies. In societies, that followed communism and totalitarianism, like the former USSR and China, there were limitations on what the media could say about the govt. Almost everything that was said against the state was censored for the year of revolutions. On the other hand, in countries like the USA, which have a bourgeois democracy, almost everything is allowed.

In India, the press is free but subject to certain reasonable restrictions imposed by the constitution of India 1950. Before the impact of globalisation was felt, the mass media was wholly controlled by the government, which let the media project only what the government wanted the public to see and in a way in which it wanted the public to see it. However, with the onset of globalisation and privatisation, the situation has undergone a humongous change.

In an era of media upsurge, it becomes an absolute necessity to impose certain legal checks and bounds on transmission... and communication. Media regulation in India is currently a maze, with multiple agencies involved in formulating and implementing policy drafting and enforcing legislation. Various acts have been formulated for the governance of print media. The supreme authority involved in the regulation of print media is the Press Council of India.

The need for a body to oversee India's burgeoning broadcast media is debated evenly now and then, and discussion is usually triggered by controversial media coverage and/or official announcements or initiatives, including draft legislation pertaining to the broadcast sector. A common proposal made at such times is that the entity be modelled on the Press Council of India, whose jurisdiction such as it is- is currently restricted to the print media.

The government's first attempt to regulate the non-governmental broadcast media focused on cable operators and resulted in the Cable Television Networks (Regulation) Act of 1995, framed after the government reached an understanding at the all-India level with the Cable Operators Federation of India in 1993. The new law was an attempt to regulate the burgeoning cable market that had emerged a few years earlier by enabling some control of the cable system that enabled mass distribution of television signals. The Cable Television Networks Rules include a Programme Code that imposes some restrictions on the content of both programmes and advertisements shown on cable TV. These Rules were amended in March 2008 and there is talk every now and again of further amendments. The Union Ministry of Information and Broadcasting has periodically attempted to introduce legislation to regulate the rapidly growing broadcast sector. The Broadcast Bill of 1997 was one such attempt. The proposed legislation apparently intended to establish an independent authority and to create a level playing field for indigenous broadcasters. However, the Bill never saw the light of day. In fact, it did not get past a joint parliamentary committee set up to examine the legislation after it was tabled in Parliament. The government's next attempt at regulation took the form of the Communications Convergence Bill of 2000, which aimed to create a single regulatory authority (the Communications Commission of India) to deal with advancements in information and communications technology. This legislation, too, remained a dead letter.

The setting up of an Electronic Media Monitoring Centre (EMMC) by the government to monitor the content of all news channels and FM radio stations was also widely reported in the media in mid-June 2008. Much of the coverage conveyed the impression that the EMMC was linked to the deferred Broadcast Bill and Content Code and implied that its establishment was proof of

the government's lack of commitment to self-regulation. The News Broadcasters Association (NBA) submitted two documents to the government in April 2008: a draft Code of Ethics and Broadcasting Standards, and draft regulations for the setting up of a News Broadcasting Standards Disputes Redressal Authority. In August 2008 the NBA announced the setting up of the News Broadcasting Standards Disputes Redressal Authority, as required in the regulations. The authority finally came into being and the Code into effect on October 2, 2008. The nine-member Authority, headed by former Chief Justice of India J S Verma, includes four editors from different news channels and four 'eminent persons' drawn from different walks of life.

In February 2009, the NBA issued a fresh set of guidelines dealing with a wide range of issues, including accuracy, privacy, impartiality and fairness, decency, and good taste. The guidelines covered areas of media practice such as sting operations, coverage of law and order, crime and violence, occultism and supernatural/ paranormal matters, race, and religion, as well as national security, media depictions of women and children, content that could disturb/ alarm children, etc. According to the NBA, these were meant to elaborate on the principles of self-regulation contained in the code of ethics and broadcasting standards put in place in October 2008. On February 18, the Minister of State for I&B stated in the Lok Sabha that steps had been taken to sensitise the media on key issues involving the security and safety of the country. Claiming to be in favour of self-regulation by media houses, the minister affirmed that there was no plan to control the content of news media and ruled out any blanket ban on live coverage of sensitive incidents.

A problem that has dogged all efforts in the direction of Media regulation in India is the virtual absence of public consultation and discussion. In a democracy, the need for media regulation cannot be used as a fig leaf to mask the promotion of state control over media. The first step towards media regulation in the public interest in a democratic society must necessarily be the setting up of a properly constituted, independent public authority empowered with a clear mandate and guaranteed autonomy, as envisioned by the Supreme Court of India.

To further give impetus to our point on media ethics, we have come out with the following case- study.

The legal fight against the shameful and motivated attempt of Doordarshan and the Government of India to project the usurper king of Mysore, Tipu Sultan, as a national hero, was a long, expensive, and frustrating ordeal.

Case Proceedings

The Petitioners objected to and protested against Doordarshan misusing the official media network to

telecast a controversial serial full of lies, distortions, and white-washed stories about a historical figure. It was for these reasons that the Petitioners requested the Bombay High Court (later the Supreme Court also) to restrain the Government of India and Doordarshan from telecasting the Tipu Serial based on the dubious novel of Bhagwan Gidwani.

A mass petition signed by over 500 citizens was also sent to the Supreme Court, as a public interest litigation, for registering a case against the distortion of history and misuse of official media. The Supreme Court, however, did not entertain the petition without assigning any reason for its rejection.

Therefore, a legal notice was issued on December 23, 1989, on behalf of Shri B.N. Jog, President of Hindu Ekjot, to the Secretary, Information and Broadcasting Ministry, and the Union Government, New Delhi, to restrain them from telecasting the controversial Tipu Serial for reasons given therein.

Subsequently but independently, Dr. P.C.C. Raja of the Zamorin Family of Calicut wrote to the Hon'ble Minister for Information, Shri P. Upendra, objecting to the Tipu Serial.

On December 26, 1989, a Writ Petition was filed in the Bombay High Court jointly by (1) Dr. Ravindra Ramdas, (2) Shri R.G. Menon, (3) Shri P.C.C. Raja, and (4) Shri Ravi Varma.

Verdict

Hearings at the High Court

There were nearly 14 days of hearings in the Bombay High Court. On June 29, 1990, Shri Yakub Sayed, Dy. Director (Programmes), Doordarshan Kendra, Bombay, filed an application opposing the admission of the Petition and grant of interim relief.

Appeal to the Supreme Court

In September 1990, a Petition for special leave to appeal (Civil) was filed against the judgement dated August 30 1990, passed by the Bombay High Court.

Conclusion

When the four pillars of democracy– the legislature, the executive, the judiciary, and the press fail to give justice to the common man, it gives birth to a revolution.

References

1. Infochangeindia.org. 2024. Available from: <https://www.bildungserver.de/bisy.html?a=8141&spr=1>
2. Legal Service India – Lawyers; [cited 2024 Feb 17]. Available from: https://www.legalserviceindia.com/lawyers/lawyers_home.html