

Media Neutrality and its Significance in Democracy

“A free press and the free flow of information as well as critical public discussion, are an inescapably important requirement of good public policy. These have a clear instrumental role in preventing corruption, financial irresponsibility and underhanded dealings.” Amartya Sen

The Role of media

The Press is often referred to as the “Fourth Pillar” or “Fourth Estate” of Democracy because of the notion of the media as a watchdog, as a guardian of the public interest, and as a conduit between government and the governed.

Media plays a crucial role in shaping a healthy democracy. It makes us aware of various social, political and economic activities happening around the world. It is like a mirror, which reflects the bare truth and harsh realities of life.

The Press is an important player on the political stage. Journalists are often feared by politicians because they have succeeded in uncovering corruption, the abuse of power and assorted malfeasance. Policies have been changed, reforms initiated and corrupt politicians and officials ousted partly because of media exposes.

Media reminds the politicians of their unfulfilled promises at the time of elections. The exhaustive coverage by TV news channels during elections helps people, especially illiterates, in electing the right persons. This also compels politicians to abide by their promises in order to remain in power.

The media also exposes the loopholes in the democratic system, which ultimately helps the government to fill the vacuums of these loopholes and to make the system more accountable, responsive and citizen-friendly.

In Democracy, there are three indispensable functions of media: First, it must provide a rigorous accounting of people in power and people who want to be in power. Second, the media must provide reliable information and a wide range of informed opinions on the important social and political issues of the day. Third, it must state only unbiased and neutral facts.

Changing role of Media

Unfortunately, increasing commercialization has created stiff competition in media and in order to outdo each other, media houses are not focussing on responsible and serious journalism but openly resorting to “sensational and cheap journalism,” besides promoting the “Paid News” culture. What is even more disturbing is that now most of the media houses in India are under the control of a few vested business and political interests. Hence, the democratic interests of the many are being undermined by the private selfish interests of the powerful few. It may sound far-fetched but it would not be wrong to say that nowadays, most of the media houses’ main purpose is not to serve democracy, but to generate maximum profit for a handful of people.

In some instances, the media is even being used as proxies in the battle between rival political groups, in the process sowing divisiveness rather than consensus, volatile speech instead of sober debate, and suspicion rather than social trust. The impact of media is really noteworthy as it plays an important role in building mass opinion. Selective or excessive coverage can create or kill an issue. Constant repetition of the news, especially sensational news, breeds apathy and insensitivity. It leads to loss of public confidence in the media and in democratic institutions in general.

As Vice-President Hameed Ansari expressed rightly, "Paid News destroyed fair elections and also destroyed people's faith in the media." Magsaysay Award winner P Sainath, who has consistently highlighted the menace of Paid News in his writings, said, "Paid News is an industry that is run by the owners of the media. Media and journalists are different. Media is business, journalism is not." "But now it is all about corporate power. Check the board members of the biggest media houses. They are all big corporate owners. We have commercialised education, healthcare and sports. Now media is being commercialised." He lamented that though the Election Commission had reacted on 'paid news', the media had not.

Media Regulations and Judgements

Due to the increasing biasness, commercialization, Paid News culture and continuous "degeneration" of moral values in majority of the journalists and media houses, the debate of media regulation has become an important issue. Presently, the media in India is mostly self-regulated.

While journalists take refuge in the **Article 19 (1) (a) of the Indian Constitution**, which guarantees the freedom of speech and expression and insist on self-regulation, over the past few years many prominent persons like Justice Markandey Katju, previous Chairman of the Press Council of India, and Congress leader Meenakshi Natarajan had sought a common regulator for all streams of media – print, broadcasting and web. Natarajan even gave notice for moving the "Print and Electronic Media Standards and Regulation Bill, 2012," seeking to create a regulator with sweeping powers. However, she eventually abandoned the plan.

Though the issue is still being debated without any conclusion, on the matter of Legal reporting or coverage of sub-judice matters, in the famous **Sahara India vs SEBI case** in September 2012, the Supreme Court had decided against framing any guidelines for the media. But the Apex Court also asked journalists to understand their boundaries so that they do not cross the line and are found to be in contempt of court, but stopped short of defining this boundary clearly.

In the ex-Maharashtra **CM Ashok Shankarao Chavan's paid news case**, the Supreme Court had passed a judgment dated May 2014 holding that ECI has power to disqualify a candidate in relation to filing of false election expenditure statement under Section 10A. Consequently, ECI had passed an order on 13th July, 2014 and also issued a show cause notice to Mr Chavan but the Delhi High Court had imposed a stay order on ECI's said order on July 28, 2014.

The existing bodies for regulation of media such as the **Press Council of India**, which is a statutory body, and the **News Broadcasting Standards Authority**, a self-regulatory organisation, issue standards which are more in the nature of guidelines.

The PCI has the power to receive complaints of violation of the journalistic ethics, or professional misconduct by an editor or journalist. The PCI is responsible for inquiring into complaints received. It may summon witnesses and take evidence under oath, demand copies of public records to be submitted, even issue warnings and admonish the newspaper, news agency, editor or journalist. It can even require any newspaper to publish details of the inquiry. Decisions of the PCI are final and cannot be appealed before a Court of Law.

But the powers of the PCI are restricted in two ways. First, the PCI has limited powers of enforcing the guidelines issued. It cannot penalise newspapers, news agencies, editors and journalists for violation of the guidelines. Second, the PCI only overviews the functioning of the press. That is, it can enforce standards upon newspapers, journals, magazines and other forms of print media. It does not

have the power to review the functioning of the electronic media like radio, television and the internet.

The NBA has devised a 'Code of Ethics' to regulate television content. The News Broadcasting Standards Authority, of the NBA, is empowered to warn, admonish, censure, express disapproval and fine the broadcaster a sum upto Rs 1 lakh for violation of the code. Another such organisation is the Broadcast Editors' Association. The Advertising Standards Council of India has also drawn up guidelines on content of advertisements. These groups govern through agreements and do not have any statutory powers.

The Prognosis

The need of the hour is to enhance the credibility and accountability of media. The media's credibility as a democratic institution is enhanced if they are accountable to the public, acknowledge their mistakes and ensure that ethical and professional standards are upheld. Independent media monitoring and journalism reviews can also contribute to media accountability by assessing media performance, exposing unethical practices and inviting the public to a dialogue about the media's work.

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