

Human Rights and Responsible Media

[Text of Presidential Speech given by **Justice R.C.Lahoti**
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Theme address delivered by
Mr B. George Vergese, Sr Journalist and Magsaysay Awardee (1975)]

We have just heard a learned lecture on the subject 'Human Rights and Responsible Media' delivered by the eminent journalist Shri Verghese. As the title of the subject itself indicates it has two aspects; one, the role of media as a protector and upholder of human rights in a democratic society. And, two, an investigation into the aspect – does any irresponsible act on the part of media would itself amount to violation of human rights? While dealing with these two aspects, on one hand we are called upon to think upon the significance of evolution of media as fourth-estate, the fourth pillar of democracy. At the same time, we are also called upon to think over the impact of yellow journalism, tabloid journalism and sensational reporting by media. On Human Rights Day it has been indeed a pleasure to hear and learn the rich and experience based thoughts of an authoritative speaker like Mr. George Verghese.

Human Rights: The simplest and yet the deepest definition of Human Rights is - such fundamental rights which naturally and inherently belong to a person because of his being a human-being. Such rights are in recognition of the inherent dignity of human-being and form the foundation of freedom, justice and peace in the society. Everyone must have a right to think and express. These two make him different from the animals as creatures. Every human being must be allowed to speak and express what he feels. The necessary corollary of such right is the freedom to gather information. Benjamin Franklin, the great thinker has stated – “without freedom of thought, there can be no such thing as wisdom; and no such thing as public liberty, without freedom of speech”. In the context of civilized society, and democracy in particular, the words of Abraham Lincoln are more vocal. He has said – “let the people know the facts, and the country will be safe”. Here comes the role of media or journalism.

Simplistically stated journalism is the practice of investigating and reporting the events, issues and trends in the society. Journalism may take the form of print, broadcast and on-line media.

Dealing with the role of media and journalism in the society, I am essentially reminded of late Shri Ganesh Shankar Vidyarthi, for three reasons. (i) He is

known as the patriarch of Hindi Journalism in India. He himself was a freedom fighter and considered himself to be a seeker of knowledge. (ii) While he chose to be a journalist, in his own words he had said – 'I am a fighter against oppression and injustice, whether practiced by bureaucrats, *zamindars*, capitalists or those of high caste. My life is dedicated to fight against oppression and against inhumanity and may God give me strength to fight on till the last'. This utterance of late Shri Vidyarthi beautifully brings out the role, obligation and ideal of journalism. (iii) and, last but not the least, he belonged to the State of Madhya Pradesh, the State to which I also belong !

Unfortunately, in recent times, commercialization having overpowered journalism, sensationalism has come to be integrally associated with journalism; more particularly, in electronic media, wherein a vast audience of many thousands, even millions are passive individuals. Journalism has assumed several different forms, all with different intended audiences. In modern society, "prestige" journalism is said to serve the role of a "fourth estate", acting as watchdogs on the workings of government. Other forms of journalism feature different formats and cater to different intended audiences. Some forms¹ include:

Advocacy journalism – writing to advocate particular viewpoints or to influence the opinions of the audience.

Broadcast journalism – writing or speaking which is intended to be distributed by radio or television broadcasting, rather than only in written form for readers.

Gonzo journalism – first championed by journalist Hunter S. Thompson, gonzo journalism is a "highly personal style of reporting".

Investigative journalism – writing which seeks to add extra information to explain, or better describe the people and events of a particular topic.

Photo journalism – storytelling through images.

Tabloid journalism – writing which uses opinionated or wild claims.

Yellow journalism (or sensationalism) – writing which emphasizes exaggerated claims or rumors.

Television news writers have lesser words and more explicit scenes of crime and other events. In their zeal to sell they are in a hurry and unwillingly or willingly

¹ Source: thoughtsandquotes.sureshotpost.com/2013/08

cross the limits because their stories are measured in seconds and not by column inches. Complex subjects and affairs are often and with ease passed on to viewers by sensationalizing. Exciting and emotionally charged aspects can be drawn out without providing the elements needed, such as, pertinent background investigative or contextual information, for the audience to form its own opinions on the subject. In comedic websites mistakenly and sometimes deliberately jokes are relayed as news without any factual checks. These are the risks involved in sensationalism.

Journalism is protected by the freedom of press under the Indian Constitution. Some delicate issues arise and some of them have been subject matter of judicial scrutiny. Can there be a media trial? Would it not offend Articles 20, 21 and 22 of the Constitution? Where is the dividing line to be drawn? Can the privacy of an individual be permitted to be violated by media in the name of right to information? In the case of R. Rajagopal (AIR 1999 SC 495) the Supreme Court has said- 'the right to privacy of the individual is implicit in the Right to life and liberty guaranteed to the citizens of this country..... No one can publish anything concerning the persons, family and marriage, procreation, motherhood, education, among other matters, whether laudatory or critical without his permission'.

Mr. B.G. Verghese, the Ld. Speaker of the day has very rightly said – 'India can boast of a proud past. But it cannot be assured of a great future unless it addresses earnestly and urgently, the crying issues of poverty, gross disparities, human dignity, social and criminal justice, education, health and empowerment. These are critical issues of human rights. And these must always be at the heart of the media agenda. A responsible media can and must never forget human rights.'

In addition, I may say that the time has come when the media must seriously consider the question of self regulation. The role played by media in the world of today is invaluable and indispensable to the society as a balancing factor and it will be a sad day if an outside agency would assume power to control the media in the name of regulating it.
