

Paper : Contemporary Issues and Trends in Indian Politics

Unit : 3

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Freedom OF Media

- Media is described as the Fourth Estate
- It is an important pillar of democracy]
- Freedom of Speech and Expression is indispensable for any democracy
- Indian constitution provides freedom of speech and expression as one of the Fundamental Rights
- The article 19 of the constitution in Part III provides freedom of speech and expression. It provides particular freedoms, out of the six freedoms provided here the freedom of speech and expression is significant
- Freedom of media is contained in the general freedom of speech and expression in this article
- We can write, speak, print, disseminate any idea that we have.
- Freedom of speech and expression means not only expressing freely one's ideas but also printing, broadcasting and telecasting the ideas and thought

- Freedom of press has three essential elements.
- They are:
 1. freedom of access to all sources of information,
 2. Freedom of publication, and
 3. Freedom of circulation.
- But freedom of speech and expression does not mean license to say and write whatever one thinks and desires to express. There are certain limitations imposed by the constitution itself
- “Nothing in sub clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence”
- Therefore, the following limitations on media freedom is found in India
- sovereignty and integrity of India,
- the security of the State,
- friendly relations with foreign States,
- public order,

- decency or
- morality or
- in relation to contempt of court,
- defamation or incitement to an offence”
- The Father of the Nation Mahatma Gandhi, "The role of journalism should be service. The Press is a great power, but just as an unchained torrent of water submerges the whole countryside and devastates crops, even so an uncontrolled pen serves but to destroy."

Freedom of Speech and Expression

- Freedom of Speech and Expression is the oxygen of any successful democracy
- Indian constitution provides Freedom of Speech and Expression in Part II and article 19 in the section dealing with Fundamental Rights
- Negative Liberalism supported the Theory of Natural Rights
- Mother Nature created the human beings. It endowed the individual with certain inalienable rights for his development. These rights are inalienable, indispensable limitless
- Among the natural rights the most important one is the Freedom of Speech and Expression
- The state cannot curtail these rights
- The society also can impose constraints and restraints on the availability of these rights

- J.S.Mill, a prophet of liberty said
- “If all mankind minus one were of one opinion, mankind would be no more justified in silencing that one person than he, if he had the power, would be justified in silencing mankind.”
- “ The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.”
- Indian Constitution provides Freedom of Speech and Expression to all citizens
- No discrimination on the basis of religion, caste, sex, gender etc
- But certain limitations are imposed on Freedom of Speech and Expression by the constitution
- “Nothing in sub clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence”

Age of Internet and Political Problems

- The growth of Information Technology had fundamentally altered many dimensions of our life
- Internet had facilitated the process of governance in some ways
- It also had created fresh challenges to states and governments all over the world
- **Positive Side**
- Internet had made the delivery of governmental services to the people easier and transparent
- ADHAAR Card system is one of the greatest examples of the positive impact of information Technology on governance
- **Negative Side**
- Internet had posed many challenges to the modern state
- John Perry Barlow said in 1996 “Internet is inherently extra-national, inherently anti-sovereign and states’ sovereignty can not apply to us”
- Internet had eroded the most important attribute of the modern state Sovereignty
- Cyber Crimes have posed a great challenge to Indian democracy

- The interests of the weaker communities are endangered because of the cybercrimes.
- Women, children are the most vulnerable to Internet bullying
- Cross border terrorist groups and organizations have made use of internet to attack Indian democracy
- Certain enemy nations and its hostile people have conducted cyber-attacks on important Indian installations

Party Politics and Media Houses

- The relationship between political parties and media conglomerates is a crucial one for the success or failure of Indian democracy
- Pre satellite TV era had only Doordarshan and there were allegations that Doordarshan negatively affects the functioning of our democracy
- The relationship between media and parties are evolving in complex ways
- The recent history reveals that major political parties have started their own newspapers and TV channels
- This phenomenon is found both in national and regional political parties
- Moreover some business houses have started their own media or they have bought the well-established TV channels and Newspapers
- The evolving nature of the relationship between media and business house and political parties have inherent challenges for the future of Indian democracy

- There is monopolization of power and wealth in the society that might endanger the architecture of Indian democracy
- There are no easily identifiable differences between news and paid news
- The concept of paid news especially during elections poses a grave danger to our democracy
- The negative linkage between media houses and political parties have taken another embodiment with the emergence of Election Packages
- Here unfortunately the media enters into commercial agreements with candidates and political parties whereby the media provides greater coverage to the concerned candidate and party
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