CHAPTER (II)

THEORETICAL STUDY OF MEDIA’S ROLE IN HUMAN RIGHT’S PROMOTION

This chapter analyses the role of media in the promotion of human rights by going through the available literature and documents. The motto of the study is to find out why the media decide to include human rights in their news coverage as well as the portrayal of human rights elements in their area of writings.

Findings from interviews, books, journals and other documents suggest that the media has an important role to play in human rights promotion. The role becomes significant because the mass media users are not much aware about human rights as these are not considered as important as other issues affecting their lives. However, the human rights are most important part of one’s dignified and socially secured life and when media take up such issues; it connects the masses as the larger public interest is always involved in the matter.

The subject - Human rights has a vast horizon as it covers all human beings irrespective of nationalities, races, castes, creeds or religions. These
rights can be claimed by anyone and held against anyone, especially against those who run social institutions. With the advent of the United Nations (UN) and the subsequent adoption of The Universal Declaration of Human Rights (UDHR) in 1948, the concept of human rights has turned out to be one of the most contemporary issues across the World (UDHR, 1948). The UN Charter was adopted in 1945 (UN Charter, 1945). This was the first international document, which was adopted by the United Nation to recognise the promotion and protection of human rights as an obligation to be carried out by individual as well as collective states. The main reason behind the adoption of the charter was to forestall the reoccurrence of the atrocious events caused by two devastating world wars. These world wars were caused by massive violations of human rights.

It has also been seen that in addition to the effort of the UN, the state has been seen as the main actor in the protection and promotion of human rights. State has important responsibility to become safeguards of their citizens, but several cases have come to light across the globe where states are found violating the human rights of those, they are required to protect. However, it is important to note that though the state bears the primary responsibility in the issues related to human rights, other organs of the society, such as public - private organisation, NGO’s etc are also included in the protection and promotion of human rights (Jyosana Dighe, 2012).

Although there are global human rights instruments, which the United Nation has produced to serve as “common standard of achievement for all,
A huge number of human rights violations occur across the globe every year. Non-state actors such as individuals, groups, informal or organized etc may pose as violators, protectors and intermediaries. Consequently, it is necessary that they be examined so that they could be held responsible for violations of human rights. It is also very important to find out the reasons for state inability to safeguard human rights.

The concept of human rights and its violations is now broadly recognised in the world and issues related to human rights violations are reported by Journalists at large scale. The importance of the attention given to human rights by the different media platforms are remarkable because their coverage highlights the level of abuses occurring throughout the world.

Human rights violation is an issue which must be given due attention not just to protect and promote human rights but to provide better standards of life to human beings. Journalists often don't adopt a comprehensive approach in reporting the human rights violations. Even in the absence of human rights violations, the media often fail to formulate their broadcasting policy to incorporate human rights programs.

The prioritisation of profit-making over societal well being dominates media agenda. For example, a news channel has two stories at a single time, one is from far-flung area of Chhattisgarh, related to human rights violations and another is from the national capital, related to any high profile event. The news channel would be seen airing the Delhi-based event and Chhattisgarh
event would either go off selves or be postponed for some other slot. The reason which is usually give is that media also have to cope up with the advertisers and Television Rating Points (TRPs) to generate funds.

Many studies conducted on media and human rights are based on analysing the frequency of human rights terms, especially in the media’s print mode such as newspapers, magazines etc. Having learnt from the field of Mass Communication that the media educate, aware, inform and provide wide knowledge of different issue from various aspects to the public, and also perform the role of an agenda-setter which leads the masses to think or grasp things in a certain way on certain issues (Maxwell McCombs, 2014).

This study will be pertinent to the field of human rights because it will help in proposing a strategy for human rights programs to provide a chance of being given priority in different media, as this is 21st century era, where different media programs are vying for public attention. The study will also allow a viable strategy for engaging in human rights activism through the act of reporting on human rights issues.

Study of this research will make a contribution by highlighting the intricacies of media’s involvement in promoting and protecting human rights. It will show that everybody might either willfully or otherwise be complicit in human rights violations. Hence, being the forth pillar of world’s largest democracy, Indian media has an important responsibility to work towards protection of the people of India.
2.1 DELIMITATION

This study focuses on the role of the media in promoting human rights whether within its borders or at other places. In a bid to understand what role the media can play in the promotion of human rights, certain questions need to be answered. Do the media impact or influence? Should the media influence? If yes, to what extent, which way and how? It is also necessary to ascertain if the media should take responsibility for human rights promotion, or if they have the potential to combat human rights violations?

Different opinions surround the ability of the media to impact or influence human nature (Pamela J. Shoemaker, 1996). For instance, while some people do not believe that exposure to media’s coverage of violent events such as riots, war or crime induce violent behavior. While some others have found that violent scenes on any medium leaves a lasting impact on young minds. Children are not able to distinguish fiction from reality, which in turn causes them to practice what they get from the media. For example, a significant number of youth now-a-days are getting trapped in many criminal conspiracies like kidnapping, attempt to murders, loots and even killings. In the police investigations, it often comes to light that the young accused are under deep influence of mass media- be it TV, internet, movies or any other media source.

We are very much aware that young people often imitate their role models blindly. What is being highlighted in the entertainment industry, especially in bollywood is the wrongdoings of the celebrities whom the young
people follow. Because they are heroes of young minds, they are still celebrated despite the bad behavior they have shown to the public. Hence, we can say that the media affects the way we act and think. It has a profound influence on the behavior of their users.

In view of the right to freedom of speech and expression, the media depends on the concept of freedom of the press, which gives them the right to seek, receive and impart information and ideas in searching and publishing news stories (Constitution of India, 1949). Thus the application of Press Freedom by the media will be considered.

This is important considering that some media outfits have been found to be involved in deception and inaccurate reporting of information, distortion of news stories, faking and lying about them. In some cases, the media is seen to be indulged in the exultation of sensationalism at the expense of serious or important events in dissemination.

The media has an important role to play in a free democratic society to thrive and carry out their responsibility that cannot be possible doing so in an autocratic rule or dictatorship. Some of the media thinkers explain that journalists need to be reminded that it is only through democratic civil society that they have secured and maintained the free press privileges upon which their effectiveness depends (Ian Hargreaves, 2005). Therefore, exploring the role of the media in a democracy will help in finding answers to the role of the media in promoting human rights.
The agenda-setting theory of the media will serve as the theoretical framework of the human rights promotion (Maxwell McCombs, 1997). Many studies indicate the viability of this theory and have shown that the importance, which the public attaches to issues, is dependent on the level of coverage given to them by the media. The analysis of this theory will be instrumental in understanding the widespread role of the media as well as the likely consequences of their inability to promote the human rights agenda.

Despite the above seemingly overshadowing negative influence of the media, it is the position of this research that the media, as a force in society, are capable of converting this influence into good or positive action, which can be exemplified in the promotion of human rights.

2.2 CHALLENGES IN REPORTING HUMAN RIGHTS ISSUES

Several questions come to the fore when media reporting of human rights is analysed. How well do the media report human rights issues? How should journalists and editors themselves judge the quality of their reporting in this area? What pressures and constraints do they face and how might they be managed better (ICHRP, 2002)? These are the starting points of a report by the International Council on Human Rights Policy, summarised here. It discusses the difficulties of reporting human rights, and also looks at the effects of changes in the reporting process, and in technology, and at how the values of journalists and editors influence their priorities. Though it considers the roles that other actors play in the generation of news, including human rights
organisations, the report focuses primarily on the perspectives of professional journalists and editors.

Human rights have become increasingly prominent in recent years. Governments and political leaders refer to international human rights standards more frequently, both in formal definitions of policy and in public speeches. Public awareness has similarly evolved. Human rights are understood to be near the heart of many international news issues, from Afghanistan to Palestine, Colombia to Sierra Leone — and increasingly linked to discussions of international debt and trade, education and health (ICHRP, 2002). Coverage of human rights in the media is therefore likely to continue to grow — and it is appropriate increasingly to expect journalists and broadcasters to report them accurately.

Similarly, when we look into the human rights violation incidents at naxal-affected areas of Chhattisgarh and militancy prone Jammu and Kashmir, media reporting becomes the biggest tool of information and awareness. In past several years, it has been observed that media has played a catalyst’s role in communicating information to those who are living in interiors and reporting their life challenges and adversities to the governments and other section of the nation. In this way media’s role as an informed watchdog and safeguard of human rights becomes pertinent.

The above mentioned report does not argue that human rights are more important than other areas of a journalist’s duty or that journalists should give
special attention to the human rights coverage only. But it’s certain that whatever gets reported from such areas does influence public policy directly and governments or the administration is forced to amend laws or stance as per the public requirement. Like the media themselves, they stand at the centre of a highly political process. The report argues that international (and also regional and local) journalists and editors are under a professional (rather than moral) duty to report and explain human rights issues as precisely as they report in other domains — give the facts, avoid bias, provide context. At present this is not done well enough and, as a result, audiences that rely on the media to inform them are not in a position to understand or judge properly the actions and policies of governments and other authorities.

**2.3 HUMAN RIGHTS AND INTERNATIONAL MEDIA**

During the 1990s, issues related to human rights became more prominent not only in public policy but in public opinion too. Many governments officially incorporated human rights principles in their policy frameworks, with legal implications. Many institutions, working globally (notably the UN agencies) ‘mainstreamed’ human rights. The media reflected this upsurge of interest in its coverage of stories, related to human rights and its violation. Today, the media make reference to human rights in their coverage more often and more systematically (ICHRP, 2002).

As in all areas of reporting, influence of this process is disproportionately concentrated in Northern countries, where the most powerful governments and
the most influential media organisations tend to be located. This has significant implications — on perceptions of human rights reporting, on what stories editors and journalists prioritise and how those stories are written. In general, human rights are perceived in Northern countries, and by international media, to be a ‘foreign’ matter that concerns principally less powerful countries. By contrast, for journalists in the latter type of countries, for whom human rights issues are less distant, international reporting of human rights is perceived often to be inadequate, superficial and subject to bias - precisely because Northern countries tend not to apply human rights principles to their own societies (ICHRP, 2002).

Though journalists have expanded coverage of human rights issue into new areas, many human rights issues are still underreported by the media. Much reporting focuses on violations of rights during conflicts. Human rights issues that are less visible, or slow processes such as misuse of natural resources, health issue etc, are rarely covered. Available literature indicates that Human rights are still taken largely to mean political and civil rights, and the importance of economic, social and cultural rights is largely ignored by the media in their coverage of economic issues, including the international economy, poverty, inequity and social and economic discrimination (ICHRP, 2002).

It has been observed that in plenty of cases the media go out of context while explaining the real and ground level realities. In general, data on human rights violations and on human rights standards are not lacking but media’s
interpretation to it often gets ambiguous. However, the impact of this information on the public is not as great as might be expected. The media also become negligent on human rights stories because they do not pay attention to the specific legal and policy implications they have. Often, media’s ignorance on the issues also gets evident as they do not have adequate awareness and knowledge of human rights and its relevance to the material they are covering (ICHRP, 2002). The media frequently also miss the context of human rights stories. These shortcomings decrease the professional quality of reporting, and limit the information that is sometimes much necessary for understanding. They indicate that the media profession should identify or improve reporting and editorial standards by own in order to enhance the accuracy and consistency of coverage of human rights issue.

2.4 CONCEPT OF PRESS FREEDOM IN INDIA

The media has not given any specific privilege in the Constitution of India and there is not any clear-cut demarcation of their rights. The press avails the rights of a common citizen as press is formed of common men. The Right to Freedom of Speech and Expression is provided in Article 19 of the Indian Constitution. It is believed that Freedom of Speech and Expression includes freedom of the press. Citizens of India are guaranteed the right of freedom of speech and expression under the Constitution of India. Every Indian, including press reporters, can express ideas and views freely through press and public platform under the provision of article 19 of Indian Constitution (K.G. Joglekar, 2005 and Joseph Minattur, 1961).
Freedom of expression enables one to express one’s own voices as well as those of others. But freedom of press must be subject to those restrictions which apply to the freedom of speech and expression. The restrictions mentioned in Article 19 are defamation, contempt of court, decency or morality, security of the state, friendly relations with other states, incitement to an offence, public order and maintenance of the sovereignty and integrity of India.

The status of freedom of the press is the same as that of an ordinary citizen and it cannot claim any immunity from taxation, is subject to the same laws regulating industrial relations, and press employees are subject to the same laws regulating industrial employment.

Again, the press enjoys normal freedom of speech and expression guaranteed by Article 19 of Indian Constitution. Hence no law can be passed to abridge its freedom of expression, cannot be subjected to excessive or prohibitive burdens to curtail its circulation and cannot be subjected to specific tax deliberately imposed to limit circulation of information. In gist, the constitution does not grant any power to the government to impose arbitrary restrictions on the press.

Politicians in power often feel very tempted to pass laws restricting press freedom, to withhold information likely to generate unfavorable reactions among the people. In present scenario, different governments keep on trying to monitor the media functioning through different monitoring bodies and several media units keep on raising voice against the ‘veiled attack’ on freedom of media.
Universal Declaration of Human Rights (UDHR) states that “everyone has the right to freedom of opinion...to seek, receive and impart information and ideas through any media and regardless of frontiers (UDHR, 1948)”.

In democratic country like India, the press, apart from being autonomous and independent of government is often not free from interference by corporate powers; advertisers, civil press groups, publishers and editors, and these are seldom taken into account. In democracy, press freedom could be seen as freedom from government interference (John Steel, 2012). There are four major indicators, which may constitute “Free Media”. These are Legal, Political, Economic and Professional Environment. Thus a free press is a necessary condition for the exercise of human rights. Similarly, media organisations need to be independent for them to carry out their roles in society (IFJ, 1999, Victoria Chioma Nwankwo, 2011).

When a journalist goes to the areas where human rights violation is rampant, he/she needs a constitutional assurance of his safety from legal complications. This indicates that the legal environment entails the ability of media freedom to be constitutionally protected, as well as being free from restrictive laws against reporting. The political environment enables media freedom from government censorship, “access to competing resources”, and freedom from intimidation and violence directed against journalists. The journalist has to face several political pressures if there is any powerful person involved in the human rights violation. Now here lies the responsibility of the
government and administration to stand by the journalist and help the scribe to bring wrongdoing to light.

The economic environment ensures freedom from any form of financial manipulation by any actor, and, the encouragement of plurality for competition among media organisations. The professional environment ensures that journalists carry out their roles as watchdogs on government, reporting on issues of dissent, speaking for the marginalised, and, discouragement of self-censorship. Self-censorship should not be utterly discouraged by the media, unless in exceptional cases. Just as is it is appropriate to limit freedom of expression in certain cases like hate speech or slander, so it is appropriate for the media to exercise reasonable caution in their practice.

According to Kofi Annan, former UN Secretary General, “Press freedom is a cornerstone of human rights. It holds governments responsible for their acts, and serves a warning to all that impunity is an illusion (Kofi Annan, 1999).” The link between human rights, democracy and development is a core question for policymakers, not just in the political world, but within the business and finance circles of the global market.

An independent and free media culture is essential to strategies for bilateral trade, international co-operation and national development (UNESCO, 2014). A key element of these strategies concerns independent journalism which provides bedrock for democratic exchange and respect for human rights. The contribution made by journalists is clear: by exposing violations of human
rights, media can improve the climate of democratic debate and reduce corruption in public life. Media do play a role of linking all stakeholders like citizens, human rights groups, private organisations and public authorities to work together to promote development and to eliminate arbitrary abuse.

Indian media are important instrument for the people of the country to know their rights. A study on the impact of the UN Convention on the Rights of the Child showed that the largest source of information for the public on the Convention and what it means for them is the media (UNHR, 1990). Independent-minded journalists in India have for many years played a central role in the promotion of democracy. Many have put their lives or freedom at risk in order to promote transparent and accountable governance.

On the other hand, before independence many Indian journalists have put their lives for freedom movements (Vir Bala Aggarwala, 2001). The International Federation of Journalists (IFJ) compiles extensive records of the sacrifice made by journalists and other media professionals. Many journalists have been arrested, prosecuted or condemned to heavy fines or prison terms. There have been many instances of censorship or suspension of publications (IFJ, 2001).

India witnessed its worst phase of censorship when, in 1976, during the emergency, the Parliament enacted the Prevention of Publication of Objectionable Matter Act. The next Government in 1978 repealed the Act. However, the 44th amendment adopted in 1978 has given the Parliament
substantial powers to regulate press freedom. A new article, Article 361A has been added to the constitution with this object in view (Paulose M. Abraham, 2016). The censorship of the Press is a very crucial and sensitive issue in every democracy. In general press censorship is regarded as very unhealthy check on the freedom of free expression of views. In India, the constitution does not specifically forbid press censorship. Hence only check on the state in resorting to censorship is that it should be reasonable. Thus the present position is censorship is valid in times of emergency if it is reasonable and if in the interest of public order. In times of emergency under Article 352 censorship is valid when Article 19 itself stands suspended under Article 358 of the constitution.

Now press freedom becomes an issue and independent journalism becomes a target because these are conditions without which it is impossible to advance and protect other’s human rights. Therefore, professionalism among journalists, editors and publishers and quality in sources of information are vital to the defense of human rights for all. The study offers some general reflections on the current conditions in which journalists work and the obstacles to press freedom. It considers the need for an integrated and strategic approach to support of independent journalism and concludes with some suggestions for further actions.

2.5 UNPRECEDENTED ACT OF INDIAN MEDIA

In India, journalists have been victim of censorship and restrictions over their right to expression as mentioned above. Editors of many media houses
have compromised from free and fair journalism during the national emergency which was imposed in 1975. While some other newspapers including Indian Express have boycotted this censorship and published their editorial page blank (Subhradipta Sarkar, 2009). Some of the media experts have expressed some factors, which pose as threats to press freedom including censorship and political instability.

When any government intends to tighten the noose, it starts controlling media contents and making it pro-establishment. In many cases, the contents, which question the policy matters, are often removed. Media outfits may either be owned or subsidised by the government whereby the government reads or views the contents before they are published. In some cases, they are involved in the appointment of the editorial board of media organisations. For instance, in China, the communist party owns the media, which serve as its mouthpiece. Only positive stories are free to be published. Whereas, in India constitution provides everyone with the right of expression and no media censorship is permitted except situations of emergency as it happened in 1975.

The challenges before media do not end here. In developing countries the government or big companies also interfere in the advertisement of their respective organisations as a punitive or reinforcement measure based on the content of the advertisement. At the same time, Governments also apply the legal system to deter the media from exercising their freedom fearlessly. Several other laws could hinder illegal practices meant to be uncovered through investigative journalism; however, these should not be used to displace
important developments, which are beneficial to the public interest (Denis McQuail, 2010).

It is still problematic to determine what the public interest is, or to determine exactly what the public wants. Laws on libel and defamation, which have legal consequences, may also discourage them from doing so. Any constraint on press freedom is a constraint on human rights, except in cases where such freedom might violate human rights. The values of not harming others and respecting others should play a prominent part in the consideration of journalists (Denis McQuail, 2010).

Media can achieve its professional goals like probing into human rights violations incidents but with keeping in mind that it ought to work under professional media ethics. Ethics deal with the act of differentiating between right and wrong. The qualification of an act as ethical is dependent on the criteria or framework on which it is justified or what values are considered important, and the media, in their nature are moral agents that can potentially behave ethically or unethically (AMIC, 2000). In such condition, it becomes imperative that they give attention to their method of information gathering and dissemination to avoid unintentional violation of human rights.

The new blot on the profession has come to the fore after the inception of paid journalism. Corrupt practices such as bribery and paid journalism are unethical journalistic values (UNESCO, 2014). These unethical practices are capable of discrediting information on human rights stories, or violations
reported by the media. It is important to note that some of the worst forms of human rights violations are uncovered when investigative journalists work under false or hidden identities. These human rights violation would almost be impossible to uncover if journalists work fairly and fearlessly with ethical standards.

One must understand that coverage of human rights violations is merely not a duty for a journalist but an opportunity to contribute to the society in real sense. Based on our moral and social values media can work for safeguarding the human rights (Ibrahim Seaga Shaw, 2011).

In today’s world when media credibility is on stake, it gets tough to convince public with the content. In many cases, public doubt the news stories and fact presented by the media. Thus, public confidence in the accuracy and objectivity of the information from journalists seem to be dwindling. Therefore, in such a tricky situation it becomes pertinent to address human rights issues after having gained full public confidence.

Where there is a smooth relationship between journalism and political power, democracy is seen at its poor form. When both share a tough relationship, democracy is seen in its healthier form. There is no doubt that the tendency to manipulate news and information or to attempts to shape the agenda of public debate exists in all societies. But in countries where the democratic culture is not well-established and where respect for democratic pluralism and human rights is not firmly entrenched, restrictions on media tend
to be explicit and are profoundly damaging to the project of public engagement in democracy and development.

2.6 MEDIA’S SOCIAL RESPONSIBILITY

It’s widely known now that media has a responsibility to the society it exists in. It is derived from the social responsibility theory of the press which arose as a result of the ability of the media to influence the belief, ideas and behavior of people on very important issues. It came about as a result of the view that since the press was influential, it had social responsibilities. It is very important that every media should deliver accurate and unbiased news to meet the divergent needs of the heterogeneous public, without confining their role to being the mouthpiece of those with special interests or political agendas (Saumya Dutta, 2011).

Media has influenced the society in many ways and primarily it has played immense role in promoting Human Rights. The social responsibility of the media is fostered when the media engage in what is referred to as ‘committed journalism’, in which priority is placed on values such as democracy, free choice, openness, morality, and serving the common good, thereby informing the public about political, social, economic, and cultural affairs. “Committed journalism would best manifest when the media undertake to be the public watch dog. In terms of human rights promotion or protection, the concepts of media social responsibility, “committed journalism or watchdog journalism” is perhaps irrelevant fragmentations of the role expected of the
media as long as the media make sincere efforts in clinging to their professional
codes of ethics (Saumya Dutta, 2011).

While covering human rights violations, it is the role of a journalist to
search and uncover the truth, the exposure of the truth is in harmony with the
public interest, which, when effectively carried out may be productive in bringing
about change. The media’s role is instrumental to the promotion of human
rights. The media provide most of the information about human rights should be
totally unbiased. However, there seems to be multiple division of the act of
journalism based on the different roles expected from journalists to do so fairly,
accurately, or consistently, public perceptions will be unfair, inaccurate and

2.7 MEDIA’S INFLUENCE ON PUBLIC AGENDA

Over the time and technological advancements, reach of media has
substantially increased manifolds especially after the arrival of social media,
internet, websites and portals which is called the new media. Making or
influencing public opinion or perception has become easier now with these
tools. Agenda-setting theory sees the media as instrument used to influence
public opinion by setting the agenda in public discourse (Stephen W. Littlejohn
& Karen A. Foss, 2009). The theory states that when the media covers issues
as often as possible, the public would take them to be important. The agenda
setting theory emphasizes on the fact that the viewer/reader/listener responds
not to actual events in the environment but to the images in his mind that “the
news media constructs view of the world.” Agenda-setting is a theory about the transfer of salience from the mass media’s pictures of the world to those in our heads, such that whatsoever is given prominence in the media’s picture also becomes prominent in the audience’s picture.

Public opinion is shaped and influenced as the media choose and sift certain elements of news, which makes the audience of the media think along a certain pattern. Hence the media’s choice of topics and how the topics are presented are elements of the theory. The news gatekeepers such as reporters, writers and editors are responsible for determining what counts as news (Maxwell McComb & Donald Shaw).

The value of the news content and subjects could be known by the particular position/coverage they occupy. The important ones are used as headlines, written in bold characters and placed on the front page of the paper. For the broadcast media, “important stories are reported first, and in detail before others, thus stories judged by editors or news directors to be of some what lesser importance or newsworthiness occupy the back pages, or the last part of the broadcast. As a theory of mass communication, it has stood the test of time, and proved to be “deep and wide because many studies have confirmed its validity.

2.7.1 Agenda-setting theory:

- The news media do not mirror reality, but instead filter and shape it.
• Emphasis by the media, over time and on relatively small number of
issues, leads the public into perceiving these issues as more important
than other issues.

It's is believed that the media set the agenda for the public, but the
reverse could also be the case, in the sense that sometimes, “the public agenda
occasionally influences the media’s issue agenda. There are two “competing
frameworks, which compete among researchers. One is agenda-setting
framework, “in which the news agenda influence the public agenda, and, other
one is, the audience driven framework, in which the audience agenda
influences the news media.

When it comes to prioritizing the news stories journalists consider the
relevance of the news story and how appealing the news is to the audience who
often prefer exciting spectacular events like violence, conflict, scandal or
disaster. If news stories are reported based on their relevance to the audience,
it then means that the audience will exert influence on the media agenda. The
interest of the public to issues such as "environmental cleanups will make
reporters to report environment-oriented stories.

Media agenda could also be influenced by the actions of prominent
people such as the president or the Prime Minister of a country, whose
comment on national agenda could be picked by the media and used as news
stories or some interest groups capable of setting the agenda through their
stand on an issue (Maxwell McComb & Donald Shaw).
Even though the news media would tend to report stories based on the preferences of the audience, the audience might develop such preferences based on the information they might have got from the media. In the case of the “environmental cleanups, one could ask; what triggered the concern from the audience, how and where did the audience get the knowledge about the environment? Therefore, although the public could be said to set the agenda for the media in some cases (on a minimal level), it all rests on the media. In the case of the audience preferring “stimulating, entertaining and compelling content, the media still decide which news stories are deemed stimulating.

2.8 MEDIA’S ROLE IN SETTING HUMAN RIGHTS AGENDA

When it’s clear that it’s up to media which story to be published and how prominently it to be covered, onus is on the media to keep the Human Rights Agenda in their priority. Media can set the public agenda by reporting one news story in place of another, then, the media can take up the human rights agenda by publishing or broadcasting human rights reports and programmes. The media can disseminate human rights information, mobilize human rights NGOs, strengthen popular participation in civil society, promote tolerance, and shine a light on government activity (John C. Pollock, 2015).

The media and human rights non-government organizations are helpful to each other in the fight against human rights violations. These organizations are closer to society than any institutions; therefore these are main “sources of information for human rights stories. The NGOs can use the international media
to highlight abuses, which in turn will ‘shame’ abusers to put an end to their attitude, while information released by them could be used by the media as news stories.

In Jammu-Kashmir & Chhattisgarh, many national and international NGO’s are working for human rights protection. They often release their reports about human rights abuses and their present situation. As they release reports, it becomes news and occupies spaces in the media. On the other hand media itself covers news related to human rights, which influenced society and stakeholders like; NGO’s and other organizations. Many NGOs act for the protection of human rights, based on the media reports.

However, the theory influences the opinion of the public, though, not attitude, because attitude is not something that responds swiftly to change, as they are ‘slow’ to change and often ‘resistant’. The use of the internet by notable human rights organizations (National & International) spreads awareness about human rights. They use internet to develop an environment, which protects from human rights abuse cases.

2.9 MEDIA, DEMOCRACY AND HUMAN RIGHTS

In a democratic setup “every citizen can be a reporter”, especially in terms of having access to the modem; the journalists intended here are the professionals with commitment to the essential shared values of the practice of journalism. Thus, journalism requires active learning, critical and creative
thinking, in which they are equipped to gather information of significance to the
task at hand, accessing its credibility and validity (Lynette Sheridan Burns,
2013).

There is a common belief that human rights and democracy are mutually
supportive or related to each other by definition. Freedom of expression, and
press freedom in particular is an important factor in democracy because of the
media’s ability to provide information which serve as link between mass, elites
and government.

The unprecedented media force was witnessed when the case of
‘Nirbhaya Gang-Rape’ rocked the national capital on December 16, 2012.
Media highlighted this issue on broad level and connected to the masses. As a
result, thousands of people of this country from various states and places come
forward, gathered at Jantar Mantar and Rajpath and protested against the
perpetrators. Having seen the mounting pressure Govt. and police swung into
action. A law in respect of gang-rape and other sexual harassment cases was
drafted. Recently, as a result of the use of the social media, the political
scenario of the Indian election campaign had been changed by the then prime
ministerial candidate Narender Modi. As a result, social media played an
important role in his victory in 2014 general election.

The voters were connected with each other through the use of gmail,
twitter, facebook, websites and other way of new media, hence the social
networks served as socio-political tool in the pursuit of democracy. It proves
that the media can elevate the credibility and authority of politicians, thus enhancing their acceptability by voters (Rajdeep Sardesai, 2015). It is therefore evident that the media are useful in ensuring that there is a feasible mechanism for democracy to thrive. The media foster the concept of collective rights when minority social groups are given the chance to partake in public discussion. This in turn provides a safe environment for the protection and promotion of human rights. However, the role of the media in nurturing democracy can be hampered by growing commercial constraints prompted by media deregulation and privatization.

2.10 MEDIA AMONG HUMAN RIGHTS VIOLATORS

Despite the widespread knowledge of the contribution of a free press to a healthy democracy, few peoples argues that democracy has ceased to benefit from the news media, because the media make it difficult in tackling public challenges. Sometimes public discussion has been hijacked by media conglomerates under the pretext of press freedom, and that misinformation may be peddled uncorrected and in which reputations may be selectively shredded or magnified (Ian Hargreaves, 2003). When the media misleads… the wells of public discourse and public life are poisoned.

2.11 FACTORS AGAINST HUMAN RIGHTS COVERAGE

The inclusion of human rights issues as news stories is said to be better than how it used to be. Although human rights issues sometimes make it to
news stories. As a newsworthy topic, only little attention is given to human rights stories by the media. Research indicates that human rights as a concept often fails to be used as a subject in the heading of media stories, though some specific terms often used point to human rights indirectly (Diama Papademas, 2011). However, it is problematic as they do not enhance a comprehensive understanding of human rights.

The inability of journalists to comprehend what human rights are, as well as the contents of human rights instruments has resulted in them seeing human rights from the perspective of war. The lack of knowledge of these human rights instruments instills in them, the fear of being labeled as politically biased should they incorporate human rights issues in their news stories. Unknowingly to some journalists unaware of human rights issues, they do in reality come in contact with such issue every day (Victoria Chioma Nwankwo, 2011). Space constraint limits the treatment of human rights issues in-depth by the media. Other constraints include the dearth of journalists to cover human rights news and the danger posed in a conflict situation impedes the coverage of human rights reporting.

Another problem with human rights coverage by the media is the prioritization of civil and political rights over economic, social and cultural rights, which are hardly reported (ICHRP, 2002). For instance, there was no information on the survival of the culture and heritage of numerous indigenous people living in remote areas like Chhattisgarh, Jharkhand, Orissa etc and around the globe. It is only since the United Nations year of the World’s
Indigenous People (1993) that some information has begun to trickle through the media about the threats under which Indigenous people live around the world. Perhaps, this might be as a result of the notion that news organizations do not have the “inherent obligation to report every aspect of human rights; they only choose what to report, as they have “no duty to privilege human rights stories over other stories. Journalists believe that they have interest in human rights reporting as long as the stories are newsworthy. Besides, there is the notion that human rights do not rate high in reader’s/audience’s surveys.

Even if some human rights issues do not qualify to be newsworthy, the question is: are the media not supposed to make them newsworthy, going by the fact that they are specially trained professionals? It is the stand of this research that the media are expected to put their skills to good use by making human rights issues attention-getting news stories, no matter how insipid they might appear to be. The foregoing chapter has highlighted the right of the media, which they need to promote human rights. Although the media play crucial roles in the society, especially in the promotion of human rights, they sometimes violate human rights. With a consistent approach to ethical guidelines, the media can stop being violators of human rights (Victoria Chioma Nwankwo, 2011).

2.12 THE ILL-INFORMED POPULACE

The question of raising awareness, improving training and developing skills for the promotion of democracy remains a potent challenge for media
professionals and policy-makers alike. Awareness is the key to the promotion of rights. Citizens must be able to celebrate achievements and successes. Journalists in democratic society largely enjoy recognition within civil society because of their scrutiny of those in power. The notion of journalism in the public interest requires that journalists, editors, publishers and broadcasters be independent and that they make common cause with other groups in civil society in defence of democracy. At the same time media must accept scrutiny of their own affairs, for scrutiny is the sanction, which journalists hold over others. This scrutiny is not to be directed by the government, but through structures, which provide for democratic accountability on behalf of the public for whom they broadcast and publish. The scope and effectiveness of self-regulation is itself a benchmark of public confidence in journalism.

2.14 EMPOWERMENT AND CO-ORDINATION: THE KEY TOOLS

Any programme in support of independent journalism in India can only succeed if it involves journalists in the country or region through their representative journalist’s association or union. Assistance programs must also be cohesive and well-coordinated. This can only happen if there is co-operation between the representative organizations of journalists at international, regional and national level. Many initiatives are strengthened if they can build on expertise from international and regional level. However, no assistance programs should be developed without the co-operation of national journalist’s organizations which should also be closely involved in implementation of activities.
2.14.1. Comprehensive programme for India needs to draw on specific areas of expertise:

At international level the IFJ has acted as a source of technical assistance providing overall supervision and co-ordination of work and installing systems for reporting and assessment of project proposals while providing links to other organizations active in the field.

At national level a network of journalist organizations can implement all national components of the overall programme. The operational structure of the programme has had important advantages, not least being that local partners propose activities and are responsible for organization of activity. As a result the skills journalists’ associations have acquired during the programme, means that most of them are quite capable of running their own projects.

At the same time, the Media for Democracy programme provides the overall framework both on the level of content as well as the practical organization is concerned. For instance, many local partners would not be able to organize the kinds of activities they do organize within the MFD programme, simply because they would not be in a position to pre-finance the necessary 20% of the activity. In addition, organizing regional activities with international expertise would be more costly for them if they were not part of a larger framework programme. Without an overall strategic framework activities would not benefit from the international link and would suffer from the financial constraints imposed.
A comprehensive programme for India needs to draw on specific areas of expertise and should be coordinated with other relevant actors in the field. It is believed that the journalists themselves must run the core of a media programme designed to promote human rights. At the same time, journalists’ organizations should work with other relevant groups for the advancement of human rights and media freedom.

2.15 IN INDIA’S CONTEXT

In India, role of media has been enormously increased in the last two decades with advancements in technology and standard of coverage (V.S. Gupta, 1999, Adrian Athique, 2012). Now it is catering to a wide range of audience in terms of language, region, religion and content. A healthy economic growth, growing literacy rate and consumer spending power have contributed to an expanding consumer base of various forms of mass media – newspapers, radio, television and new media.

The new media such as the internet, mobile phones etc. have also made significant inroads since last decade. But the reach of these media is not uniformly distributed as this base is more urban based and large swathes of rural and remote segments across the country still have no adequate access to the new media.

Few regions are the Northeastern states, Chhattisgarh, Jammu and Kashmir etc, which often characterized as regions with impregnable and difficult
physical terrain. These regions have witnessed a turbulent period due to insurgency, infiltration and sporadic terror attacks. These factors have negatively impacted the reach of developmental programs and limited the growth of media as well.

2.16 THE INDIAN CONSTITUTION AND HUMAN RIGHTS

The Constitution of the Republic of India which came into force on 26th January 1950 with 395 Articles and 8 Schedules is one of the most elaborate fundamental laws ever adopted. The Preamble to the Constitution declares India to be a Sovereign, Socialist, Secular and Democratic Republic. The term 'democratic' denotes that the Government gets its authority from the will of the people. It gives a feeling that they all are equal "irrespective of the race, religion, language, sex and culture (Constitution of India, 1949)."

The Preamble to the Constitution pledges justice, social, economic and political, liberty of thought, expression, belief, faith and worship, equality of status and of opportunity and fraternity assuring the dignity of the individual and the unity and integrity of the nation to all its citizens.

2.17 JUDICIARY AND HUMAN RIGHTS

Of the three organs of Government, the judiciary has become a vanguard of human rights in India. It performs this function mainly by innovative interpretation and application of the human rights provisions of the Constitution.
The Supreme Court of India has in the case Ajay Hasia v. Khalid Mujib declared that it has a special responsibility, "to enlarge the range and meaning of the fundamental rights and to advance the human rights jurisprudence (AIR, 1981)."

As has already been pointed out the Supreme Court of India and the State High Courts have broad powers under the Constitution to enforce the fundamental rights and they have liberally interpreted these powers. The major contributions of the judiciary to the human rights jurisprudence have been two-field: (a) the substantive expansion of the concept of human rights under Article 21 of the Constitution, (b) the procedural innovation of Public Interest Litigation.

2.18 THE FOURTH ESTATE AND HUMAN RIGHTS

The Information Media is an important arm of any modern democratic polity through which the people exercise their freedom of information. The freedom of information, the democratic right to know, is crucial in making all other human rights effective and providing an important safeguard for the enjoyment of all those rights (P. Sukumarn Nair, 2011).

Traditionally, the vehicle of public information was the Press. Today it is called the media, which include the press, the radio, the television and the internet. The "Fourth Estate" plays a crucial role in a large democracy like India where about 105443 Newspapers and other periodicals are registered (RNI, 2014-15), among them thousands of newspapers are effectively playing their responsibility towards the nations.
The period of National Emergency saw, for the first time, the gagging of the free press. Many depended on the BBC for 'impartial' news about India. It is no wonder that the freedom of the Press or media became a watchword after emergency. Disposing of a case of contempt of court against the editors of two newspapers, the Supreme Court remarked: It is the duty of a true and responsible journalist to provide the people with accurate and impartial presentation of news and his views after dispassionate evacuation of facts and information received by him and to be published as a news item.

The editor- of a newspaper or a journal, the court said, has a greater responsibility to guard against untruthful news and its publication. If the newspaper publishes what is improper, mischievously false or illegal and abuses its liberty, it must be punished by a court of law. While a free and healthy press is indispensable to the functioning of a true democrat), the court said, "the freedom of the press is subject to reasonable restraint^$. Since the 1970's the media in India have played a central role in sensitising people with information about governance, development, science and technology, foreign relations and so on. However, of late it has also come in for criticism, as highlighted by the above Supreme Court decision (Human Rights in India: an overview - Shodhganga).

Senior journalists feel that the media shies away from important 'people's issues' like tribal issues, that it is losing social content and becoming a consumer product with a manager overshadowing the editor. While the media is “a vital leverage to keep the rulers in check”, it has failed "to educate people to
assert their claim to the right to information," observes another senior journalist. The press also has come in for rough treatment by terrorists, insurgents, and some individual politicians. The Chairman of the Press Council condemned increasing commercialism and corrupt practices emphasizing the need to arrest them. The media also has a tendency to launch "trials by the media," even sentencing by the media, even while a court proceeding is underway.

Considering the totality of the impact of the media during the past two decades, despite the above pitfalls, one must recognize that the contribution of the media in revealing and highlighting human rights causes has been most impressive. A colonial law relating to official secrecy, the Official Secrets Act 1923, however, remains an impediment in the effective exercise of the freedom of information.