Chapter – 8

Communal Violence: Role of Media

8.1 Introduction

IN DEMOCRATIC societies, when there is a wide heterogeneity among the citizens this often results in conflicts and violence, sometimes leading to large-scale communal violence and loss of life and properties. India has also had a long history of communal violence among the various communities. In this situation, media occasionally plays a harmful role in fomenting communal violence. We find many biases in media reporting. Since communalism is rapidly increasing, threatening our pluralist society, media is also affected by this virus.

In Independent India, it is obvious that the media has also been deeply implicated in the production of communal violence. It has been found that certain types of media elements have highlighted minority communities particularly Muslims on communal lines. Besides the political class and related segments of Indian society for promoting communal violence time and again whether it is Hindu v. Muslim, Sikh or Christian; the media has also been charged with manifesting communal frenzy along with politics, among the various communities.

Once communal violence breaks out the media plays an important role and often it is responsible to sustain the communal riot for a longer period, as was in the case of Gujarat riots in 2002. The media is the main source of information regarding the occurrence of communal violence.

People are influenced by what they read and what they see on screen. In the context of communal violence, media has a strong pull on mass awareness.
Instruments of media play very important roles for communal propaganda and persuasion-messages. Newspapers in India are most directly and repeatedly implicated in the entire process of aggravating communal violence.

This chapter explores ways in which media is responsible in fomenting communal violence and up to what extent it is propagating communal hatred and communal enmity among the communities of India (especially between Hindus and Muslims) which are causing communal conflicts as well as communal violence.

### 8.2 Role of the Print Media

The print media includes press and the word ‘press’ technically denotes the newspapers, pamphlets, magazines, etc. The press in our country was a pillar of national strength and aspirations until the early 1930s. It kept itself largely away from the virus of communalism or religious fanaticism. Now much of this seems to be washed out. The media, especially the press play important role in fomenting the communal violence at all stages including: (i) the planning and rehearsal; (ii) the instigation of riotous activity; and (iii) the interpretation phase.

In Independent India, the regional press has played a crucial role in the projection of Hindu-Muslim communal violence. This was however not so during the freedom struggle, but its attitude changed after independence. After the partition, the language newspapers adopted an anti-Muslim bias in reporting communal violence. On the other hand, the English press still occupies the pre-eminent position; its approach to communal problems is much more sedate and so-bar than that of the language press.¹

The press generally reflects the prevailing moods of its readers. The press does not attempt to investigate and ascertain the actual problems of the minority communities; on the contrary it has been revealed that misplaced stereotypes and baseless myths about them are freely propagated. During communal riots, the press generally lifts news from unreliable sources and publishes rumours and gossips. It can be said that, by and large the press in India, never played the role of cementing the gulf between the Hindu-Muslim communities even in cultural, social and literacy fields.

In recent years, a section of press has not hesitated to take sides of one community in matters of religious or caste conflicts and during the last few decades, the language press in the North and even some of the largely circulated English newspapers became almost a tool in the hands of various communal organizations.

In fact some papers, in conspiracy with communal forces, launched a determined attack on secularism and democracy and whipped up a communal frenzy in the country and also launched a battle to undermine citizen’s faith in our Constitution and in democratic values. These papers incite passions, hatred and deep rooted jealousies of one community against another. As a result, the minds of people are poisoned and prejudiced and hatred is retained permanently.

The language newspapers play important role in disseminating raw prejudices against Muslims and also publish provocative materials against them. We also see gross discrimination when it came to penalizing people for inciting communal feelings. The Marathi daily Saamna has been regularly publishing inflammatory material. It is unfortunate that during the period of communal violence, some sections of our so-called ‘National Press’ have also aggravated the tense situation by publishing irresponsible reports.
During the Jabalpur riots (1961), a local Hindi press carried a headline that in a particular mosque there is a transmitter and they are receiving instructions from Pakistan on that instrument. The police officials and others rushed to the mosque but did not find anything, but damage was done.

Another story that a Hindu unmarried girl, Usha Bhargava was raped by a Muslim youth turned out to be equally false. The story was highlighted by the local Hindi daily, the *Yugadharma*, a Rashtriya Swayamsewak Sangh (RSS) paper, and picked up by other newspapers in Madhya Pradesh (MP) and outside, while there were other rumours with their own versions. Because of these unfortunate reporting, the communal violence was spread throughout Jabalpur and beyond it.

A team of senior journalists from Bombay (now renamed Mumbai) investigated the Jabalpur riots and mainly blamed the Hindi press for provocation. According to S.B. Kolpe, “…I found that two or three strangers working jointly for several national dailies were responsible for these reports, which had a damaging effect on the political life of the nation as a whole.”

Newspapers sometimes play a part in the opening phase of communal violence by spreading ‘news’ that originates in the institutionalized riot system network. Thus, for example, Banerjee notes that “the Jabalpur riots of 1961…were sparked off by the news of a Hindu girl disappearing with a Muslim boy.” In other societies, an event such as an elopement would not be considered ‘news’ at all. However, it is obvious that reporting of such an event in India is inflammatory and such information is provided to the press by political parties seeking to spread inter-communal violence or tension.

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In Ahmedabad riots (1969), the Gujarati press threw away all restraints and began to report stories based purely on rumours. For instance, *Sevak* reported that several Hindu women had been stripped and raped in public at *Lal Millni Chal*. The story was based purely on rumour. This news caused a sensation and many Muslim women were actually molested and raped.

During Ahmedabad riots, it also appeared that most of the reporters did not move in riot affected areas. Consequently, the reports that were published were based on either hearsay or rumours or on official versions released by the government. Because of this manner of reporting, inaccurate and false reports were published, which aggravated the communal situation. Justice J. Reddy Commission observed that Gujarati newspapers did not adhere to Press Code and published sensational news during the communal violence.

Generally, newspapers suppressed news and letters which criticized communal violence. Muslims did not get a place to express their reaction and views. As usual in post-Independent India, it was Muslim minority which suffered most, but press displayed marked bias against Muslims.

In General, the press in North India is directly involved in the spread of rumours during communal riots that aid their perpetrators in recruiting and mobilizing participants, playing ‘a critical role in exacerbating tensions between Hindu and Muslim communities’, and in prolonging riotous activities.\(^4\)

When communal violence erupted in Moradabad in 1980, a leading English newspaper published from Bombay (now renamed Mumbai) had summarily held the Muslim community responsible for starting the riots, as if the community was obsessed and seized with a sudden wish to die!\(^5\)

\(^4\) *Id.* at 349.
The Moradabad riot marked a turning point in press reporting. Often, all newspapers in India make specific reference to direct or indirect involvement of Pakistan, whenever communal violence occurs. After Moradabad riots, a new ‘theory’ was invented to explain the ‘aggressive’ stance of the Muslims masses and ‘foreign hands’ and ‘foreign money’ had to be invented as the ‘force’ behind the Muslim resistance.

Mr. Girilal Jain, the then editor of the Times of India (TOI) in his editorial page wrote, “It is highly premature to conclude that there is a hidden hand behind the sudden upsurge of communal trouble in the country. But after the outrage in Moradabad on ‘Eid’ day, it is no longer possible to dismiss this possibility.” Girilal Jain did not generally publish false news or misreport such matters as particular incidents at particular sites, the number killed, or other specific events that could be falsified by other accounts, although it did even go to that extent on some occasions. He wrote that a lot of oil money has been pouring into India. This has certainly encouraged the extremists and facilitated the task of promoting fundamentalism.

The TOI in its issue of March 21, 1981 published under the caption “International Conspiracy for Mass Conversion of Harijans”, reported the following way: “Plans to convert poor Harijans to Islam and setting up of a host of organizations of journalists, youths, trade unions and Kisan Sabhas with the help of friendly Arab countries and Islamic organizations in London and Europe have come to light…” According to this report, fifty Hindu families in India had secretly adopted Islam. They were lured by a grant of about Rs. 4 lakhs for an agriculture project.

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6 Supra note 2 at 345.
7 Supra note 3 at 348.
India Today, a fortnightly published from Delhi in an article, “Oil Fuels the Faith”, made the following observations: “The hue and cry in India over conversions to Islam and the heated debate on whether Gulf money was involved are watched with surprise and not a little amusement in the Gulf countries.”

The attitude of the press in other languages towards Muslims is also equally unfriendly. Some of the mass-circulated newspapers publish articles giving a distorted impression of Islamic traditions, laws and customs. For instance, Sobat, a Marathi weekly published the following: “The very concept of a nation is opposed to Quran. Therefore, if they are not having any feeling of affection for this country, it is Quran, character of Quran, Shariat, i.e., the Islamic system of governance is opposed to our Constitution, and we will have to ban Quran and Islamic system of governance.”

Some of the Kannada and Marathi writings which had appeared at Belgaun in Karnataka on the eve of the 1984 riot would have put to shame the worst communalists. Yet, nothing much was done by the authorities to stop this scurrilous anti-Muslim propaganda.

The Indian press, barring a few exceptions, has remained generally biased against Muslims. The ‘National Press’ does not usually resort to open partiality towards one side or the other, or seek deliberate to exacerbate a developing riot situation. Thus, during the Meerut riots of 1982, the ‘National Press’ paid little attention, whereas the local Hindi press acting as the mouthpieces of the RSS, of course, played havoc by publishing inflammatory materials against minorities.

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9 Id. at 135.
10 P.R. Rajgopal, Communal Violence in India 26-27 (Uppal Publishing House, New Delhi, 1987).
11 A.A. Engineer, “An Analytical Study of the Meerut Riot” in Engineer, supra note 2 at 280.
Generally, the English press presents a moderate, balanced face reporting on communal violence while local press play a direct inflammatory role in the spreads of communal violence. However, even some major English dailies carry dubious versions of events during Mumbai-Bhiwandi riots in 1984 and in Ahmedabad riots in 1985, causing a lot of damage to the situation.

During Ahmedabad riots (1985), when a Hindu was killed it was often reported with the name, but when a Muslim was killed it would be reported that ‘a person belonging to one community was killed’, so as not to identify his or her community. Sometimes pamphlets also aggravated communal riots. The examples are Ranchi riots (1967), Meerut riots (1968), Baroda and Ahmedabad riots (1989), etc. Often, it is seen that naming of locality or name of the person arrested could generate misleading conclusions by the public. Social analysts have also drawn attention to the irresponsible role of the media people, in reporting the matter in such a way that unwanted public opinions are formed.

Sometimes, pamphlets also aggravated the problem of communal violence. For example, during Ahmedabad riots (1969) planned nature of riots was also apparent from the rumours and pamphlets that were circulated on September 19, and onwards stating that cow had been ‘killed’, a mahant seriously ‘injured’ and that the idol of God had been ‘damaged’ were instigated. There was no truth in any of these incidents. The other examples are Ranchi riots (1967), Meerut riots (1968), Baroda riots and Ahmedabad riots (1982), etc.

Reporting of communal violence is an area where we find that a slight carelessness or titled version can lead to further fanning of the religious and emotional sentiments resulting in violent chain-reactions and brutal consequences. Ahmedabad riots (1969), Bhagalpur riots (1989) and post-demolition of Babri Masjid riots in 1992 are some of the important riot
situations where facts were misrepresented by the language press and the truth came to fore much latter. But damage was done. Most press reporting on communal riots begins after initial outbreak and is almost always based upon ‘police hand outs’ or press releases issued by the State Governments.

Every newspaper carries its own version. A reader gets more confused than enlightened if he reads different newspapers. When communal violence and curfew are on, various kinds of biases and misreporting may enter, i.e.— how it started?; who started it?; and what was the triggering event? Most press reports will refer to specific incident or a procession that ended in the communal violence. Some papers blame a religious community, some politicians, others anti-social elements and some socio-economic conditions.

The local newspapers sometimes do give ‘lurid details and community-wise breakdown of casualties and loss of property’; the national English language press generally does not do so. The English language press does not report deaths by community during communal violence. Nevertheless, these papers have been by no means free of bias and have sometimes reported false or misleading news in the midst of rioting.

The media power has been controlled by economically and politically powerful people. Consequently, a section of Indian press has evaded many issues when harassment or attacks on particular minority communities took place. A few papers have shown anti-minority bias openly. Varadrajan has also discussed in his article various issues which have been highlighting by press with particular bias are:

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12 Supra note 3 at 348.
13 Ibid.
1) ‘Shah Bano’ case was a gender issue but highlighted on communal lines.

2) Demonizing Sikhs by using the word ‘Sikh-extremism’, i.e., putting entire community on notice because of the crimes of a handful.

3) Bias towards (in favour of) Hindustani music on airways.

4) Creating mass hysteria by enhancing the number of people killed in police firing at Ayodhya in 1990.

5) Bangladeshi refugees termed as ‘Infiltrators’.

6) Purportive use of official media on the unfortunate killings of the then Prime Minister Indira Gandhi for inflaming public opinion against Sikhs.

7) Inappropriate reporting of riots by certain elements of the media and bias against a particular community (secondary reporting rather than primary reporting).

8) Depiction of controversies on serials like—Ramayana, Sword of Tipu Sultan and movies like Fire or Water.

The other burning issues of discord were highlighted such as the ‘Uniform Civil Code’, Salman Rushdi’s and Taslima Nasrin’s ‘Books’, ‘Ameena-Arab Marriage’, the issue of ‘Triple Divorce’, and even Shabana Azmi’s ‘Kiss’. ‘Shah Bano’ episode added strength to the Masjid-Mandir dispute that set the whole country on communal fire.

The depictions and spread of the news/thoughts in some cases have clearly exposed the presence of print communalization at certain places. The V.S. Dave Commission (1990) has held that “the press has exceeded its freedom and at times did not act responsibly…Instead of playing a creative role
for the benefit of the society, a section of the press in Gujarat has played a negative role for its own benefit to the determinant of pro-reservationists and for aggravating communal tensions and creating hatred against police force as a whole.”

During Ayodhya crises, the city of Aligarh plunged into horrendous violence. What was still worse during Aligarh riots in 1990 was that rumours gripped the town that a number of Hindu patients were deliberately killed by Muslim doctors of the J.N. Medical College of A.M.U., Aligarh. It was subsequently established that nobody was murdered in the Hospital. The local Hindi dailies mischievously published this news.

The rumours were however believed, resulting in violence at large scale. Some of the culprits stopped Gomti Express just outside the station; dragged Muslims out and brutally killed them. The press underreported their acts of killing. Although the newspapers were later reprimanded for unprofessional behaviour by the Press Council of India (PCI), but the damage had already been done. The daily newspapers like Dainik Jagran, Aaj and Amar Ujala published provocative material, adding to the tension.

During the Ayodhya episode and at the time of the Aligarh riots of 1990-91, the People’s Union for Civil Liberties (PUCL) Report noted “almost total communalization of the Hindi press in Uttar Pradesh (UP).” During 1990-91 rioting, the highly inflammatory article was published in Panchajanya. It warned that ‘Muslim infiltrations’, which crossed into India in thousands from

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Afghanistan, were planning ‘bloody civil war’ in the country with the heel of their Muslim relatives here. This news also created communal situations.

A couple of newspapers were admonished by the PCI for their role during Ayodhya issue. Instead of observing the universally accepted journalistic ethics, the language press, in the North to a large extent has been engaged in recent years in writing ‘in blood and vitriol’. It spewed ‘venom every morning’ during the months and years when movement to build the ‘Ram Temple’ was moving. The role the Hindi press played in the Ayodhya episode constitutes a blot on journalism. Although it did boost circulation, it gives the Hindi press a bad name that may be difficult to live down.

The PCI on the role of Hindi press during the late 1990 communal crises came to the conclusion that: “There is little doubt that some influential sections of the Hindi press in UP and Bihar were guilty of gross irresponsibility and impropriety, offending the canons of journalistic ethics in promoting mass hysteria on the basis of rumour and speculation…They were guilty, in a few instances, of doctoring pictures (such as drawing prison bars on the photograph of an arrested mahant), fabricating casualty figures (for example, adding ‘1’ before ‘15’ to make ‘115’ deaths) and incitement of violence and spreading disaffection among members of the armed forces and police, engendering communal hatred.”

During Ayodhya ‘episode’, the local newspapers showed almost religious zeal in reporting the happenings. The PCI took notice of these biased reporting, and set up a five-member committee to hear complaints and prepared

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18 Supra note 16 at 106.
19 Sarto Esteves, Nationalism, Secularism and Communalism 280 (South Asia Publications, Delhi, 1996); see also Saibal Chatterjee, “Poison Pen”, The Times of India, September 13, 1992.
a report. After discussion on the two reports of the committee, the PCI censured four Hindi dailies, *Aaj Tak*, *Dainik Jagran*, *Swantantra Chetna* and *Swatantra Bharat*, in its meeting held at Thiruvananthapuram on January 21 & 22, 1991.

N. Ram (the then Editor of *Frontline*), laminated that most newspapers and journals were been so influenced by the Hindutva propaganda, that they posed ‘the greatest danger to the nation and the society…’

He wrote that “through its coverage of the October-November 1990 events in Ayodhya, a considerable part of the press—indeed the overwhelming part of the mass circulated Hindi press turned *kar sevaks* in response to the crises. The problem has clearly recurred during the much graver crises of 1992.”

Nonetheless, it is clear that the Hindi press was most directly culpable in fomenting communal violence. In her study of the press, Radhika Ramaseshan wrote: “The Hindi press was directly responsible for causing most of the communal riots that erupted in UP after the Babri Masjid was attacked, resulting in a death toll of over a hundred…”

During Ayodhya episode, the RSS mouthpieces—*Organiser* and *Tarun Bharat*, the Shiv Sena ragbag—*Saamna* and *Navkaal* and several other publications were writing inflammatory articles, hair-raising, shocking reports about the communal violence, death and destruction in Mumbai, and appealing to the people ‘in such a manner as to arouse Hindu communal feeling and a sense of revenge’. During 1990-93, media published distorted, prejudicial and false news items which fuelled the fire of the previous changed atmosphere and large number of communal riots occurred during this period.

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21 Supra note 1 at 273.
23 Id. at 109-110.
24 Esteves, supra note 19 at 196; see also R. Padmanabhan, “Leadership Crises”, *Frontline* (February 12, 1993).
The communal writings in the print media and press controlled by communal organizations are generating a ‘fear psychosis’ in the minds of the members of the two communities. M.J. Akbar observes, “The communalist had only one really good weapon: fear, fear was the bow and whisper was the arrow.”

S.K. Gosh says there can be no communal riot without the built up through rumours, false and baseless news reports by the local press. Kuldeep Nayer, the eminent columnist, regretted the role of Hindi newspapers and said that their present trend, reflecting Hindu chauvinism, was temporary and would subside; but the Muslim-owned press must reform itself and cease to indulge in, what he called, ‘provocative journalism’.

However, there are instances where it appears that the media had played no role or in spite of their negative role, the expected frenzy did not take place and the fire was not lighted, i.e., the assassination of Mahatma Gandhi in early 1948 did not provoke rioting in any place in the country. But in 1984, when Indira Gandhi was killed, the atmosphere burnt into flames causing colossal damage to the Sikh community.

In general, the degree of partiality and the use of inflammatory materials that has the effect of provoking one side to retaliatory action against other are most extreme among papers that are local, vernacular, and sectarian. No deliberate effort has ever been made by the press, barring a few notable exceptions, to bring the two prominent communities together. On the contrary conflicts have always been highlighted.

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26 Ibid.
27 Supra note 1 at 273-74.
In the presentation of news and views there is sharp division between the Hindu and the Muslim press; both accuse each other. So long as this hostility on the part of the newspapers continues, it will be difficult to bridge the gulf. Some newspapers often publish materials which cause hatred among different communities.

### 8.2.1 Gujarat Killings and Print Media

After Godhra incident, the Gujarati papers particularly the *Gujarat Samachar* and more notably *Sandesh* published false reports, rumours and biased reports which aggravated the flames of communal violence in Gujarat in 2002. The newspapers literally became a weapon of war. Both *Sandesh* and *Gujarat Samachar* raised the anti-Muslim pitch considerably. In many ways, they opened fueling hatred. These papers were provocative, irresponsible and blatantly violative of all accepted norms of media ethics.

The story starts with the Godhra incident. On February 28, 2002, *Sandesh* ran a front page story saying the following: “10 to 15 Hindu women were dragged away by a ‘religious fanatic’ mob from the railway compartment.” The story was entirely false. Next day, *Sandesh* carried a follow up to this false story on page 16 with the heading “Out of kidnapped young ladies from *Sabarmati* Express, dead bodies of two women recovered—breasts of women were cut off.”

However there was no basis to this report. The report stirred a lot of anger. This false story has spread like wildfire across Gujarat and was compounded by extreme sexual violence and bestiality against Muslim women. The police denied the incident and other newspapers also could not find confirmation of this news.

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Many riot victims blame this story for instigating communal situation. Bajrang Dal (BJD) activists used this story to round up people to join the mob. Sandesh provided justification of the carnage—both in the minds of the mobs who carry out the violence, and in the minds of the general ‘Hindu’ public who were far from the site of the violence.

Sandesh published especially inflammatory headlines, pictures and stories of the Godhra incident. For example, Sandesh’s front page headline screamed, “Khoon Ka Badla Khoon” (Avenge Blood with Blood).\(^{29}\) Eyewitnesses from Naroda Patiya, the most affected area of Ahmedabad accounts, the mobs were brandishing in their hands not only swords and stones, but also copies of the Sandesh with the Godhra incident as the banner headline, shouting “Khoon Ka Badla Khoon.” A news item in Sandesh on March 2, 2002 was “Bapunagar Reels under Blind Private Firing All Day. If you do not kill the enemy they will kill you.”\(^{30}\) ‘They have attacked our women and children we had to take revenge’—goes the sentiment of the angry Hindu.

During the first week of March, when Gujarati Muslims were returning from Hajj, Sandesh stated: “Hindu Beware: Hajj Pilgrims Return with a Deadly Conspiracy”. In fact, most Muslims returning from Hajj were so terrified of being attacked that they sought and received escorts home by army officials.\(^{31}\) On March 15, Sandesh, published, “In the name of shelter, migrants from other states enter city.”\(^{32}\) The article alleged that Muslim leaders were using relief camps as an excuse to set up illegal colonies.

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\(^{31}\) *Supra* note 29.

\(^{32}\) *Supra* note 30 at 207.
Sandesh fabricated stories of sexual violence, and used images of brutalized women’s bodies as a weapon of war deliberately designed to provoke real violence against women from the Muslim community.

Ironically, while false stories about the rape of Hindu women have done the round, there has been virtual silence in the media including in the English media, about the real stories of sexual violence against Muslim women. None of the Gujarati local papers except Gujarat Today has carried stories about the brutal, bestial ways in which Muslim women were raped and burnt. In Gujarat killings, Muslim women suffered the most unimaginable forms of sexual abuse, but also there was no one willing to tell their stories to the world.

In spite of repeated condemnation by various inquiry commissions of communal riots, against malicious propaganda by the local newspapers, they published provocative, passionate and unconfirmed news throughout the period of communal outburst, taking advantage of the constitutional right of freedom of press. Much of the local media played a reprehensibly partisan and inflammatory role right from February 28, 2002 onwards.

During the Gujarat killings, R.B. Shreekumar, Additional Director General of Police (Intelligence), wrote to Ashok Narayan, additional Chief Secretary (Home), recommending that publications, which provoked violence should be punished. But no action has been taken against them.

The role of Gujarati papers was similar to that of the Shiv Sena’s mouthpiece Saamna during the Mumbai riots (1992-93). The ‘National Press’ during the killings has played a leading role in exposing the violence and official neglect or misconduct, but the local press has been accused of inciting the communal violence. The two newspapers Sandesh and Gujarat Samachar have a record of notoriety. The Commissions probing into the riots of 1969, 1981 and 1985 have blamed them for inciting communal violence.
The Reports of PUCL & Vadodara Shanti Abhiyan (VSA) concludes that the major effort of Sandesh “has been to feed on the prevalent anti-Muslim prejudices of its Hindu readership and provoke it further by sensationalizing, twisting, mangling and distorting news or what passes for it.”

According to the Editor’s Guild Fact Finding Mission Report, the editor of Sandesh, Falgun Patel, described Gujarati newspapers as ‘pro-Hindu’, and criticized the English media for siding with the minority community. He described the Godhra incident as ‘unforgettable’ and the reaction to it as ‘justified’. He admitted the fact that his reporters did lose balance and were communalized all down the line. He admitted that Sandesh ‘editorialize the news’ by ‘balancing the news with its own versions’. He also said that it was their editorial policy not to carry corrections and clarifications.

During Gujarat carnage, its leading newspapers were locked in a peculiar battle. It was a race to be more provocative and communal. To increase circulation the media have to please the majority. Feeding communal stereotypes, they described Muslims as ‘terrorists’ and ‘religious fanatics’, while glorifying Hindus as ‘devotees’. Areas with large Muslim populations were called ‘dangerous mini-Pakistan’. In several instances, press misreported events or selectively described them portraying Muslim victims as the perpetrators of violence.

In the beginning there were follow-ups in the English press. But eventually, the media tired of the story and lost the track. The media found it more convenient to focus on cases in cities like Ahmedabad and Vadodara. Only a few star witnesses like Zaheera and later Bilkies were tracked.

33 Supra note 29.
34 Supra note 30 at 208-09.
The role of sections of the media particularly the local Gujarati language Hindi press in spreading and inciting communal violence should be investigated and all facilities provided to it, should be withdrawn. Despite a few flaws, the National media was excellent in their reportage of the violence, and let the rest of the world know what was happening in the first few days while Gujarat burned.

The PCI has also criticized the role of the vernacular newspapers in Gujarat for inciting communal passions. If the present code is insufficient, pre-censorship may be resorted to for news relating to communal violence. It is also equally relevant that the press is briefed about the communal incidents by holding regular press meetings.

It is suggested that a strict watch be kept against community sensitive communication and legal actions be taken against provocative writings which utilize media to divide the heart of the people for selfish purposes and as such deserve condemnation and punishment.

The press is expected to educate and enlighten the citizens and not misinform and mislead them. It has to defend and uphold the Constitution and strengthen people’s faith in the democratic system. For this, it has been given the freedom to write report and comment on all matters affecting the nation. That freedom is not to be ‘sold’ by it or by the owner or by the journalists to anyone. It has to respect our Constitution, our democratic values and our institutions, and help to preserve and strengthen the unity of people.

8.3 Role of the Electronic Media

Electronic media as a tool of mass media is fully exploited to highlight such aspects of life between the communities which divide them on communal lines. The impact of the electronic media is more powerful and enduring than
any other means of conveying the message of communal harmony. One medium, in particular—Television (TV) emerges as most crucial in fomenting communal atmosphere in the country. Since the late 80s, many charges have been made that other forms of media were politically biased or promoted communal tension. However, such charges were against Doordarshan (DD) precisely, because it was under centralized national control.

Numerous instances could be presented of the ways in which electronic media have constructed images that have been or could have appropriated for communal ends; some of these images are consciously constructed to promote communal strife between the communities. In Ahmedabad riots (1969), rumours played an important role in worsening the situation. But no attempts were made by the radio to counter the rumours. The radio simply repeated: “Don’t believe in rumours” advice and broadcasted various appeals of political leaders. But no authoritative news was given to counter the rumours.

It was found that ‘the running thread behind almost All India Radio (AIR)/DD programmes concerning Punjab after the army action was an attempt to appeal to Hindu communal views, reaction, opinions prejudices and attitudes. It may be argued that this is a part of a still bigger design now too obvious—to use AIR and DD to encourage, strengthen and consolidate Hindu revivalism.\(^{35}\) The slogan “Khoon Ka Badla Khoon” which was headline in Sandesh’s front page after Godhra incident, shouted by a mob mourning the death of Indira Gandhi in Delhi in 1984, and was broadcasted by DD.\(^{36}\) DD has been severally criticized for several items of misreporting of communal rioting during riots of 1990-91.

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\(^{36}\) Supra note 30.
In 1989-90, audio cassettes produced by Hindutva forces played a crucial role in raising the ‘Ram Temple’ movement to fever pitch. These cassettes contained vitriolic speeches, such as Uma Bharti, Ashok Singhal, Sadhvi Ritambara and others, recorded at various rallies.

In many towns in which communal violence occurred, people reported hearing terrifying screams from rooftops. The recording begins by invoking such as Allah-o-Akbar! and Jai Sri Ram!, to indicate that Muslims and Hindus are crying out. Cry followed Beat them! Beat them! and in the voices of women and children screaming Help! Help!

Cassette tapes are readily amenable to such appropriation for they are cheaply produced, sold, portable, durable and easily mass produced. Video clippings of communal riots tend to evoke public outcry. Easily transported across distances, they bring the message of upper-caste Hindu nationalism to remote regions. At the same time, the negative potential of such a democratization of the media is painful evident in the uses of cassettes by the Hindutva movement to foment bigotry and communal riots.

Ironically, the importance of videocassettes to communal mobilization arose in part from government policies. One political party disseminated its messages by distributing cassette and providing mobile video viewings from video raths. If cassettes and tapes have proven to be an ideal medium for the instigation of communal violence and the propagation of religious bigotry, they could be used with equal effectiveness to promote a progressive platform.

The Hindutva tapes are regarded as playing direct roles in instigating the wave of communal riots that subsequently swept North India, in which thousands of people killed. Other tapes containing bloodcurdling screams, gunfire and inflammatory slogans were blared from speakers on cars that drove
at night through tense neighbourhoods of Agra, Ghaziabad and elsewhere, bringing armed men into the streets and directly igniting communal violence.

According to Bisheshwar Mishra, the Agra riots were "electronically engineered." He says that the police seized some audio cassettes, which screamed slogans inviting both communities. The cassettes started with Allah-o-Akbar and then Jai Sri Ram, followed by Bachao, Bachao and Maro, Maro. These were played by Maruti car stereos at full volumes in the night.\footnote{Engineer, supra note 16 at 109.}

The best combination of audio and video effects can generate up to 85 percent of ‘retention impact’, which is fairly substantial. The sudden and violent reactions are generated by the cunning use of the visual media. This has been seen in the case of Babri Masjid ‘episode’. The connection between TV programming and communal mobilization cannot be denied. The core of these accusations concerns the serialization on state-controlled TV of two Hindu epics, the Mahabharata and the Ramayana. The Mahabharata, chiefly, feeds upon the escalating notions of a militaristic and virile Hinduism.\footnote{Supra note 20 at 103; see also The Times of India, October 1, 1991.}

The symbolic impact of communal violence on the minds of citizens has also been considerably amplified by the electronic media coverage. In India, the proliferation of 24-hour TV news channels and the digital medium has ensured that quite often some disturbing images and statements reach very wide viewers.

One of the ill effects of unrestrained coverage is that of provoking anger amongst the people while it is fair for the media to prompt public criticism of inadequacies in the security and law enforcement machinery. There is also a possibility of such hatred turning into a crazy desire for retribution.
8.3.1 Gujarat Killings and Electronic Media

In recent years, TV channels reporting on communal violence has also come in for some share of blame both for inciting violence, however inadvertently, and for publication of false and damaging news in the midst of communal riots. The information revolution and new technologies have created an instant, interconnected world intricately and extensively networked by large, small and inter-personal means of communication. The new media does not respect 24-hours deadlines. News is disseminated in real time. The 24-hours TV news channels enter homes and work places with immediate announcements and updates of ‘Breaking News’.

After Godhra incident, local reporters soon reached the spot and filed the news. Aaj Tak was probably the first news channel to flash the ‘Breaking News’ of Godhra incident. Zee TV’s local cameraman in Godhra rushed his footage to Ahmedabad. An anonymous e-mail message was widely circulated.

There was more than one version of what followed—the ‘molestation’ and ‘abduction’ of a woman was alleged. The magnitude of the horror unfolded several hours after the tragedy. Aaj Tak invited the harshest rebuke, especially for its prompt coverage of the first few hours. The demand was that this channel should be shut down and its ‘license’ revoked.

Gujarat riots of 2002 was the first widely ‘televised and cable riot’ covered in real time. People could see the carnage ‘live’ at their homes. While people were being killed, the police did nothing to stop the violence. As long as the channels kept televisual footage of the burning train, the government did not mind at all. The Sangh Parivar hoped that it would help incite people to come out on the reports of the following days showed mobs in Saffron bands and wanted to ban Star News for its critical reportage of the violence.
A few local television channels aired Vishva Hindu Prishad (VHP) propaganda. JTV regularly broadcasted provocative speeches by VHP leaders to incite the violence. Many cable channels also broadcasted jingoistic films like \textit{Gadar}. When the VHP insisted on holding a \textit{Ram Dhun Rally}\textsuperscript{39}, the channel showed scenes of jubilation by the participants, but no scene of the havoc they wreaked on Muslim localities along the way broadcasted.

Local politicians used the electronic media in the most despicable manner. The intention of leaders belonging to the ruling party become very clear if one examines the speeches on local TV channels. For example, inflammatory speeches by certain leaders on local cable news channels on March 15, after the \textit{Machchipith} incident in Vadodara, promoted combing operations by the police. Despite several appeals to the administration requesting action against these offensive local news channels, the police commissioner only acted in the last week of March, by filing First Information Reports (FIRs), ironically, against two of the relatively less provocative cable news channels.

Provocative presentation of the Godhra event and flashing baseless news about two Hindu women being brutally raped and their breasts brutally removed by the Muslim mobs, projection of the Godhra event as a Pakistani ‘conspiracy’, resulted in massive destruction of the Muslim’s property and their killings as appropriate response.

The Gujarat’s electronic media articulated and further reinforced communal animosities in Gujarat on state patronage. Local TV channels were instrumental in aggravating communal tension and hostilities by broadcasting pictures and news items that projected the minorities in an unfavourable light.

\textsuperscript{39} To lay the foundation stone for the construction of the ‘Ram Temple’ at Ayodhya on March 15, 2002.
The proliferation of new communications technologies may allow the Hindutva forces a new way to broadcast their messages—through cable TV because cable operators can transmit programming using either a Video Cassettes Recorder (VCR), or Compact Disk (CD) player, or air signals.

Today, be it communal violence or terrorist attacks, most of the newspapers and TV channels publish police version or hearsay version as ultimate truth. Finally, the role of digital communications is pervasive, insidious and oftentimes dubious, being prone to misuse. The ‘news media’ has introduced an altogether new dimension of global and person-to-person communication that must be carefully assessed.

The proposed amendments to the Cable Television Networks (Regulation) Amendment Act, 2011 reported to have already been vetted by Law Ministry and have been sent to the Home and Defence Ministries, presumably to add some inputs that make the amendments more ‘draconian’. If the amendments are accepted, District Magistrate (DM), Sub-Divisional Magistrate (SDM), and Police Commissioner will be able to block ‘live’ telecast by channel and even confiscate transmission equipment. Add to that the provision will leave the media with no choice but to bank on a ‘nodal agency’ to get their visual footage of certain events of national importance that may range from terror attacks to communal riots and public agitations.

8.4 Media and Its Responsibility

The four pillars, which sustain the edifice of parliamentary democratic system, are the legislature, the executive, the judiciary and the media known as the ‘Fourth Estate’. The media is one of the institutions which have to play a more decisive role and contribute much more to make the nation really secular and democratic and help in national integration. Media plays most important
role in strengthening democratic values and democracy itself. But it seems except for few papers and journals, media has been communalized.

The seeds of hatred are sown in tender minds through historical and media distortion. The media can play a major role in moderating and calming down public feeling and in reducing the gap between fact and perception. The media plays significant role in reporting events in democratic society like India. In fact, the media not only disseminate information but also help in shaping public opinion. The media has a role to play in information and educating the people during and after the communal violence.

The media is undoubtedly a powerful organ that can do much to unite the people and the nation, make the citizens to respect the Constitution and all the institutions created under it, enlighten the people on the programmes and policies of the various political parties, show which can help to make the nation strong and powerful, which ones will bring the various sections of people together and which ones may divide them, create animosities, antagonize the people and lead to communal tension/violence.

One of the objectives of media is to understand popular feelings and give expression to it; another is to arouse among the people certain desirable sentiments and attitudes and the third is fearlessly to explore popular defects and most important objective of the media is to educate public in right perspectives on problems of national and international importance and thereby build enlightened public opinion.

It is true that one of the functions of the press is to inform the public of all that is happening in the country. But the press must also know that it is an ‘institution’ in a democracy whose primary duty should be and has to be to uphold the Constitution and all the institutions it has brought into being, and ensure integrity of the nation. It is not its function to help communal
organizations/parties or groups whose purpose is to create dissentions, divisions in our society, to show seeds of hatred and discord among its various sections of the people and to turn the country into communal atmosphere.

Press has to be socially responsible and has to reflect the aspirations of the people. Press has to abide by the laid down professional code of conduct to promote responsible journalism. The press should ventilate the legitimate grievances of the people, faithfully report events that would make the government and the police wiser and enable them to bring timely assistance to the distressed segments of the country. The press has to reorient itself for a constructive and educative role. There is need of complete code for a politically free, socially responsible and economically non-monopolistic media press.

The media has the responsibility to bring to light the undesirable acts of the communal forces and police and make public aware, so that they might react suitably to bring about desired changes. Through judicial pronouncements and international covenants to which India is a signatory, this includes the citizen’s right to inform and be informed.

The right to know is a precious democratic right and it is through this means that the citizen is ensured participation, transparency and accountability. The Indian media is privileged to enjoy a wide measure of freedom by this way; it must exercise this freedom with responsibility in matters relating to public order, decency, and morality, defamation and incitement to an offence.

It is incumbent on the media to strive for objectivity, fairness and balance to avoid sensationalism or anything that is liable to inflame passions, especially during periods of communal tension. It is also required to make corrections and afford injured parties the right of reply. In situations of communal strife, media has to avoid naming the communities involved so as not to exacerbate tensions.
The legitimate media must enjoy first strike capability. Else it will trail behind disinformation, speculation and rumour, never quite catching up and merely reacting to the agenda set by master manipulators and vested interests. Technology has critically altered the rules of engagement between truth or objective news reportage and falsehood or concoction. Old norms therefore require careful review and revalidation or amendment.

According to the National Human Rights Commission (NHRC) Report (May 2002), the responsibility of the press is to “report incidents factually without imparting a communal colour to them” and that “action should be taken against writers and publishers of objectionable and inflammatory material aimed at inciting communal tension.” The Commission is of the view that there is need for all concerned to reflect further on possible guidelines that the media should adopt, on a ‘self policing’ basis, to govern its conduct in volatile situations, including those of inter-communal violence with a view to ensuring that passions are not inflamed and further violence perpetrated.\(^{40}\)

The freedom of press is protected and preserved under article 19 (1) (a) of the Constitution of India and PCI Act, 1978. It has to be noted that the right under article 19, (1) (a) is subject to reasonable restrictions provided under article 19 (2) of the Constitution of India.\(^{41}\) The reasonable restrictions are highly necessary. Unrestrained reporting often leads to serious consequences in the form of loss of human lives and property. Often, the reporters are coloured by their communal bias. If they are allowed to report with unrestrained freedom, it can result in absolute havoc.

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\(^{40}\) *Supra* note 28 at 373-74.

\(^{41}\) Clause (2) of article 19 enables the legislature to impose reasonable restrictions in the public interest on the right of freedom of speech and expression on the following grounds: (i) Sovereignty and integrity of India; (ii) Security of the State; (iii) Friendly relations with foreign States; (iv) Public order; (v) Decency or morality; (vi) Contempt of Court; (vii) Defamation; and (vii) Incitement to an offence.
To ensure factual reporting, the existing regulations and guidelines about publication of information are not only inadequate but also counter-productive. The press ends up by concealing facts or reporting the version of the local authorities instead of the results of its own independent investigation or even observation. Such versions are largely one-sided, incomplete or evasive due to the dereliction of duty on the part of the local authorities—their own acts of omission and commission—which have led to the explosion.

The Press Commission and the PCI as well as professional organizations should address themselves to rewriting the guidelines for reporting on communal riots. In this respect much can be achieved by way of preventive measures and constructive action through the media. A large number of citizens look upon newspapers, radio and TV for information and therefore such powerful media should be properly used to promote communal harmony and maintain peace during communal violence.

The media particularly newspapers and electronic media should utilize persuasive communication to change the attitudes of the people to religion and perceive it as the low involvement variety. The constructive use of media helps in building the confidence of people, creating atmosphere of security and countering the rumours. The press may be used as an effective instrument. Radio and TV may be used to educate people to desist from violent activities and discredit rumours.

### 8.5 Concluding Remarks

The media sharpens the division of people on the basis of religion and keeps communal problem alive. The publications of media weaken the authority of the government and a sense of illegitimacy of governing social and administrative institutions is injected in the minds of the public. Finally, the
communal violence turns into ‘we-them’ relation. The communal violence in remote areas that remains unreported has no adverse reaction, unlike communal violence reported from nearby locality with multiplier effects due to massive publicity of the media.

Both the print and the electronic media have created over time a vertically and closely linked system of cultural, social and political communications. In modern society, media plays an important role not only in matters related to communal violence, but in moulding the character, attitude and behaviour pattern of the readers and viewers.

Media can act as a form of social control. It can reduce the role of religion, caste, language and regionalism in Indian society. Their aim should always be to strengthen the unity and integrity of the nation, expose grievances of the oppressed, and strive for getting justice to those who deserve it.

The modern media coverage and reportage of communal violence must be evaluated. Like war, riots too begin in the minds of people and truth can be a defense against ‘information terrorism’, incitement and panic. Sensationalism, horror and excitement of passions can be moderated, if not averted, by the manner of presentation, the choice of words and commentary, the editing of footage and pictures, the headlines, positioning and general treatment.

In this regard, the media persons can exercise discretion under overall top editorial control not merely during ‘office hours’ but in anticipation of major deadlines and during the communal violence. Therefore, these two types of media may be gainfully employed during the cooling periods to provide a healing touch to the physically and mentally injured.