

Chapter 8

Safety and Security of Journalists in India: Need for Comprehensive Protective Regulations

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ABSTRACT

Globally, upholders of the fourth pillar of democracy have been consistently exposed to security issues and gender discrimination. Many journalists and media professionals are having to pay with their lives in trying to get information. In spite of nations having constitutionally accepted accord of operational freedom for the press, governments have failed to ensure a protective environment for decades. India, unfortunately, figures on the list of nations where journalists operate under tough conditions. The global state of journalist safety and security is outlined here. Analysing India-specific study findings and information generated through survey of journalists, this chapter argues the need for stringent policy regulations stipulating time bound delivery of justice and fast tracking of trial proceedings, for cases of violence against journalists and also highlights the probability of discrimination in distribution of work and disparate payments emerging as principle problems women journalists' face.

INTRODUCTION

Globally, journalism had been accorded a distinct place by framers of constitutions. In democratic nations, media was considered basic ingredient to ensure balanced and ethical governance (Jamil, 2019b; Wessel, 2018). As such Thomas Jefferson, the third President of United States, had observed for a choice between government without newspapers and newspapers without government, he would select the latter (Rauch, 2018). An acknowledgment of media's valuable over governance. Via facts and information, media presents to masses standard of governance and performance of elected representatives, thus placing governments and politicians within the ambit of accountability (Rauch, 2018). Wessel (2018)

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considers media having the power to control overindulgence, overabundance, corruption and impractical decision making within governments and business establishments. Dionne (2018) too had observed about freedom, crusade to negate corruption and upholding of democratic values being outcomes of neutral media functioning.

Media doesn't operate in a vacuum. It needs an ideal environment, fostering its realization of expectations. Such should enable freedom for optimal press functioning (Jamil & Muschert, 2020). Kirchick (2018) argues that degree of privileges and freedoms, citizens get to enjoy, being relational to operational freedom for media. If freedom of press is throttled or curtailed, compromise of citizens' rights, privileges and freedoms can be expected. Case in point, China, the most populous nation of the world. Neither media nor citizens have rights and privileges to voice opinions or feelings. Channels of communication are totally censored to pre-empt attempts by media or commoners to criticize the ruling party (Ide and Huang, 2019). Opinion pieces, articles, stories and social media postings, if critical of the government, are blocked or pulled down under compulsion. Facebook, Google, Pinterest, Gmail and Instagram are barred from Chinese markets, lest they evolve into platforms where government and its actions starts getting analyzed, discussed and debated (Ide and Huang, 2019).

Koltay (2015) identifies non-interference of the state in functioning of media establishments, as central tenet of media freedom. National governments did reserve the right of legal action against any journalist or publication, after a story has been published, but maintained a hands-off posturing prior to publication. With advent and popularization of online news media, including social media, need for widening the periphery of media freedom was felt (Koltay, 2015). Media assuming greater role and participation opportunities in public life is aspired within democratic setups, which emphasizes need for scope to disseminate varied information via myriad channels. Concept of media freedom can therefore be understood as implying right of print, electronic and online media channels to freely publish information for public knowledge and awareness without any interference or control of government or its agencies (Jamil, 2015a; 2015b). Constitutional legal frameworks offer such protection to media against interferences by an overenthusiastic state (Kotlay 2015).

Press freedom is not a new concept in the lives of several nations. It has been practiced and granted constitutional credence since long, though the span varies from one nation to another. Yet, in the case of many countries effective implementation and adherence to freedom of press continues to remain a problem area (Jamil, 2019, 2017a, 2017b). This clearly emerges from a comparative ranking of countries tabulated by Reporters Without Borders. Termed as the Press Freedom Index, the ranking showcases the situation local press functions under and this is arrived at post analysis of inputs received from journalists, research scholars, human rights activists and legal fraternity (Reporters Without Borders 2020). The finding for 2020 is as under:

Dominance of red, brown and yellow zones is indicative of global threat and licensing of media. In majority countries journalists discharge their constitutionally granted responsibility under difficult conditions, while in some environment for journalism is remarkably worrisome. Across Asian continent, threat perception for journalism and journalists is high. Freedom allowed for media operations is also evaluated, on a global scale, by the United States based not-for-profit organization Freedom House. Their report titled Freedom of the Press published in 2019 doesn't offer a very different scenario than what has been evaluated for the current year.

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