



## MEDIA FOR SOCIAL JUSTICE

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### **Abstract**

*The Indian Judiciary left no stone unturned in promoting the cause of 'Social Justice'. Even the Judiciary has introduced new tools like Public Interest Litigation to provide benefits to people who are victims of exploitation. But Most of the people cannot come to the courts because of the ignorance of these laws. The media in our country is playing a significant role to the cause of Social Justice in variety of ways. Media can advance the public interest by publishing/ broadcasting/ telecasting the information, facts and opinions about these laws.*

### **Media for Social Justice**

The concept of 'Welfare State' wherein the governmental tasks have increased by several folds, setting up various administrative agencies to carry out the objectives of social welfare state centers on the problems concerning Social Justice and more particularly the necessity to balance between 'Private' and 'Social' interests. The bulk of the legislation related to social justice, as 'too many people, still lack the simplest necessities of life and too many are deprived of the most basic human rights'. The need for mankind is not the declaration of human rights but their protection in our country. 90% of social legislations pertain to the realm of human rights and thus social justice found active support at the hands of human rights champions and one such supporter is the Media such as Press, T.V. and other instruments of Media.

The Indian Judiciary left no stone unturned in promoting the cause of 'Social Justice'. Even the Judiciary has introduced new tools like 'Public Interest Litigation' to provide benefits to people who are victims of exploitation. But Most of the people cannot come to the courts because of the ignorance of these laws. One of the major problems concerning 'Social Justice' is the one relating to enforcement of laws. The bulk of 'Social Legislation' by courts containing high component of social justice. The Judiciary, has in many instances, even directed that the state should legislate to give effect to principles of social justice, such as the desirability of legislation to ban ragging of fresh students. All these efforts of the Legislature and Judiciary paved the way for going effect to the concept of Social Justice.

The media in our country is playing a significant role to the cause of Social Justice in variety of ways. Media can advance the public interest by publishing/ broadcasting/ telecasting the information, facts and opinions about these laws. Despite there is criticism that the Media is not playing its rightful role. Criticism is on the ground that the media is engaging itself in politics or sensationalize the reports rather than working for the cause of social justice.

But it is necessary to point out the good work done by the media for the cause of social justice so that it can play more vital role in future.

**Legal Literacy:** Legal Literacy is the pre- condition to maintain rule of law. Media has been rendering significant service to educate the people about the laws, their rights and benefits flowing out the various schemes and measures. Media is enhancing the legal awareness through TV serials, documentaries based on legal concepts.

**Press as an Evaluator:** Press is playing a significant role by evaluating the plans and schemes related to the weaker sections of the society. Media has contributed to the maintenance of 'Rule of Law' and resist forcibly any attempt to degrade democracy and free society. The power of the press reflected through public opinion enables the victory of opinion over armed forces of the government. It has served as the main source of information, discussion and advocacy to reach the public. In fact, it is the newspaper which people read every day and may be considered as the only book daily read. As pointed out by the Royal Commission on the press, the political affiliation of the press makes the press to support or oppose a move a policy. The issues related to social or economic justice the various laws, schemes and plannings need evaluation from the point of view of the welfare of the community. This may necessitate that the media records truthfully facts and the expression of opinion is not coloured, suppressed or distorted. If this approach is made, the media can be a potential instrument to evaluate measures to promote economic and social justice.

**Public Advocacy:** Public Advocacy through well established mechanism like lobbying and mobilization of public opinion could be effectively undertaken by the media. The media can offer innovative ideas on 'social legislation' and by publishing the views of affected interests can pin point the ill effects of the social welfare measures and the correctives needed to deliver



justice to people. The need for a new type of legislation or policy may be highlighted by the media, which the authorities can take note of in snapping the laws comfortable to the needs of the society.

**News Reports:** News Reports itself play a significant role in providing justice to people. For instance a news story appeared in daily newspaper (September 1985) under the heading ‘Sainik Ki Patni Chalis Saal Se Pension Ke Liye Bhatak Rahi Hai’. The Chief Justice of Rajasthan took cognizance of the report and was able to decree that she was entitled to concession and benefit which were to be given to a person’s family and directed the government to pay all the arrears of pension within one month and in default interest at the rate of 12% on the arrears.

#### **Public Interest Litigation Based on Media Reports**

Public Interest Litigation is a litigation/case filed in the interest of public in general by any person in Supreme Court under article 32 or in High Court under the article 226 of the constitution. At the instance of social action litigant or public interest litigant, administrative actions have been controlled, such as misapplication or misappropriation of public funds by public authority, breach or abuse of a statutory duty, remedies to victims of state violence, violation of constitutional and legal rights of large number of people who are poor, ignorant or in a social or economically disadvantage position etc. There is no doubt that, what a PIL can do, could equally be done by a journalist or media practitioner.

**News Reports as Writ Petitions:** Media reports are given due consideration. There are a number of cases where media reports itself treated as writ petitions and action taken on it by courts. For Instance ‘**Plight of employees of the temples in Malabar**’

#### **News Item that appeared in the ‘Hindu’ daily dated 27.12.1991 under the caption ‘A Raw Deal for the Temple Staff’**

The above news item highlighted the pitiable pathetic state of affairs existing in the temples in the Erstwhile Malabar area and also the poor conditions of the employees of those temples. Therefore in exercise of the powers vested in the court under Article 226 of the constitution, notices were issued to state of Kerala and other concerned to show cause why the above matter should not be taken under public interest litigation and appropriate orders passed by the court as remedial measures. After giving a number of guidelines to the state and concerned authorities, it was held by the high court that the fixed respondent/state of Kerala shall fix reasonable remuneration to be paid to the various employees in the temples of Malabar. There are **exceptions** where news reports alone can’t be considered as writ petition. For instance **Laxmi Raj Shetty vs. The State of Tamil Nadu.**

In this case Supreme Court said that the facts stated in the newspaper are hearsay in nature and the same are inadmissible unless the maker of the statement is examined and the judicial notice of the facts stated in the newspaper can’t be taken. A newspaper is not one of the documents referred to in section 78(2) of the evidence act by which the allegation of the facts can be proved and the presumption of the genuineness attached under section 81 of the evidence act to a newspaper report can’t be treated as proof of facts reported therein.

#### **Journalism Today**

Despite the fact that the media can play a significant role in promoting justice, Media is facing several problems and the media is not giving due importance to developmental issues. The National Workshop in Journalism held in New Delhi (January 28-30, 2002) brought together more than 100 journalists from 16 centers across the country.

The following major issues of concern were identified:

- Globalisation has adversely impacted issues of social and gender justice.
- In conjunction with increased commercialization of the media, this has enhanced job insecurity.
- It has also reduced space in the mainstream media for social and developmental issues.
- The decline in accountability and responsibility of media organizations towards their workforce and towards society in general is another area of concern.
- The condition of regional language journalists and those in the small and independent press is of particular concern in this regard.
- Women journalists face varying forms of exploitation and harassment in working conditions.
- Standards of professional ethics and behavior have taken a beating, particularly in the last decade. This has eroded the credibility of the media, which has an important role to play as the Fourth Estate.

Giving these concerns, there is urgent need for building solidarities and alliances among journalists and other democratic groups.

Some of the steps should be urgently taken:



- Media should increase and improve coverage of gender and developmental issues.
- All benefits and employment rights of women journalists must be protected.
- Media organizations must incorporate gender justice and equity in all organizational policies.
- Media organizations and journalists should evolve and observe appropriate codes of ethics that are sensitive to gender and other critical issues.
- Organisations that protect the rights of media workers and institutions that uphold the independence and integrity of the media must be strengthened.

(Drafted by a team of volunteers, endorsed by all participants and presented at the valedictory function on the last day of the national workshop on/for women in Journalism, Delhi, January 2002)

#### **Responses of the participants on ‘Journalism Today’, at the meeting**

“It is business oriented and supports political parties for its survival. All newspapers are either in favor of government or in favour of opposition parties.”

“Journalism is just reporting news the way it is perceived by the owner. News that does not suit their particular business interests does not get reported. It is commercialized and money driven. It is a career and not a social cause.”

“It is getting more commercial and is not professional enough. Development issues are side-tracked.”

“Journalism is a combination of PR and copy and paste of one’s own earlier articles and other’s stories.”

“Journalism is today caught between the markets where globalisation’s influence has been all pervasive and ethics are considered old fashioned. Any new comer coming into the field with the idea of ethics, objectivity in reporting or editing has to simply forget them for a while. It is celebrity oriented and profit oriented profession.”

Journalism today is not a mission but a job that avoids topics that would lead to disputes and controversy.” Today’s Journalism has made trivia a fine art. However, what is surprising is that there is still a miniscule segment devoted to social justice, which indicates that we have not lost all our sense of social responsibility. Media has a crucial role to play here, a role that has been eroded by spin doctors, corporate, business interests and the prevailing communal politics.

A research study on ‘Media for Social Justice’ in urban area and rural area highlights the fact that 42% respondents from urban and 60% respondents from rural says that media has played a good role in helping poor and weaker section of society. 38.7% graduates from urban area and 68.75% graduates from rural areas opined that media plays an important role for social justice. 47.4% undergraduates from urban and 56% undergraduates from rural areas agreed that media has played a great role in helping poor and weaker sections of society in having access to justice. 58% in urban out of which 67.74% graduates and 42.1% undergraduates, 36% in rural out of which 68.75% graduates and 20.58% undergraduates and in aggregate 47% respondents said that media tends to sensationalise the news for commercial benefit rather than working for the cause of social justice. 48% in urban out of which 41.93% graduates and 57.89% undergraduates, 50% in rural out of which 50% graduates and 50% undergraduates and in aggregate 49% respondents opined that newspapers can play better role for the cause of social justice.

56% in urban out of which 61.29% graduates and 47.36% undergraduates, 42% in rural out of which 62.5% graduates and 32.35% undergraduates and in aggregate 49% respondents said that credibility of media has been effected by globalization and liberalisation.

44% in urban out of which 48.39% graduates and 36.84% undergraduates, 38% in rural out of which 62.5% graduates and 26.47% undergraduates and in aggregate 41% respondents opined that media educate people about their fundamental rights and human rights.

30% in urban out of which 41.93% graduates and 10.52% undergraduates, 10% in rural out of which 18.75% graduates and 5.9% undergraduates and in aggregate 20% respondents opined that a concrete media report can form the basis for filing a Public interest Litigation.

62% in urban out of which 58.06% graduates and 68.42% undergraduates, 90% in rural out of which 81.25% graduates and 94.11% undergraduates and in aggregate 76% respondents said that media gives political overtone to social issues.



72% in urban out of which 70.9% graduates and 73.68% undergraduates, 78% in rural out of which 81.25% graduates and 76.5% undergraduates and in aggregate 75% respondents opined that media has the capability to successfully mobilize the public opinion.

Media for social justice is a vast subject. Media in India consists of both good media and bad media. Here good media means the media which not only covers its cost and earn profits but also perform its social responsibility. This media is less biased and seldom give political overtone to social issues, whereas on the other side bad media also exists. This media focused on commercial benefits and political objective at the cost of public interests. Globalisation has powerful impact on media. It increases the competition to such an extent that it becomes difficult to survive missionary media. But Media is a great weapon through which the phenomenon of Social justice can be achieved. It has potential to serve the society and act as a watchdog of public rights and freedoms. News Reports have shown tremendous result in providing justice to those people who are denied the constitutional rights. For this purpose, it is necessary to point out good work done by the media and its potentials and capabilities to play more vital role in future.

#### **References**

1. Mishra O.P.: Public Interest Litigation and Our Rights, Allahabad: Dwivedi Publishing Company, 138 F/30, M.G. Marg, Civil Lines, First Edition 2003.
2. Sarkar S. K.: Public Interest Litigation and Public Nuisances, Allahabad: Published by R. P. Kataria for Oriental Publishing Company, 9 Lowther Road Dharbanga colony, First Edition 2002.
3. Rai. Kailash : Public Interest Lawyering, Legal Aid and Para Legal Survives Aalahabad: Central Law Publication 107 Darbanga colony, First Edition, 2001.
4. Sirohi J. P. S.: Public Interest Lawyering, Legal Aid And Para Legal Services Faridabad: Allahabad Law Agency, Mathura Road, First Edition 2003.
5. Web: [www.nwcindia.com](http://www.nwcindia.com).