

ANALYZING THE EFFECT OF MEDIA TRIALS ON THE PSYCHE OF THE MASSES

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INTRODUCTION

In today's world, news has its own life, which creates a huge news chain on a particular story or topic. Media is a platform that is reachable to the mass and is accessible almost anywhere in the world on a single touch with a smartphone in your hand. People believe what's shown to them on the news.

Media has always been a very powerful and strong pillar in our society. Media sometimes portray cases where in they pass judgements, these are so carefully watched and followed by the people of the country, and believed easily, without a question. Media, during these cases, often forgets the rule of "innocent till proven guilty" and makes their own assumptions. These assumptions cause an impact on the viewers mind as well, and the viewers also start believing the media's point of view, instead of waiting for the court's verdict. Such cases come under media trial, where a person is perceived as guilty or innocent, before or after a verdict in a court of law.

Nowadays media follows story on the basis of sensationalism, and this is the reality of the media industry today. The media houses are only considered about news that is worth "selling", and for raising their shows TRP. Media while conducting its "media trials" completely forgets that the victim or accused also has a right to privacy that is to be kept. The media forgets the basic ethical standards and guidelines of reporting when they get a sensational news and they start conducting their own media trials.

Media trial is more frequently seen during rape cases or family murder cases. The media start analysing their own facts and data, and start the media trial, for the whole nation to witness. Such was the media trial of Mr. Khurshid Anwar case, wherein a news agency had labelled him as a rapist without cross-checking facts or even listening to his version of the incident., which eventually resulted in him committing suicide. This case had raised many questions about how media should refrain from showing sensitive issues and on top of it putting people on media trial, before any charges against them have been proven.

KEYWORDS

Media trial, sensational, media, people, innocent, guilty, court, verdict, sell, privacy, impact, balance, media hype

REVIEW OF LITERATURE

Media in today's time is considered as one of the four pillars of democracy. Media is a powerful tool to spread news to the mass in the shortest period of time. But in today's world news is something that creates its own wave on a particular story or topic (Peter L.M. Vasterman). The nature of a particular news can easily distort a person's view of the world. With such frequent and huge waves of news pouring on the plate, people are becoming more reliable on the news and trusting them blindly. The news can either have a positive impact on the viewers mind or a negative impact. With the term "media trial" getting popular in the 20th and 21st century, there has been a clash between the opinions of those who favour the free, uncensored press and those who prioritize an individual's right to privacy and a fair trial (Navajyoti Samanta, University of Sheffield). During cases which have the public hooked up into them, the media is often accused of "provoking an atmosphere of public hysteria akin to a lynch mob" (Giddens, 'Introduction to sociology').

OBJECTIVES

The objective of this research is purely based on analysing the effect of media trials on the psyche of the masses and the effect that it created with the trial it conducted in and around the nation as a whole. During the Jessica Lal murder case, media had played a very important role as the reporting by media of the 'not guilty' verdict had created an intense outpour of protests and had forced the government to order a retrial for the case. But when the media comes into the accusation that they are playing the judge, jury and executioner, this is where the media goes a bit off the path and creates a misconception in the minds of the people. While the Constitution of India guarantees a fair trial, media by holding a media trial, violated the right of the individual being accused and leaves an impact on the psyche of the masses as well.

HYPOTHESIS

Media's obsession with sensation, with news that sells, with whatever feeds the bottom line ultimately is winning over notion of proportion or balance. Media's loss of sense of responsibility has resulted in causing a great impact on the psyche of the masses. We can see what impact a simple allegation that the media makes can do to an individual's reputation with the help of the case studies that will follow.

RESEARCH METHOD

Whether media trial is really benefitting or a misfortune to the people will be analysed by taking up three case studies and the role of media and sensationalism created by the media for those cases. The three cases studies would be on:

- 1) Aarushi Talwar murder case
- 2) Jessica Lal murder case
- 3) Tarun Tejpal case

AARUSHI TALWAR MURDER CASE

According to a journalist, Sandip Roy, "How not to report a murder – Aarushi Talwar case is a textbook example". In the year 2008, Noida and the country were shaking with the highlight of a double murder case in an apartment. The case arouses public interest as a whodunit story and was covered by the media immensely. The coverage of the media in no time became a sensational one and included slanderous allegations against Aarushi and the suspects, and many termed it as a trial by media. During the case. Six leading television news networks had devoted their prime time to this particular case.

According to the Centre of Media Studies (CMS)- six leading television networks had aired news and special programmes and discussions on this twin murder case for about 39.30 hours out of the total 92 hours of prime time, between May 16 and June 7. The report also stated that news channels like – Zee News, Star News, DD News, Aaj Tak, NDTV 24x7 and CNN-IBN- had casted about 234 news stories and about 62 special programmes and discussions during that particular period. Zee News had topped the list with a coverage of about 11 hours with about 48 reports and about 21 special programmes. According to Mr. Prabhakar, Head of CMS Media Lab, "The Aarushi murder case was overplayed. If you consider the time for advertisements, I wonder how much time was devoted to other stories."

The twin murder case had simply come under intense media scrutiny with the manner and grammar of coverage giving a rise to a debate on discussing about the limits of the media. The media, without a proper statement from the concerned authorities had been declaring suspects, making speculations about the murder case and had announced suspects as guilty and innocent. This was the reason this case came to be known as a media trial case. Aarushi's parents had been pronounced as guilty by the media long before the authorities have stated any statement, and while the investigation was still in progress. Media's constant pressure by creating a hype had forced the investigating officials of the CBI to approach the Supreme Court to pass a restraining order barring the media from any scandalous or sensational reporting on the case. Justice Altamas Kabir had asked the media to not sensationalise anything that would harm the reputation of anybody. But the case had caught so much of attention, that the news had been circling round on the internet. Meanwhile, television channels and print agencies used the techniques of "reconstruction" of the crime scene and incident to create hype and attract audience and readers to the issue.

Though the need to sensationalise the news had emerged from the need to remain relevant and crucial in the public domain, media had forgotten all the ethical norms of reporting and legal standards and had forgotten the difference between "in public interest" and "interest to the public". The first agenda is one which talks about the things that benefits the people and second one is one which is generally a part of hype and is used because the public finds it interesting. This category of news should be carefully chosen and properly and judicially presented. In this case as the news had been so sensationalised and as the media had declared the Talwars as guilty before the court's verdict, the entire nation had the same opinion. Media, through the hype, through constant news coverage of the issue had convinced the entire nation about the Talwars being guilty. With the verdict of the year 2017, where the Talwars were acquitted of their charge, will the perpetrators of the media trial, the media as whole, apologise to the Talwars? Will the reputation that the Talwars lost due to the media trial be given back to them?

JESSICA LAL CASE:

Trials in India are known for raising spontaneous outpouring of public angst. But with this case coming into the light even the judiciary was heavily criticized by everyone and accused of coming under the hands of the rich and powerful.

Jessica Lal, a struggling model was shot in a bar on the 29th of April in the year 1999 by a man named Manu Sharma. Now this Manu Sharma was the son of a powerful Congress politician and minister of Haryana, namely Venod Sharma. The investigation was said to be carried out shoddily and was thought to languish in the record room. The four witnesses were threatened and made

to change their statements in court, and the lawyer of Manu Sharma claimed that the prosecution and police were working together and creating false evidences to accuse Manu Sharma of the murder. As a result, the verdict came out as “not guilty”.

The verdicts created an immense uproar in the entire country, and thousands of people sent petitions to the President seeking for a retrial for the alleged miscarriage of justice. Backed up by the media, campaigns of “Justice for Jessica” started nationwide. TV shows like “No one killed Jessica” were aired. A magazine had also carried out a sting operation only to find out evidences that proved that the witnesses of the case had been bribed by Manu Sharma’s family. Another media house had already termed Manu as a murderer. A media house had also leaked a confession letter of Manu Sharma, recorder at the police station, wherein he had confessed to the murder of Jessica Lal. The question arises that from where and how did they actually receive the confession letter, because a confession letter written at a police station is difficult to obtain from by using legal measures. Though, with the help of media, the case went up for a retrial and Manu Sharma was proved to be guilty, but using the ethical standards and guidelines is also a must for the media. The media coverage in this case had brought out the public’s angst and out roar in the form of protests and petitions.

TARUN TEJPAL CASE

Tarun Tejpal was a journalist working for the magazine “Tehelka”. In the year 2013, a woman colleague had alleged that she had been sexually assaulted by Tarun Tejpal. In the month of November, 2013, the magazine had announced that Tarun would be stepping down from his editor post for 6 months. This had caused a huge controversy and had grabbed the attention of the media. A FIR against Tarun was also filed by the victim which included the charge of rape and a non-bailable warrant was issued against him. He was ultimately arrested on 30th November, 2013.

Now amidst all these reporting’s, one media house, namely, Times Now, had hit a new low in the quality of discussions held in a newsroom. The media house had released the CCTV footage of the elevator, that was being used as an evidence in the case, defying court orders and relevant statutory orders. The debate was aired with a sensational hashtag #TejpalTapes for social media. The media house kept on replaying the “never seen before” CCTV footage, where the panellists took turns in stacking Tejpal and the victim.

After a few days when the emails between Shoma Chaudhry, Tarun Tejpal and the victim were leaked, the media hounded the principal characters and their homes and families for about ten days. The media had reported this case heavily, and this case was shown during the most part of the prime time as well.

For this particular case, Supreme Court criminal lawyer Rebecca Mammen John had reminded the Times Now media organization that the trial court in Goa has stated that for a case which is in trial, proceedings will not be open to the public. This is to preserve the privacy of both the accused and the victim. She also stated that the video could not have been obtained by legal measures, and that they had interfered with the criminal trial. The panellists spoke without authority to represent the affected persons and have caused irreversible damage.

In this case, the victim was attacked by the panellists on the debate show and had caused an irreversible effect on her psyche. This case had also kept the people fixed on the screen and had put into their minds the dirt present in the media industry.

CONCLUSION

After going through the case studies, it is only evident that the media trials in our country have a strong impact on the psyche of the masses. The media trials usually lead to uproar in the entire nation and leads to the public coming out into the open and protesting against unfair verdicts. But what we need to keep in mind is that ever trial conducted by the media is not just and fair and it might not always be right. The media cannot always find the true culprits. Cases should be tried in the court of law, with all democratic rights to the accused to defend himself. The Fourth pillar of the democracy should only arise when there has actually been an unfair judgement passed like in the case of Jessica Lal murder case, but keeping in mind that there is only a certain limit to which they can put a person to a trial.

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