

Choking Journalism Choking Democracy: Navigating the Perils of Journalism in Contemporary India

Mr. Anand C

Assistant Professor in Political Science,
Department of Political Science,
St. Philomena's College (Autonomous),
Mysore-15

Abstract:

Democracy is 'government by public participation. **Vox populi Vox Dei** which loudly echoes as '**Voice of the people-voice of God**'. Media & Press have the power to reach out and directly influence the minds of average people. Democracy and Free-Press often should go hand-in-hand. Democracy thrives on the foundation of Journalism. Viewed as a savior of civil liberty, human dignity & rights, Journalism is often challenged by corporate-control of information, political influence, Ideological leanings, media trials, TRP-orientations, media bias, & decline in Professional standards. This seriously chokes the lungs of already 'asthmatic Democracy' in countries like India. This article critically examines the ground realities, victims and scape-goat journalists' desperate efforts saving Journalism in India. India's decline in the **World Press Freedom Index**, signals an alarming deterioration of media independence. This study is crucial since the United Nations' **Sustainable Development Goals (SDGs)**, particularly **SDG 16**, aims to promote peaceful and inclusive societies. It also aims at having a relook at protective laws & their operational realities for the Journalists. This effort aims at focusing on issues & challenges engulfing Journalism, Press independence and aims at suggesting solutions for the better health of world's largest democracy-India's fourth pillar.

Key words: Free Press, Democracy, Sustainable Development Goals (SDGs), Journalism, World Press Freedom Index.

Introduction

The present is the gift of the past. The human society has time and again tasted many medicines to cure the ills of social well-being in the form of various isms like Nazism, Fascism, Individualism, Capitalism, Socialism, Neo-liberalism, etc but presently Democracy is widely accepted as the **aspirin** to and **social band-aid** by majority nations to meet this requirement. Further Democracy is closely linked to the **Sustainable Development Goals (SDGs)**, particularly **SDG 16**, which aims to promote peaceful and inclusive societies.

India, the world's largest democracy, has long been celebrated for its electoral system and robust democratic institutions. However, recent concerns over the **erosion of civil liberties**, suppression of dissent, and majoritarian politics have led many to question whether India's democracy is faltering. India is ranked as a '**Flawed Democracy**' by the **Democracy Index Report of 2017**. Reports of **Press freedom violations**, the crackdown on NGOs, and the use of **draconian laws** to target activists have raised red flags both domestically and internationally.

International Democracy Day on **September 15th**, following a United Nations General Assembly resolution passed in 2007, global observers often highlight India's challenges while urging for reforms to protect freedom of speech, uphold judicial independence, and ensure the protection of minority rights.

International Democracy Day serves as a reminder that '**Democracy**' needs to be nurtured & protected at any cost. **International Democracy Day aims to:**

1. **Raise awareness** about the importance of democratic governance.
2. **Encourage the protection and promotion of human rights**, including the right to vote, freedom of speech, and freedom of the press.
3. **Promote the inclusion of marginalized groups**, ensuring that democratic processes are representative of all citizens.
4. **Highlight the role of institutions** that uphold the **rule of law** and safeguard democratic principles

The **Democracy Index**, published annually by the **Economist Intelligence Unit (EIU)**, serves as a global measure of democratic health. The index evaluates countries based on five key categories:

1. Electoral process and pluralism
2. Functioning of government
3. Political participation
4. Political culture
5. Civil liberties

The **Economist Intelligence Unit (EIU)** classifies democracies into **three** main categories:

1. **Full Democracies:** Countries where civil liberties and fundamental political freedoms are fully respected. There is a strong rule of law, independent judiciary, and effective government functioning.
2. **Flawed Democracies:** Nations with free elections and basic civil liberties, but issues like media freedom restrictions, weak governance, or low political participation may exist.
3. **Hybrid Regimes:** These are a mix of democratic and authoritarian traits, such as limited political pluralism and significant issues in governance or civil liberties.

According to the 2016 Democracy Index published by the **Economist Intelligence Unit (EIU)** almost one-half of the world's countries can be considered to be democracies of some sort, but the number of "full democracies" has declined from **20** in 2015 to **19** in 2016. While the country has free elections and some respect for civil liberties, it faces challenges such as restrictions on media freedom, issues in political participation, and weaknesses in governance. This index classifies India under "**flawed democracies**," reflecting challenges such as restrictions on press freedom, political participation, and civil liberties. India's ranking has shown some improvement in recent years, but the nation continues to face criticisms regarding its democratic performance.

According to the **2014 Democracy Index** published by the **Economist Intelligence Unit (EIU)** India ranked 27th out of 167 countries with a score of 7.92. This ranking placed India among the "flawed democracies," a category it has remained in since then. The high score was attributed to strong political culture and functioning of government²⁴.

According to the **2015 Democracy Index** the score fell to **7.68**, reflecting concerns over civil liberties and political participation following the election of the Modi government. The decline indicated growing discontent regarding civil rights²⁴.

According to the **2016 Democracy Index** India's score saw a **slight recovery to 9.12** in terms of political culture, but overall, the democracy score remained under pressure due to ongoing issues with civil liberties and governance²³.

According to the **2017 Democracy Index** the score further declined to around **7.35**, indicating a continued deterioration in civil liberties, which became a significant concern during this period. By this time, India was increasingly viewed as an "electoral autocracy" due to restrictions on freedoms and political dissent

Freedom of Press Index: A Pillar Under Siege?

A key component of Democracy is the free flow of information. The **World Press Freedom Index**, compiled by ‘**Reporters Without Borders**’, assesses countries based on press freedom, including the safety of journalists and media pluralism. In the **2017 Democracy Index**, India was ranked 42nd out of 167 countries, with an overall score of 7.23. This ranking classified India as a **flawed democracy**, reflecting ongoing challenges in civil liberties and political participation despite a relatively robust electoral process and political culture, paints a dismal picture of the state of press freedom. India's media ecosystem is increasingly concentrated in the hands of a few corporate conglomerates with political affiliations.

In India, high-profile television news channels have been criticized for sensationalism and aligning with specific political parties. Studies published in *The Hindu* indicate a stark division between ‘**Left-leaning**’ and ‘**Right-leaning**’ media, which distorts public perception and compromises objective reporting. The role of the press as the “**Fourth Estate**” thus becomes compromised when media outlets exhibit partisan behavior, amplifying the voices of the elite rather than the marginalized.

The rise of online disinformation campaigns and ‘**troll armies**’, often linked to political parties, has further eroded the space for reasoned debate. Social media platforms like **Twitter** and **Facebook** are flooded with coordinated attacks against those critical of the government, creating a hostile environment for free speech.

Many governments have stepped up their control over social media and the internet, restricting access, blocking accounts and suppressing messages carrying authentic information. Leaders of the Opposition are locked up, Enforcement Directorate, Central Bureau of Investigation, Income Tax department and other probing governmental institutions are used, misused and abused by the party in power to snub opposition which is considered as a ‘**Watchdog of Democracy**’. A series of Income Tax raids and financial investigations targeted media houses like NDTV (2017) is said to be politically ill-motivated. Social media platforms like Twitter, Facebook were pressurized to block or censor critical voices. One of the most significant tools for suppression of writers, journalists has been the use of **Sedition laws** and defamation suits. **Section 124A** of the **Indian Penal Code (IPC)** has been frequently sued against journalists. Arrest of a journalists by **National Security Act (NSA)**, sparked widespread criticism.

‘*From Ink to blood-The dark-The Dark Reality of Reporting in India*’

- ❖ In recent years, journalists have faced arrests under sedition laws or been labeled as “**anti-national**” for critical reporting on the government.
- ❖ A professor from Kerala, Newman College at Thodupuzha in Idukki district **TJ Joseph’s right hand was chopped off** by a group of activists of the Popular Front of India (PFI) on July 04, 2010.
- ❖ **Jyotirmoy Dey**, a crime journalist for Mid-Day, Dey was shot dead in Mumbai on June 11, 2011. His murder was linked to organized crime and he had reported extensively on the underworld. Chhota Rajan, a gangster, was later convicted for ordering the hit.
- ❖ Jyotirmoy Dey was murdered as part of a conspiracy involving **organized crime figures** due to his investigative reporting on criminal activities in Mumbai.
- ❖ Another brutality was that of a **freelance journalist Chandrika Rai** and his family were brutally murdered in Umaria, Madhya Pradesh, in February 2012. Rai had reported on coal mining mafias, and his death raised questions about the safety of journalists covering organized crime.
- ❖ A reporter for Deshbandhu, **Sai Reddy** was stabbed to death in December 2013 in Chhattisgarh after reporting on local issues related to **corruption and illegal activities**.

- ❖ **Rakesh Sharma** a senior reporter for Aaj, was shot dead in Etawah, Uttar Pradesh, in August 2013. His reporting on **illegal gambling** operations was believed to be the motive behind his assassination.
- ❖ An anti-superstition activist and editor of the magazine Sadhana, **Narendra Dabholkar** was shot dead on August 20, 2013, while out for a morning walk in Pune. His murder was connected to his **efforts against religious extremism**.
- ❖ A rationalist and leftist leader, **Govind Pansare** was shot dead on February 16, 2014, while returning home from a morning walk in Kolhapur. His assassination drew attention to the threats faced by intellectuals and activists in India.
- ❖ Journalists investigating the exploitation of natural resources by the sand mafias or other networks involved in mining have often been the victims of violent reprisals during the past ten years. One of the first was **Jagendra Singh**, a freelancer who died in June 2015 from the serious burns he sustained during a police raid. He had been working on a case of illegal sand mining involving the chief minister of the northern state of Uttar Pradesh. Social media journalist **Jagendra Singh**, in his dying declaration, which was video recorded moments before he breathed last, had claimed that he was burnt by the local police at the behest of a minister from Uttar Pradesh, for writing against him. A woman who was allegedly gang-raped by a Minister and his friends, whose cause later Jagendra took up on social media for which allegedly he was subsequently attacked. Cops reportedly barged into the journalist's house to warn him for writing against the Minister.
- ❖ **Sudeendra Kularni** was publicly inked & humiliated by the alleged Shivsena members in Mumbai during the release of a book '*The Hawk & the Dove*' is another nail to the coffin of Democracy. (**Hindustan Times Oct 12, 2015**)
- ❖ **Perumal Murugan** a leading Indian author from Tamil Nadu, gave up writing after protests against his writings especially against his novel '*Madhorubagan*'. which was burnt by irate local caste-based groups in Tamil Nadu. In 2015, the **Booker Prizes website** said, "**Murugan declared himself dead**".
- ❖ A Kannada scholar and rationalist, **MM Kalburgi** was murdered on August 30, 2015, in Dharwad, Karnataka. His killing was seen as part of a broader pattern of attacks against those **challenging superstition and religious orthodoxy**.
- ❖ In 2016, *Jansandesh* Times reporter **Karun Misra** was murdered in Uttar Pradesh and *Hindustan* reporter **Ranjan Rajdev** was killed in the northeastern state of Bihar. Both were shot dead by hitmen motorcycles as a result of their work on illegal mining activities.

The 15 other journalists murdered in connection with their journalism since 2014 were targeted for working on stories linked to corruption, organised crime, elections and a Maoist insurrection. One of the many fatal victims was a woman. It was **Gauri Lankesh**, who worked on disinformation. She was gunned down outside her home in Bangalore in September 2017 after being subjected to very violent **online harassment** by far right networks linked to the ruling party.

A journalist with Hindustan, **Rajdeo Ranjan** was shot dead in Siwan, Bihar, on May 13, 2016. He had reported on local crime and political corruption, and his murder raised concerns about the safety of journalists in small towns.

At least 13 of the 28 journalists killed since 2014 were working on environmental-related subjects, mainly land seizures and illegal mining for industrial purposes. Several were killed for taking an interest in India's so-called sand mafia, an organised crime network that excavates sand illegally for the country's booming construction industry. Closely linked to politicians and often protected by them, the mafia is quick to silence

journalists who take too close an interest in its activities, and does so with complete impunity- **Reporters Without Borders**.

“It is alarming to see that half of the journalists murdered in the past ten years were investigating environmental issues, often linked to the activity of criminal groups, mafias that maintain strong links with local authorities and enjoy almost total impunity for the crimes of violence they commit against journalists to protect their financial interests....” opined **Célia Mercier, Head of RSF’s South Asia desk**.

As of 2017, according to the **National Crime Records Bureau (NCRB)**, a total of **28 journalists** had been killed in India since 2014. This figure highlights the increasing dangers faced by journalists in the country, particularly in the context of rising violence and political repression.

The statistics underline the critical need for enhanced protections for journalists in India to ensure their safety and uphold press freedom.

Olive Branch but no Holders:

The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 & 1958 is a significant legislative framework in India aimed at regulating the working conditions of journalists and other employees in newspaper establishments. **‘Working Journalist’** is a person whose principal vocation is journalism and who is employed in a newspaper establishment in various roles such as editor, reporter, or photographer. This legislation aims to ensure fair treatment, adequate pay, and reasonable working conditions for journalists, recognizing their crucial role in society as informers and watchdogs.

A significant criticism of this Act is the **non-inclusion of journalists** working in **electronic media** within its definition. This exclusion has been argued to violate **Article 14** of the Indian Constitution, which guarantees equality before the law, highlighting a gap in protection for all media professionals.

Background of the Study:

The relationship between journalism and democracy is foundational to the functioning of a free society, encapsulated in the adage "Vox populi, Vox Dei," which translates to "the voice of the people is the voice of God." This principle underscores the critical role of media and press in shaping public opinion and facilitating democratic participation. In India, a nation characterized as the world's largest democracy, the interplay between journalism and democratic values is increasingly under threat.

❖ The Role of Journalism in Democracy

Journalism serves as a guardian of civil liberties, human dignity, and rights, providing a platform for public discourse and accountability. It is often viewed as the fourth pillar of democracy, essential for ensuring transparency and holding power to account. However, the current landscape of journalism in India reveals significant challenges that impede its ability to fulfill this role effectively.

❖ Challenges Facing Journalism in India

The decline in India's rank on the World Press Freedom Index—from 133rd out of 180 countries in 2016, signals a troubling trend regarding media independence and freedom. Factors contributing to this decline include:

1. Corporate Control: Increasing corporate influence over media outlets compromises journalistic integrity and objectivity.

2. Political Pressure: Journalists face intimidation and censorship from political entities seeking to control narratives.

3. Ideological Biases: Media outlets often exhibit biases that align with specific political or corporate interests, undermining impartial reporting.

4. TRP-Oriented Reporting: The focus on television ratings can lead to sensationalism rather than substantive journalism.

5. Professional Standards Decline: The erosion of ethical standards among journalists further complicates their role as watchdogs.

These challenges collectively suffocate the democratic process, constraining public discourse and limiting citizens' access to unbiased information.

Implications for Democracy

The deterioration of press freedom poses serious implications for democracy in India. A well-functioning democracy relies on an informed electorate capable of making decisions based on accurate information. When journalism is compromised, it not only affects public perception but also undermines democratic governance itself.

❖ Press Freedom in India

The state of press freedom in India has been increasingly alarming, characterized by a concentration of media ownership within a few corporate conglomerates often aligned with political interests. This consolidation has led to a media landscape where high-profile television channels are frequently criticized for sensationalism and bias towards specific political parties. Studies indicate a stark ideological divide between "Left-leaning" and "Right-leaning" media, distorting public perception and undermining objective reporting.

❖ Challenges to Independent Journalism

The rise of online disinformation campaigns and organized trolling, particularly linked to political factions, has further eroded the space for reasoned debate. Social media platforms like Twitter and Facebook have become battlegrounds for coordinated attacks against dissenting voices, creating an environment hostile to free expression. Governmental control over social media is also escalating, with authorities restricting access and censoring critical narratives.

Moreover, the misuse of institutions such as the Enforcement Directorate and Central Bureau of Investigation against opposition leaders exemplifies the suppression of dissent. The targeting of journalists through income tax raids—such as those against NDTV in 2017—illustrates the politically motivated harassment faced by media entities.

❖ Legal Repression

The legal framework surrounding journalism in India poses additional threats to press freedom. Sedition laws and defamation suits have been weaponized against journalists, stifling critical voices. Section 124A of the Indian Penal Code has been frequently invoked against those who challenge governmental authority. High-profile cases, including the arrest of journalists under the **National Security Act**, underscore the shrinking space for independent journalism.

❖ Violence Against Journalists

The physical safety of journalists is another pressing concern. Since 2010, there has been an increase in violence against journalists questioning political narratives or investigating corruption. The murder of journalists and other targeted killings highlight the risks faced by those who dare to report on contentious issues. The alarming trend extends to environmental reporting, where journalists investigating illegal mining activities have faced violent reprisals.

The Need for Reform

Given these alarming trends, this study emphasizes the necessity for reform in protective laws governing journalism. It seeks to explore operational realities that journalists face and advocates for measures that can enhance press freedom. This aligns with the United Nations' Sustainable Development Goals (SDGs), particularly SDG 16, which aims to promote peaceful and inclusive societies through access to information and protection of fundamental freedoms.

Methodology:

By employing a mixed-methods approach that combines qualitative insights with quantitative data analysis, this study aims to provide a nuanced understanding of the complex relationship between journalism and democracy in contemporary India. The findings will contribute to ongoing discussions about safeguarding press freedom as an essential component of democratic governance.

1. A thorough literature review will be conducted to gather existing research on: The relationship between journalism and democracy, the evolution of press freedom in India, particularly in the context of the World Press Freedom Index, Case studies highlighting incidents of media bias, censorship, and violence against journalists. This review will help contextualize the findings of this study within the broader academic discourse on media freedom and democratic governance.
2. Qualitative Analysis-Case Studies will include detailed case studies of specific incidents involving journalists who have faced repression or violence. Key cases may include, the arrests and legal challenges faced by journalists under sedition laws, High-profile murders of journalists and their implications for press freedom, instances of corporate or political influence on media coverage. These case studies will provide insights into the real-world implications of systemic challenges within the media landscape. World Press Freedom Index rankings over time. Statistics on journalist arrests, attacks, and murders from organizations like CPJ and RSF. Data on media ownership concentration and its correlation with political affiliations.
3. Content Analysis: A content analysis will be conducted on selected media outlets. This analysis will involve coding news articles and broadcasts for themes related to bias, sensationalism, and diversity of perspectives.
4. Policy Analysis: The study will also include an examination of existing laws and regulations affecting journalism in India, focusing on, Sedition laws and their application in recent cases.

Objectives of the Study:

- ❖ To Analyze the Current State of Press Freedom: Examine the decline in press freedom in India, as reflected in the World Press Freedom Index, and assess its implications for democracy and public discourse.
- ❖ To Identify Challenges Faced by Journalists: Investigate the various challenges and threats journalists encounter in India, including political interference, corporate control, media bias, and safety concerns.
- ❖ To Explore the Impact of Media Bias on Democracy: Assess how media bias influences public opinion and political behavior in India, particularly regarding government accountability and citizen engagement.

- ❖ To Evaluate Legal Protections for Journalists: Critically analyze existing laws and regulations aimed at protecting journalists in India, identifying gaps and suggesting reforms to enhance their safety and independence.
- ❖ To Propose Solutions for Strengthening Journalism: Develop actionable recommendations to improve the health of journalism in India, focusing on promoting press freedom, enhancing professional standards, and fostering an environment conducive to independent reporting.

Suggestions:

The first amendment to the US Constitution was about encouraging the Press Freedom whereas the first amendment to the Indian Constitution was imposing 'Reasonable Restrictions' on the Press freedom which convinces reader that since the dawn of the Indian Constitution, Press Freedom is under siege.

The Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 & 1958 needs to be reviewed. In order to encourage free & fearless Press, this Act needs to be insulated with similar provisions & privileges as that of laws like 'Working Women Rights' or what is popularly known 'Vishaka Guidelines'. **Inclusion of journalists working in electronic media** within its definition needs to be relooked. **Repeal or Amend Draconian Laws:** Sedition laws (Section 124A) and the Unlawful Activities (Prevention) Act (UAPA) that are frequently used to suppress press freedom and target journalists should be repealed or amended to protect freedom of expression.

Encourage **independent digital journalism** by providing **tax incentives** for independent news platforms and **grant funding** for investigative journalism projects.

Implement the **Data Protection Bill** with stronger safeguards for protecting citizen data and ensuring that voter databases (like Aadhaar) are not misused for political purposes.

Voter Education and Engagement: Conduct extensive voter education programs to encourage higher political participation, particularly among marginalized groups. These efforts should focus on explaining the role of AI in elections, how to detect disinformation, and the importance of civil liberties.

Strong **Independent & Impartial Judiciary & Judicial Activism** in letter & in spirit is the need of the hour.

Conclusion

Democracy is more than just a form of governance; it is a culture that must be nurtured through constant vigilance and reform. The realities exposed in India's ranking on the **Democracy Index** and **Freedom of Press Index**, and killings of journalists suggest that India's democracy is at a critical juncture of Intensive Care Unit (ICU). The role of the press as the "**Fourth Estate**" thus becomes compromised when media outlets exhibit partisan behavior, amplifying the voices of the elite rather than the marginalized. While the myth of a flawless democracy persists in rhetoric, the realities paint a more complex, often troubling picture. It seems that Indian Democracy is on ventilator and need of immediate care. Policymakers, civil society, and the public must work collaboratively to uphold the core democratic principles that India was founded upon. Without these efforts, the gap between the myth and reality of democracy may only widen further.

If left unchecked, the darker side of political polarisation could erode the very foundations of journalism & democracy in India. Enlightened & Educated Popoular support can add huge impetus to Journalism & Journalists. '*Yatha Raja,thata Praja,Yatha Praja,thata Madhyama*'.

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