

Ethics of Media

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Abstract

Very often, the media is labeled as the fourth pillar of democracy along with the legislature, the executive and the judiciary. The population generally banks on the media to be unbiased, accurate and fair and report the whole truth without having an agenda of its own. They expect the news houses to not be affiliated to any political party so that the news they present is not manipulated in favor of a group of individuals. Media is a social institution which is time and again responsible for changing and altering societies, mindsets, beliefs, opinions, attitudes, and ways of thinking of various social groups such as families and individuals. It acts as a bridge between the people and the ones in positions of power, questioning the latter and bringing them into a forum of discussions and debates. In my essay, I am going to primarily focus on the journalism as well as the advertising side of mass media in India and attempt to analyse the challenges facing them.

Keywords: Mass Media, Journalism, Advertising, Ethics

The privatization of media has led to media being deeply entwined with the everyday lives of the public. With so much power in its hands, the media has a duty to safeguard and ensure that the best interests of the people are always given the topmost priority. It acts as a protector as well as a motivator of the people. As it is said before, ‘Absolute power corrupts absolutely’, anyone with so much unadulterated power often tends to forget about his or her duties and obligations towards the public. The fundamental right of ‘free speech and expression’ is inscribed in the Indian constitution, but one must not forget that the media has the power to make or break an institution, individual, culture, school of thoughts etc. and therefore it has the responsibility to propagate true news rather than speculations and opinions. Due to so much power in its hands, the media must be brought under a system of check and balances, or it might have an adverse effect on the society.

It is very common for the media to sensationalize a piece of news or publish fake news or take part in phenomena called paid news and trial by media. With so many excesses committed by the media loses its credibility in the eyes of the public.

The media houses might use various unfair means to collect their information, and this can lead to the invasion of the right to privacy of an individual and misrepresentation and manipulation of the information. A very common process through which the media houses gather information is something called the ‘sting operation’. Broadcast channels like “Tehehka” and “Live India” use this to collect information. The process involves setting up hidden cameras to expose the corruption and other wrong deeds of people in positions of power. To sell the story, the channel often projects false allegations by making videos of fake ‘sting operations’ in which the reporter's acts make it seem real (Economic and Political Weekly, 2007-2008). These fake ‘sting operations’ make the person who is actually the victim,

a real-life villain in the eyes of the public. It destroys their social lives, their self-respect, their dignity and means to earn a livelihood.

One such case is that of Delhi based schoolteacher, who was falsely accused of forcing a student into sex work by the news channel “Live India” on 30 August 2007 (Economic and Political Weekly, 2007-2008). As a result, the teacher was dismissed from work and assaulted by protesters (Ravi Bajpai, 2007). Later it came to light that all this was a conspiracy against the teacher by the reporter and a businessman. The High Court of Delhi ruled in favor of the teacher and quoted a decision of the Supreme Court of the United States of America which said that “in their zeal to enforce law, law protectors must not originate a criminal design, implant in an innocent person’s mind a disposition to commit a criminal act, and then induce commission of the crime so that the government may take up a prosecution” (Economic and Political Weekly, 2007-2008). The teacher was given justice but the disrespect and harm she suffered through the hands of the public due to this false report cannot be awarded back to the victim. In the above-mentioned case, the media along with falsely reporting the facts also decided that the teacher was a criminal. In other words, the news channel without waiting for the trial to begin in the court labeled the teacher as an offender and therefore completely ignored the fundamental rule of ‘innocent until proven guilty’. ‘Sting operations’ and trial by media is often justified on the grounds that the media has the responsibility to bring the corrupt as well as the criminal into front of the public when the executives are unable to do the same (Economic and Political Weekly, 2007-2008). These processes are heavily criticized by the judiciary as it disrupts the due course of law.

The credibility of media depends on them delivering right facts and full truths to the people. The phenomenon of ‘paid news’ is a big black spot on the reputation of the media houses. The Press Council of India defines ‘paid news’ as any news or analysis appearing in print or electronic media for consideration in cash or kind (Nayantara Narayanan, 2015). The phenomenon started in 1991 when the Indian economy was opened to the world. The corporate houses gave money to various journalists to print partial and half-truths so that they could be listed in the stock market (Nayantara Narayanan, 2015). Today the phenomenon is generally used by various political parties and politicians to defame their political rivals and tries to influence and polarize the Indian electorate for their own benefit. The case of the ‘Radia Tapes’ in which the Directorate General of Investigations of Income Tax discovered tapes of conversation between Nirra Radia, a lobbyist for big corporate houses, journalists, politicians, and ex-bureaucrats related to the 2G scam between 2007 and 2009 (B. S. Arun, 2010). This case was not only an embarrassment for the then UPA government, but it also delegitimised the media in the eyes of the people. Sensationalism in mass media is another issue that acts as a hindrance to the dissemination of news. The Oxford Dictionary defines sensationalism in mass media as “The use of exciting or shocking stories or language at the expense of accuracy, in order to provoke public interest or excitement” (Breanna Ebisch, 2019). The biggest problem with this phenomenon is that the media houses circulate partial truths, false news and exaggerated facts to increase their readership and ratings and to incite a public reaction. A lot of times these reactions are negative.

Another side of mass media is the advertising sector. It covers varied goods and services like property, education, cars, electronics, furniture, clothes, watches, shoes etc. The Advertising Standards Council of India is the institution responsible to regulate the ads published in both print as well as the electronic media. It ensures truthfulness, honesty of representation and claims made in ads and to safeguard against misleading advertisements and promotion of hazardous products (Shodhganga). I am going to focus on the beauty and skincare industries. The question that arises here is whether the makers of these

advertisements have a moral duty to not showcase ads which set impossible standards of physical and superficial beauty for both men and women and sexualize and objectify people especially women.

Fairness products have always been a huge part of our society. Both men and women are told that being fair is desirable and as a result anyone with a darker complexion is made to feel less than. The population, especially the youth is told to aspire to the above-mentioned beauty standards as it goes hand in hand with success in both professional as well as personal spheres of their lives. The ads showcasing such products generally consist of a woman or a man who is unhappy and all their problems are somehow connected to their skin complexion. The product is recommended to them by their friends and the results are uncanny. All their problems are solved due to their use of this particular fairness product, and they ultimately are successful and happy in their lives. Ads like these not only lowers the self-worth of young males and females with different skin colors but also gives birth to a society which is intolerant and discriminatory towards anyone who is not fair. It basically tells them that anything other than fair is not acceptable and therefore you are not adequate or sufficient. Similar is the case with the ads of weight losing as well as weight gaining products. Both of these showcase problematic opinions like being on the heavier side or being too thin is the main reason behind the failure of people in all the spheres of life. In such ads people are fired or not hired because of their weight and the only way to be happy and prosperous is to either lose or gain weight. This has an adverse effect on the thinking and the mindset of the society. This systematic process of body shaming in mainstream media has negative consequences such as self-doubt, depression, etc. in young people. One can never forget the ads of 'Fair & Lovely' and 'Endura Mass'. These have a deep impact on the psyche of the population.

Objectification of women is another important issue facing the advertising sector. Ads of motor vehicles, alcohol, shaving accessories, etc. more often than not use women as props. They are usually dressed in skimpy outfits and are excessively sexualized. Their work is to appreciate the men in the ads in different ways and they are seen as trophies who are simply in the ad to convey that they are the possession of the men. Their roles have neither character nor any weight. The ads of the company "Gillette" are a great example.

In conclusion, after all the research the main question that arises is whether the mainstream media has a moral code of conduct which prohibits them from showcasing things which are problematic by their very nature and has an adverse effect on the mindset and thinking of the people. It is no doubt that the media houses have an ethical duty to display only the truth and solid facts to the public but with so much power in their hands they very successfully impose upon this duty. This code of ethics is very rarely enforceable by law due to which the wrongdoers often go scot free. The media houses justify the misrepresentation and distortion of knowledge and information by the right of free speech and expression, but one must not forget that their rights are not admissible if it infringes upon the rights of the others. The media should also be careful to represent the society as a whole rather than speak for a part of it. Failing to do so leads to alienation of people with particular social or political attributes which damages the main essence of media. It should also realize that most of the population looks up to it and therefore it is the media's responsibility to not degrade the worth of a human being by simply rejecting to accept some people with a particular physical trait. The media should also particularly distinguish between facts and opinions as one can never underestimate the mob spirit of the population. If one person believes that the opinion of a person is fact, then there is no guarantee that others will not do the same. This can have a bad impact on the population as seen in the case of the Delhi based schoolteacher. The media by the nature of its very existence has the privilege of right to question but it is also one of the sole informers of the people and

therefore it cannot lose sight of its privileges, duties and obligations. But the media has also very successfully helped in bringing justice to many people. Some criminal cases which have benefitted due to its intervention are the Jessica Lal case, Priyadarshini Mattoo case and Bijal Joshi rape case. It also plays a huge part in the optimal and efficient functioning of the government as it questions the officials and holds them accountable for their doings, both good and bad. It increases awareness in people about many social and governmental policies, diseases etc. In recent times the media has been very brave, even during the global pandemic of Novel Coronavirus. It did not stop working and had gone to the ground to bring us news and information about the virus. It has also helped in curbing the spread of the Novel Coronavirus by displaying ads mentioning how to protect oneself from the virus.

The media has always been an integral part of the public's everyday lives. It provides us news and recreation even during the darkest times faced by the country. For the longest time, it has been a necessity in the lives of the people and will continue to remain the same.

Autobiography

Ishita Sinha is a final year law student currently doing her B.A. LL. B. course from O. P. Jindal Global University.

References

News Articles

1. B. S. Arun, 2010. "Radia tapes: Scandal in the media." *Deccan Herald*, November 27, 2010.
2. <https://www.deccanherald.com/content/116306/radia-tapes-scandal-media.html>.
3. Ravi Bajpai, 2007. "TV sting shows schoolteacher in 'porn racket'." *hindustantimes*, August 31, 2007.
4. <https://www.hindustantimes.com/delhi/tv-sting-shows-schoolteacher-in-porn-racket/story-QZIVeU8HGeInhcp0sq8kIM.html>.
5. Manoj Kumar Borthakur, 2019. "Paid News: Threat to media credibility." *Northeast Now*, April 7, 2019.
6. <https://nenow.in/north-east-news/paid-news-threat-to-media-credibility.html>.
7. Breanna Ebisch, 2019. "Why sensationalized news stories are damaging to society." *The Beacon*, April 16, 2019.
8. <https://www.thewilkesbeacon.com/opinion/2019/04/16/why-sensationalized-news-stories-are-damaging-to-society/>.
9. Kumar, Akanksha. 2018. "Radia Tapes: How One Woman's Influence Peddling Led to a Snake Pit." *the quint*, February 2, 2018.
10. <https://www.thequint.com/explainers/what-are-niira-radia-tapes-explained>.

Journal Articles

12. Economic and Political Weekly. December 29, 2007-January 4, 2008, "Media Sting." *Economic and Political Weekly* 42, no. 52: 7.
13. <https://www.jstor.org/stable/40277115?Search=yes&resultItemClick=true&searchText=media&searchText=trial&searchText=india&searchText=trial&searchText=by&searchText=media&searchUri=%2Faction%2FdoAdvancedSearch%3Fq0%3Dmedia%2Btrial%26amp%3Bf0%3Dall%26amp%3Bc1%3DAND%26amp%3Bq1%3Dindia%26amp%3Bf1%3Dall%26amp%3Bc2%3DAND%26amp%3Bq2%3Dtrial%2Bby%2Bmedia%26amp%3Bf2%3Dall%26amp%3Bc3%3DAND%26amp%3Bq3%3D%26amp%3Bf3%3Dall%26amp%3Bc4%3DAND%26amp%3Bq4%3D%26amp%3Bf4%3Dall>

26amp%3Bc5%3DAND%26amp%3Bq5%3D%26amp%3Bf5%3Dall%26amp%3Bc6%3DAND%26amp%3Bq6%3D%26amp%3Bf6%3Dall%26amp%3Bacc%3Don%26amp%3Bla%3D%26amp%3Bsd%3D%26amp%3Bed%3D%26amp%3Bpt%3D%26amp%3Bisbn%3D%26amp%3Bgroup%3Dnon e&ab_segments=0%2Fbasic_SYC-5152%2Fcontrol&refreqid=search%3Ac5b8192462d3ed259421efac6b9bd9a5&seq=1#metadata_info_tab_contents.

Websites

1. Alok. 2013. "Paid News in the spotlight." *PRS Legislative Research*, June 3, 2013.
2. <https://www.prsindia.org/theprsblog/paid-news-spotlight>.
3. Lawteacher. 2018. "Effect of Trial by Media Before Courts." February 2, 2018.
4. <https://www.lawteacher.net/free-law-essays/commercial-law/effect-of-trial-by-media-before-courts-law-essay.php>.
5. Narayanan, Nayantara. 2015. "Five ethical problems that plague Indian journalism." *Scroll.in*, March 19, 2015.
6. <https://scroll.in/article/714570/five-ethical-problems-that-plague-indian-journalism>.
7. Panneerselvan, A.S. n.d. "India: Boom-time for media but with a growing ethical deficit." *Ethical Journalism Network*,
8. <https://ethicaljournalismnetwork.org/resources/publications/untold-stories/india>.
9. UKESSAYS. 2016. "Paid News in India The Cases And Issues Media Essays." December 12, 2016.
10. <https://www.ukessays.com/essays/media/paid-news-in-india-the-cases-and-issues-media-essay.php>.
11. Research Papers
12. Shodhganga. n.d. "Media and Ethics."
13. <https://shodhganga.inflibnet.ac.in/bitstream/10603/70234/3/chapter1.pdf>.
14. Ray, G. N. "Media Ethics."
15. <http://presscouncil.nic.in/OldWebsite/speechpdf/Media%20Ethics%20at%20IIMC,%20Dhenkanal.pdf>.