

Derailing of Fourth Pillar of the Democracy and Future of Accountable, Transparent Democratic System

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Abstract:

The fourth pillar of democracy, often referred to as the "Press" or "Media," plays a crucial role in upholding the principles of accountability and transparency within democratic societies. This paper explores the challenges faced by the media in contemporary times, leading to the potential derailment of its vital role. In the age of rapidly evolving technology and information dissemination, traditional journalism faces numerous threats, including misinformation, political interference, and economic pressures. The first section of the paper delves into the historical significance of the fourth pillar and its evolution over time. It highlights the essential role of a free and independent media in fostering an informed citizenry, holding the government accountable, and acting as a watchdog against corruption and abuse of power. The second section examines the contemporary challenges that threaten the integrity of the fourth pillar. The rise of digital platforms, social media, and the proliferation of fake news have significantly impacted the credibility of traditional journalism. Political interference, censorship, and attacks on journalists further exacerbate the erosion of media independence. The third section explores the consequences of a weakened fourth pillar on the democratic system. Diminished media freedom can lead to reduced government accountability, increased corruption, and a decline in public trust. The paper argues that the erosion of the fourth pillar poses a direct threat to the foundations of democracy itself. The final section outlines potential strategies and prospects for revitalizing and safeguarding the fourth pillar. This includes the promotion of media literacy, regulatory frameworks to counter misinformation, and international collaboration to protect journalists and media freedom. Additionally, fostering a diversified and sustainable media landscape is crucial for ensuring the continued vibrancy of the fourth pillar. In conclusion, this paper emphasizes the critical importance of a robust fourth pillar in sustaining a healthy democratic system. It calls for collective efforts from governments, civil society, and the media industry to address the challenges and preserve the essential role of the media in promoting accountability, transparency, and a well-informed electorate. Only through concerted action can we hope to secure the future of a democratic system built on the principles of an independent and responsible press.

Keywords: Democracy, Media, Accountability, Society, Journalism, Corruption, Government.

1. Introduction:

The fourth pillar of democracy, commonly known as the "Press" or "Media," serves as a cornerstone in the edifice of democratic governance, playing a pivotal role in upholding the principles of accountability, transparency, and informed citizenry¹. A free and independent media is essential for fostering a thriving democracy, acting as a watchdog that scrutinizes the actions of the government, informs the public, and ensures checks and balances in the political system. However, in the contemporary landscape marked by rapid technological advancements and evolving societal dynamics, the fourth pillar faces an array of challenges that threaten to derail its fundamental role².

This paper aims to explore the challenges encountered by the fourth pillar of democracy in today's context and assess the potential consequences of its derailment on the broader democratic system. From the historical evolution of the media's role to the present-day challenges of misinformation, political interference, and economic pressures, we will examine the multifaceted issues eroding the integrity of this crucial democratic institution.

The historical perspective will shed light on the origins and evolution of the fourth pillar, emphasizing its foundational role in shaping democratic ideals. Subsequently, the paper will delve into the contemporary challenges faced by the media, such as the advent of digital platforms, the rise of misinformation, and increasing political pressures. These challenges, if left unaddressed, have the potential to compromise the very essence of a democratic system.

Furthermore, this paper will investigate the broader consequences of a weakened fourth pillar on the democratic framework. A compromised media can lead to diminished government accountability, a decline in public trust, and an environment conducive to corruption and abuse of power. Understanding these implications is crucial for comprehending the gravity of the challenges faced by the fourth pillar.

In the final sections, we will explore potential strategies and prospects for safeguarding and revitalizing the fourth pillar. This includes the role of media literacy, regulatory frameworks, and international collaboration in mitigating the challenges posed by misinformation and political interference. Additionally, fostering a diversified and sustainable media landscape will be highlighted as a critical component in securing the future of an accountable and transparent democratic system.

Through a comprehensive examination of historical foundations, contemporary challenges, and prospects, this paper seeks to contribute to the ongoing discourse on the vitality of the fourth pillar of democracy and the imperative of preserving its integrity for the overall health and sustainability of democratic governance.

2. The importance of the Fourth Pillar in a democratic system

Media may be considered as the fourth limb of independent organization i.e. a democratic system, the other three being the legislature, executive and judiciary. The basic intent of the media is to serve the people with news, views, comments and information on matter of public interest in a fair, accurate, unbiased and decent manner and language. The framers of the Indian constitution realised the central consequence of the 'Freedom of Press' and therefore incorporated provisions in the constitution to safeguard this 'Freedom of Press' as a fundamental right. Although, the Indian Constitution does not

¹Kaplan A. and Michael. H. (2010). Users Of The World, Unite! The challenges and opportunities of social media. Business Horizons, Vol.53.

²Sokoya, A, Onifade, F. and Alabi, A..(2012). Establishing Connections and Networking: The Role of Social Media in Agricultural Research in Nigeria

expressly mention the liberty of the press, it is evident that the liberty of the press is included in the freedom of speech and expression under Article 19(1) (a)³. The freedom of the Press including media is not absolute.³ The media has to work within the framework of legal philosophy and statutes and is subject to the limitations under Article 19(2) in the interests of the public.

The word media, derived from the word medium, can take the form of a plural or singular verb, depending on the sense intended. Media as the plural form was first applied to newspapers two centuries ago. It is used as a collective noun for the press or news reporting agencies. According to the Oxford Advanced Learners Dictionary “media” refers to the main ways that large numbers of people receive information and entertainment⁴. In general media means “an intervening agency, means, or instrument” for communicating like as Print Media, electric media and Social media i.e. newspaper, books, magazine, radio, dordarshan, different news channels, Whatsapp, Instagram, Facebook, internet etc. through which any bit of information or opinion is circulated amongst a large number of the people.

According to business dictionary⁵ the definition of media is communication channels through which news, entertainment, education, data or promotional messages are disseminated.

- The media serves as a vital source of information, keeping the public informed about current events, government policies, and societal issues. It plays a key role in educating citizens about their rights, responsibilities, and the functioning of the democratic system.
- The media acts as a watchdog, holding government officials and institutions accountable for their actions and decisions. Investigative journalism helps uncover corruption, abuses of power, and other unethical practices, promoting transparency in governance.
- The media provides a platform for public discourse and debate, allowing citizens to express their opinions and participate in democratic decision-making processes. Through various forms of media, including newspapers, television, radio, and online platforms, diverse perspectives, and voices can be heard.

2.1 Checks and Balances:

By scrutinizing government activities, the media acts as an informal check on the powers of the state, complementing the formal checks and balances within the three branches of government. Media scrutiny helps prevent the concentration of power and fosters a system where authorities are accountable to the people.

The Fourth Pillar protects and promotes the freedom of speech, a fundamental democratic principle. It allows journalists and citizens to express their opinions without fear of censorship or reprisal. Free and independent media is essential for fostering an environment where diverse ideas can flourish.

The media plays a role in shaping public opinion, influencing how citizens perceive government actions and policies. Through reporting and analysis, the media contributes to the democratic process by helping citizens make informed decisions and holding elected officials accountable during elections.

A vibrant media landscape encourages civic engagement by providing information that empowers citizens to participate actively in democratic processes. It facilitates a well-informed electorate, enhancing the quality of public discourse and decision-making. The Fourth Pillar, represented by a free and independent media, is integral to the functioning of a healthy democratic system. It promotes

³Ramesh Thaper v State of Madras, A.I.R. 1950 SC 124.

⁴Oxford Advanced Learners Dictionary, OUP, 7th Edition.

⁵www.businessdictionary.com/definition/media.html.last visited on 7.12.2013

transparency, accountability, and informed citizenry, contributing to the overall well-being of a democratic society.⁶

3. Corruption in the fourth pillar and political and market pressure:

The "fourth pillar" typically refers to the media or press as one of the pillars of society, alongside the executive, legislative, and judicial branches of government. Corruption within the fourth pillar, or media corruption, can have significant implications for democracy, public trust, and the functioning of society. Corruption in the media can take various forms, including:

- Journalists or media organizations may accept bribes or financial incentives to manipulate news coverage or promote specific agendas.
- In some cases, media outlets may engage in self-censorship or be pressured by external entities, such as governments or powerful individuals, to suppress certain stories or perspectives.
- Media corruption can involve the intentional spread of false information or propaganda to manipulate public opinion or advance particular interests.

4. Political and market pressures can contribute to corruption within the media:

Governments may use various tactics to control or influence the media, such as censorship, legal action against journalists, or manipulation of advertising revenues. Political figures or parties may seek to control the narrative by suppressing dissenting voices.

Media organizations often rely on advertising and financial support from various sources. This dependence on external funding can create a vulnerability to market pressures. Advertisers or corporate interests may exert influence on media content to align with their agendas, compromising journalistic independence.⁷

Media outlets are often owned by individuals or corporations with their own political or business interests. This ownership influence can lead to biased reporting or the suppression of stories that may be detrimental to the owner's interests.

Weak regulatory frameworks or a lack of enforcement can contribute to corruption within the media. When there are no effective mechanisms to hold media outlets accountable, they may engage in unethical practices without fear of consequences.

Addressing corruption within the fourth pillar requires a commitment to press freedom, strong legal protections for journalists, and transparent regulatory frameworks. Additionally, promoting media literacy and supporting independent journalism can help mitigate the impact of political and market pressures on media integrity. A diverse and pluralistic media landscape, with a variety of voices and perspectives, is crucial for a healthy democracy.

5. The perspective on modern media from the legislative, executive, and judicial

Both a free press and an impartial court are essential to a democratic society. The media, together with the legislative, executive, and judiciary branches, are considered the four corners of the government for this reason. Media outlets, similar to the legal system, are obligated to uphold ethical standards by reporting both sides of an issue. Even if laws are created by humans, justice, which is grounded on natural justice or the truth revealed by God, holds immense worth.

⁶Dominick, Joseph (2009) *The Dynamics of Mass Communication Media in the Digital Age*, New York: Mc Graw Hill

⁷Editors Guild slams government 'pressure' on media. (2018, August 9). *The Indian Express*. Retrieved from <https://indianexpress.com/article/india/editors-guildslams-government-pressure-on-media-5298425/>

The media's coverage of legal issues and the publication of court decisions have greatly benefited the public by enhancing people's access to justice and safeguarding their privacy, honour, and reputation. The media has reborn as a "PUBLIC COURT" and is now actively meddling in judicial matters. Even before the court takes notice of the case, the media's independent inquiry shapes public opinion against the accused⁸.

5.1 Legislative Perspective:

Congress: Legislators often view the media as a crucial channel for communication with the public. They rely on the media to disseminate information about legislative activities, policies, and positions. However, there can be a degree of tension, as legislators may also feel that the media sometimes sensationalizes or misrepresents their actions. Legislative bodies may also be involved in debates over media regulations and freedom of the press.

5.2 Executive Perspective:

Presidency and Executive Agencies: The executive branch, headed by the President, sees the media as a vital tool for shaping public opinion and disseminating government messages. Presidents use media platforms to communicate directly with the public, bypassing traditional channels. However, the relationship can be adversarial at times, especially when the media scrutinizes executive decisions or actions. The executive branch may also be concerned about leaks and the potential impact of media coverage on national security.

5.3 Judicial Perspective:

Courts and Judges: The judiciary generally emphasizes the importance of free and independent media as a cornerstone of democracy. Judges may interpret and apply laws related to freedom of the press and may be involved in cases where the media's rights clash with other legal considerations, such as privacy or national security. The judiciary's perspective often leans towards protecting the First Amendment rights of the media, but they may also intervene when legal boundaries are challenged⁹.

Overall, these perspectives highlight the complex relationship between the government and the media. While recognizing the media's role in fostering an informed citizenry, government branches may also grapple with challenges related to media ethics, misinformation, and the balance between freedom of the press and other societal values. As technology evolves, these dynamics continue to shape and redefine the interactions between the government and the modern media landscape.

6. Society, Social Engineering, and mass media

Society, social engineering, and mass media are interconnected elements that play significant roles in shaping human behavior, beliefs, and culture. Let's explore each of these concepts¹⁰.

6.1 Society:

⁸Bhargava, N., & Balhara, P. (2017). Television news channels are degrading the quality and standards of Indian journalism. *International Journal of Multidisciplinary Research*, 2(2). Retrieved from http://ijmdr.in/data/documents/FABUARY_PAPER-P15.

⁹Zehra Khan, "Trial-By-Media: Derailing Judicial Process in India", 1 MLR (2010), p. 94.

¹⁰Turner, Graeme (November 2016). "2015 Henry Mayer Lecture: critical media studies and the re-invention of the media". *Media International Australia*.

Society refers to a group of individuals who share a common culture, norms, and values, and often live in a specific geographical area. Societies provide a framework for individuals to interact, form relationships, and establish institutions. They influence and are influenced by the individuals within them.

6.2 Social Engineering:

Social engineering involves manipulating people into performing actions or divulging confidential information. In a broader sense, it can also refer to efforts to influence and shape societal norms and behaviors.

Examples: Marketing strategies, political campaigns, and public relations efforts are forms of social engineering. It can be both positive (encouraging healthy behaviors) and negative (manipulating opinions).

6.2 Mass Media:

Mass media encompasses various means of communication, such as television, radio, newspapers, magazines, and the internet, used to reach a large audience. Mass media is a powerful tool for shaping public opinion, disseminating information, and influencing societal norms. It can shape perceptions, create trends, and impact cultural values.¹¹

6.3 Interconnection:

Mass media can shape societal norms by portraying certain behaviors, values, and ideologies. It contributes to the construction of collective identities and influences public opinion. Advertisers, politicians, and other entities use mass media for social engineering purposes. They aim to influence public behavior, opinions, and attitudes through carefully crafted messages and narratives.

6.4 Challenges:

Mass media can be prone to biases, and there's a risk of manipulation when powerful entities control information flow. Media influences societal norms, sometimes leading to the adoption of certain behaviors or beliefs without critical examination.

6.5 Positive Aspects:

Information Dissemination: Mass media is crucial for spreading information, education, and awareness. Media facilitates the exchange of ideas and cultural elements, contributing to a globalized world. Understanding the complex interplay between society, social engineering, and mass media is essential for critically evaluating the information and messages that shape our perceptions and behaviors. It also underscores the importance of media literacy and a discerning public in navigating the modern information landscape.¹²

7. Media Corruption & Case Laws:

Corruption in the mass media in India and elsewhere is as old as the media itself. If there is corruption in society, it would be unrealistic to expect the media to be free of corruption. India is the world's largest

¹¹See UDHR and ICCPR

¹²Sashwat Yogi "Role Of Media In Social Awareness (A Review Study)." *Humanities & Social Sciences Reviews*.

democracy.¹³ A vibrant and diverse mass media is an important pillar of democracy in the country. The independence of the media facilitates adherence to democratic norms. Article 19 of the Constitution of India confers the right to freedom of speech and expression to all citizens of the country and the media as well. In recent years, corruption in the Indian media has gone way beyond the corruption of individual journalists and specific media organizations -- from “planting” information and views instead of favour received in cash or kind, to more institutionalized and organized forms of corruption wherein newspapers and television channels receive funds for publishing or broadcasting information in favour of particular individuals, corporate entities, representatives of political parties and candidates contesting elections, that is sought to be disguised as “news”. Judges and attorneys now have more ways than ever before to remain involved with the communities they represent because to the widespread reach of the media. However, concerns about ethics and integrity are brought to light by the dangers and difficulties associated with the judiciary's use of social media. The media may bring people together, but it can also become a source of disintegration and an excess of unneeded impressions that jeopardise a healthy and fair comprehension of decisions if it takes precedence over all other parts of decency and responsibility.¹⁴

Case Laws:

1. Saibal Kumar Gupta and Ors. v. B.K. Sen and Anr., 1961
2. Sushil Sharma v. The State (Delhi Administration) and Ors, 1996
3. State of Maharashtra v. Rajendra Jawanmal Gandhi, 1997
4. Indian Express Newspapers (Bombay) (P) Ltd. v. Union of India, 1985
5. Papnasam Labour Union v. Madura Coats Ltd, 1994
6. Zahira Habibullah Sheikh v. State of Gujarat, 2006
7. Vijay Singhal and Ors. vs. Govt. of NCT of Delhi and Anr., 2013
8. Sahara India Real Estate Corporation Ltd. and Ors. vs. Securities and Exchange Board of India and Anr., 2012
9. Harijai Singh v Bijoy Kumar (1996) 6 SCC 466.

8. Suggestion & Summary:

Promoting media accountability and transparency is crucial for maintaining a healthy democratic system. Here are some suggestions to achieve this:

- Establish independent bodies composed of media experts, journalists, and members of the public to oversee media practices and hold them accountable. These bodies could investigate complaints, ensure adherence to ethical standards, and provide a platform for the public to voice concerns.
- Mandate media organizations to disclose their ownership structures and funding sources prominently. This information can help the public understand potential biases or conflicts of interest that may influence media content.

¹³See Report “Workshop on Corruption and the media’s role” at the 9th International Anti-Corruption Conference (IACC) , Durban.

¹⁴U.N. Development. Program, Mgmt. Dev. & Governance Div., Fighting Corruption to Improve Governance, at 6 (Nov. 13, 1998); cf. TRANSPARENCY INT’L, GLOBAL CORRUPTION REPORT 2007: CORRUPTION IN JUDICIAL SYSTEMS xxi (Dana Rodriguez & Linda Ehrichs eds., 2007) (identifying corruption as “the abuse of entrusted power for private gain”); Richard North, Corruption: Stopping the Rot, BBC ON AIR, Aug. 2003, at 10 (“Corruption is about the giving and seeking of favours, it is about buying political influence, taking kickbacks, bribing officials.”)

- Invest in educational programs that promote media literacy to help citizens critically evaluate information sources. Teach people how to identify misinformation, fact-check claims, and understand media bias.
- Develop and enforce clear ethical guidelines and standards for journalism¹⁵. Media organizations should adhere to a code of conduct that emphasizes accuracy, fairness, and impartiality in reporting.
- Support and promote fact-checking organizations to independently verify information presented by media outlets. Encourage media organizations to collaborate with fact-checkers and correct any inaccuracies promptly.
- Governments should ensure transparency in their operations and provide open access to information. Open data policies enable journalists and the public to scrutinize government actions, promoting accountability.
- Encourage a diverse range of media ownership to prevent the concentration of media power in a few hands. Diverse ownership can lead to a wider range of perspectives being represented in the media landscape.
- Strengthen laws protecting whistle-blowers within media organizations. Encourage individuals to come forward with information about unethical practices without fear of retaliation.
- Support and maintain independent public media outlets as an alternative to commercially-driven media. Publicly funded media can focus on providing unbiased information and diverse perspectives without being influenced solely by profit motives.
- Develop online platforms where media organizations engage directly with their audience. Encourage discussions, fact-checking, and feedback to foster a sense of accountability and transparency.

Implementing these suggestions would require collaboration between media organizations, regulatory bodies, governments, and the public to create a media landscape that serves the democratic ideals of transparency, accountability, and informed citizenry.¹⁶

¹⁵Accountable Journalism. (n.d.). Codes of ethics. University of Missouri. <https://accountablejournalism.org/ethics-codes>

¹⁶Corey Ross, *Mass Communications, Society, and Politics from the Empire to the Third Reich* (Oxford University Press 2010) on Germany