

The Press: Fourth Pillar of Democracy or Facade of Hypocrisy?

Ms. Ruba Siddiqua Khan

Student, Law, LPU School Of Law.

ABSTARCT

The central aim of this article is to put forward the role of press and its duality considering the impact it has caused in making of a democracy to on a verge of breaking it. The Paper covers the historical angles along with constitutional framework which helps in establishing a better comparative study of Press Media. For all the contributions it has made towards humankind, preaching necessary information from one corner to another, the Press-Media has played a major role in preventing a war and to igniting it. The Press was one thing even a monarch feared back in the days. This article mourns the death of true Journalism, where a democracy stands hopeless and numb looking at channels and newspapers which are merely gimmick and mostly covering pathetic dramas of people rather than the actual news. It highlights how the Press has become a business Model, trading news and transforming itself from a watchdog to a lapdog for power and profit. This article subtly defines and compares the role of the Press in democratic societies such as India and Nepal. It analyzes whether the press genuinely performs its duties and obligations as a watchdog or has become a tool of manipulation earning the title 'A façade of Hypocrisy'.

Introduction

“**DEMOCRACY**” a very popular word used almost by all the nations but merely acted upon its virtue. According Abraham Lincon’s definition Democracy is “***Government OF THE PEOPLE, BY THE PEOPLE and FOR THE PEOPLE***” something almost we all have grown up listening to in understanding Democracy. Perhaps we all know Indian democracy stands by three traditional Pillars. The Legislature, the Executive and the Judiciary all three play a very sophisticated role individually yet they go by side by side parallel to each other without intervention unless delegated, on other hand The Press is often hailed as the 4th pillar that acts as an information delivering agent to the citizens of the nation keeping them updated with relevant and accurate information and the ongoings of the government but also plays the role of being **THE VOICE OF THE PEOPLE**. Basically helping in checks and balance of a democratic state. At least that’s what it really did in the Pre- independent era. ¹Today the press’s role is quite complicated by the rise of corporate industry, issues of media ownership, state control, fake news, and declining trust. This paper examines the press’s constitutional position, historical evolution, and performance in two different democracies that is India and Nepal to address the central question: Has the Press been a dedicated watchman of Democracy or subverted institution?.

¹ Vindu Goel, Jeffrey Gettleman & Saumya Khandelwal, *Under Modi, India’s Press Is Not So Free Anymore*, N.Y. Times (Apr. 2, 2020).

Brief History:**INDIA:**

The formal origin of Press in India dates back to the year 1557 when the Portuguese established the 1st Printing press in Goa. Later on the East India Company establishes its 1st printing press in the year 1674 at Bombay. But whereas the active installation of Press only happened in the year 1780 when James Augustus Hickey started India's 1st Newspaper THE BENGAL GAZETTE also known as the Calcutta General that exposed the corrupt activities of the government that gained him the title Father of Journalism in India, thanks to James Augustus Hickey for teaching Indians the power of print media through his initiative of standing against tyranny of the East India Company in the late 18th century. Likewise The Press played a major role in India and its freedom struggle giving rise to historical papers like the SAMBAD KAUMUDI (1821) a Bengali weekly started by Raja Ram Mohan Roy, the pioneer of nationalist journalism in India, highlighting issues of Sati system and trial jury. The AMRIT BAZAAR PATRIKA (1868) started by Shishir Kumar Ghosh and Motilal Ghosh, known for its bold and fierce approach creating a huge impact on the people of India a torchbearer standing against and highlighting the cruel atrocities and colonial fever that forced the British Raj to pass a dedicated act to ban all the printing press in Indian language known as the ²“Vernacular press act of 1878”, which converted it into a English daily overnight. The KESARI in Marathi and MAHRATTA in English Founded by Lokmanya Tilak in 1881 that preached ‘Swaraj, Swadeshi, Boycott and national Education’. KAAL (1897) that actively spoke against British state, Imperialism and social evils. BANDE MATARM (1905) by Bipin Chandra Pal and Aurobindo Ghosh, INDEPENDENT (1919) by Motilal Nehru which countered the Allahabad Daily “The Leader”. And THE HINDU (1878), THE BOMBAY SAMACHAR (1822) and HARIJAN (1933) a journal started by the father of the nation himself, Mahatma Gandhi, are the other famous newspapers that played an active role in Pre- independent India.

NEPAL:

The traditional history of press in Nepal dates to 1851 when THE GIDDHE PRESS was installed by Rana Prime Minister Jung Bahadur Rana, and in 1901 when a state-owned newspaper and the 1st newspaper of Nepal THE GORKHAPATRA a weekly journal was launched.

During the Rana regime i.e. before 1951 Freedom of Press was banned in Nepal resulting in the establishment of ³AWAJ (voice) 1947, a Nepali journal which was Published from India by Nepali Political exiles and a few democratic party members. The Awaj strongly criticized the Rana regime and demanded democracy. After the fall of the Ranas Awaj was established in Nepal has ⁴AWAAZ in the year 1951, its was the first independent newspaper that questioned the policies of the government giving rise to an impactful and active journalism resulting in establishment of a English daily THE COMMONER in 1956 by Gopal Das Shrestha, this newspaper actively promoted democratic ideology and in 1958 another English newspaper known and respected for its fearless journalism MOTHERLAND was established that

² Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford Univ. Press 1966).

³ Michael Hutt, Things That Should Not Be Said: Censorship and Self-Censorship in the Nepali Press Media, 2001–02, 65 J. Asian Stud. 361 (2006).

⁴ Michael Hutt, Things That Should Not Be Said: Censorship and Self-Censorship in the Nepali Press Media, 2001–02, 65 J. Asian Stud. 361 (2006).

challenged the Panchayat Government in a transitional Democracy. ⁵THE RISING NEPAL which a government owned newspaper in Nepali not fully independent was established in the year 1960s.

Today the Press has evolved from a traditional platform to digital in both the nations, giving rise to thousands of newspapers and channels competing and running behind TRPs, misleading information and provoking different diversities, and ranking No. 1 in manipulation. The fun fact is that the Youtubers are now delivering much authentic news and educating people than any of the so-called Press media institutions. Different social media platforms have now become the hub of accurate and credible journalism for the people of these nations, also inspiring the citizens to become freelance journalists, where people feel much easier in rising their issues and voices against atrocities and actual Problems like Unemployment, corruption, misinformation, education, hate speech, political tantrums, poverty and what not.

Constitutional legality:

In India:

Article 19(1)(a) of the India Constitution guarantees freedom of Speech and expression which is interpreted to include freedom of the press. But on the contrary article 19(2) also restricts it as an obligation for maintaining of Public order, decency and mindful of defamation, sovereignty etc.

⁶Article 19(1)(a): All citizens shall have the right to;

“Freedom of Speech and Expression”.

⁷Article 19(2): Reasonable Restrictions;

“Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the sovereignty and integrity of India, the security of the State, friendly relations with Foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence”.

Landmark cases that upholds the Freedom of press in India are:

- ⁸Romesh Thappar v. state of Madras (1950):
 - It was held that Freedom of press is essential to democracy.
- ⁹Bennett Coleman case (1973):
 - It upheld the press freedom against state control of newsprint.
- ¹⁰Indian Express newspaper v. Union of India (1985):
 - It emphasized press as the “Public Educator”.

In Nepal:

It was in 1990 the freedom of press was guaranteed explicitly for the 1st time when Nepal became a Constitutional Monarchy. And after the abolition of the Monarchy system, the interim Constitution (2007)

⁵ Jenifer Whitten-Woodring & Douglas A. Van Belle, *Nepal: 1948–2012*, in *Historical Guide to World Media Freedom: A Country-by-Country Analysis* 331–33 (2012).

⁶ INDIA CONST. art. 19(1)(a).

⁷ INDIA CONST. art. 19(2).

⁸ *Romesh Thappar v. State of Madras*, AIR 1950 SC 124.

⁹ *Bennett Coleman & Co. v. Union of India*, AIR 1973 SC 106.

¹⁰ *Indian Express Newspapers v. Union of India*, (1985) 1 SCC 641.

and Constitution 2015 (The current Constitution of Nepal) under ¹¹Article 17 and 19 guarantees the freedom of press.

Article 17: Freedom of Opinion and expression states;

“Every citizen shall have the freedom of opinion and Expression”.

Article 19: Right to communication which specifically protects freedom of the Press and Media under clause 1;

“There shall be complete press freedom. No publication or broadcasting shall be censored”.

In addition to that ¹²Nepal also have specific laws that regulates the press and Media operation namely:

- Press council act, 1992
- Right to information act, 2007
- National Mass communication policy, 2016

The Landmark cases upholding the Freedom of Press in Nepal:¹³

- Kantipur Publication case, 2007:
 - Supreme Court held that Press freedom is part of the Fundamental right to freedom of Expression and cannot be curtailed arbitrarily.

- Radio Sagarmatha case:

Where the role of Community radio was protected stating that it is a vital democratic voice.

COMPARATIVE ANALYSIS:

Nepal outperforms India in terms of Press Freedom. The Press Freedom in India is guaranteed as a part of the Fundamental rights but also restricted as obligations to those Fundamental Rights. The very Article that Guarantees the press freedom simultaneously restricts it. Whereas the constitution of Nepal explicitly Guarantees the Freedom of press in specific and also guarantees non- interference in the matters of press and restricts limitations or censorship. In the ¹⁴World Press Freedom index 2025 Nepal is ranked 90th out of 180 whereas India ranks 151st out of 180, making Nepal among the better- ranked South Asian countries, Despite a slight improvement from 159th rank in 2024, its still quite disappointing where India Stands considering its history of freedom and press.

PRESS AS THE FOURTH PILLAR OF DEMOCRACY:

Press is the Bloodline of democracy, a dissemination of information that acts as an agent between a government and its people, a democracy thrives on informed citizens thus the press helps in keeping transparent flow of all the government activities and societal issues, It mirrors all the necessary information to the citizens of a democratic nation by covering elections, government schemes and judicial verdicts. Considering the history Press has always been a very ethical institution that has preached knowledge and strengthened its subjects. ¹⁵It is more famously considered as a watchdog that protects and guides from misgovernance, atrocities or any agent with malicious intentions by exposing of corruption, Injustice and Abuse of power and holding the government accountable to the Public, for example the Bofors scandal, 2G spectrum Scam, and Panama Papers coverage. It is also regarded as Voice of the people for the

¹¹ Ujjwal Acharya & Santosh Sigdel, Press Freedom in Constitution of Nepal 2015 (Sept. 19, 2016).

¹² Nepal: Mission Finds Worsening Law Reform, Impunity and Self-Censorship, ARTICLE 19 (Nov. 29, 2016).

¹³ Nepal leads South asia in Radio Growth, 2014-03-31 at the wayback Machine Nepal Democracy org.

¹⁴ Reporters Without Borders (RSF), World Press Freedom Index 2025, <https://rsf.org>.

¹⁵ D. D. Basu, Introduction to the Constitution of India, 23rd ed., LexisNexis, 2023, p. 112.

significant role it has played from centuries towards humankind, not to ignore how the press has evolved from print to digital media lighting the internet up with sensational news and updates and for the way it has been growing we see a sudden rise in number of educational choices from science to arts breaking a generation old taboo, likewise it has played a vital role in maintaining literacy even among the illiterates by ensuring people have an accurate and timely information about various societal issues. Press is something which has a power over power, it has access to all the doors of democracy like a Principle has access to every classroom, it regulates the behaviour of different government organs, thriving honesty and discipline and it creates a sense of fear for all the right reasons needed in a democracy because fear helps in keeping a check and balance of power.

PRESS AS A FAÇADE OF HYPOCRACY:

As we all know that with the Right comes the Duty, as much as Press Freedom is a Fundamental Right, it is also obligated to perform a set of Fundamental duties towards the people of the Nation. But in the recent times this powerful pillar of democracy has been dodging its duties and has drifted into mediocrity, what is more scary is that it excels in Manipulation and Façade. The press claims itself to be the protector of truth now puts efforts to hide and substitute truth with false diversions and hypocrisy. Today the press is shaped and influenced by hidden forces, Political houses, business corporations dependent on advertising revenue, and individuals seeking to advance their personal interests.

The press which ones use to be an independent watchdog today it is a lapdog that acts as a mouthpiece for political parties, carefully crafting narratives to manipulate public perception. The nose it had to detect what stinks in a democracy like critical national issues such as poverty, unemployment, healthcare and governance failure are now ignored covered while triggering religious sentiments and divide communities and shift the focus from systemic problems. Which was ones the instrument of truth is now a tool for distraction and control. The Hypocrisy of the press becomes evident in its selective reporting. Instead of highlighting Urban Poverty, Caste discrimination, Man lynching, injustice and atrocities faced by different people at different places where internets are banned, complete blackouts are made and inhuman treatments are done, the spotlight frequently falls on scandals, celebrity gossip, and sensational crimes that often target a particular religion, or fake news like the Karbi Anglong Lynching, Baduria Riots, Bulli bai Case or the Disinformation in Nepal during election or ¹⁶the false information ecosystem creating an illusion of engagement, while in reality truths and discussions are suppressed that matter for democratic progress.

The emergence of social media platforms and the 24/7 online news cycle has further deepened the façade of the Press as many media houses now Prioritize speed over accuracy regardless of authenticity leading in rapid spread of half- truths, misinformation, fake news and sensational narratives which prey upon the emotions of citizens rather than informing them objectively. In this process journalism sacrifices its integrity, marketing itself as the protector and carrier of truth while in reality functioning as a vehicle of distortion and propaganda. ¹⁷Today is a business model that thrives on attention, controversy and division. It is a lapdog of power and profit making people increasingly vulnerable to manipulation. Now the organ or may I say the pillar that was supposed to perform its democratic duty to protect the democracy from social evil became that very social evil today. Any Developing country like India or Nepal thrives progress through the smooth and accountable functioning of its democratic organs. Any one organ fails it slows

¹⁶ Bhavya Dore, *Fake News, Real Arrests*, Foreign Pol'y (Apr. 17, 2020).

¹⁷ Slok Gyawali, *Censorship in Nepal: Forms and Evolution*, *Fair Observer* (June 9, 2014).

down the progress causing failure of democracy. The Press which plays a bigger role in maintaining checks and balance of power of the other organs, if failed causes bigger damage even collapse of a democracy.

CRITICAL ANALYSIS:

Historically both Nations have witnessed press as a force of liberation, where Press was a movement in itself. But the role of press as a fourth pillar of democracy reveals a paradoxical tension between its Constitutional guarantees and its Practical functions. The institution which once fought oppression emerging as the voice of the people is now entangled in the very structures of power it was meant to hold accountable.

The press can only perform its democratic duties well when its independent. From a constitutional point of view, India Provides freedom of the press implicitly through article 19(1)(a), but also immediately restricts it under Article 19(2), whereas Nepal explicitly recognizes press freedom in articles 17 and 19 of its 2015 constitution marking Nepal 90th in World Press Freedom Index 2025, notably higher than India which ranks 151st, reflecting only the freedom rather than independent Journalism but However the distinction may appear on the paper but in practice both the nations struggle with state interference, ownership or the acquiring of media houses resulting ion declining of authentic news, Public opinion and editorial independence.

The main critique lies in the Press's transformation from a watchdog to lapdog. Where instead of Prioritizing investigative journalism, much of the press media is now controlled and directed by political patronage, Corporate advertising revenue and the never ending pursuit of TRPs. By Selective reporting, shifting the focus on scandals, celebrity gossips and communal flashpoints the press has succeeding in creating an illusion of engagement while marginalising national issues like poverty, unemployment, education and healthcare. Diverting the public discourse from systemic failures emotionally charged but less substantive controversies only sabotages democratic accountability. And that this was not already bad enough that the rise of digital media and social platforms worsen this crisis by spreading misinformation, chasing speed and reach over accuracy, marketing half-truths under the banner of "Breaking News" thriving on emotional manipulation and betraying trust, Making the citizens vulnerable to press as a whole. Taking in consideration the situation of Nepal, the youths lost their peace of mind when ¹⁸the government put a ban on social media platforms where news of corruption and nepotism was going viral, supressing the truth of the nation's governance which resulted in a nation-wide protest which later turned ugly ¹⁹failing the democratic system and fall of government in the country.

Yet, the resilience of ethical journalism cannot be ignored by the raft of this critical analysis. There are a few journalist even today who risk their lives and career in order to bring out truth, who suffer from harassment and violence to report truthfully, who become the victims of anti-national and terrorism laws for standing for the truth, where abuse of power is made on protectors of truth by labelling them anti-nationals for trying to hold the "so called Patriotic leaders" accountable for their actions, no matter what there have always been journalist like this who will never stop taking the risk to pursue truth, this persistence gives an idea that the press is not entirely hallow though its integrity is under siege.

Revealing the stark duality of the Press where in one hand it acts as the protector of truth and guardian of democracy but on the other hand it royally betrays the democracy, for Press to reclaim its democratic role,

¹⁸ Hannah Ellis-Petersen, At Least 19 Killed in 'Gen Z' Protests Against Nepal's Social Media Ban, *The Guardian* (Sept. 8, 2025).

¹⁹ *Nepal Gen Z Protest Live Updates: After PM Oli Resigns, Nepal Army to Take Charge of Security*, *Indian Express* (Sept. 10, 2025).

it must commit itself back to the principles of fearless reporting, independence and service to the Public Good. Hence analysis ultimately answers the research question whether **The Press is the fourth pillar of democracy of façade of hypocrisy?**

CONCLUSION:

In Conclusion, the press holds a unique position apart from as a pillar, a position which gives it a choice to be the strength or the weakness of a democratic country. In my opinion Press shall have its independence to function thoroughly and ethically, but it faces several challenges like repeated interference, pressure, restrictions and control that leads it to adopt the easy way of being a façade of hypocrisy and for which its now been look down upon for being a failure as the Fourth Pillar. At one point it projects itself to be the protector of truth while subtly advancing hidden agendas. To overcome this duality and Strengthen the press we require ²⁰independent regulation, ethical journalism, public awareness, and legal safeguards against censorship and corporate capture as well as the press must return to the core principles of journalism such as fearless reporting, professional ethics, accountability and unwavering service to the nation and its citizens. Democracy cannot thrive without a genuinely free and responsible press, thus only by realigning itself with these values the press can reclaim its position as the guardian of democracy.

OTHER REFERENCES:

1. Granville Austin, the Indian Constitution: Cornerstone of a nation.
2. Justice M. N. Venkatachaliah, press freedom and democracy.
3. nepalpressfreedom. Org
4. Shree Ram Khanal, Development of Media education in Nepal.
5. Shambhu Ram Simkhada, The History of the Newspaper press in Nepal.

BIBLIOGRAPHY:

Books & Secondary Sources

1. Granville Austin, *The Indian Constitution: Cornerstone of a Nation* (Oxford Univ. Press 1966).
2. M.N. Venkatachaliah, *Press Freedom and Democracy* (Year, Publisher).
3. William Mazzarella & Raminder Kaur, *Censorship in South Asia: Cultural Regulation from Sedition to Seduction* (Oxford Univ. Press 2009).
4. Shree Ram Khanal, *Development of Media Education in Nepal* (Publication details).
5. Shambhu Ram Simkhada, *The History of the Newspaper Press in Nepal* (Publication details).
6. Michael Hutt, Things That Should Not Be Said: Censorship and Self-Censorship in the Nepali Press Media, 2001–02, 65 J. Asian Stud. 361 (2006).
7. Jenifer Whitten-Woodring & Douglas A. Van Belle, Nepal: 1948–2012, in *Historical Guide to World Media Freedom: A Country-by-Country Analysis* 331–33 (2012).
8. Ujjwal Acharya & Santosh Sigdel, Press Freedom in Constitution of Nepal 2015 (Sept. 19, 2016).
9. Harsha Man Maharjan, Machinery of State Control: History of Cinema Censor Board in Nepal, 4 Bodhi: Interdisciplinary J. 168 (2010).
10. Rajendra Dev Acharya, Political Censorship and Its Impact in Nepal (n.d.).

²⁰ William Mazzarella & Raminder Kaur, *Censorship in South Asia: Cultural Regulation from Sedition to Seduction* (Oxford Univ. Press 2009).

Cases (India)

1. *Romesh Thappar v. State of Madras*, AIR 1950 SC 124.
2. *Bennett Coleman & Co. v. Union of India*, AIR 1973 SC 106.
3. *Indian Express Newspapers v. Union of India*, (1985) 1 SCC 641.

Cases (Nepal)

1. *Kantipur Publications v. Ministry of Information & Communications*, Supreme Court of Nepal (2007).
2. *Radio Sagarmatha v. Ministry of Information & Communications*, Supreme Court of Nepal (Year).

Constitutional Provisions

1. INDIA CONST. art. 19(1)(a).
2. INDIA CONST. art. 19(2).
3. NEPAL CONST. arts. 17 & 19 (2015).

Reports & NGOs

1. *Nepal: Mission Finds Worsening Law Reform, Impunity and Self-Censorship*, ARTICLE 19 (Nov. 29, 2016), <https://www.article19.org>.
2. Freedom House, *Freedom of the Press 2013: Nepal*, <https://freedomhouse.org>.
3. Reporters Without Borders (RSF), *World Press Freedom Index 2025*, <https://rsf.org>.
4. *Nepal Press Freedom*, <https://nepalpressfreedom.org>.