

Media as the Fourth Estate of Democracy

NEETU

Assistant Professor

Department of History, Guru Nanak College, Ferozepur Cantt (Punjab) India

ABSTRACT

The Power and signification of media in democratic society is world renowned. Though media and press have a persuasive authority yet its real ability is not a secret to world. The existence of a free independent and powerful media is the cornerstone of a democracy, especially of a highly mixed society like India. The pivotal role of the media is the ability to mobilize the thinking process of millions. Technically a democracy stands on the pillars of judiciary enactive and legislature. But with the ride if the press and its power to reach every wook and corner of the state it can also be considered as the fourth pillar of a democracy . In this paper the author have present the importance of press on the Indian democracy and Indian Constitution and have tried to answer that whether considering press as fourth estate if democracy is correct. The author here has tried to ensure the above question in two parts. Firstly, by analyzing the historical evolvement of press from an ordinary means of mass communication to an instrument of revolution in democracy focus in this section would be on the role played by media in various filed especially in a heterogeneous society like India. Secondary, by studying the impact of press on the judiciary and till what extend press effects the constitution of India. This section analyzer the role of media on judicial trials and presenting new problems which need ti be legally regulated. Finally the author has concluded the article by answering the above raised questions. Here the author have firstly answered whether press should be considers as the fourth estate of democracy or not secondary what type if effect press puts on Indian democracy and Indian Constitution.

Key Words : Pivotal, Heterogeneous, Persuasive

INTRODUCTION

journalism has been seen as a fundamental part of the fourth estate. This is the idea that the press and mass media hold other institution to account by reporting on their activities, hereby becoming a political force for more pluralistic governance. A necessary attribute of the fourth estate is its independence of other institutions especially government , business and industry independence allows it to investigate report on, and bring to public attention the activity of the other intuitions – including government and politician,.

The strengths and importance of media in a democracy is well recognized. Article 19(1) (9) of the Indian constitution. This provision provided the freedom of speech and expression and the whole idea of the media

comes under the ambit of this provision. Black Estonian concept of freedom of press which was expressed as early as in 1769 contained four basic concept of press freedom. They are as follow:

1. Liberty of the press is essential to the state.
2. No provision restraints should be placed n the publication.
3. That does not mean these is press freedom for doing what is prohibited by law.
4. Even freedom has the undoubted right to lay what sentiment he places before the public, but if he publishes what is improper, mischievous or illegal he must take the consequence of his own temerity.

The practical which has been more of a daily occurrence how is that if media trials something which was started to show to the public as large the truth about

cases has now become a practice interfering dangerously with the justice delivering system. The freedom speech and expression is very important for an effective democracy. This is so and in a democracy all the rights of the people are vested in the hands of the sovereign and to put forward the use and reissue of the authorities an affective and frank media is very essential. This statement can be supported by the former prime minister Jawaharlal Nehru speech in which he said, "I would rather have a completely free wrong use of that freedom than a suppressed and regulated press."

In the Benet Coleman and union of India the Supreme Court acted as the guardian for the press and declared that it can publish as many volumes it wants and these would be no restraint on its circulations.

But as the every act have positive and negative side, too much freedom also leads to some harm mostly the cases are of defamation, contempt of court or most commonly the branch of privacy of an individuals. Though these acts bring out some of the true faces to the gavia public but by down trading the right of individuals.

The most common job of the media today is to present a critical analysis of the judicial or political decision. This may provide us the both sides of the decision but sometimes it inflicts pre judgments which are not correct.

Article 19(2) of the constitution of India provides the guideline that when restriction on free speech and expression can be imposed.

Decency and Morality:

Morality and decency are debatable topic no one can say that what is moral and decent and for whom. To define morality and decency we use the utilisation concept. In India vulgarity and strong erotic language are often treated as inter-changeable with obscenity. In its recent judgement conserving the movie, the Bandit Queen, the court ruled that neither nudity nor vulgarity can necessary be equalled with obscenity.

Defamation :

Defamation is to hurt the fame of the person. Section 499 deals with the punishment regarding defamation. Media is generally surrounded by the allegation of the defamation. Not only person defamation of a deceased person is also prohibited by law in India.

Concept of courts:

Concept is another head of restricted on freedom of impression and freedom of the press. The supreme court has upheld the constitutionality of the concept of court act, 1952 on the grounds that the act did not impose unreasonable restriction on the right to freedom of speech and is saved under act 19(2). Today the law of concept is such that in India, the country which proclaims, "Satyameva Jayate". Truth is no defence to an action of contempt. Art 361-A of the constitution also deals with contempt which was inserted after the forty fourth Amendment Act, 1978.

Mass media in its different forms have influenced human life in the present century. They have primarily information and entertainment to people across countries informing the citizens about the development in the society and helping them to make informed choices, media make democracy to function in its true spirit. It also keeps the elected representatives accountable to those who elected them by highlighting whether they have fulfilled their wishes for which they were elected and whether they have stuck to their oaths of office. Media to operate in an ideal democratic framework needs to be free from governmental and private control.

Democracy respect has been maintained to some extent due to presence of the media. Media bring out the most cases of the malpractice in the system. From the time of Indira Gandhi to the current date media have unveiled the face of corrupt politicians. We have seen the politician watch porno graphy in the parliamentary session.

The scams such as folder scan to clogs. Scan have been discovered due to the presence the vigilant media. Media not only have solved the democracy but have solved its total extinction. Media have played an eminent so in judicial decisions also. The judgment in the Jessica Lal murder case the judiciary proved be totally incapable to deliver a fair justice to the victims but here again the media played the role to guide the judiciary and the justice which was demanded and finally delivered.

Conclusion:

The ground realities are that a citizen is largely dependent on the press for equality proportion, and the extent of news. He can seldom obtain for the intelligent discharge of his political duties and responsibilities.

REFERENCES

Nehru Speech on 20th June 1916 in protest against the press
act, 1910

Gerald Guess the responsibility of the press, Clalion Boods
