

## **Freedom of the Press and Relevance of Professional Ethics in Journalism**

**Rajendra K. Sharma\***

*Freedom of the Press has been frequently debated on so many platforms, mostly as a right and the aspect of responsibility of the press has been many times neglected. Journalists demand freedom from all types of control to impart their duties and serve the public. Evolving and adhering to a Professional Code of Ethics is one of the first requirements for any profession before demanding freedom, and press is no exception to it. In the present endeavor an attempt has been made to understand journalists' adherence to their Professional Code of Ethics. Role of journalism education, professional associations, the Press Council of India (PCI) and newspaper organizations have been examined in evolving and enforcing professional ethics for journalists. In the present analysis it was noted that, various professional organizations have evolved very elaborated code of ethics for the journalists, press and media, but their implementation has been neglected. Allegations of yellow journalism and paid news can often be observed. Therefore, a lot more serious concern in implementation of Professional Code of Conduct in journalism and the press is need of the hour. The*

---

\* Associate Professor, Department of Sociology, N. A. S. (Post-graduate) College, Meerut-250001, Uttar Pradesh (India) E-mail: <drksharmameerut@gmail.com>

*adherence to professional ethics may justify journalists' demand for freedom of the press, before regulators in particular, and society in general.*

[**Keywords** : Freedom of the press, Professional code of ethics, Journalism education, Professional association, Press council of India]

## **1. Freedom of the Press**

Freedom of the press has been debated on so many platforms, mostly as a right and the aspect of responsibility of the press has been often neglected. There is no special mention of the freedom of the press in the Constitution of India. It has been guaranteed under Article 19 (a) of the Constitution stating Fundamental Rights, 'All citizens shall have the right to freedom of speech and expression'. It is important to know that any freedom comes with so many responsibilities and in the case of press it becomes more and more important because press influences the public opinion. In the Constitution Article 19 (2) states that 'a law may be enacted in the interest of sovereignty and integrity of India, the security of states, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence or violence'. The freedom of the press, therefore, is not absolute and subject to judiciary.

## **2. Professional Ethics**

Each profession is governed by a professional body or statute. Every professional body develops ethical codes which must be followed by the professionals mainly to ensure uniformity in their work. In simple words, professional ethics are principles that govern the behaviour of a person or group in particular vocation like journalism, teachings, medicine and health services, engineering, IT, architecture, etc. Journalistic ethics and standards comprise principles of ethics and good practice applicable to journalists.

Evolving and adhering to a professional code of ethics is one of the first requirements for any profession before demanding freedom. Advocates of processual approach in the study of professions submit that, evolving a 'code of conduct', is a major step in the development of a profession (Wilensky, 1964; Caplow, 1970; Ritzer, 1972). It is through a properly evolved and strictly enforced code of conduct, that a profession will be self-regulated. In India, besides the Press Council many journalists' organizations like AINEC, IFWJ, NUJ have

declared professional ethics. Adherence to these professional ethics is particularly important for claiming freedom of the press. In the present endeavor an attempt, therefore, has been limited to understand the journalists' adherence to their professional code of ethics.

### **3. Development of Newspapers as an Industry**

A review of the history of journalism in India reveals that initially (1858-85) the focus of journalism was social reforms, after this period the focus of journalism shifted towards independence of the country (1886-1947). After independence, journalism started developing as an occupation (Sharma, 1990). After independence, the press developed as an industry and with this the nature of journalism saw a big shift that is from a noble profession to an occupation of earning livelihood. Journalists became employees of an industry. It is important to remember that freelance journalism in India constitutes a small section. Before independence, on many occasions, journalist or a group of journalists were owners of the newspaper and in this situation commercial interest was not the goal of the press, but its goal was to bring social reforms in Indian society and later to achieve the independence of the country. The development of newspapers as an industry had important implications on freedom of the press.

India got its freedom in 1947 and since independence press has witnessed many phases of change in Indian society and newspaper journalism has now matured as a full-time profession. In the initial period of independent India, during the regimes of Prime Minister Jawaharlal Nehru and Lal Bahadur Shastri the relations between the Government and the press were cordial. For the first time in independent India, it was the Prime Minister Mrs. Indira Gandhi, who warned the press while speaking at the International Press Institute in December 1966, as she said "How much freedom can the press have in a country like India fighting poverty, backwardness, ignorance, disease and superstitions? (Quoted in Sunder Rajan; 1966: 819)". Later, she declared emergency on 26th June 1975 and censorship orders were issued for the press. This period of emergency (26<sup>th</sup> June 1975 to 20<sup>th</sup> March 1977) is remembered as the Dark Age in the history of the Indian press.

In the 21<sup>st</sup> century newspapers have altogether changed as an industry and almost all national newspapers are now owned by industrial houses. Today, publishing requires a big infrastructure with huge investment. Modern technology, heavy machinery and digitalization have given birth to a new industry namely Newspaper Publication. With commercialization of the newspaper industry, journalists have become employees of this industry and this scenario has led to various issues in the freedom of the Press like editorial policies v/s professional ethics.

#### **4. Need of Professional Ethics in Journalism**

In every profession the public interest is protected by evolving and implementing an exhaustive professional code of ethics. In journalism also the need of developing a code of conduct has been felt on various occasions. In the inaugural address of the second National Convention of Confederation of Newspapers, organized by News Agency Employees' Organization at Nagpur on 3-4 August 1985, Mr. V. P. Sathe, and Mr. V. N. Gadgil, Union Ministers, emphasized an urgent need for a code of conduct for journalists. As a journalist, one has the responsibility towards society to provide truthful, balanced, fair, factual and objective information honestly and independently. Ethics in journalism lead to steering away from conflicts of interest and taking society's privacy into account.

#### **5. Journalism Education/Training and Professional Ethics**

The first requirement in adherence to the professional ethics is the awareness and the knowledge of the code of conduct. To inculcate professional ethics among professionals in any profession, a long-term education/training period is required as in Medical and Legal professions. Journalists will be taught about professional ethics during their study of Mass Communication courses leading to their degree in journalism. Now here it is important to note firstly, that a formal education in journalism i.e., a degree, is not necessarily required to get a job in newspaper organization. It has been often quoted that 'Journalists are born' and therefore, a formal training is not necessarily required. Now those who have no formal education in journalism may not even know about professional ethics of journalism. Professional ethics are a part of the curriculum of journalism education. Secondly, what we find in journalism

education/training is that a wide variety of short-term diploma courses are offered and on the job training in newspaper organizations is also a common practice. In these short-term courses and training programs, inculcation of professional ethics, which requires a long-time duration, is not properly possible. In view of this, it may be submitted that inculcation of professional ethics during journalism education/training has been neglected to some extent.

## **6. Professional Associations and Professional Ethics in Journalism**

Professional associations, besides safeguarding the interests of the profession, also play a significant role in controlling the behaviour of its members to maintain the dignity of the profession. In journalism several professional ethics have been evolved by various professional associations. All India Newspapers Editors' Conference (AINEC) (<http://www.unesco.org>) declared Code of Ethics for journalists in September 1953. The Indian Federation of Working Journalists (IFWJ) in its declaration on 26<sup>th</sup> April 1971 stated that "We, the working journalists of India declare that the objectives of the profession of journalism are closely related to the wider social objectives to which the nation is pledged" (<https://www.ifwj.in>). "The press has to function as an integral part of a just social order in which the people have a vital interest. Working journalists pledge themselves to maintain an integrated social outlook, keep in mind the larger interests of the people and work always with a sense of social responsibility" (Chaturvedi, 1983 : 71). National Union of Journalists (NUJ) also assured that protection of social interest is the prime goal of journalism. The union declared that "We, the working journalists in India, considering our calling as a trust, believing in serving the public interest by publishing news and comments in free and fair manner" (Sharma, 1990 : 66). In 1981, National Union of Journalists declared professional ethics for journalists in the form of a 'Declaration of Journalists' (<http://nujindia.com>). If we analyze the contents of these professional ethics, we will find that there are no contradictions of values and mostly all are intended to protect the national and public interest at large.

However, the question emerges whether these Ethics are followed by the journalists, or they are just limited to declarations only. Journalists have been criticized for neglecting the public interest on many occasions. Even several journalists have observed that the public interest has been neglected before business interest and the press protects the interests of Indian bourgeoisie (Dharmarajan, 1970; Mulgaokar, 1971; Bhattacharjee, 1972; Purohit, 1973; Ram, 1973). In a recent empirical study (Verma, 2009) it was found that a significant number of journalists are even not aware of these ethics. Allegations of paid news and yellow journalism have been made and complaints lodged to the Press Council of India. In view of this, the implementation of these ethics needs to be examined, to understand their effectiveness in maintaining discipline in the professional of journalists.

## **7. The Press Council of India and Professional Ethics in Journalism**

Professions have self-regulatory body to enforce professional ethics among its members like Medical Council of India and Bar Council of India in medical and legal professions, respectively. These Councils may be defined as self-regulatory bodies of the profession as they have members only from their own professionals. In journalism the task of regulator has been assigned to the Press Council of India. The Press Council Act was promulgated on 4<sup>th</sup> July 1966 with the first objective of protecting the freedom of the press. The Council functioned till 1<sup>st</sup> January 1976, when during emergency it was abolished by the Press Council Repeal Act 1976. The Council was reinstated in March 1977, when emergency was lifted.

The Press Council aimed ‘to encourage the growth of a sense of responsibility and public service among all those engaged in the profession of journalism’. To achieve this goal the Council was assigned the task of developing and enforcing a professional ethics among journalists. The Press Council has evolved a very exhaustive professional ethics for journalists in 1996 entitled as ‘Norms of Journalistic Conduct’ which was subsequently revised in edition of 2010 and recent edition of 2019 (<https://presscouncil,nic,in>).

However, the rights of the Council are so much limited that it has been described as ‘Paper Tiger’. Under the section 14 of the Press Council Act 1978, the Council has been authorized to hold an enquiry

on receipt of a complaint against an editor or journalist for offending against the standards of journalistic ethics or any professional misconduct. The decision of the council under subsection (1) or (2), as the case may be, shall be final and shall not be questioned in any court of law. However, the decisions of the council are not judicial pronouncements, and therefore, cannot impose any punishment on offending journalist. The decision of the council is important only in exposing the offender. The powers of the Council are insufficient in strictly enforcing this ethics. Its effectiveness depends on its moral authority rather than on any statutory sanctions (Ghosh, 1973). The Press Council of India has been therefore, called as 'Paper Tiger with rubber teeth' as a vague and powerless body (Sarkar, 1984). Journalists are not in favour of increasing the powers of the Council. "The Press Council is not a court of law and should not be converted into one. It is a court of honor and should exert its moral authority" (Sarkar, 1984 : 200). From the above discussion it may be submitted that, the Press Council has extremely limited role in enforcing the declared code of ethics in journalism.

## **8. Professional Ethics and Editorial Policies of Newspapers**

Journalists' freedom is related to the editorial policy of the Newspaper Organization, which is like a code of ethics for employed journalists. Here important issue in the freedom of the press, is that who has the right to develop and enforce the code of conduct for journalists in newspaper organization? This issue is also important because most of the journalists are employed and the number of free-lance journalists is exceedingly small. The editorial policies of the newspaper organizations also restrict the freedom of journalists. With the press developing as an industry after independence, Natrajan has observed that "The net result of these five years was the total destruction of all interest in codes of journalism and all pride in the work; a general lowering of the status of journalist within the office and outside; and the virtual elimination of the editor as a moderating influence between journalist and proprietor" (1962 : 304). Even against professional demands, journalists are compelled to follow editorial policies (Sahni, 1970). A journalist is expected to operate within four corners of the editorial policy (Mankekar, 1970). There are areas in which editors are required to or expected to follow



the policies which are based on the political predilection and the economic interests of the proprietors, and this often runs counter to the larger interest of the society (Ayyangar, 1970). The second Press Commission submitted that the right of the owner of the newspaper organization to lay down editorial policies cannot be taken away. On various occasions, the policies of the newspapers on the one hand, and the professional ethics on other hand, pose different demands from employee journalist. Editorial policies are obviously evolved to protect the owners' interest. In such situations on many occasions, journalists neglect the professional ethics in favour of employers' interests. For example, political and business interests of the newspaper organizations create a biased approach among employee journalists. Allegations on the press for such bias are quite common.

It is evident from this and so many such opinions that as soon as newspapers developed as an industry the freedom of the press was seriously curtailed by the proprietors of the press and therefore, journalism no longer remained a self-regulatory profession. It must be examined that while framing and implementing the editorial policies in any newspaper, to what extent, journalists are involved?

The interference of the owners of the press in the freedom of the journalists, was so gravely felt, that the All India Newspapers Editors Conference (AINEC) demanded for the establishment of the Press Commission to look into the various interests of journalists in the newspaper's organization. The Government of India established The Press Commission on 11<sup>th</sup> October 1952. The Commission submitted its report on 14<sup>th</sup> July 1954. Based on the recommendations of the Commission, The Press Registrar was appointed to maintain the records of developments in the press. In view of the recommendations of the Commission, The Working Journalists Act 1955 was enacted, with provisions of establishing a wage board for fixing the wages of journalists in the press after an interval of every five years.

## **9. Conclusion**

In view of the above analysis, it may be submitted that a properly evolved, inculcated, and strictly enforced professional ethics is one of the first requirements before the claims of professional autonomy in journalism. Although a number of professional organizations have evolved very elaborated code of ethics for the



journalists, press and media, their implementation has been neglected. The efforts of the professional associations, journalism education, the Press Council and newspaper organizations in implementing professional ethics in journalism need more serious concern. The adherence to professional ethics may help journalists in justifying their claim for freedom of the press, before regulators in particular and society in general.

## References

- Ayyangar, Rajgopala, "The Problem: Its Dimensions" in *What Ails the Indian Press?*, *Proceedings of the Seminar Organized by AINEC*, New Delhi : Somaiya Publications Pvt. Ltd., 1970.
- Bhattacharjee, Arun, *The Indian Press : Profession to Industry*, Delhi : Vikas Publications, 1972.
- Caplow, T., *The Sociology of Work*, Allahabad : Central Book Depot, 1970.
- Chaturvedi, J. P, "Indian Working Journalists Movement", *The Working Journalists*, February 1983.
- Dharmrajan, S., "Rapporteur's Report", *What Ails the Indian Press?*, *Proceedings of the Seminar Organized by AINEC*, New Delhi : Somaiya Publications Pvt. Ltd., 1970.
- Ghosh, Kedar, *Freedom or Fraud of the Press*, Delhi : Rupa & Co., 1973.
- Mankekar, D. R., "Free not Independent", *What Ails the Indian Press?*, *Proceedings of the Seminar Organized by AINEC*, New Delhi : Somaiya Publications Pvt. Ltd., 1970.
- Mulgaokar, S., "The Press in Free India", A. G. Noorani (ed.), *Freedom of the Press in India*, Bombay : Nachiketa Publications Pvt. Ltd., 1971.
- Natrajan, S., *A History of the Press in India*, New Delhi : Asia Publishing House, 1962.
- Purohit, Vinayak, *The Press and the People*, Madras : The Christian Literature Society, 1973.
- Ram, Mohan, "Pattern of Newspaper Ownership and Control", V. Purohit (ed.), *The Press and the People*, Madras : The Christian Literature Society, 1973.
- Rau, M. C., *The Press in India*, New Delhi : Allied Publishers Pvt. Ltd., 1968.
- Ritzer, G., *Man and his Work : Conflict and Change*, New York : Appleton-Century Crofts, 1972.
- Sahni, "Smaller Newspapers", *What Ails the Indian Press?*, *Proceedings of the Seminar Organized by AINEC*, New Delhi : Somaiya Publications Pvt. Ltd., 1970.

Sarkar, R. C. S., *The Press in India*, New Delhi : S Chand & Company Ltd., 1984.

Sharma, R. K., *Journalism As A Profession*, Bombay : Media Promoters and Publishers Pvt. Ltd., 1990.

Sunder, Rajan, K. R., "India's Free Press in Peril", *New Statesman*, New Delhi, 1966.

Verma, S. K., *Professional Autonomy in Journalism*, Unpublished Ph. D Thesis, CCSU, Meerut, 2009.

Wilensky, H. L., "Professionalization of Everyone", *American Journal of Sociology*, LXX(2), September 1964, 137-158.

### Websites

<http://www.unesco.org>

<https://www.ifwj.in>

<http://nujindia.com>

<https://presscouncil,nic,in>

