UNIT- 6: MEDIA AND PRIVACY

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6.1. Learning objectives

After going through this unit you will be able to:

- Discuss media's intrusion into privacy and legal provisions
- explain media's sensationalism
- define sting operations by media
- discuss the concept of Paparazzi
- explain the concept of Yellow Journalism

6.2. Introduction

Every individual has a right to privacy as part of her/his overall right to live with dignity. The right against unsanctioned invasion of privacy by the government, corporations or individuals is part of many countries' privacy laws, and in some countries in their constitutions. Almost all countries have laws which in some way limit privacy. Not only that, right to privacy has been a part of international laws since late 1940s. Intrusion or invasion on the privacy of individuals is not permissible unless there is a genuine public interest. The right to privacy is implicit in the right to life and liberty guaranteed to the citizens of India by the Article 21. In recent times when privacy of individuals are under threat, media's intrusion into the privacy zones has been increasing day by day in the forms of – Sensationalism, Sting Operation, Paparazzi and Yellow Journalism – in this way or the other.

In this unit you will be introduced to the concept of privacy along with the concept of sensationalism and its impact on the electronic media, concept of sting operation, paparazzi and restrictions imposed by law and finally the concept of yellow journalism.



LET US KNOW

Yellow Journalism: Journalism that exploits, distorts, or exaggerates the news to create sensations and attract readers.

– Answers.com

6.3. Media and Intrusion into Privacy

Privacy is the state of being free from unwanted intrusion, being closely related to anonymity. Every individual has a right to privacy as part of her/his overall right to live with dignity. The term 'privacy' has been coined by Thomas Cooley, the American scholar who defined it simply as a "right to be left alone" and its object is to protect one's inviolate personality. Since then

some aspects of the right of the individual to be free from and protected against highly offensive publicity, concerning private life, affairs and activities, which do not impinge upon public interest, has been recognised in several countries. It may be called media's invasion into privacy when a reporter physically intrudes into a private area to get a story or picture, when a reporter publishes a story or photograph about someone that is false but not defamatory, when a reporter discloses something about an individual's private affairs that is true but also offensive to the individual's of ordinary sensibilities, when a reporter uses someone's name or picture in an advertisement or for similar purposes of trade.

6.3.1. Privacy under International Law

The right against unsanctioned invasion of privacy by the government, corporations or individuals is part of many countries' privacy laws, and in some countries it is also incorporated in their constitutions. Almost all countries have laws which in some way limit privacy. Not only that, right to privacy has been part of international laws since late 1940s. Privacy law is the area of law concerning the protecting and preserving of privacy rights of individuals. While there is no universally accepted privacy law among all countries, some organisations promote certain concepts to be enforced by individual countries. For example, Article 12 of the Universal Declaration of Human Rights (UDHR) and Article 12 of the International Covenant on Civil and Political Rights (ICCPR) state:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

For Europe, Article 8 of the European Convention on Human Rights guarantees the right to respect for private and family life, one's home and correspondence. Article 8 of the Convention provides a right to respect for one's "private and family life, his home and his correspondence", subject to certain restrictions that are "in accordance with law" and "necessary in a democratic society". This article clearly provides a right to be free of unlawful searches, but the Court has given the protection for "private and family life" that this Article provides a broad interpretation, taking, for instance, that

prohibition of private consensual homosexual acts violates this Article. This may be compared to the jurisprudence of the United States Supreme Court, which has also adopted a somewhat broad interpretation of the right to privacy.

The 1997 Code of Practice for Media in the UK under Section 4 deals with privacy when it states: Intrusions and enquiries into an individual's private life without his or her consent including the use of long-lens photography to take pictures of people on private property without their consent are not generally acceptable and publication can only be justified when in the public interest.

6.3.2. Privacy and Indian Legal Provisions

It has been described as the right of the individual to be protected against intrusion into his personal life or affairs, or those of his family, by direct physical means or by publication of information. The public generally feel that media too often simply run over people's lives. For that reason and others, public confidence and respect for the press is relatively low. The perception that media peek in windows, roam around private citizens who have been thrust into the public limelight and intrude into private spaces in pursuit of a story is based partly on fact and partly on fiction.

Intrusion or invasion on the privacy of individuals is not permissible unless there is a genuine public interest. The right to privacy is implicit in the right to life and liberty guaranteed to the citizens of India by Article 21. A citizen has a right to safeguard the privacy of his own, his family, marriage, procreation, motherhood, child-bearing and education and other matters. None can publish anything concerning the above matters without permission, whether truthful or otherwise and whether laudatory or critical. If media does so it would be violating right to privacy of an individual and would be liable in an action for damages. This rule is, however, subject to exception, that any publication concerning the aforesaid aspects becomes unobjectionable if such publication is based upon the public records including court records. This is for the reason that once a matter becomes a matter of public record, the right to privacy no longer subsists and it becomes a legitimate subject for comment by the media. But again in the interest of decency an exception

to this rule may also be framed. For example, if a female is the victim of sexual assault, kidnap, abduction etc. the offence should not be given such publicity as will result in the victim. If a newspaper publishes a report or if a motion picture is made alleging that a particular woman was raped, it is held to be defamatory publication of the victim. The reason is the prevailing social atmosphere and the stigma attached to a helpless woman suffering the wrong and consequences thereto. The Indian criminal law was amended in 1986 in tune with the western criminal law which penalises the publication of rape victim's identity. Section 228A of Indian Penal Code imposes two year punishment with or without penalty for revealing the name and identity of the victim only to protect the victim from further victimization. It is the manifestation of the right to privacy and right to reputation of the victim and the duty of the state and society to protect her from further onslaught of rights, which form a significant part of Article 21 of the Constitution.

People's right to know and freedom of the press to impart information about the working of the government and its functionaries are facts of the fundamental guarantee as stated in the Article 19 (i)(a) of the Constitution, and the said right is an essential ingredient of personal liberty. But in case of a clash between the public official's privacy and the public's right to know about his personal affairs which is having a bearing on the due discharge of his official duties, the privacy of the public official's may be exposed by the media. However, it is equally obvious that in matters of personal privacy which are not relevant to the discharge of his official duties, the public official enjoys the same protection as any other citizen.

The courts usually protect the press against invasion of privacy suits when it is reporting matters of legitimate public interest. However, there are exceptions. One is when a reporter invades someone's privacy by entering private property to get a story. One cannot trespass on a private property to get a story or take a picture even if it is newsworthy. The courts will not protect a reporter when he is a trespasser. Two, the court will also not protect a reporter if he invades someone's privacy out of carelessness.

6.4. Sensationalism

Sensationalism is especially applied to something that is unusual or atypical. It is a manner by which it can grab attention and involves extreme

controversy. The term is commonly used in reference to the media. Critics of media- bias of all political rank and colour often charge the media with engaging in sensationalism in their reporting and conduct. That is, the notion that media outlets often choose to report heavily on stories which have value or attention-grabbing names or events, rather than reporting on more pressing issues to the general public.

In an extreme case of sensationalism, the media would report the news if it makes a good story, without much regard for the factual accuracy. Thus, a press release including ridiculous and false pseudo-scientific claims issued by a controversial group is guaranteed a lot of media coverage. Such stories are often perceived (rightfully, or mistakenly) as partisan or biased due to the sensational nature in which they are reported. A media piece may report on a political figure in a biased way or present one side of an issue while deriding another, or neutrally, it may simply include sensational aspects such as zealots or doomsayers.

Complex subjects and affairs are often subject to sensationalism. Exciting and emotionally charged aspects can be drawn out without providing elements such as pertinent background, investigative, or contextual information needed for the viewer to form his or her opinion on the subject. Mainstream media is sometimes duped into reprinting stories from comedy sites as facts without any factual checks. One widely reported example involved *The Onion's story on Harry Potter* causing an increased interest in Satanism. The media is also occasionally taken in by mistakes, such as a story about deep sea creatures brought by the 2004 Asian tsunami.

One presumed goal of sensational reporting is increased viewership or readership which can be sold to advertisers, the result being a lesser focus on proper journalism and a greater focus on the "juicy" aspects of a story that pull in a larger share of audience.

6.4.1. Sensationalism: Development of the Concept

Many believe that sensationalism is a practice of media corporations especially through television news whereby the use of pictures and footage overpowers the story creating a different and often biased viewpoint. However, Mitchell Stephens in his account of *The History of News* illustrates that

sensationalism can be found in the Roman *Acta* (The earliest recorded effort to inform the public instituted by Julius Caesar), and was spread with enthusiasm by preliterate societies. Sensationalism can be found in books of the 16th and 17th century.It was, however, viewed differently in those times. Rather, it was used to teach moral lessons.

It is difficult, therefore, to resist the conclusion - however unpleasant and unfashionable - that the bulk of the blame for the amount of sensationalism that continues to appear in the news rests not only with media corporations, no matter how greedy, but with our natures. There is heavy use of sensationalism which aims at the lower class as they have less of a need to understand politics and the economy. But by doing this, the audience is being further educated and encouraged to find interest in the happenings of their society.

6.4.2. Sensationalism in Electronic Media

Sensationalism is often blamed for the 'infotainment style' of many of the news programs broadcast over radio and television. Yet the news has always been enjoyed for as long as it has been exchanged. The debate of sensationalism used in the media is based on a misunderstanding of its audience, especially the television audience. When sensationalism used through broadcasting is combined with this concept of the passive mass audience, it is assumed that the audience consume all information fed to them. However, the recipients of a message, no matter how sensationalised it is, ' make with it what they will, and the producer is not there to elaborate or to correct possible misunderstanding'. Thus, it is the misinterpretation of the broadcast audience as passive consumers which is problematic for the use of sensationalism.

Further more, even though the newspaper is often seen as, a more credible source than television news because of televisions use of footage over spoken information they are both sensationalised to the same extent. Television news is restricted to showing the scenes of crimes rather than the crime itself because of the unpredictability of events. Whereas newspaper writers can always recall what they did not witness. Furthermore, television news writers have room for fewer words than their newspaper

counterparts. Their stories are measured in seconds, not column inches and thus, even with footage, television stories are undeniably shallower than most newspaper stories.

Sensational spellings are common in advertising and product placement. In particular, brand names such as Cadbury's "Creme Egg" (standard English spelling: *cream*) or Kellogg's "Froot Loops" (*fruit*) may use unexpected spellings to draw attention, and also to make an everyday word copyrightable. The inscription "Fish 'n' chips" above a chip shop is similar. Sensational spelling may take on a cult value in popular culture. An example of this is the heavy metal umlaut. In esoteric circles, 'magic' is often spelled 'magick' to differentiate it from stage magic.



CHECK YOUR PROGRESS – A

1. What is Privacy?
2. Which Article under the *Constitution of India* protects the right to privacy?
3. What is the common Article under the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR) that protects the right to privacy?
4. What is sensationalism?
5. What was the earliest recorded effort to inform the public instituted by Julius Caesar that introduced sensationalism?

6.5. Sting Operations

In law enforcement, a sting operation is a deceptive operation designed to catch a person committing a crime. A typical sting will have a law-enforcement officer or cooperative member of the public play a role as criminal partner or potential victim and go along with a suspect's actions to gather evidence of the suspect's wrongdoing. Sting operations are fraught with ethical concerns over whether they constitute entrapment. Law-enforcement may have to be careful not to provoke the commission of a crime by someone who would not normally be inclined to do so. Additionally,

in the process of such operations, the police often engage in the same so-called crimes, often victimless, such as buying or selling contraband, soliciting prostitutes, etc. In common law jurisdictions, the defendant may invoke the defence of entrapment.

For example, in the case of a drug sting if the police put pressure upon a person to sell drugs who initially refuses but is persuaded to do so then they could be seen as entrapping. However, should the police indicate they wish to purchase drugs and a person offers to sell them, then there is no entrapment. A good example of such concerns involving entrapment is *To Catch a Predator*, a reality TV show hosted by Chris Hansen. The show involves outsiders having online conversations with decoys posing as underaged females. The whole show centers around people having the intent to commit sexual acts with children.

6.5.1. Operation West End: Tehelka.com

The most outstanding case of sting operation by media in India in recent years was the Operation West End. *Tehelka* is an Indian weekly magazine under the editorship of Tarun Tejpal. The publication started life in 2000 as a news website, Tehelka.com. It was forced to close down temporarily due to hostile government action following Operation West End, a major expose on corruption in defence procurements. Operation West End was a sting operation aimed at sensationalising the corruption underlying India's large defence contracts. The original investigative piece by Tehelka in 2001 targeted several members of the then ruling coalition, the National Democratic Alliance, headed by Bharatiya Janata Party's Atal Behari Vajpayee. It showed several political figures, as well as army top brass, colluding to take bribes that approached 4% of orders totalling hundreds of crores in order to approve defense contracts. The minister in-charge of Defence, George Fernandes of the Samata Party, resigned after the tapes were made public, but he was reinstated later. Parts of the tapes show the treasurer of his party talking about accepting bribes of one crore or more. However, subsequent investigation revealed that there was no evidence linking Fernandes to the impropriety in the deals. Tehelka was accused of fabricating allegations and carrying out a biased and motivated campaign

carried out at the behest of the political foes of George Fernandes. In the Tehelka tapes, the reporter Aniruddha Bahal is posing as a representative of the fictitious large arms supplier *West End*.

6.5.2. Sting operations in Movies, Novels, Comics and TV Serial

The 1973 Robert Redford and Paul Newman film, *The Sting*, centers on two drifters and their attempts to con a mob boss through a type of sting operation. Several novels and short stories by science fiction author Philip K. Dick, such as *A Scanner Darkly*, revolve around sting operations that have gotten out of hand. 'Season Three' of the TV series *24* has its entire main plot focused on a sting operation and its unforeseen consequences. In the *Sonic the Hedgehog* issues from Archie Comics, the Freedom Fighters were involved in a sting operation against several of their foes. In the *Seinfeld* episode, The Sniffing Accountant, Jerry, Kramer, and Newman set up a sting in order to catch their suspected drug-dealing accountant. In the *Simpsons* episode, Mr. Lisa Goes to Washington, the FBI use a sting operation to prove the guilt of fictional US Senator Bob Arnold, in order to subsequently convict him of fraud through succumbing to bribery.

6.6. Paparazzi

The word 'Paparazzi' originated from the Italian word 'paparazzo'. 'Paparazzi' is the plural term of the Italian word. It means 'photographers' who take candid photographs of celebrities. The settings vary widely for these photographs – it may be any location from the red carpet to a private backyard. The word paparazzi was used in a 1960 film *La dolce vita* directed by Federico Fellini. One of the characters in the film is a news photographer named Paparazzo (played by Walter Santesso). In his book *Word and Phrase Origins*, Robert Hendrickson writes that Fellini took the name from an Italian dialect that describes a particularly annoying noise, that of a buzzing mosquito. In his school days, Fellini remembered a boy who was nicknamed "Paparazzo" (Mosquito), because of his fast talking and constant movements, a name Fellini later applied to the fictional character in *La dolce vita*. Fellini's screenwriter Ennio Flaiano also said the name came from a hotel proprietor's

name in a southern Italy travel narrative *By the Ionian Sea* by Victorian writer George Gissing. Fellini and Flaiano opened the book at random, saw the name, and decided to use it for the photographer.

6.6.1. Paparazzi and Celebrities: Two Way Traffic

The presence of paparazzi is not always discouraged; the arranger of an event may, in order to make the guests feel important, hire a number of photographers who pretend to be so-called paparazzi. Freelance Paparazzi usually sell their work to dozens of magazines and newspapers that publish such photos for their readers and subscribers, and hence, many paparazzi feel that they are helping celebrities and public figures in general by increasing their visibility. They often earn large sums for a particularly good, or revealing picture. Staff Paparazzi usually work for a Press Agency Photos may be sold to hundreds of magazines, newspaper, website and TV networks worldwide.

Many big media corporations are the owners of Show Biz Magazines, Celebrity website and Movie Studio at the same time. For example, TMZ, People Magazine, AOL, CNN and Warner Brothers Studio are owned by TIME WARNER MEDIA. In the same month when Warner Brothers Studio is releasing a new one hundred million dollar movie with Brad Pitt, they will order their affiliate to get pictures and videos of Brad Pitt in holidays to get more buzz around their new feature release. A lot of Paparazzi are getting their information regarding a celebrity by the star's manager, publicist or agent. Celebrities need a higher level of exposure than the rest of us; so it is a two-way street, therefore, the celebrities manipulate.

6.6.2. Restrictions on Paparazzi and Laws

Due to the reputation of paparazzi as a nuisance, some states and countries (particularly within Europe) restrict their activities by passing laws and curfews, and by staging events in which paparazzi are specifically allowed to take photographs. In Germany and France, photographers need the permission of the people in their photographs in order for them to be released. In USA, Paparazzi are not breaking any laws when they take a photo of a celebrity, unless the photographer was on private property.

Paparazzi involvement in the deaths of Princess Diana and her companion Dodi Fayed, who were killed in 1997 in a high-speed car accident in Paris, France, is well known. Although several paparazzi were briefly taken into custody, no one was ever convicted. The official inquests into the accident attributed the causes to the speed and manner of driving of the Mercedes, and to the speed and manner of driving of the following vehicles as well as to the impairment of the judgment of the Mercedes driver through alcohol.

In 1999, the *Oriental Daily News* of Hong Kong was found guilty of "scandalizing the court", an extremely rare criminal charge that the newspaper's conduct would undermine confidence in the administration of justice. The charge was brought after the newspaper had published abusive articles challenging the judiciary's integrity and accusing it of bias in a lawsuit the paper had instigated over a photo of a pregnant Faye Wong. The paper had also arranged for a "dog team" (slang for paparazzi in the Chinese language) to track a judge for 72 hours, to provide the judge with first-hand experience with what paparazzi do.

On 2006, Daniela Cicarelli went through a scandal when a paparazzo caught video footage of her having sex with her boyfriend on a beach in Spain, which was posted on YouTube. After fighting in the court, it was decided in her favour, causing YouTube to be blocked in Brazil. This caused major havoc among Brazilians, including threatening to make a boycott against MTV unless Daniela was fired from the company. Ultimately, the block lasted merely a few days, but Daniela did not get fired. However, the legal action backfired as the court decided she had no expectation of privacy by having sex in a public location.

6.7. Yellow Journalism

Yellow journalism, in short, is biased opinion masquerading as objective fact. Moreover, the practice of yellow journalism involved sensationalism, distorted stories, and misleading images for the sole purpose of boosting newspaper sales and exciting public opinion. The New York Press coined the term 'yellow kid journalism' in early 1897 after a then popular comic strip. This was soon shortened to 'yellow journalism' with the New York Press insisting, "We called them Yellow because they are Yellow."

The term was popularised in the late 19th century in *The New York World*, run by Joseph Pulitzer and *The New York Journal*, run by William Randolph Hearst. It all started, some historians believe, with the onset of the rapid industrialisation that was happening all around the world. The Industrial Revolution eventually affected the newspaper industry, allowing newspapers access to machines that could easily print thousands of papers in a single night. This is believed to have brought into play one of the most important characteristics of 'yellow journalism' – the endless drive for circulation. And, unfortunately, the publisher's greed was very often put before ethics.

Although the actual practice of what would later become known as yellow journalism came into being during a more extended time period (between 1880-1890), the term was first coined based on a series of occurrences in and following the year 1895. The battle peaked from 1895 to about 1898, and historical usage often refers specifically to this period. Both papers were accused by critics of sensationalising the news in order to drive up circulation, although the newspapers did serious reporting as well. This was the year (1895) in which Hearst purchased *The New York Journal*, quickly becoming a key rival of Pulitzer's. The term was derived, through a series of peculiar circumstances, from a cartoon by the famous 19th century cartoonist, Robert Outcault called "The Yellow Kid". The cartoon was first published in *The World*, until Hearst hired him away to produce the strip in his newspaper. Pulitzer then hired another artist to produce the same strip in his newspaper. This comic strip happened to use a new special, non-smear yellow ink, and because of the significance of the comic strip, the term "yellow journalism" was coined by critics.

Sadly though, this period of sensationalist news delivery (where the so-called yellow press routinely outsold the more honest, truthful, unbiased newspapers) does stand out as a particularly dark era in journalistic history. One of the more disturbing features involved with the former practice of yellow journalism, and the period in which it was most active is that there is no definite line between this period of yellow journalism and the period afterwards. There only exists evidence that such practices were frowned upon by the general public – by 1910, circulation had dropped off very rapidly for such papers. But irrespective of all these 'yellow journalism' never faded away.

In recent times “Yellow journalism” may be defined as a type of journalism that downplays legitimate news in favour of eye-catching headlines that sell more newspapers. It may feature exaggerations of news events, scandal-mongering, sensationalism, unprofessional or unethical practices by news media organisations or journalists. Yellow Press newspapers carry multi-column front-page headlines covering a variety of topics, such as sports and scandal, using bold layouts (with large illustrations and perhaps colour), heavy reliance on unnamed sources, and unabashed self-promotion. By extension, the term is used today as a pejorative term to decry any journalism that treats news in an unprofessional or unethical fashion, such as systematic political bias.

Frank Luther Mott, an American historian and journalist, in 1941, defined Yellow Journalism in terms of five characteristics:

- scare headlines in huge print, often of minor news
- lavish use of pictures, or imaginary drawings
- use of fake interviews, misleading headlines, pseudo-science, and a parade of false learning from so-called experts
- emphasis on full-colour Sunday supplements, usually with comic strips (which is now normal in the U.S.)
- dramatic sympathy with the “underdog” against the system.

Present day (successful) exponents of the yellow journalistic style would be the British red top tabloids, notably *The Sun* and its German equivalent *Bild*.

6.7.1. Yellow Journalism Today

“Yellow journalism”, a phrase coined in the late 19th century because of its smear appeal, still lives on as a derogatory term for some types of publications. The term , which emerged in New York City in early 1897 to denigrate what then was called the “new journalism” of William Randolph Hearst and Joseph Pulitzer, is widely invoked these days as a shorthand sneer for journalistic sins of all kinds. It is a distinctly American idiom that has found expression in an astonishing variety of international settings. “Yellow journalism”, for example, has been associated with bribe-taking by journalists in Thailand, and with “rumor-mongering factories” in Pakistan. “Yellow

journalism" has been blamed for "creating chaos, despondency, and lies" in Kenya. A large number of complaints every year to the press commission in India are about "yellow journalism".

A careful, and dispassionate study reveals that "yellow journalism" is a distinctive and imaginative genre, less malevolent than commonly understood. In the context of today's media, "yellow journalism" is characterised by:

- scare headlines in huge print, often of minor news
- frequent use of multicolumn headlines, including Page One banners.
- front-page treatment for a variety of topics, including the local and national politics, war, international diplomacy, sports, and society; generous use of illustrations, photographs, graphics and maps.
- willingness to experiment with layouts. Sometimes, the front page of the Journal is was dominated by a single article and outsized illustration.
- the tendency to rely on anonymous sources, notably in dispatches of leading reporters.
- eager indulgence in self-promotion, particularly calling attention to reporting accomplishments.

Yellow journalism has its faults. It is impertinent, reluctant to acknowledge lapses in reporting. But in appearance and, to some extent, in content, the yellow press represented a provocative departure for mainstream American journalism. The yellow press also tapped eagerly the emergent technologies, investing, for example, in presses that printed multiple colours. Those presses gave rise to colour comics, an immediate and lasting success. Yellow journalism could scarcely be called boring, uninspired or predictable – the sort of criticism that is sometimes raised against contemporary U.S. newspapers. Newspapers of the early 21st century resemble in appearance the yellow press of 100 years ago more than they do the era's gray, conservative rivals. Although the boycott of yellow press in 1897 failed, detractors of yellow journalism did succeed in maligning and marginalising the genre.



CHECK YOUR PROGRESS – B

1. What is a “Sting Operation”?
2. What is Tehelka.com?
3. What is Paparazzi?
4. What is “yellow journalism”?
5. Which two newspapers popularised the term “Yellow journalism”?

6.8. Let us sum up

In this chapter we are introduced to the topic, right to privacy. Privacy is the state of being free from unwanted intrusion, being closely related to anonymity. The term ‘privacy’ was coined by Thomas Cooley, the American scholar who defined it simply as a “right to be left alone” and its object is to protect one’s inviolate personality. Since then some aspects of the right of the individual to be free from and protected against highly offensive publicity, concerning private life, affairs and activities, which do not impinge upon public interest, has been recognised in several countries. It may be called media’s invasion into privacy when – a reporter physically intrudes into a private area to get a story or picture. The right against unsanctioned invasion of privacy by the government, corporations or individuals is part of many countries’ privacy laws. Right to privacy has also been part of international laws since late 1940s.

- Sensationalism is a manner by which it can grab attention and involves extreme controversy. The term is commonly used referring to the media. Critics of the media bias of all political rank and colour often charge the media with engaging in sensationalism in their reporting and conduct. Sensationalism is often blamed for the ‘infotainment style’ of many of the news programs broadcast over radio and television.
- In law enforcement, a “sting operation” is a deceptive operation designed to catch a person committing a crime. Sting operations

are fraught with ethical concerns over whether they constitute entrapment. A typical sting will have a law-enforcement officer or cooperative member of the public play a role as criminal partner or potential victim and go along with a suspect's actions to gather evidence of the suspect's wrongdoing.

- 'Paparazzi' means 'photographers' who take candid photographs of celebrities. The word 'Paparazzi' originated from the Italian word 'paparazzo'. The presence of paparazzi is not always discouraged; the arranger of an event may, in order to make the guests feel important, hire a number of photographers who pretend to be so-called paparazzi. Freelance Paparazzi usually sell their work to dozens of magazines and newspapers that publish such photos for their readers and subscribers, and hence, many paparazzi feel that they are helping celebrities and public figures in general by increasing their visibility.
- Yellow journalism, in short, is biased opinion masquerading as objective fact. In recent times "Yellow journalism" may be defined as a type of journalism that downplays legitimate news in favour of eye-catching headlines that sell more newspapers. It may feature exaggerations of news events, scandal-mongering, sensationalism, unprofessional or unethical practices by news media organisations or journalists.

6.9. Answers to check your progress

A

1. Privacy is the state of being free from unwanted intrusion, being closely related to anonymity. Every individual has a right to privacy as part of her/his overall right to live with dignity. The term 'privacy' was coined by Thomas Cooley, the American scholar who defined it simply as a "right to be left alone" and its object is to protect one's inviolate personality.

2. Article 21 of the *Constitution of India* protects the right to privacy of individuals.

3. Article 12 of the Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR).

4. Sensationalism is a manner by which it can grab attention and involves extreme controversy. The term is commonly used in reference to the media. One presumed goal of sensational reporting is increased viewership or readership.

B

1. A sting operation is a deceptive operation designed to catch a person committing a crime. Sting operations are fraught with ethical concerns over whether they constitute entrapment.

2. Tehelka.com is a news website started in 2000. The portal carried the most famous case of sting operation by media in India in recent years called Operation West End. The portal started later *Tehelka*, a weekly magazine under the editorship of Tarun Tejpal.

3. The word 'Paparazzi' originated from the Italian word 'paparazzo'. It means 'photographers' who take candid photographs of celebrities. The settings vary widely for these photographs – it may be any location from the red carpet to a private backyard.

4. Yellow journalism is biased opinion masquerading as objective fact. Moreover, the practice of yellow journalism involves sensationalism, distorted stories, and misleading images for the sole purpose of boosting newspaper sales and exciting public opinion.



6.10. Further Readings

- **R. S. Sarkaria:** ***A Guide to Journalistic Ethics***
- **Raymond Wacks:** ***Privacy and Press Freedom***
- **Tom Welsh, Walter Greenwood, David Banks:** ***Essential Law for Journalists***



6.11. Possible questions

1. Describe ‘privacy’ in relation to media’s intrusion into it. Explain the provisions under international law for protection of privacy.
2. Explain the statutory/legal provisions for protection of privacy in India.
3. What is “Sensationalism”? Write a brief note on “sensationalism” in electronic media?
4. What is a “sting operation”? Explain with reference to sting operations in India.
5. What is ‘Paparazzi’? Explain how ‘Paparazzi’ is necessary for the celebrities, yet they are dangerous for celebrities?
6. Write a brief note on restrictions and laws on ‘Paparazzi’ with examples.