PGJMC S1 04

MEDIA LAWS AND ETHICS

SEMESTER - I

JOURNALISM AND MASS COMMUNICATION

BLOCK - 1

KRISHNA KANTA HANDIQUI STATE OPEN UNIVERSITY

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COURSE 4 : MEDIA LAWS AND ETHICS

BLOCK 1

DETAILED SYLLABUS

UNIT-1: CONSTITUTIONAL RIGHTS : **(Pages 7 - 23)**

Concept of Fundamental Rights, Types of Fundamental Rights, Fundamental Rights under the Constitution of India, Concept of Freedom of Speech and Expression, Constitutional Guarantees and Limitations, Concept of Directive Principles of State Policy, Differences between Fundamental Rights and Directive Principles of State Policy

UNIT-2: EMERGENCY PROVISIONS AND PARLIAMENTARY PRIVILEGES : **(Pages 24 - 41)**

Early communication systems in India, role of media in India: freedom struggle and role of media, pre-independence era of mass media, development of mass media in post independence era

UNIT-3: LEGAL ASPECTS OF MEDIA FREEDOM: **(Pages 42 - 61)**

Media Freedom, Concept and History of Media Freedom, Media Freedom: Constitutional Guarantees and Reasonable Restrictions, Defamation: Concept and Kinds of defamation, Defamation and Law Liabilities of Different Persons as regards Defamation, Official Secrets Act, 1923, Right to Information: Concept, Right to Information: A Human Right Right to Information, International Standards Right to Information: Indian Perspectives Right to Information Act, 2005.

UNIT-4: INTRODUCTION TO ETHICS **(Pages 62 - 76)**

Ethical thinking, Different ethical philosophies- Absolutist Ethics, Moral Absolutism, Ethical relativism, Existential Ethics, Situational Ethics, Evolutionary Ethics, Descriptive Ethics , Applied Ethics, Bio-ethics, Environmental Ethics, Business Ethics

UNIT-5: RIGHTS OF JOURNALISTS **(Pages 77 - 90)**

Press Council of India, Ethics of Journalism, Working Journalists and Other Newspaper Employees (Conditions of Services & Miscellaneous Provision) Act, 1955 Prasar Bharati (Broadcasting Corporation of India) Act, 1990

UNIT-6: MEDIA FREEDOM: **(Pages 91-108)**

Media freedom, Need for restraint on media freedom, Media and importance of ethics, Media Code of Ethics, Common elements of Media Code of Ethics, Plagiarism, Compliance of Ethical Standards, Right of Reply

UNIT-7: MEDIA AND PRIVACY: **(Pages 109-126)**

Media and Intrusion into Privacy, Privacy under International Law, Privacy and Indian Legal Provisions, Sensationalism: Development of the Concept, Sensationalism in Electronic Media, Sting Operations, Operation West End: Tehelka.com, Sting operations in Movies, Novels, Comics and TV Serial, Paparazzi and Celebrities, Restrictions on Paparazzi and Laws, Yellow Journalism, Yellow Journalism Today

UNIT- 8: ETHICS IN PHOTOJOURNALISM: **(Pages 127-144)**

Ethics in Photojournalism, What is Photography, Ethics in Photojournalism, Plagiarism in Photography, Photographers' Code of Professional Conduct, Use of Photoshop and publishing of digital photographs, Code of Ethics and Photoshop, Photojournalism, Internet and Ethics-What is Internet, Photography on the World Wide Web (www), Examples of Manipulated Photographs on the Internet

COURSE INTRODUCTION

We have discussed the concept of communication , the different theories of mass communication and history and development of different forms of media in the first three courses of the first semester post graduate level programme in Journalism and Mass Communication. This is the fourth course of the said programme. In this course we shall discuss about the different aspects of media laws and ethics.

In law, a 'right' is the legal or moral entitlement to do or refrain from doing something, or to obtain or refrain from obtaining an action, thing or recognition in civil society. Rights serve as rules of interaction between people, and, as such, they place constraints and obligations upon the actions of individuals or groups. On the other hand, Ethics are norms for conduct that distinguish between an acceptable and unacceptable behaviour. It is concerned with what is right or wrong, good or bad, fair or unfair, responsible or irresponsible, obligatory or permissible, praiseworthy or blameworthy. Ethics and standards of journalism comprise the principles of ethics and of good practice as applicable to the specific challenges faced by the professional journalists.

BLOCK INTRODUCTION

This particular course is divided into two blocks with block -1 consisting of eight units and block-2 consisting of seven units.

UNIT- 1: CONSTITUTIONAL RIGHTS : In this unit, you will learn about fundamental rights and its types. You will also learn about the guarantees and limitations as regards 'freedom of speech and expression'. Here we will also introduce you to the concept of the Directive Principles of State Policy incorporated in the The Constitution of India. We hope that after going through this unit, you will have the basic understanding of the concept of 'Fundamental Rights', 'freedom of speech and expression' and Directive Principles of State Policy.

UNIT- 2: EMERGENCY PROVISIONS AND PARLIAMENTARY PRIVILEGES : In this unit you will learn about the concepts of Emergency, State of Emergency, Parliamentary and Legislative Privileges. You will also learn about different provisions and types of Emergency and the types of Parliamentary and Legislative Privileges under the Constitution of India. You will also be given an understanding about the effect and limitations on Media Reporting because of these constitutional provisions.

UNIT- 3: LEGAL ASPECTS OF MEDIA FREEDOM : In this unit you will learn about the rights associated with media, which is a powerful institution that can act as a necessary instrument of communication. Here, we will also introduce you to the guarantees and limitations contained in the Constitution of India as regards the media freedom. In this unit an attempt is being made to introduce you with the penal provisions in India. Finally, the concept of Right to Information is analysed in relation to international and

domestic legislations along with the constitutional provisions. We hope that after going through this unit, you will have the basic understanding of the Official Secrets Act, 1923.

UNIT -4 : INTRODUCTION TO ETHICS : In this unit, you will be introduced to the concept of ethics and the different ethical philosophies associated with it like Absolutist Ethics, Moral Absolutism, Ethical relativism, Existential Ethics, Situational Ethics, Evolutionary Ethics, Descriptive Ethics , Applied Ethics, Bio-ethics, Environmental Ethics, Business Ethics.

UNIT- 5: RIGHTS OF JOURNALISTS: In this unit you will learn about various welfare measures which are provided in the Working Journalists and Other Newspaper Employees (Conditions of Services & Miscellaneous Provision) Act, 1955 along with the administrative machinery under the Act. You will also learn about the objectives of the Prasar Bharati and the composition and functions of the Broadcasting Council.

UNIT- 6: MEDIA FREEDOM: In this Unit when you will learn about media freedom you will be introduced to media ethics which refers to the value system by which a person determines what is right or wrong, fair or unfair, just or unjust which is necessary for media to survive neutrally. You will also learn the common elements of ethics that are necessary for media — truthfulness, accuracy, objectivity, impartiality, dignity, fairness, public accountability and humanity — as these apply to the acquisition of newsworthy information. Finally, you will learn about 'Plagiarism' and the 'Right of Reply' which is a right of an individual to reply to misleading or inaccurate publications about him.

UNIT- 7: MEDIA AND PRIVACY: 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.

UNIT-8: ETHICS IN PHOTOJOURNALISM

In this unit you will be introduced to the ethics of photojournalism, digital manipulation by using Photoshop and ethics concerning it. You will also be introduced to the ethical concerns of photojournalism over Internet.

While going through this course, you will come across some along-side boxes, which are put on the left side or right side of the text. These boxes will explain to you the meaning of some words and concepts within the text. Apart from this, there will be some broad and short questions which have been included under 'Activity' and 'Check Your Progress' section in every unit. Activities will increase your thinking capacity because questions put under 'Activity' section are not directly derived from text. Answers to the short questions have been put under section 'Answers to Check Your Progress'. Besides, a few text-related questions have been put under the section 'Possible Questions'. These questions will help to draw your attention on the probable topics for the examination so that you can prepare for the examination with confidence.