

CENSORSHIP AND WORKINGS OF A MODERN DEMOCRACY: A CONTEXTUAL UNDERSTANDING

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Abstract

Censorship means deciding and picking what can and cannot be expressed freely and disseminated freely amongst a large audience. This determination can be based on many factors like political conditions, religious factors, and even cultural and artistic context. The definition of offensive content can range from pornography to political and religious criticism. The idea behind this practice is that individuals cannot be trusted to choose what they want to see and read or form their own opinions freely. This information and its proper dissemination are needed to make the citizen a responsible stakeholder in the working of the nation. It will enable them to make informed decisions and prevent the absorption of misinformation and propaganda. Censorship requests and practices come from and are followed in all spheres of life. Censorship is thus a collaborative effort between society and government. Consequences of Censorship can be seen both positively as well as negatively. Censorship is a critical topic in terms of politics, and too much restriction can be seen as the image of government as a dictator.

Keywords: Censorship, Media, Political Parties, Freedom of Speech, Media

INTRODUCTION

Media censorship in the modern sense of the word is associated with extensive, complex urban communication infrastructure being restricted by the centralized authority, mostly nation-states. The reason behind this is often the capability of this media structure and technology to reach a broad audience effectively. State machinery wants to cut off this reach and flow of information in relevant contexts.

Censorship means deciding and picking what can and cannot be expressed freely and disseminated freely amongst a large audience. This determination can be based on many factors like political conditions, religious factors, and even cultural and artistic context. Censorship might also include withholding current information and preventing the formation of new knowledge. Generally, in the modern context of press freedom, the content that might be objectionable or which might disturb public order is repressed and restricted from reaching a large audience. However, when this Censorship comes from the state, these reasons might just be politically motivated excuses.

In the broadest sense, any law prohibiting self-expression (e.g., nudity, language use) or the surveillance and suppression of personal communication (phone, mail) might be considered Censorship. However, our primary focus in this paper is on state-backed initiatives to restrict mass media justified by claims of preserving the public interest, a form with significant ramifications for a democratic society.

Censorship is purely based on the assumption that some ideas and their free expression can harm any individual or society and its order. These assumptions are purely made by people in some sort of authority over the concerned audience. This authority can be political or moral. This authority takes up the job of setting some standards of expression that must not be broken at any cost according to it. Breaking or contravening these standards can lead to sanctions and punishments. Another assumption that Censorship makes is that an individual and the society at large are vulnerable to so-called offensive content, and they need to be protected. The definition of offensive content can range from pornography to political and religious criticism. The idea behind this practice is that individuals cannot be trusted to choose what they want to see and read or form their own opinions freely.

All Censorship is not harmful or encroaching. Sometimes it can be symbolic of the will to strengthen the social bonds and encourage co-operation. Ideally, the idea behind Censorship in modern democracies is this only. It is a kind of interaction with the individual to respect her fellow individual. Examples of such Censorship are banning racist, sexist and communal content. But it also holds true that Censorship can be motivated by political, economic, and religious interests more often than not. The service of defending public morals and social orders is often a disguise to suppress criticism, restrict opposing ideas, and delegitimize opponents.

Censorship is an involuntary agreement between the state and its citizens. It is unitary and non-discretionary; individuals who are subject to it cannot communicate their unwillingness. Censorship aims to hide knowledge from a large group of people rather than a single person.

Censorship authorized by the government is distinct from censorious practices of private organizations or entities. In a modern democracy, only Censorship by the government is legal. Non-governmental organizations, such as a religious group or a social movement, may prohibit or attempt to discourage members and others from producing, disseminating, reading, listening to, or seeing offensive information. They may urge editorial revisions, call for boycotts, and petition school boards, libraries, book stores, and theatres to prohibit such content, but they can't in the true sense of the word censor such content.

HISTORY OF CENSORSHIP

The development of modern media technology like the printing press that can mass-produce newspapers, books, radio, telephone, televisions, and most recently, the internet has increased the reach of any information to its target audience unprecedentedly. These new media and communication technologies have also made it extremely easy to quickly and easily disseminate information at very low costs. These recent developments have given birth to conflicting ideas- one being open and easy freedom of expression and communication and the other advocating greater restriction on this freedom of expression. This conflict can be clearly seen in burning books to restricting content on the internet.

Censorship is not at all a modern novel concept. Its earliest origins can be traced back to ancient Greece, where Socrates chose to die rather than have his ideas censored. Censorship has also been discussed as a state tool since this time only- as seen in Plato's arguments for the Censorship of arts. Even the Romans censored dramas and books and often killed, or banished poets, writers, and artists

as written minted state policy. Censorship as a tool of the state to suppress freedom of free thought can be best witnessed in the Church's actions against scientific thought. Pope Gelasius issued the first papal list of prohibited books in the fifth century.

History shows us that the birth of new technologies like – the printing press and the accompanying spread of literacy and in the 21st century birth of the internet and its accompanying reach also brought with them the renewed demands and excuses for Censorship of religious and political ideas. This ended the historic, albeit limited, monopoly of religious and government institutions over mass communication and its Censorship.

After the Second World War and the victory of democratic countries over fascist governments in WWII, the fall of colonialism, and the conclusion of the Cold War, the ideological superiority of democratic values involving freedom of inquiry and expression grew exponentially. This led to the inclusion of the principle of free speech in various United Nations documents, European Constitutions, and publications such as the European Convention on Human Rights and Fundamental Freedoms.

This recognition of freedom of speech and specifically the press as a basic human right led to formal government censorship becoming an exception rather than the rule in modern and pluralist democracies on paper. Though, this was not the case with absolutist, authoritarian governments which still claimed to hold the absolute truth, whether political, religious, or moral, and did not tolerate alternative viewpoints.

According to a 2020 report on worldwide press freedom, 20 percent of the world's population lives in a country with complete press freedom. In contrast, 38% lived in a country where there was no press freedom at all. Because of a lack of press freedom, a country's government frequently limits what can be published, placing consumers in danger of receiving wrong or biased information or entirely losing out on particular news topics.

ROLE OF MEDIA IN DEMOCRACY

Access to true and timely information is absolutely critical to the proper functioning and health of any modern democracy. This information and its proper dissemination are needed to make the citizen a responsible stakeholder in the working of the nation. It will enable them to make informed decisions and prevent the absorption of misinformation and propaganda. The right information and access to it also make the government and authorities accountable. It sorts of acts like a check on their actions and ensures that they uphold their oaths and act in the interest of the citizens.

Lack of Censorship and freedom of expression and press is often misconstrued and misunderstood as a necessary hostile relationship between the media and authorities. This cannot be further from the truth. A hostile relationship does not guarantee a healthy and fully functional democracy. Such conflict and tension are not desirable in post-conflict or ethnically homogeneous societies. The role of the press in disseminating information as a means of mediating between the state and all elements of civil society remains vital.

Media and press are rightly called the fourth pillar of democracy. It shares its functions with other pillars of democracy and governance- and this is well recognized and experienced. A free press and media environment can yield results in governance reforms, particularly those connected to decentralization, anti-corruption, and citizen participation in policymaking. An independent media keeps a check on the judiciary, executive and legislative. Enabling a free and fair environment conducive to press freedom can help to institutionalize the rule of law further.

The backbone of a democracy is its free and fair election process. This electoral process again rests on the shoulders of a free press that is not subject to excessive Censorship. Proper representation and chance to each and every contender is ensured through a robust media framework.

There exists a robust international framework that highlights the importance of media initiatives. Article 19 of the 1948 Universal Declaration of Human Rights states, "Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media regardless of frontiers."

A healthy and modern democracy is one where the media is free and fair. Media development should be in such a manner to shift the media away from being directed or even overtly controlled by government or private interests and toward one that is more open and has a degree of editorial independence that serves the public interest. This especially holds true for a country like India.

A democratically supportive media sector is one that has editorial independence, is financially viable, has diverse and plural voices, and serves the public interest. The public interest is described as representing a plurality of perspectives through a greater number of venues, as well as the diversity of viewpoints and opinions expressed inside a single outlet.

CENSORSHIP & MODERN DEMOCRACIES

Censorship isn't a new concept in India. It has been in existence even before Britishers came to India, and the issues of press freedom and its limitation due to Censorship has always led to a sort of tussle between freedom of the press and public good. Dr. Ambedkar had said that there cannot be any such things as absolute or uncontrolled liberty, wholly freed from restraints for that would lead to anarchy and disorder. In this digital era where everything is just a click away needs vigilance upon the content available. The effect of Censorship deeply affects all aspects of media, including the film fraternity, which tends to be under even more fear of Censorship after scrapping old legislation. Similar to a coin, Censorship also has two facets to it, and its counter productivity has resulted in myriad pros as well as cons with constitutional limitations. Hence it is extremely important to understand Censorship from all angles in India.

The media being the fourth pillar of democracy, providing the layman with all kinds of content, including religious, educational, and entertainment programs hence it becomes the responsibility of the media to circulate its content in a responsible manner, especially in this digital era where everything and anything is available at your fingertip it's shall be thoroughly checked before publishing. This vigilance upon media content is called Censorship, which can briefly be defined as the suppression of content published in a book, film, writing, or speech that can hurt the religious,

political, social, moral belief, and order of an individual or community. Certain Censorship is done not just by the media but by government authority for security purposes which are perceived to be detrimental to the public good.

Censorship can be characterized under many heads, such as military or security censorship which regulates the information of national security. Moral Censorship is where such contents, which are obscene or morally condemned, such as pornography, are censored. Religious Censorship is where the media content is reviewed with the eyes of religious sentiment, by the way, to hold back certain content which can be blasphemous. Another type of Censorship is political, which is done mostly by the ruling government in order to hide their discrepancy in implementation of the proposed agenda. Social Censorship is reviewing such content, which may create disharmony in society. The corporate form of Censorship is done by the media mafia or other media outlets that might disrupt their business or TRP negatively.

The essence of the dynamic society needs to be kept in mind with certain reasonable restrictions because absolutism of anything can have adverse effects, and in the name of press freedom and under the right of freedom of speech and expression, such objectionable content shall not be displayed which may cause disharmony and hostility in society.

Censorship does not imply that freedom of expression is being curtailed but instead draws a line between unrestrained. The government has imposed and enacted various legislation and statutes to control what is being circulated in the media and is constantly surveilling what is being passed on the internet may threaten the stability of the country. The dual nature of Censorship is its assets which implies censoring such sexually explicit content which is necessary to restrict as it is inappropriate for a certain age group or the prohibiting of such speeches or actions which show racism, casteism, and communal violence, which would affect the tranquility of the society because media is not just a source of news, but it does affect our opinion about whatever it telecasts. The other nature is the cons of Censorship which in a way keeps the people under the facade, keeping people from knowing the entire truth, which can be disastrous at times. Press is an essential part of freedom of speech, but in order to make it presentable, the government should not erode irrational fear of Censorship.

In many countries western countries, people are free to watch something which is censored in our country, and under such circumstances, the discretion of reasonable people should be considered keeping in mind the socio-cultural background of our country. Certain limitations shall exist, but this becomes an issue when it becomes excess restriction, mostly when the power is being misused, or payout in media occurs, which is harmful to just and healthy criticism resulting in harassment of people exercising their right or suppression of the very obvious facts. Media censorship at times is considered a hindrance to the progress of society or in exercising journalism which demotivates the new journalist.

Media censorship is done in my ways like sometimes there is a blanket ban on an entire topic like pornography then there is the age limit to certain media, safety mode is usually adopted by the authorities such as by beeping the abusive language or blurring the vulgar content or any other

inappropriate image. The people of certain countries are protesting against this form of Censorship, becoming the most controversial topic.

CENSORSHIP: INDIAN CONTEXT

The fundamental freedom of expression and speech is guaranteed by Article 19(1)(a) of the Indian Constitution. L K Advani, former Minister of Information and Broadcasting, stated emphatically in the Lok Sabha 40 years ago that "the government does not believe in either passive or exclusive press control, crude or discreet." Following the declaration of the Emergency in 1975, his ministry's major responsibility was to handle the massive exploitation and harassment of the media.

However, this right is not absolute and is subject to certain rational limitations where the subject matter on display is contrary to public policy, international affairs, state sovereignty and dignity, law and order, dignity and morality, or in the case of contempt of court, defamation, or admission of an offense, as defined in Article 19(2).

Despite this, the Indian state is subject to sporadic but severe Censorship. There are also instances of the free press coercing people into silence. The CBI searches on the NDTV founders, Prannoy and Radhika Roy¹, citing allegations of suspected corruption, are widely regarded as among the most blatant violations of press freedom. The assassination of liberal writer Gauri Lankesh has also become one of the country's most polarizing and contentious issues.²

EFFECT OF CENSORSHIP ON A DEMOCRACY.

Censorship, which is typically defined as forceful state control, is often regarded as a technically dull subject, despite the fact that it is a politically essential subject. Censorship requests and practices come from and are followed in all spheres of life. Censorship is thus a collaborative effort between society and government.

Press restriction, if severe enough, can seriously harm a culture. Because the press is such an important element of today's people's everyday lives and the source of virtually all facts, if the information is not delivered in its entirety, accurately or simply, the public is left ignorant or uneducated.

Any democracy cannot endure Censorship. If there is Censorship, then each person does not make his/her own decisions, but solely on the basis of whatever flows through the lens of the censor, which is always whoever serves the censoring mechanism and installs it ever deeper into the public's psyche, regardless of its true validity.

CONCLUSION

In a democratic nation, the practice of Censorship cannot survive entirely. The people's minds are made up of what they perceive from what they see, and if they are seeing through the lens of Censorship, then their actual opinion and voice of people's opinion would be regarded as a stroke of democracy. Censorship has the power of impeding a culture. Media is a part of daily lifestyle people

¹ <https://www.hindustantimes.com/india-news/cbi-raids-homes-of-ndtv-s-prannoy-roy-his-wife-in-2008-bank-fraud-case/story-HJOdY5DmNpbZNmZhcIuMBK.html>

² <https://indianexpress.com/article/india/gauri-lankesh-murder-case-probe-sit-arrests-hindu-outfits-5462349/>

of age now have access to the information flowing around, and if the entire context is not delivered, then the population will be left uneducated, and this would handicap the progress of society.

Consequences of Censorship can be seen both positively as well as negatively. Censorship is a critical topic in terms of politics, and too much restriction can be seen as the image of government as a dictator. If seen psychologically, then a human is more drawn towards the object, which is censored because of the curiosity and desire of a human mind. The phenomenon does have a negative contribution to individual growth. A study had also proven that when people were told that they would not hear the censored communication, their interest increased but later, in the other subjects where the censor was overridden, their attitude towards it seems to decrease.

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