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Press As The Fourth Pillar Of Democracy

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Abstract:

After guaranteeing Article 19 (1) (a) that is “freedom of speech and expression” has given rise to the fourth pillar that is “Media”. The role played by media is crucial it works as a watchdog. The fact is that press is a source of providing information to individuals. The liberty of the press is the palladium of all civil, political, and religious rights. In a democratic set up the press can act as a bridge between the government and the people. This right is very important at the stage of the formation of the government. Democracy cannot survive without this right. Press is the fourth pillar of democracy, which exercises this right of freedom of speech and expression.

Keywords: Press, Fourth Pillar, and Democracy

Introduction

The role of media is important as a feedback, exposure, and conduit mechanism in the country. Most citizens receive their information about what is going on in the government, and how it affects them, through the filter of the media.

The media have also played a traditional watchdog and gadfly role, in investigating misbehaviour by politicians and officials and private business, a role traditionally summarized as “comforting the afflicted and afflicting the comfortable.” The media is thus a crucial instrument of accountability, in addition to being an instrument of communication. A free press and free media rank along with an independent judiciary as one of the two institutions that can serve as powerful counter forces to corruption in public and private life.

The Freedom of the press is regarded as a “species of which freedom of expression is a genus.” Freedom of the press is the freedom of communication and expression through vehicles including various electronic media and published materials. While such freedom mostly implies

the absence of interference from an overreaching state, its preservation may be sought through Constitutional or other legal protections.

Right To Press And Constitution

Article 19(1) (a) of the Indian Constitution states simply that ‘all citizens shall have the right to freedom of speech and expression’. The companion article, Article 19(2) qualifies this right by providing that the State can impose reasonable restrictions on its exercise:

1. In the interests of the sovereignty and integrity of India
2. The security of the State
3. Friendly relations with foreign states
4. Public order
5. Decency or morality or in relation to contempt of Court
6. Defamation or incitement to an offence

The Indian Constitution, while not mentioning the word “press”, provides for “the right to freedom of speech and expression” (Article 19(1)(a)). However this right is subject to restrictions under subclause (2), whereby this freedom can be restricted for reasons of “sovereignty and integrity of India, the security of the State, friendly relations with foreign States, public order, preserving decency, preserving morality, in relation to contempt, court, defamation, or incitement to an offence”. Laws such as the Official Secrets Act and Prevention of Terrorist Activities Act^{yj} have been used to limit press freedom

Any restriction on Article 19(1) (a) can only be valid if three conditions are met – It is supported by the authority of law, The law in question is related to one or more of the permitted heads of restrictions laid down under Article 19(2); and The restriction is reasonable. It is also necessary that the procedure and the manner in which the restriction is imposed be just, fair and reasonable.

Media: Fourth Pillar Of Democracy

Speaking of democracy, political scientists and experts always say there are four pillars of democracy, namely the judiciary, executive, legislative, and media. More functioning judiciary as an institution of the judiciary, the executive is more to the government, while the legislature is an institution that makes the laws and overseeing government performance.

Media is an important and inseparable part of a democratic society. It is in fact called the fourth pillar of democracy. Before the advent of electronic media, print media played an important role in disseminating information to people. Over the years, a wide variety of media like the press, performing arts, television, radio, and films have been used for communication.

Furthermore, the fourth pillar which is also very important in the media. Why the media can be regarded as the fourth pillar of democracy? Because oftentimes people assume that the media is more neutral and free from elements of state power, in contrast with the previous three pillars which are all oriented to power. The media not only a source of news, but it is also the voice of the people carrier and fittings. The media also often become a tool for suppressing the three pillars of democracy before.

There are a minimal number of pillars needed to support the infrastructure of democracy. If you wish to build a bridge, there are principles of engineering that must be followed. Similarly, there are seven main pillars of the architecture of democracy:

1. Elections
2. Political tolerance
3. The rule of law
4. Freedom of expression (it includes the press)
5. Accountability and transparency
6. Decentralization
7. Civil society

But democracy, unlike bridge building, isn't just science; it is also the art of the possible. The fourth pillar sustaining democracy is freedom of expression. What people in civil society are allowed to say, print, distribute, and discuss is indicative of the democratic nature of a political system. A free press is one measure of freedom of expression in a society.

The newspaper not only presents facts but also gives the interpretation of facts and statements of opinions through its editorials and also propagates ideas and ideologies. The press has therefore been rightly described as the Fourth Estate.

Although no democracy has absolute freedom of speech, unless citizens have the right to express themselves in the political process, no government can be made accountable for its actions. Each country places its own limitations on freedom of expression. What matters is that those limitations are not misused by political forces to limit public scrutiny of policies and actions that have an impact on the integrity of governance. For example, if criminal libel laws effectively thwart whistleblowing on irregularities or corruption, democracy is diminished. And hence it is also very necessary to limit this influential institution's powers.

“Freedom of Press is not absolute, unlimited and unfettered at all times and in all circumstances as it would lead to disorder and anarchy.” [xiv] We are the part of the democratic country and where the citizen is all in all and there must be check and balances on the government and the media plays that role regarding the check and balances on the government. Abraham Lincon gave the definition of democracy in the words, “Democracy is the people, for the people and by the people.”

Media is regarded as one of the pillars of democracy. Media has a wide role in society. Media plays a vital role in the moulding opinion of society and it is capable of changing the whole viewpoint through which people perceive various events. The media can be commended for starting a trend where the media plays an active role in bringing the accused to the hook.

MEDIA AND DEVELOPMENT

The media can make a real difference to the lives of poor and disadvantaged people by:

- making people more aware of their rights and entitlements;
- enabling people to have access to government programmes, schemes and benefits;
- making people more aware of political issues and options and helping to stimulate debate;
- educating the public on social, economic and environmental issues;
- drawing attention to institutional failings – corruption, fraud, waste, inefficiency, cronyism, nepotism, abuse of power and the like;
- fostering the exchange of best practices, knowledge resources, access to better technology, and to better choices;
- creating pressure for improved government performance, accountability and quality, for example in service delivery; and
- providing a discursive space for citizens to dialogue with other actors in the governance process.

Case Law

In *Puttaswamy v. Union of India* case, 2017, the Right to Privacy was declared a fundamental right by the Supreme Court. Right to privacy is protected as an intrinsic part of the right to life and personal liberty under Article 21 and as a part of the freedoms guaranteed by Part III of the Constitution. Right to privacy includes the right to be forgotten and the right to be left alone.

In *Romesh Thapar v/s State of Madras* case, it was observed by Patanjali Shastri a Chief Justice that “Freedom of speech and press lay at the foundation of all democratic organization, for without free political discussion no public education, so essential for the proper functioning of the process of popular government is possible.” In this case, the English journal “Cross Road” was banned by the Government of Madras. It was claimed to be violative of freedom of speech and expression.

In *Indian Express Newspapers v/s Union of India* case, it was realized that the press is a crucial part of a democratic setup. The court has an obligation to preserve the freedom of the press. The court can invalidate laws and executory actions that violate freedom. The case has given three components and they are as follow:

- Freedom of access to all sources of information;
- Freedom of publication;
- Freedom of circulation

In the *Sakal Papers v/s Union of India case the Daily Newspapers (Price and Page) Order, 1960* which fixed the number of pages and size which a paper could distribute at a cost was held to be violative of the opportunity of the press and not a reasonable restriction under Article 19(2).

Why Is Press Freedom Necessary?

- It serves as a check on administrators and governments.
- A free press has a responsibility to lift its voice against any social disorder or evil.
- It works towards strengthening a nation's sovereignty and dignity.
- It helps to create an atmosphere where peace and harmony can be cultivated by the country's people.
- A free press is essential to a democratic society.
- The press offers the forum for the hearing of a multitude of voices.
- At national, regional and local level media is public's watchdog as well as it is also an activist and guardian as well as educator and entertainer.
- In India, the media has played a crucial role in providing people with knowledge about social and economic ills.

Conclusion

The media can make change in the lives of poor and disadvantaged people. Media can contribute an important role in development of the nation because it covers each and every part of the society. as mentioned above most citizens receive their information about what is going on in the government, and how it affects them, media shows the positivity in the information then drastic change will be accord in the society.

The media plays investigating role in misbehaviour by politicians and officials and private business, Then media is a crucial instrument of accountability. A free press and free media rank along with an independent judiciary as one of the two institutions that can serve as powerful counter forces to corruption in public and private life.

