

National communication policies and legal framework affecting pluralism in South Asia : Bangladesh perspective

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**National Communication Policies And
Legal Framework Affecting Pluralism In South Asia :
Bangladesh Perspective**

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The communication scenario in Bangladesh has passed through an interactive process taking its cue from the turbulent formative early seventies. Mediated, public, group and interpersonal communication have sometimes acted in a disjointed way till a popular issue came to bind them to act in unison. The 1952 language movement, the 1969 mass upsurge, the 1971 liberation struggle and the 1990 anti-autocratic movement are cases in point when the interaction process among the press, the political institution and the people was at its zenith. In truth it was a continuous seesaw between the lull and the spurt moments of national concerns. These concerns always found their expressions in an atmosphere of pluralism allowing differing views and opinions, sifted, woven and interwoven toward a consensus.

Bangladesh has a very rich cultural and historical heritage shaping and reshaping political boundaries by religion, language and then by both. In this process our national identities also got defined and redefined providing the very essence of the functioning of humans and the media.

Both religion and history-specificity have betaken the media so much that two identifiable clusters of dailies emerged.

One dominant cluster has been harping on sentiments of language and liberation movements and in this run has taken along the political contenders to power. Their professed objective is the transmission of social heritage to the posterity. But the annoying thing is that in the process of history telling, stories are mostly told with full of interpretations, slants than facts and events. The old do not always speak the truth. They rephrase the historical events either to cover up pervious mistakes or to tailor them to present day needs.

The second dominant cluster of dailies also make good use of religious sentiments.

Trapped between these two extremes, the new generation therefore gets baffled. The media by and large failed to discharge the important functions such as the surveillance of the environment, the correlation of the society to adapt to changing socio-economic realities and the protection of positive ethno-cultural and moral impulses of the society.

The philosophical parameters of communication system in Bangladesh thus include:

- The understanding of broader and predominant national issues by all sections of the people and to promote kinship between members of the community.

- The need to promote national integration and preclude convulsion and conflicts between the various sub-sections of the community.

On the ethno-cultural side the emphasis has been on the release of creative energies of various segments of people, familiarization with the life styles, true projection of historical realities and mashing of cultural mores with moral values.

The people of Bangladesh draw their cultural identity from the confluence of three dominant religions-- Hinduism providing rhyme and rythm, Buddhism providing tolerance and Islam providing brotherhood. This cultural foundation of our people' thus gave added strength to pluralism in practice both in society and polity.

The concept of pluralism also found expression through a constitutional guarantee to freedom of thought and conscience. There are also provisions to protect individual faiths and beliefs. Every citizen shall also have the right to privacy. All citizens are equal before law and are entitled to equal protection of law. The state shall not discriminate against any citizen on grounds only of religion, race, caste, sex or place of birth. Women shall have equal rights with man in all spheres of state and of public life. Every citizen shall have the right to free movement, to assemble, to participate in public meetings and processions peacefully and also every citizen shall have the right to freedom of speech and expression either in the form of word of mouth or ink on paper.

All these rights are subjected to reasonable restrictions imposed by law in the interest of the security of the state, friendly relations with foreign state, public order, decency or morality or in relation to the contempt of court, defamation and incitement to an offence.

The riddle however has always been about who defines what is reasonable. The judiciary is supposed to interpret what is reasonable. But the flexibility of using and abusing any authoritarian excess in favour of the ruler of the roost is always there as the establishment has the technical privilege to execute any law even unlawfully for sometime till a verdict comes determining the status of rightfulness. It is here that a pluralistic press can help create pressure for speedy dispensation of justice thereby allowing very little time between any authoritarian excess and the judicial verdict.

Pluralism in Bangladesh media is found in terms of message-pluralism, unit-pluralism and communicator-pluralism simultaneously. Message-pluralism with diversity of messages for readers and unit-pluralism with diversity in ownership, not in message, are both in vogue in the print media. Communicator-pluralism with diversity of message-encoders is found in the electronic media, especially television.

Today the extent of the freedom enjoyed by the press has come to such a passe that it can venture to be critical of the judiciary, write on subjudice matters and certainly go for wholesome criticism of the administration. In the electronic media be it a drama serial or a religious chunk the message-encoder tends to be more an activist than a performer. Often the underlying messages from cultural and moral programmes go contradictory. Yet they go.

The electronic media is no more the same captive press. With the legalisation of satellite dishes, bringing of CNN and BBC free to every television households, allowing Bangladesh to emerge as an exporter of television programming, may be some day the establishment will open the door for a second channel. The improvement of the quality of programming and news coverage is already discernible. Prices of dishes have gone down. Media use has gone up.

With all these safety bulbs and the strength that the media enjoy, the legal framework in respect of the print media most often than not is honoured when it is a question of freedom and dishonoured when it is a question of restrictions.

Current democratic order has also preferred to allow unfettered media freedom with the hope that the initial liberty as license will gradually beget responsibility. More so the establishment has taken a cautious stance as the experience had been that if you go for gagging you contribute to their increased circulation.

The result is that some of the yellowish papers are turning white. Some however want to remain yellow with political support welded from parties for use in even the highest representative bodies.

With a very low level of mass literacy and the concomitant low level of democratic culture, such media excesses will be there. Now media can even go for label defamation of almost entire cabinet in one single unauthentic story for use as authentic. The credibility of the papers over time may erode but the damages caused to persons and institutions are enormous.

The Press Council says it is going to amend the Act of 1974 to include provisions in the form of power to suspend accreditation of journalists, publication of newspapers, public sector advertisement, postal concession and the like for specified period. The Press Council might also go for amendments to cancel the authentication of the declaration of the newspaper if it is found to have committed offence or offended against standard of journalistic ethics or tastes on three occasions within a period of twelve months.

The Press Council, a quasi judicial body, functions to repair the damages caused to images and work as a watchdog to monitor media behaviour. The draft Press Commission Report of 1984 in its 102 recommendations now being vetted proposed necessary amendments for Press Council to take up more responsibilities in a full judicial capacity to punish, not merely censure or admonish, those found wronging while reporting.

The last recommendation was for formulating a national communication policy suited to the conditions obtaining in the country and capable of meeting the requirements of the people.

The Commission in fact touched on all aspects of communication media which could be gainfully utilized in the formulation of a policy. It suggested defusion of ownership and control of larger newspapers by formation of joint stock company, trust or cooperative, credit facilities for small newspapers, liberalization of import policy, rationalization of prices of newsprint, review of press laws in consonance with the spirit of the constitution and growth of responsible press, rationalization of advertisement policy for balanced growth of the media.

Thus a comprehensive national communication policy is still to be formulated though various aspects of such a policy are operative incidentally in a state of pluralism provided by the historical, cultural, legal and institutional frameworks of our society.

The broader guidelines for systematic functioning of the press system could also be found if we trace back the 1983 report and recommendations on the flow of information among South Asian countries known as the Dhaka Declaration to which Bangladesh was a joint sponsor with UNESCO.

The Declaration, in addition to looking at the national priorities, believed in commonality of interests and problems in the field of knowledge and information among South Asian countries, identified the flow of information to be inadequate and defective leading to imbalanced, distorted and misleading coverage of events both between and within countries in South Asia.

It enjoined the governments of South Asia to be responsive to media demands for scaling down the Press Bulletin Service rates and for removing restrictions on media coverage. The Declaration recommends for the setting up of a South Asia Forum and creation of a regional media consultative organisation to study the problem of the flow of news within the region and take suitable steps for that purpose. It also suggested broader areas of collaboration in the training of journalists and media research. This basically UNESCO venture is still to see its materialization.

Since 1987 the UNESCO and the United Nations have withdrawn their official support for the NWICO movement per se, the transnational control of global communication has drastically increased and the Western countries have been attentive to establish their own new world order around the globe.

UNESCO's new strategy of communication emphasizes on the free flow of information, the freedom of independence of the media, operational activities than operation research and information technology in development with least concerns attached to cultural identity and endogenous media development, the right to communicate, the rights and responsibilities of journalists and national communication policies.

In this shift in emphasis by the UN bodies what is left to us is to revitalize our earlier efforts with newer perspective in a South Asian context. If the commitment expressed in the Dhaka Declaration was genuine, implementation or recasting of activities should not pose a problem. Individual, institutional, non-governmental and even public initiatives should set the pace for any humble go-ahead.

We have the context in the form of a cultural heritage and the state of pluralism; we have the structure in the form of an interactive media system and a flexible legal framework. What we need is a guideline in the form of a communication policy.

If the essence is understood, the existence should not be a far cry.

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