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How Coy Can The Media Get?
Dilemma In Reporting Conflict

By

P Unnikrishnan
HOW COY CAN THE MEDIA GET?

Dilemmas in Reporting Conflict

P. Unnikrishnan

Attempted in this paper is a survey, in the historical setting, of the role played by different sections of the communication media in India, more especially the Press and news agencies, and the problems faced by them, in situations of violent group conflict.

The countries of the region represented in this Seminar have at different times passed through large-scale conflicts threatening to tear asunder their social fabric. The participants therefore know that reporting and analysis of conflict situations are an important area of the social responsibility of the media. I will be citing only Indian cases to illustrate the challenges and dilemmas of crisis reporting. The reason for this, apart from considerations of propriety, is that the Indian scene is what I am most familiar with. It should be easy enough for one to recognise in the presentation of the experience of a neighbouring country the parallels with one or other facet of the problem in one's own country.

Let me begin by pointing out, that group conflicts are absent only in primitive tribal communities. I say 'primitive' advisedly because in India we have numerous tribal communities at varying stages of development, from the most primitive to the most advanced in terms of education and modernisation, all of them listed as 'Scheduled Tribes' for the purpose of protective measures and special benefits. Intertribal warfare used to be common in what is now known as Arunachal Pradesh till the early decades of the 20th century. But group conflict within a primitive tribe is unknown. In contrast, conflicts of interest between social and economic groups are inherent in a plural, modern and democratic polity. They are latent but are suppressed from manifestation, and from public knowledge, in authoritarian regimes whether in semi-feudal or industrialised countries. It is noteworthy that in the Soviet Union it
was only after removal of the iron lid of Stalinism that conflicts arising from economic grievance, as of coal miners, or from discrimination on linguistic, ethnic or other grounds, began to find active expression.

Free India has been a democratic polity, with constitutionally guaranteed freedom of expression, for more than forty years. We may ignore as an aberration the experience of 1975–76 when, in the name of an internal emergency, the Fundamental Rights were abrogated and the Press was placed under rigid censorship. It is not a matter for surprise that the last four decades have been marked by many outbreaks of conflict between economic classes, religious and caste communities, or groups with different linguistic and ethnic identity. In saying this, it is not my intention to suggest that the greater the frequency, the larger the scale of conflict and the more violent its manifestation, the higher a country's score of marks as a democracy. On the contrary, a developing country can ill afford violent conflicts which cause loss of life and property and disrupt economic activity. Internal conflict when it assumes the proportions of what is euphemistically called a civil war — though there is nothing civil about it — is as ruinous for a developing country as external war. The question is of the proper role of the communication media in situations of conflict.

That no section of the media should foment, or aggravate, conflict is of course a desideratum. Radio and television in India have been blameless on this score, though they have been criticised on other counts, mainly for assiduous image-building of a leader or a political party for the time being in power at the centre. All India Radio and Doordarshan (TV), the electronic media, are government owned. They have been run as departmental undertakings of the Central Government. A Bill for turning over All India Radio and Doordarshan to an autonomous corporation was mooted by the first non-Congress government formed at the Centre in 1977. The concept has been revived and incorporated in a Bill which has however yet to become an Act of Parliament. When and if radio and television in India do become autonomous, it may be safely assumed that they will continue to be sober and non-inflammatory in their reporting of social conflicts. The only likely change — which will be for the better — is the freedom it will provide for a franker examination of the root causes of tensions, from different viewpoints.
The medium of film has also been blameless on the count of incitement. This virtue has been imposed on it by the censorship through which both feature films and short documentary films have to pass before they are certified for public exhibition. However, with the advent of the video film as a medium that can deal almost instantly with current issues, there has been debate on the question whether video news magazines should be treated as films and subjected to censorship or, like the Press, be free of prior restraint.

This brings me to the fourth and crucial mass medium, the Press. India's republican constitution which came into force on 26 January 1950 does not, in terms, guarantee freedom of the Press but the Supreme Court held during that very year that the freedom of speech and expression guaranteed to citizens under Article 19 (1) (a) includes the freedom to circulate information and propagate views through the Press. However, the circumstances which attended the partition of the sub-continent and the emergence of a diminished India as a free country led to an enlargement of the grounds on which the citizen's freedom of expression could be curtailed. The Hindu-Muslim cleavage which resulted in partition in August 1947 did not end with partition. Rioting continued in many places, inflamed by speeches and writings by a section of public men and of the Press. After the first amendment of the Constitution, enacted by India's provisional parliament in 1951, the relevant portion of Article 19 read:

"(1) All citizens shall have the right —

(a) to freedom of speech and expression ...

(2) Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, insofar as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence."
Another amendment enacted in 1963 added "the sovereignty and integrity of India" to the grounds, enumerated in Clause (2), on which reasonable restrictions could be imposed on the right to freedom of speech and expression.

By virtue of the power conferred by this provision in the country's basic law, parliament has from time to time strengthened the provisions of the Indian Penal Code and the Criminal Procedure Code. Chapter VIII of the I.P.C. deals in Sections 141 to 160 with 'offences against the public tranquillity'. In 1969, Section 153-A was amended so as to widen the definition of the offence and to make the penalty more stringent if the offence is committed in any place of worship:

"153-A.(1) Whoever —
(a) by words, either spoken or written, or by signs or by visible representations or otherwise, promotes or attempts to promote, on grounds of religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities, or
(b) commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity, shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine."

However, the provisions of the Constitution and of laws are not self-executing. Had the provisions of the Penal Code been strictly enforced, a section of the Press in Punjab and in Kashmir Valley would not have
been able to spread communal hatred and to incite rebellion against constituted authority, as they continue to do to this day. Those newspapers and journals which incite hatred and violence as their deliberate policy can be dealt with in one way only — through law enforcement. 'Guidelines' and 'codes of ethics' which lack the force of law, whether drawn up by editors' organisations or by the Press Council, will obviously have no effect on the consciously irresponsible section of the Press.

Fortunately only a small fraction of the Indian Press is deliberately irresponsible. The bulk of our daily newspapers and journals try to be fair and objective in their reports and comments during situations of conflict, though some of them sometimes unwittingly add to tensions by sensational display or by reports and comments influenced by their sympathy for this political party or antipathy towards another.

The record of India's news agencies is even better. Both the wire news agencies, Press Trust of India and United News of India, are owned by newspapers whose political sympathies cover a wide spectrum. We who work in a news agency have to aim at objectivity, if only because the agency serves, through newspapers and other media subscribers, an audience consisting of men and women belonging to all religions and castes, belonging to various ethnic and linguistic groups, and with ideological inclinations ranging all the way from extreme Right to extreme Left. The news agency journalist writes without a by-line. The agency as a whole takes responsibility for seeing to it that the news it puts out is objective and free from bias. This is in contrast to the running exchange of rebuttal and reaffirmation often published in the columns of some newspapers, involving a correspondent identified by name and an individual or institution about whom the correspondent has written. There have been complaints of communal bias and incitement made to the Press Council of India against some newspapers and journals; never, during the last fifteen years, against a news agency.

Indeed, the responsible — which is much the larger — section of the Press, and the news agencies, are open to criticism on the ground that they are too coy and guarded in their reporting of social crises,
specially the outbreaks of communal conflict that occur from time to time and in different parts of the country. It is almost as if they follow the dictum, 'See no evil, hear no evil, speak no evil'. This is hardly an appropriate motto for communication media that are supposed to inform and educate the public.

Take for instance a report, starting on the front page, carried by the Delhi edition of a leading English language newspaper on April 2, 1991, about a clash between two groups in East Delhi the previous morning. After reading all the 580 words of the report, the reader is in the dark about the identity of the two groups. The report gives elaborate details of the injuries suffered by policemen who tried to disperse the warring groups. It tells us: "Trouble erupted in the morning when a procession of about 60 was about to pass through a locality during its 'prabhat pheri' (organised morning walk) programme. The police force deployed there in anticipation of any untoward incident was trying to persuade the processionists to go away, and the apprehensive crowd of residents to disperse, when the policemen were attacked with rods. Stoning from roof tops also started; injuring three policemen." What was the composition — religious, caste, linguistic, ethnic or other — of the two groups? Hindu? Why was the locality sensitive and whom was it inhabited predominantly by? Muslims? The reader is left to guess and to infer.

This newspaper report is typical of reports on group conflicts in another respect. It says that the group of processionists "allegedly shouted inflammatory slogans". We are not told what these slogans were. In whose opinion were they inflammatory? Evidently the residents of the sensitive locality who took umbrage. Did the police, who appear to have been the main source of information to the newspaper's reporter, also consider the slogans inflammatory? I recall that a newspaper report cited 'Bande Mataram' ('Hail to the Motherland') among the slogans that were taken exception to by the residents of a certain locality in Jaipur when processionists, celebrating a local electoral victory in 1989, passed through that locality. Bande Mataram was the rallying cry of the movement against the partition of Bengal, devised by the arch imperialist Lord Curzon as Viceroy in order to separate Muslims from Hindus and thereby
weaken the incipient nationalist sentiment. Some Muslims objected to the slogan, which comprises the opening words of salutation to Mother India in a patriotic song, on the ground that the song refers to Hindu goddesses. As late as in 1938, M.A. Jinnah, founder of Pakistan, was harping on Bande Mataram as a Muslim grievance. Frances Gunther, the American journalist who accompanied her husband John Gunther on a visit to India, wrote in a letter to Jawaharlal Nehru on 13 February 1938 that, during their interview with Jinnah, the latter brought up the issue of Bande Mataram. The song continues to be a popular though non-official national anthem of India. Was the newspaper right in reporting the objection raised in 1989 by some citizens of India (unidentified but, inferentially, Muslims)? Or should the newspaper have suppressed the information as being likely to accentuate Hindu-Muslim discord? This example illustrates one of the many dilemmas that face an Indian journalist reporting a situation of social conflict.

After these two instances pertaining to the northern Indian cities of Delhi and Jaipur, let me present another concerning a Hindu-Muslim flare-up in the southern city of Madras. A leading newspaper of India, based in Madras and respected for the sobriety and objectivity of its news reporting, said in a front-page story on 3 September 1990 that three persons had died, and forty—other than ten policemen—suffered injuries, in police firing during a clash that took place the previous day. The report said that the clash occurred when a procession carrying Vinayaka idols for immersion in the sea was passing the junction of Triplicane High Road and Dr. Besant Road. There were two versions: (i) The trouble erupted when a few chappals were stated to have been thrown on the procession from within a place of worship near the Ice House police station. Those making up the tail of the procession retaliated by pelting stones. (ii) When the procession approached the junction, a group of persons objected to the playing of 'nadaswaram' (a musical instrument). This led to heated exchanges between the processionists and the other group, which soon turned into a major confrontation. The report added: "The police said the procession had been allowed through the same route as in previous years, following a convention." It is noteworthy that the report does not use the words Hindu and Muslim, or mosque, though the identity of the groups and of the place of worship are evident enough from the context.
Like newspapers, the Press Trust of India follows the rule of naming no names. Thus, the initial report on the outbreak of communal violence on 24 March 1991 at Bhadrak, a town in the Balasore district of Orissa State, spoke of a clash between two communities when a religious procession was passing through the town, and of violence erupting after a youth allegedly assaulted one of the processionists. Another report the next day, quoting an official source, said that participants in the procession, organised on the occasion of the Hindu festival of Ramanavami, allegedly shouted unspecified "provocative slogans".

The rioting at Bhadrak, during which several lives were lost and more than 150 shops in the town's principal market, Chandan Bazar, were gutted, occurred after the announcement of the elections to the Indian parliament which are to take place in the fourth week of this month. Each political party has been quick to blame the others. The Chief Minister, belonging to the Janata Dal, and the Communists who are allies of the Janata Dal, held the Bharatiya Janata Party responsible. The BJP demanded the dismissal of the State Ministry for failing to protect a procession which had been taken out with the permission of the district authorities, and asked for a judicial inquiry into the clashes. The Congress has denounced both the Janata Dal government for failure to maintain order, and the BJP for alleged provocation of the riot. With neither newspapers and news agencies nor social research organisations undertaking investigation on their own by interviewing the riot victims, the policemen who had tried to intervene, and eye witnesses, the public does not know whom to believe. It is a situation like that depicted in the celebrated Japanese film Rashomon in which the truth could lie in any of a number of versions.

Even the imposition of curfew at Bhadrak — but with too few policemen to enforce it effectively — has come in for criticism. Organiser, a strongly pro-Hindu weekly of Delhi, said in its issue dated 14 April 1991 that the curfew "suited the Muslim miscreants" in Chandan Bazar because it enabled them "to hide themselves along with their weapons and looted property. Had the police combed the city and resorted to house-to-house
search, the culprits would not have escaped." This may not at all have been intended or the actual effect of the curfew. However, that such apprehensions are not altogether fanciful will be evident from the following remarks of Jawaharlal Nehru in the course of a Press statement regarding an incident at Bidar, in the then Muslim-ruled princely state of Hyderabad, on 23 March 1940 which was the day of the Holi-festival: "Following a petty altercation between some boys, a large mob, directed by well-known persons, collected at the heart of the bazar and deliberately set fire to 117 houses and shops, with a loss of over 50 lakhs of rupees... After the work of destruction was completed, a curfew order was promulgated which in effect prevented owners of the shops and houses from attempting to salvage what they could."

The inadequacy and hesitancy of much of the reporting of social conflict in India is attributable to two causes. One is the well meant but misconceived self-censorship practised by the Press. The other is a tendency to rely unduly on briefings by the authorities, specially the police, and to neglect on-the-spot investigation which entails leg-work and expense.

Self-censorship has its origin in a Code of Ethics drawn up by the All India Newspaper Editors' Conference in June 1968. It contains guidelines to be voluntarily observed by the Press in reporting or commenting on communal incidents. The A.-I.N.E.C.'s code of ethics reads as follows:

"1. A free Press can flourish only in a free society. Communalism is a threat to the fabric of our free society and to the nation's solidarity.

2. The Press has a vital role to play in the consummation of the fundamental objectives enshrined in our Constitution, namely, democracy, secularism, national unity and integrity and the rule of law. It is the duty of the Press to help promote unity and cohesion in the hearts and minds of the people, and refrain from publishing material tending to excite communal passions or inflame communal hatred."
3. To this end the Press should adhere to the following guidelines in reporting of communal incidents in the country:

a) All editorial comments and other expressions of opinion whether through articles, letters to the Editor, or in any other form should be restrained and free from scurrilous attacks against leaders or communities, and there should be no incitement to violence.

b) Generalised allegations casting doubts and aspersions on the patriotism and loyalty of any community should be eschewed.

c) Likewise, generalised charges and allegations against any community of unfair discrimination, amounting to inciting communal hatred and distrust, must also be eschewed.

d) Whereas truth should not be suppressed, a deliberate slanting of news of communal incidents should be avoided.

e) News of incidents involving loss of life, lawlessness, arson, etc., should be described, reported and headlined with restraint, in strictly objective terms, and should not be heavily displayed.

f) Items of news calculated to make for peace and harmony and help in the restoration and maintenance of law and order should be given prominence and precedence over other news.

g) The greatest caution should be exercised in the selection and publication of pictures, cartoons, poems etc. so as to avoid arousing communal passions of hatred.

h) Names of communities should not be mentioned, nor the terms 'majority' and 'minority' communities be ordinarily used in the course of reports.

i) The source from which casualty figures are obtained should always be indicated.

j) No facts or figures should be published without fullest possible verification. However, if the publication of the facts or figures is likely to have the effect of arousing communal passions, those facts and figures may not be given.
The Second Press Commission—in its report (1982) refused, in my view rightly, to endorse item 3 (h) of the above code of ethics. The comments of the Commission are worth pondering: "We are in general agreement with the Code of Ethics drawn up by the All-India Newspaper Editors' Conference with one reservation, namely, that we cannot endorse without qualification the injunction that 'names of communities should not be mentioned nor the terms majority and minority communities be ordinarily used in the course of reports'. We are of the view that, on the outbreak of a communal disturbance, newspapers should refrain from sensational presentation of the news and from giving community-wise figures of those killed and injured. However, when the situation gets stabilised, there should be no hesitation in investigating the causes of the rioting and its consequences, with identification of the communities concerned. Communal tensions have economic, social and political causes. There have even been allegations of foreign money at work. These causes should be investigated and exposed. We are of the view that suppression of truth would worsen rather than improve the atmosphere. However, it is difficult to lay down hard and fast rules, and a newspaper should, so to say, play it by the ear in accordance with the circumstances of each case and with due sense of responsibility."

In November 1968 the Press Council of India, acting on complaints received from several State governments about objectionable writings in the Press, framed certain guidelines for avoidance of objectionable communal writing. The Press Council's Don'ts run as follows:

"Without attempting to be exhaustive, the Council considers the following as offending against journalistic proprieties and ethics:

1. Distortion or exaggeration of facts or incidents in relation to communal matters or giving currency to unverified rumours, suspicions or inferences as if they were facts and base their comments on them.

2. Employment of intemperate or unrestrained language in the presentation of news or views, even as a piece of literary flourish or for the purpose of rhetoric or emphasis."
3. Encouraging or condoning violence even in the face of provocation as a means of obtaining redress of grievances whether the same be genuine or not.

4. While it is the legitimate function of the Press to draw attention to the genuine and legitimate grievances of any community with a view to having the same redressed by all peaceful, legal and legitimate means, it is improper and a breach of journalistic ethics to invent grievances or to exaggerate real grievances, as these tend to promote communal ill-feeling and accentuate discord.

5. Scurrilous and untrue attacks on communities or individuals, particularly when this is accompanied by charges attributing misconduct to them as due to their being members of a particular community or caste.

6. Falsely giving a communal colour to incidents which might occur in which members of different communities happen to be involved.

7. Emphasising matters that are apt to produce communal hatred or illwill or fostering feelings of distrust between communities.

8. Publishing alarming news which are in substance untrue or making provocative comments on such news, or even otherwise, calculated to embitter relations between different communities or regional or linguistic groups.

9. Exaggerating actual happenings to achieve sensationalism, and publication of news which adversely affects communal harmony with banner headlines or in distinctive types.

10. Making disrespectful, derogatory or insulting remarks on or reference to the different religions or faiths or their founders."

These guidelines of the Press Council are like a sermon which can have no effect on hardened sinners, and which the decent even if fallible majority among publishers, editors and other journalists hardly need. The restrictive, and bordering on 'do not tell', approach both of the A.-I.N.E.C.'s Code of Ethics and of the Press Council's Guidelines have encouraged sloth on the part of the Press in reporting communal riots.
and social conflicts in general. According to a well-known aphorism, comment is free but facts are sacred. I would like to add that facts are expensive to gather — in terms of money, time and effort. Reliance on briefing by official sources is easy and inexpensive, but it is not the best way to serve the public.

In all these guidelines a whole series of don'ts are provided but there are many things that can be done which would meet the ends of fair reporting and at the same time could have a sobering effect on a volatile situation. For instance, in times of discord there are overwhelming cases of understanding, accommodation, comfort and security extended by members of one community to members of the other community. These are not just stories of human compassion but reports that would reinforce confidence in social values and brotherhood.

From the length of time and the wordage I have devoted to discuss religious strife in India, it should not seem that this is the only conflict that raises questions for reporting in the Press. There are other great divides, not to speak of political interest groups playing on and manipulating passions and conflicts for their own ends. There are great divides as between North and the South, conflicts between sub-regional groups, the Hindi-non-Hindi, Bengali-Assamese, Mandal-anti-Mandal, besides conflicts with roots in economic problems. These become particularly manifest in times of economic crises.

In another context, namely of class conflict between landlords and landless agricultural labour, the Second Press Commission sounded a salutary warning against undue reliance on official briefings: "Journalists have to be on guard against attempts by the authorities or by landlords to pass off agrarian revolts against exploitation as Naxalite or other politically organised violence." The Commission cited as an example the reporting of police action against alleged 'Naxalite' elements in certain blocks of Patna district in October 1981.

The police operation was not sudden; it was known to be in the offing. One of the English newspapers of the capital carried on 30 October 1981 a report headlined, "Crackdown on 'Naxalites' in Patna imminent". It said inter alia that some of the villages were "seething with discontent owing to the continuing conflict between the landless and the landlords";
that "additional police parties were being sent to augment the police already deployed in the area after violence erupted in Lohsuna village on 2 September in the wake of the alleged rape of a maidservant by a landlord"; and that the demands of the landless labourers included "implementation of statutorily fixed minimum wages for farm workers". A local political worker, not belonging to the ruling party, was quoted in the report as having warned that the police action would degenerate into a 'planned genocide' against Harijans and other farm workers.

Yet the reports of the police firing on 30 October, which were prominently displayed by English-language newspapers in the capital on the front page were, in four out of the six, under headlines which implicitly accepted the claim of the authorities that all the persons killed were Naxalite extremists. "It is an example", says the Second Press Commission, "which illustrates the need for caution, on the part of both reporters and sub-editors, in the handling of reports pertaining to 'encounters'. We have noted with appreciation that, in recent years, some newspapers have attempted to get at the truth behind incidents of law and order in rural areas."

The breakdown of law and order during the last year-and-a-half in Kashmir Valley, and for several years now in parts of Punjab, has entailed multiple dilemmas for the Indian press and news agencies, subject as they are to threats and pressures from many sides. The central question is whether the media must reconcile themselves to continued reliance on official briefings from day to day on terrorist activity and on the performance of the security forces. Or can the more intrepid among journalists, who volunteer for the purpose, be encouraged through provision of appropriate security and adequate insurance cover, to undertake the hazardous task of investigative reporting on the insurrectionary situation in Punjab and Kashmir?

As important as fuller information on current happenings is in-depth analysis of the causes of these tragic situations, so that sound long-term remedies, political and administrative, can be worked out. I shall refer to an instance of the insufficiency of such analysis, in relation to Kashmir.
All major newspapers carried the news of the order passed by the Governor of Jammu & Kashmir, on 11 May 1990, closing down nearly 200 schools run by the Jamaat-e-Islami in Kashmir Valley. The fanatical indoctrination carried out over the years in these institutions is among the contributory causes of the rebellion by a section of the Valley's population. Yet there has been little discussion in the Press of the need to reconsider Article 30 of the Indian Constitution which guarantees, as a Fundamental Right, that: "All minorities, whether based on religion or language, shall have the right to establish and administer educational institutions of their choice." It also lays down: "The State shall not, in granting aid to educational institutions, discriminate against any educational institution on the ground that it is under the management of a minority." In contrast, Article 28 rules out religious instruction in State-run schools and colleges. It lays down: "No religious instruction shall be provided in any educational institution wholly maintained out of State funds." That the Press has failed to initiate a national debate on these anomalous provisions of the Constitution is a measure of its preoccupation with superficial reporting of daily events, to the neglect of earnest study and reflection.

I am glad to say that Press Trust of India has made a modest contribution by issuing more than one by-lined article on the subject. The thrust of these articles is that both the prescription of religious illiteracy (under Article 28) for the majority of students, who attend State-run schools and colleges, and the licence given (by Article 30) for fundamentalist indoctrination in educational institutions run by religious minorities should be ended; and replaced by compulsory instruction, in all schools and colleges, in the humanist teachings of all the major religions of man. The thought occurs to me that such education in the humanist essence of the religious heritage of mankind need not be confined to centres of formal learning. The mass media in all our countries can become vehicles of informal education of the young as well as the old in those humane values of tolerance and brotherhood that are the ultimate remedy for social conflict and crises. Even if in times of great upheavals and crises it might seem expedient to hold back or moderate truth, experience unmistakably demonstrates that on the
balance it is its duty, fulfilment of its obligation, and to the larger good of the society that the Press tells it all — fairly, objectively and comprehensively.

I trust that this candid survey of the challenges that face the Press and news agencies in India proves to be of interest and benefit to media professionals of neighbouring countries. To the extent that we promote a climate of peace and goodwill within each country, it will serve also to promote understanding and better relations between our countries, bound together as they are by shared history and by shared languages, religions and culture.