

Laws Protecting Journalists from Online Harassment

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India rated 140th out of 180 nations in the 2014-2015 Press Freedom Index published by Reporters Without Borders. As a major barrier to press freedom in India, the limitation placed on the press by the proprietors of the newspaper, the government, political parties, and so on are what pose the most difficulty. They may try to coerce media outlets into capitulating to their views. The findings of one of the studies published in 2011-january 2014 indicated that the government owns 0.71percent of the overall of the country's newspaper, while individuals and joint stock companies hold 80.67%, business entities and societies each possess 12.85%, and trusts share 1.95%. It is very common for reporters to be threatened or harassed by the government, as well as terrorist and criminal groups. Thanks to the efforts of independent journalists, things have only gotten worse, resulting in journalists being physically attacked, harassed, fined, kidnapped, and even murdered.

Handful ownership of media: As reported by the Data LEADS and Reporters Without Borders, India is one of the world's biggest media marketplaces. Over time, the integrity of the media has diminished, which is leading to the demise of the media's trustworthiness. Many Indian media companies are now under the control of individuals with political ties.

According to the World Press Freedom Index, India ranks 140 out of 180 nations. Mexico, along with India, is one of the deadliest nations for journalists these days. There is no particular leverage granted to Indian journalists in order to defend their job under the country's constitution. Article 19 of the Indian Constitution guarantees freedom of expression to all Indians, however state and federal legislation often use additional limitations to curb freedom of the press. These laws include the Unlawful Activities Prevention Act, 1967, and many more.

Indian journalism has a very limited range in terms of variety of news outlets. However, the major issue is that news from distant areas in South India, which are often overlooked, is unavailable.

Governments and commercial businesses often launch ads that citizens have to deal with. The newspaper is reliant on these ads for a significant source of revenue. The newspaper agencies are forced to take their message seriously, since ignoring their claims would result in significant losses for them, especially for those in a smaller class.

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EXISTING LAWS TO PROTECT JOURNALISTS

People must be allowed to speak freely in order to maintain a democratic society. A prominent vehicle of communication, like a newspaper, must be free to accomplish its mission of creating a strong society.

Although freedom of the press is not specifically stated in the Constitution of India, it is explained in Article 19(1)(a) of the Constitution that freedom of speech and expression is given. Dr. BR Ambedkar, Chairman of the Drafting Committee, made clear that press freedom and personal or citizen rights were essentially the same. In order to make the rights of free speech and expression provided by Article 19(1)(a) of the Constitution as comprehensive as possible, the architects of the Constitution of India saw freedom of the press as an important component of these fundamental rights.

Surveys conducted by several groups have shown that no country has implemented any legislation concerning the safety of journalists who are targeted by internet abuse. While each country has implemented unique laws addressing online harassment, particularly that which occurs via the use of the internet, that legislation applies specifically to the individual nations. Many nations still have laws against internet harassment that apply to journalists and non-journalists, although a few countries-

- The newly passed Protecting Canadians from Online Crime Act in Canada, which prohibits cyberbullying and non-consensual sharing of personal photos, among other things, has been put in place.

For example, there are a number of laws in Finland that detail criminal offences related to internet behaviour, such as invasion of privacy and disruption of communication

1. *Express Newspaper vs. Union of India*- In this case, the legality of the Working Journalist Act, 1955 was questioned. Despite the court's rejection of the act, the act was upheld. In its formal comment on the RTLHC report, the print media argued that the press was not exempt from laws of general applicability or rules of Industrial Relations. To enhance the situation of women in the newspaper business, it was necessary to approve the bill in order to pass appropriate limitations on article 19(1). (a).

In this case, a legislation prohibiting the distribution and entrance of journals in the state was found to be unconstitutional. The court ruled that while the freedom of speech and expression extends to the right to disseminate ideas, a law which restricts that freedom because of the need

to safeguard public order or safety does not fall within the confines of permitted restrictions spelled out in clause (2) of the First Amendment and thus violates the Constitution.

The Supreme Court determined that the government does not have the authority to pass any legislation that restricts the freedom of the press to publish information that is defamatory of government officials. Nevertheless, they may pursue action on behalf of the damages after the release of fraudulent papers only if they can show that the release was based on forgeries.

EARLIER CASES OF ONLINE HARASSMENT

There have been a number of instances in which journalists have been the target of internet abuse, including the following:

Sagarika Gosh is an Indian journalist, news anchor, columnist, and author who works in the media industry. An anonymous Twitter user found and publicised her daughter's identity and school in 2012, resulting in rape threats being directed at her. Gosh said that right-wing nationalists were behind the tweets, which were directed against liberal and secular women. Soon after, she decided to cease expressing her personal opinions on social media.

Rega Jha, the India editor for BuzzFeed, got rape threats in 2015 when she complimented Pakistani cricket players on Twitter during an India-Pakistan cricket match. She got a significant number of nasty remarks from Indian males, the most of which were negative. Since the partition of India in 1947, ties between India and Pakistan have been strained.

Barkha Dutt is an Indian television journalist, author, and proprietor of a YouTube channel called Mojo, among other accomplishments. She worked as a member of the NDTV team for about 21 years. In 2015, she became the target of internet vitriol when she wrote a book titled "This Unquiet Land" in which she detailed her experiences of sexual assault as a kid.

VP Rajeena, while working with the Media One Group, released a first hand storey of child sexual abuse at a Sunni religious institution in a southern city on the social media platform Facebook in 2015. The result has been a barrage of abuse from members of the Muslim community, and many of them have reported her account for breaching community rules. It ultimately results in her being temporarily barred from her account.

WHAT MORE CAN BE DONE BY EACH ORGAN?

Employ feed controls to empower users to choose the kind of posts and comments they see, allowing them to select a configurable method for muting or blocking posts or comments sent to them by bulk lists. This approach aims to meet two objectives: to respect freedom of speech, inasmuch as it gives consumers the choice of opting out of receiving material while not preventing the creator of that content from communicating, and to help reduce the psychological burden that results from being singled out.

- Facilitate a process that not only helps these platforms be safer, but also includes user-friendly reporting options.
- Maintaining and adapting rules to lessen the effects of cyber-harassment while also continuously updating them is crucial.
- With regards to account banning, be more transparent about your decisions. You will have to deal with repercussions outside the platform. In recent years, a growing number of websites and services have migrated to utilising logins based on social network profiles. The suspension of a social media account for specious or unexplained grounds may lead to a loss of access to other online services.

Governments

- Ensure that current international standards on human rights and free expression are satisfied, and that these standards be given appropriate weight when balancing the competing interests of privacy and security. This is especially essential in areas where media ownership is concentrated or when access to the Internet is controlled by a small number of players.
- Ensure that appropriate training and funding is made available for law enforcement officials and the courts to deal with cyber-harassment, including that which targets journalists, bloggers, and citizen reporters.

Broadcast houses

- To aid community managers in moderating comments and providing users with educational resources, please provide them with the training resources they need. Time-consuming and resource-intensive, but moderating all comments throughout a media house's entire spectrum of articles and blogs is quite tough, and users who don't regulate comments effectively may display similar conduct on social networking platforms. However, restricting the amount of articles on which users may leave a comment, as well

as implementing “think-twice policies” which remind readers of the commenting restrictions beforehand, might work.

- Work to establish procedures to deal with low-level harassment, such as verbal abuse which does not just impact on a journalist's particular reporting, but which also has an impact on a journalist's personal qualities, such as gender or ethnicity.
- Assist threatened journalists with both counselling and legal assistance to ensure the well-being of the targeted individuals.

Media Freedom And Civil Society Advocates

- In order to offer psychological assistance to victims of cyber-harassment, work with communities to create a network of users who will engage in an organic process of responding to hate speech on social media by means of counter-speech.
- Encourage bloggers, citizen reporters, and journalists to raise awareness on the significance of digital security tools and practises. The observers have discovered that these communities are completely unaware of the potential dangers that come with unsecured electronic communications.
- Advocates for a scientific approach to studying online harassment have long called for data gathering, in an effort to better understand the issue and its roots.

Citizen reporters, bloggers, and journalists

- Be aware of the internet dangers, such as hacking aimed at media professionals and ordinary citizens who try to get access to emails and personal data in order to undermine media workers' job.
- As an opportunity presents itself, use it to better learn how to cope with an assault and neutralise the threat.

Countries, Like the UN And International Organisations

- Support the Interagency United Nations Cooperation on Strengthening UN Joint-Programme Collaboration and Furthering UNESCO's Central Role in Implementing the UN Action Plan on the Safety of Journalists and the Issue of Impunity.

- On World Press Freedom Day, observe and promote, and on November 2nd, advocate for a greater end to impunity for crimes against journalists.
- Emphasize the importance of protecting the safety of journalists by reminding people of the existence of – and their efforts in this regard – commitments that governments have made to the Sustainable Development Goals.
- Meetings linked to the World Summit on the Information Society and future meetings of the Internet Governance Forum can help promote journalists' safety online and offline.

CONCLUSION

According to what has already been said, the Indian Constitution makes no mention of the freedom of the press. Article 19 of the Constitution, on the other hand, protects the right to freedom of expression and expression of thoughts and ideas. It is often accepted that freedom of the press and expression of thought include free speech as well. It is the same status as if you were a regular citizen in the eyes of the law. The press is not exempt from taxes, and press workers are subject to the same regulations that apply to other types of industrial production.