UNIT 20 WHAT ROLE DOES THE MASS MEDIA PLAY?

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20.1 INTRODUCTION

You must be familiar with the horrific scenes of the terrorist attack in Mumbai in November 2009, which were relayed, almost instantly by the media.

New communications technologies such as mobile/video phones and laptop computers are allowing journalists to gather and disseminate information with ease from many parts of the world.
The digitization of the news industry, which has led to a compression of time and space, means we see news images of demonstrations, riots, coups or war within minutes of these occurring in any part of the world. These images not only inform global audiences, but may instigate further campaigns of violence at home.

Today the mass media has become an essential element in the arena of conflict, rather than just a functional tool for those fighting. The mass media, equipped with World Wide Web (www) and television, has been playing an important role in peace-making, negotiations, conflict reporting and in the post-conflict situations.

20.2 OBJECTIVES

After reading this unit, you should be able to:

• explain what is the mass media and its responsibilities;
• discuss the role the mass media plays in peace-building, negotiations, conflict reporting and post-conflict situations;
• describe the role played by journalists in conflict reporting; and
• discuss the provisions relating to privileges and the safety of journalists.

20.3 WHAT IS MASS MEDIA AND ITS RESPONSIBILITES?

The mass media is media, which can be used to communicate and interact with a large number of audiences. Be it the pictorial messages of the early ages, or the high-technology media that is available today, one thing that we all agree upon, is that mass media are an inseparable part of our lives. Entertainment and media always go hand in hand, but in addition to entertainment, the mass media also remains an effective medium for communication, dissemination of information, advertising, marketing and in general, for expressing and sharing views, opinions and ideas. The mass media is a double-edged sword, which means that it has a positive as well as negative influence. Here are some of the different types of mass media:

Print Media: The print media includes newspapers, magazines, brochures, newsletter, books, and even leaflets and pamphlets. Visual media like photography can also be mentioned under this sub-head, since photography is an important mass media which communicates via visual representations. Although it is said that the electronic or new media have replaced the print media, a majority of audiences prefer the print media for various communication purposes. Public speaking and event organizing can also be considered a form of mass media.

Electronic Media: For many people, it is impossible to imagine a life without their television sets, be it because of the daily news dose or serials. This mass media includes television and radio. This category also includes electronic media like movies, CDs and DVDs, as well as the new hottest gadgets.

With the advent of new technologies like the Internet, we are now enjoying the benefits of high-technology mass media, which is not only faster than the old-school mass media, but also has a widespread range. Mobile phones, computers and the Internet are often referred to as the new-age media. The Internet has opened up several new opportunities for mass communication, including e-mail,
What is the Role of other Institutions?

Websites, blogging, TV and many other mass media which are booming today. We can call this third category of mass media the **new-age media**.

### 20.3.1 What is Participatory Media?

Participatory media means forms of media in which the means of production are widely available and content creation is not based on traditional editorial structures. It enables anyone with a cell phone camera and Internet access to participate in the activity of journalism. This phenomenon creates both new opportunities for information production and a more complex information environment. There is an increasing reliance on tools such as search engines, aggregators and networks of hyperlinks to find accurate information online. Participatory media encompasses a broad range of media technologies used by citizen media initiatives, non-profit organizations and others who create and disseminate information products. These include author-driven “classic” blogs; online-only journals; aggregator websites that encourage dispersed individual contributions; photo- and video-sharing sites such as YouTube; collaborative content projects such as Wikipedia; social media websites; text messaging systems; and micro-blogging platforms such as Twitter.

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**The Reach of Today’s Media**

Today, soldiers in conflict zones record their own actions. Cellphones with cameras allow citizens—whether bystanders, victims, or sympathizers—to record and create journalism, and practice *sousveillance*—the recording of an activity from the participant’s perspective. Insurgents use video of their own acts for publicity and recruitment purposes. Security agencies employ public cameras that can identify license plates from great distances, and satellite imaging can be precise enough to identify individuals. Terror groups use the Internet not only for amplification of messages but for other, instrumental uses—including organizing, recruiting, sharing knowledge, expanding networks and raising funds. Most importantly, all of the information gathered by these various actors may potentially be distributed in real time, around the globe.


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**The importance of human networks: Burma**

In the Burmese monks’ protests in 2007, journalists, activists, and average citizens used cellphones and the Internet to report the government crackdown on demonstrations. Despite an Internet penetration rate of only 0.1 percent, or 40,000 users, heavy-handed censorship, and prohibitive tariffs on cellphone ownership, journalists, rights activists, and everyday citizens were able to send a steady stream of images and reports to news organizations and friends outside of Burma, ensuring that the story received media coverage. Burmese exile media groups and international broadcasters were a vital link in the chain that took those reports to an audience around the world and then back into Burma via traditional media: short-wave radio, cassettes, and CDs.
20.3.2 Does Media Enjoys Freedom of Expression under the International Law?

The media has long been regarded as having a particular role to play in guaranteeing the individual right to free expression, as it is through the media that the individual right takes public form. The freedom of expression has been protected in all significant international and regional human rights treaties. It is guaranteed by Article 19 of the Universal Declaration of Human Rights (UDHR) and by Article 19 of the International Covenant on Civil and Political Rights (ICCPR). It is also protected in various regional treaties - by Article 13 of the Inter-American Convention on Human Rights, by Article 9 of the African Charter (elaborated by a specific declaration agreed in October 2002) and Article 11 of the European Convention on Human Rights.

Universal Declaration of Human Rights, 1948 adopted and proclaimed by the UN General Assembly Resolution on 10 December 1948.

Article 19: Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any medium regardless of frontiers.

20.3.3 What is the Responsibility of Media?

The media's role, both in the past and at present, has been highly variable in intent and effect. An early example is that of William Howard Russell, who reported on the Crimean War to The Times of London. Russell's revelations of the appalling state and organization of army service in that war led to his being regarded by some establishment figures, such as Prince Albert, as a "traitor", but also served to alert public opinion to the need for extensive military reforms, which followed after the war.

The vast power of the modern press was clearly illustrated by its much discussed role in the Vietnam War, where scenes of carnage beamed daily into the living rooms of the US. This had a significant effect in hastening the US withdrawal from the conflict. The recent reports by the media about illegal detention of prisoners and their inhuman treatment in Guantanamo Bay by the US forces led to a worldwide protest. It forced the US administration to release those detained illegally and prosecute the military authorities responsible for ill treating the prisoners.

The mass media today plays a number of important roles in conflict situations. It serves as an agent of peace-building and conflict prevention, and is involved in conflict reporting and post-conflict reconstruction.

- report and publish the truth,
- conduct thorough probes into issues relating to human rights and humanitarian law violations,
- highlight the failure of government officials,
- not succumb to the pressure tactics adopted by governmental officials/ anti-social elements and war lords, and
- avoid making political mileage from issues relating to the violations.
What is the Role of other Institutions?

Self Assessment Question

1) What are the different kinds of mass media? What are the basic responsibilities of the mass media.

20.4 WHAT ROLE DOES THE MASS MEDIA PLAY AS AGENT OF PEACE-BUILDING?

Peace-building means strengthening the prospects for peace in countries torn by conflict. It enhances the capacity of the civil society for non-violent conflict transformation. The mass media can be a powerful tool of the civil society in peace-building. It can bring about positive changes in a society ridden with conflict. For example, a free and strong media can promote a popular culture of participatory democracy, basic human rights, coexistence, tolerance and peace. As bearers of early warning indicators, the media has helped to remove dictatorial regimes, highlighted gross violations of human rights, and fostered justice and reconciliation.

The media can inform, educate and enlighten citizens. The media has promoted environmental protection and backed the struggle against the HIV/AIDS pandemic. These examples are indicative of the fact that, if strengthened as an agent and/or tools for peace-building and other positive social changes, the media can be valuable in various ways. As watchdogs keeping an eye on politicians and civil servants, the free media can hold members of society and the government accountable for their actions. The media can monitor and report on human rights violations and can provide warnings concerning potential violent conflicts early enough for these situations to be addressed.

20.4.1 What is the Role of Media in Peace Negotiations?

In any peace negotiations, the role of the media should form a part of the agreement. All parties should be asked to agree to respect the independence of the media. Thus, they should be asked to refrain from using the media for propaganda purposes and to resist any attempt to intimidate, threaten or abuse the media’s independence. This may seem obvious, but it is not always done. For example, despite the lessons of the conflict in former Yugoslavia and the role the media played in fostering this conflict, there were no provisions in the Dayton agreement regarding the media. These were inserted later on at the Bonn conference. It is no use adding provisions on the media as an afterthought; they must be included as part of the peace agreement and recognized as an essential element in building a peaceful democratic culture. They need to be binding upon the participants in a peace process and enshrined in law and regulation subsequently.

In cases where the existing local media is either too partisan or too weak to provide adequate coverage of the political process, the international community should establish its own media outlets. Radio is the principal means of communication for most of the population in conflict areas.
The UN currently runs a number of radio stations in countries such as the Democratic Republic of Congo and Liberia, some solo and some in co-operation with private initiatives. One of its more successful operations was the UN’s mission to Cambodia – UNTAC – which established a radio station to provide a popular mix of balanced news and coverage of the May 1993 elections with Cambodian music and culture. It is credited with helping the high turnout (90%) of voters and provided free and equal access to all twenty of Cambodia’s political parties.

20.5 CAN THE MEDIA PLAY ANY CONSTRUCTIVE ROLE IN CONFLICT PREVENTION?

It is also logical that media can play a constructive role in preventing escalation of conflicts or bringing about peace and reconciliation. It can be helpful in addressing the root causes of conflict. A professional and responsible media is one of the tools of conflict prevention.

Conflict prevention is a term with one meaning, but used to describe two very different approaches. It describes the attempts to avoid conflict in the period immediately before the outbreak of violence. In the immediate pre-conflict period, there is not enough time to remove the root causes of conflict, and conflict prevention efforts must seek to dismantle the apparent triggers to violence.

Conflict prevention is also used to describe the long-term processes of removing the systemic root causes – either for the first violent conflict or, in most cases, for recurring conflicts. More than 50% of ended conflicts recur within the next five years. Conflicts can be seen as cycles: there is a peaking violent conflict, followed by the cessation of violence and de-escalation of conflict, leading to peace which, unfortunately, is often broken by the re-escalation of tensions, and again, peaking violence. It is a major achievement if the cycle can be broken and new conflicts prevented by removing the root causes.

The media could play following constructive roles in conflict prevention:

1) Relay negotiating signals between parties that have no formal communication or require another way to signal.
2) Focus the attention of the international community to intervene on a developing conflict.
3) Establish the transparency of one conflict party to another.
4) Engage in confidence building measures.
5) Educate parties and communities involved in conflict, thereby changing the information environments of disputes, which is critical to the conflict resolution process.
6) Identify the underlying interests of each party to a conflict for the other.
7) Prevent the circulation of incendiary rumors and counteract them when they surface.
8) Identify the core values of disputants, helping them understand their own priorities and those of their opposite number.
9) Frame the issues involved in conflict in such a way that they become more susceptible to management.
What is the Role of other Institutions?

10) Identify resources that may be available to help resolve conflicts, or to mobilize outside assistance in doing so.

11) Establish networks to circulate information concerning conflict prevention and management activities that have been successful elsewhere.

12) Publicize what should be public and privatize what is best left private in any negotiating process.

13) Bring international pressure on media organizations that promote xenophobia, racism, or other forms of social hatred.

14) Encourage a balance of power among unequal parties where appropriate.

15) Enable the parties to formulate and articulate proposed solutions by serving as mediator.

16) Provide early warning of impending conflicts.

17) Promote and help enforce national or international norms regarding human rights, the conduct of war, the treatment of minorities, or other issues.

Self Assessment Question

2) List any six roles which mass media could play in conflict prevention.

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20.6 WHAT IS THE ROLE OF MEDIA IN CONFLICT REPORTING?

Conflict in the 20th century was often characterized by a persistent lack of access to information, for both participants as well as observers such as reporters, rights groups, and humanitarian agencies. While many conflicts in the 21st century still occur largely out of the public eye, it is becoming more common for war to be conducted in the midst of an abundance of information. During the conflicts in Lebanon in 2006, Pakistan in 2007, Kenya and Georgia in 2008, and Moldova and Iran in 2009, digital media tools were integral to the operations of both activists and combatants. They were used for organizing and mobilizing forces, and organizing demonstrations to influence the outcome of the conflict.

The role of mass media in reporting a conflict could be of a (i) critical observer, (ii) publicist, or (iii) battleground reporter. The mass media, during the conflict has a moral duty to report gross violations of human rights and serious violations of international humanitarian law (IHL). The violations of IHL could be: the use of prohibited weapons and methods of warfare, excessive damages to environment, ill-treatment to prisoners of war, disproportionate damage to civilian property, excessive civilian casualty, ill-treatment to interned civilians, use of child soldiers, inhumane and degrading treatments to women and children, medical experimentation on prisoners of war, and damage to protected monuments.
The media have a crucial role in refusing to parrot the government line and in uncovering hidden facts. Article 1 of the 1978 Declaration on Fundamental Principles concerning the Contribution of the Mass Media to Strengthening Peace and International Understanding, to the Promotion of Human Rights and to Countering Racialism, Apartheid and Incitement to War (Declaration on Mass Media) reinforces this point:

"The strengthening of peace and international understanding, the promotion of human rights and the countering of racialism, apartheid and incitement to war demand a free flow and a wider and better balanced dissemination of information. To this end, the mass media have a leading contribution to make."

20.6.1 Are there any Ethical Considerations in Media Reporting?

The media must be free because the public has a right to be informed. According to Retief (2002), the media should:

1) Be accurate both in text and context (and correct mistakes promptly).
2) Be truthful, only using deceptive methods in matters of public importance if there is no other way of uncovering the facts.
3) Be fair, presenting all relevant facts in a balanced way.
4) Be duly impartial in reporting the news and when commenting on it.
5) Protect confidential sources, unless it is of overriding public interest to do otherwise.
6) Be free from obligation to any interest group.
7) Respect the privacy of individuals, unless it is overridden by a legitimate public interest.
8) Not intrude into private grief and distress, unless such intrusion is overridden by a legitimate public interest.
9) Refrain from any kind of stereotyping.
10) Be socially responsible in referring to matters of indecency, obscenity, violence, brutality, blasphemy, and sex.”

Censorship of media by media

Who carries the responsibility for fair and accurate reporting? Is it the journalists themselves, their editors or media owners and what is the impact of stakeholders such as consumers and advertisers? The different motivations and pressures applied to the media in censorship of wartime news is a complex one, involving different actors and ethical frameworks. The interplay between all these groups means that the final media output has been influenced by a manifold of different sources. Therefore holding the individual author to moral or legal account for an act of omission or commission may not be realistic.

20.6.2 What Role do Journalists Play in Conflict Reporting?

The journalists have long assumed a special importance in the civil society. Journalists in peacetime play an important role in investigating abuses of public or corporate
power, alongside other actors in civil society. In armed conflict, however, where other civil society actors are either absent or muted, journalists are among a precious few remaining actors capable of exposing illegality, whether they are classical ‘war correspondents’ attached to armed forces (known in contemporary conflicts as being ‘embedded’), or whether they operate with varying degrees of independence or autonomy from armed forces.

20.6.3 Does Media have Absolute Right of Reporting?

The right of the media to report during an armed conflict may not be absolute. Certain restrictions may be imposed on the media before it is allowed to move into the conflict zones. During the Gulf War, the US Assistant Secretary of Defence (Public Affairs) had issued guidelines for correspondents who intended to cover the specific operational environment of the Persian Gulf. The guidelines required that the following information should not be reported because its publication or broadcast could jeopardize operations and endanger lives.

1) For US or coalition units, information on troop strength, aircraft, weapons systems, on-hand equipment, or amount of ammunition or fuel moved in support of combat operations.

2) Any information that reveals details of future plans, operations, or strikes, including postponed or cancelled operations.

3) Information, photography, and imagery that would reveal the specific location of military forces or show the level of security at military installations.

4) Rules of engagements details.

5) Information on intelligence collection activities, including targets, methods and results.

6) During an operation, specific information on friendly force troop movements, tactical deployments and positions that would jeopardize operational security or lives.

7) Identification of mission aircraft points of origin.

8) Information on the effective or ineffectiveness of enemy camouflage, cover, deception, targeting, intelligence collection or security measures.

9) Specific identifying information on missing or drowned aircraft or ships while search and rescue operations are planned or underway.

10) Special operation forces’ methods, equipments or tactics.

The media’s role in war propaganda

States wage war in the name of peace and democracy. Yet war propaganda can violate human rights and undermine the democratic principles it seeks to champion. Despite this it is rarely acknowledged, by the media, governments, or even anti-war campaigners, that war propaganda is illegal under international human rights law.

To date there is no legal precedent accusing government officials or media professionals of disseminating war propaganda. However, media workers have been tried by the International Criminal Tribunal for Rwanda (ICTR), which has provided important precedents for incitement to genocide.
20.6.4 Media’s Role in the Protection of Dignity of Prisoners of War (POW)

During the first Gulf War in 1991, the British prisoners of war were shown on television, badly bruised and were also forced to make humiliating statements. More recently, unfortunate photographs and television footage, such as that of the prisoners held at Guantanamo Bay or those detained in Abu Ghraib in Iraq, illustrate that the issue continues to be of general relevance and concern.

Article 13 of the third Geneva Convention of 1949 protects prisoners of war against insults and public curiosity. Similarly, the fourth Geneva Convention IV (Article 27), protects civilians, particularly those who are in the hands of the opposing side or of an Occupying Power. The Common Article 3 of the four Geneva Conventions applies during civil wars or non-international armed conflicts. This Common Article 3 imposes a general obligation to uphold the personal dignity of persons taking no active part in the hostilities during an internal armed conflict, including those in detention.

Consider the following: On the one hand, a newspaper photograph or television picture of a POW can be claimed to prove that he/she is alive, and to show his/her standard of treatment. On the other hand, such publicity can humiliate the POW, endanger his/her family and make his/her return to his/her own State or community more difficult.

It is necessary that the rights of the media to freedom of expression be respected, but the exercise of such freedoms carries with it certain responsibilities. Non-disclosure of individual identities or of humiliating images can be justified on various grounds, like compliance with IHL, and protection of the reputation or rights of others. Thus, any broadcast/publication of a film/photo of an identifiable POW or civilian internee should normally be regarded as a matter of subjecting him/her to public curiosity, and should be prohibited. In addition, it is wrong to show publicly images of such persons, even if they are not recognizable, if the images are humiliating and degrading.

20.6.5 Media’s Role: Reporting of Military Casualties

Any information on casualty during the war is a sensitive issue. There have been instances in which the next of kin have first learned of the death or wounding of loved one through the new media. The problem is more difficult for visual media. Casualty photographs showing a recognizable face, name tag, or other identifying features or items must not be used before the next of kin have been notified. The anguish that sudden recognition at home can cause far outweighs the news value of the photograph, film or videotape. News coverage of casualties needs to be in strict compliance with the instructions of doctors and medical authorities.

20.6.6 What is Peace Journalism?

According to the Peace Journalism (PJ) approach, editors and reporters make choices of what stories to report and how to report them, which may create an opportunities for society at large to consider and to value non-violent responses to conflict. Peace Journalism has been described as a set of tools for counterbalancing traditional war journalism. These tools, try to balance out the
patterns of omission in war journalism by making peaceful and non-violent initiatives visible. Peace Journalism gives peace a chance. It is argued that this requires taking a holistic view and being creative when it comes to conflict resolution.

In PJ, journalists must avoid portraying a conflict as consisting of only two parties contesting one goal, where the logical outcome is for one to win and the other to lose. Instead, a peace journalist would disaggregate the two parties into many smaller groups, pursuing many goals, opening up more creative potential for a range of outcomes. The first job of peace journalists is to map the conflict, identifying the parties and analysing their goals, and to treat the information they supply in the light of their specific agenda.

**Self Assessment Question**

3) How media can be helpful in protecting the dignity of prisoner of war?

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<td>Protecting the dignity of prisoners of war is crucial. Media should focus on highlighting the human rights violations and the suffering of the prisoners. They should aim to raise awareness about their condition and the actions taken against them. This can be done through interviews with prisoners, documentation of their daily life, and reporting any incidents of abuse or neglect. The media should also support the families of the prisoners and work towards their release.</td>
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**20.7 WHAT IS THE ROLE OF MASS MEDIA IN POST CONFLICT SITUATIONS?**

In conflict and post-conflict zones and in countries in transition, media’s ability to provide independent and trustworthy information can contribute significantly to processes of reconstruction and reconciliation. The media can be used to stir up hatred (Rwanda was an extreme example of this), but also provides the news and information that a democracy needs in order to work.

In the post-conflict era, journalists need to focus more on Reconciliation, Reconstruction and Resolution (3Rs) as part of helping to rebuild the society. However, the 3Rs should be taken together—if you do only one of these three without the other two, you will not even get that one. Reconciliation can best take place when the parties cooperate in resolution and reconstruction. Reconstruction without removing the causes of violence will lead to its reproduction.

**20.7.1 Can Mass Media Contribute to Success of the UN Peacekeeping Missions?**

In the modern era, the most successful peacekeeping operations are likely to include a wide variety of reconstruction and peace-building activities. These may include (i) support to humanitarian relief operations, (ii) provision of protection to relief workers, (iii) assistance to those displaced by conflict, (iv) monitoring of any ceasefire arrangements, (v) supervision of the demobilization and disarmament of combatants, and (vi) monitoring of elections. None of this can be achieved without a comprehensive policy that fosters effective communication with local populations.

Peacekeeping operations, therefore, depend crucially upon relationships with the people on the ground. If the local people fail to understand the reason for the international presence, or if they resent it or even see it as foreign occupation, then
there will be serious challenges to the credibility and viability of the peacekeeping operations. The media can play an important role in educating the local population about the aims and objectives of peacekeeping missions.

One humanitarian law jurist writes:

... journalists are extremely useful as part of the machinery which ensures the implementation of the rules of war when most other means of enforcement are lacking ... It is often through the reports of journalists that inhuman practices in wars are made known to the rest of the world and their function of transmitting news to those outside a particular conflict may be conducive to the condemnation by world opinion of certain methods of warfare or a certain state of affairs.

### 20.7.2 Can Media Play a Negative Role of Inciting Conflict and Violence?

Since 1989, with the collapse of the USSR and the end of the Cold War, nine out of ten violent conflicts have been internal and have often been rooted in resource or land disputes, but fought with strong references to ethnic, cultural and religious identities. The mass media has played an increasing role in mobilizing population groups behind their leadership in violent conflicts. In the former Yugoslavia, Rwanda and many other countries, the local media turned a blind eye to societal inadequacies and the political or economic root causes of the conflicts. The media has contributed to the escalation of conflicts by perpetuating prejudices, stereotypes and hate speech against other sections of the population, using ethnic, religious or cultural identities as rallying cries.

In many conflict areas, the media has neglected reporting on structural inadequacies and root causes, posing a threat to the stability of the country. The reasons may be lack of editorial independence, the media’s loyalty to certain population groups or lack of professionalism.

### 20.7.3 Are there any Disputes between the Mass Media and Military?

The successive legacies of the war have sharpened the tension which exists between the media and the military. The roots of tension are in the nature of the institutions. The military is hierarchical with great inner pride and loyalists. It is the anti-thesis of a democracy—and must be so if it is to be effective. It is action oriented and impatient with outside interference. Many things it legitimately does make little sense to civilians who have scant knowledge of military matters. The military wants to be left alone and carry out its assigned mission.

To the contrary, a free press—one of the great virtues and elemental constituents of a democracy—is an institution wherein concentration of power is viewed as a danger. The press is a watchdog over institutions of power, be they military, political, economic or social. Its job is to inform the people about the functioning of their institutions. By its very nature, the press is skeptical and intrusive. As a result there will always be a divergence of interests between the media and the military. That they both are essential to the well-being of a democracy is beyond question, but the problem of minimizing the natural friction between the two is daunting one.
What is the Role of other Institutions?

Friction between the Army and the media is not new. In the United States, military leaders distrust the media and are cautious about what gets out to the press. One possible explanation for the Army's distrust of the news media is that journalists do not always take the time for accurate reporting. In many cases, news media rush to deadline. Attribution, a fundamental part of news reporting, is often absent, and essential military terminology and critical facts are sometimes incorrect. In some cases, stories are completely fabricated.

Self Assessment Question

4) Explain how media can play a negative role of inciting conflict and violence?

Case Study

Ethics in Journalism

Kevin Carter (September 13, 1960 – July 27, 1994) was an award-winning South African photojournalist. In March 1993 Carter went with the United Nations aboard Operation Lifeline Sudan. The aircraft was carrying relief material for the country severely affected by famine. The UN started to distribute corn and the women of the village came out of their wooden huts to meet the plane. The parents of the children were busy taking food from the plane so they had left their children only briefly while they collected the food.

The sound of soft, high-pitched whimpering near the village of Ayod attracted Carter to an emaciated Sudanese toddler. The girl had stopped to rest while struggling to a feeding center, whereupon a vulture had landed nearby. This was the situation when Carter clicked the photograph. Carter's winning photo showed a heart-breaking scene of a starving child collapsed on the ground, struggling to get to a food center. In the background, a vulture stalks the emaciated child.

To get the two in focus, Carter approached the scene very slowly so as not to scare the vulture away and took a photo from approximately 10 meters. He said
that he waited about 20 minutes, hoping that the vulture would spread its wings. It didn’t. Carter snapped the haunting photograph and chased the vulture away.

The photograph was sold to *The New York Times*, in which it appeared for the first time on March 26, 1993. Practically overnight, hundreds of people contacted the newspaper to ask whether the child had survived. Carter also came under heavy criticism for just photographing—and not helping—the little girl.

*The St. Petersburg Times* in Florida said this of Carter: “The man adjusting his lens to take just the right frame of her suffering, might just as well be a predator, another vulture on the scene.” No one knows what happened to the child, including the photographer Carter, who left the place as soon as the photograph was taken. In 1994, Carter was awarded the Pulitzer Prize for feature photography. Haunted by the horrific images from Sudan, Carter committed suicide in 1994 soon after receiving the award.

### 20.8 ARE JOURNALISTS ENTITLED TO ANY PROTECTION UNDER IHL?

A journalist’s function is not only to inform but also to investigate. The public’s right to information necessitates protection for journalists that report from dangerous war-torn regions. But the question is: do they need special protection? Some argue that journalists should be protected in terms of humanitarian law due to their humanitarian function, their service of facilitating the free flow of information to the world and their role in society. Others argue that their protection is not the responsibility of the international community, but rather their individual national governments or local news organizations.

Despite the legal guarantee of freedom of the press and free speech, journalists and media organizations have come under increasing attack from a variety of sources. Journalists have been threatened with physical violence, newspaper offices and television studios have been burned down or trashed by mobs, and politicians have threatened to impose regulatory control. Military authorities, war lords and politicians have also used their positions in the traditional system of hierarchy to muzzle media criticism.

#### 20.8.1 Protection to Accredited War Correspondents

In international armed conflict— that is, a conflict between two or more states (1949 Geneva Conventions, Common Article 2)— ‘war correspondents’ have long enjoyed a special status under IHL. The general principle is that they are civilians (non-combatants), but with a special entitlement (not enjoyed by other civilians) to prisoner of war (POW) status upon capture by a belligerent force.

The traditional position is stated in Art 13 of the 1899 Second Hague Convention with Respect to the Laws and Customs of War on Land and its annexed Regulations. It refers to ‘newspaper correspondents and reporters’ as ‘individuals who follow an army without directly belonging to it’ and who are entitled to POW status ‘provided they can produce a certificate from the military authorities of the army they were accompanying’.

Article 4(A)(4) of the Third Geneva Convention of 1949 Relative to the Treatment of Prisoners of War specifies that POWs include the following who have fallen into the power of the enemy:
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Persons who accompany the armed forces without actually being members thereof, such as civilian members of military aircraft crews, war correspondents, supply contractors, members of labour units or of services responsible for the welfare of the armed forces, provided that they have received authorization, from the armed forces which they accompany, who shall provide them for that purpose with an identity card similar to the annexed model.

The treatment of captured war correspondents as POWs does not imply that they are combatants under IHL. Such persons accompanying armed forces remain civilians but are accorded POW status in recognition of their close association with the armed forces to which they are attached. POW status is a double-edged sword for journalists. While such status carries with it various protections in detention, on the other hand it renders the POW liable to administrative detention, without charge, until the end of the conflict.

20.8.2 What Protection is Entitled to Journalists in Military Operations?

It is a fundamental principle of humanitarian law that parties to a conflict must distinguish between civilians (including journalists) and combatants, and between civilian objects (including media equipment and installations) and military objectives (1977 Protocol I, Articles 50–52). Attacks may only be directed against combatants and military objectives, while civilians and civilian objects must not be the object of attack. Journalists cannot be used as hostages or human shields (1977 Protocol I, Article 51(7)), nor may they be made the object of reprisals. Like other civilians, journalists do not, however, enjoy absolute immunity from harm. Where journalists (including war correspondents) are situated near or among armed forces or other military objectives which are legitimate military targets liable to attack, their incidental or collateral killing in the course of such attacks will not be unlawful, assuming the attacking forces otherwise comply with the principles of IHL.

20.8.3 Protection to Journalists in Non-international Armed Conflicts

Provisions for the protection of journalists in non-international armed conflict are less developed than in international conflicts. There is no international legal status of POW available in non-international armed conflicts and, further, no specific provisions are made for war correspondents or journalists. However, common Article 3 provides for the humane and non-discriminatory treatment of ‘persons taking no active part in the hostilities’, who would include journalists in that position. Common Article 3 specifically prohibits violence and torture, hostage taking, ‘outrages upon personal dignity, in particular humiliating and degrading treatment’, and unfair trials. Common Article 3 further allows for the ICRC to offer its services, which may include, for example, visiting detained journalists or mediating for the release of journalists taken hostage.

1977 Additional Protocol II applies to non-international conflicts, between a state party’s forces and dissident armed forces or other organized armed groups which are under responsible command. Protocol II expressly guarantees the general protection of civilians from the dangers arising from military operations. Journalists are thus treated like other civilians in non-international conflicts in which a state is party to Protocol II.
20.8.4 United Nation Security Council’s Resolution

The number of journalists who are killed while reporting in areas of armed conflict is constantly increasing (2005: 65; 2006: 75; 2007: 87). According to Reporters Without Borders, 67 journalists and media assistants have been killed since the start of fighting in Iraq in March 2003, and two are still missing. The issue of safety of journalists provoked the UN Security Council to condemn such attacks as threats to international peace and security. The Security Council Resolution 1738 (2006) specifically addresses the protection of journalists. It condemns all attacks against journalists, media professionals and associated personnel in armed conflicts, and calls on all parties to end such practices. It is also significant in urging all parties to a conflict to ‘respect the professional independence and rights of journalists’ and media personnel, and urges states to become parties to Protocols I and II of the Geneva Conventions of 1949.

Self Assessment Question

5) What protection is available to journalists during non-international armed conflicts?

20.9 SUMMARY

- In this unit we discussed the meaning and kinds of mass media. We also saw that international law guarantees freedom of expression to media. Moreover, we examined the basic responsibilities of the mass media while reporting.

- We further saw how the mass media can be a powerful tool of the civil society in peace-building. We have examined how media can play a constructive role in preventing escalation of conflicts or bringing about peace and reconciliation.

- Further, we discussed the usefulness of the media in conflict reporting and its potential role as a critical observer, publicist or battleground reporter. We also saw that in a war, the right of media to report may not be absolute.

- We also discussed the protection available to journalists under IHL—both during the international and non-international armed conflicts. In addition, the concepts of participative journalism and peace journalism were examined.

20.10 TERMINAL QUESTIONS

1) Define the term mass media. What are different types of mass media?

2) Discuss the role of the mass media in conflict reporting. What could be the ethical aspects of media reporting?

3) Discuss what protection available to journalists under the IHL.
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20.11 ANSWERS AND HINTS

Self Assessment Questions

1) Refer to Section 20.3 and Sub-section 20.3.1
2) Refer to Section 20.5
3) Refer to Sub-section 20.6.4
4) Refer to Sub-Section 20.7.2
5) Refer to Sub-section 20.8.3

Terminal Questions

1) The mass media is media which can be used to communicate and interact with a large number of audiences. The media is an effective medium for communication and dissemination of information. It is also used for expressing and sharing views, opinions and ideas. The mass media is a double-edged sword—it may have a positive as well as negative influence. There are three different kinds of mass media. These are the (i) print media, (ii) electronic media, and (iii) new-age media.

The print media includes newspapers, magazines, brochures, newsletter, books and even leaflets and pamphlets. Visual media like photography can also be included under print media, since photography is an important mass media which communicates via visual representations. Public speaking and event organizing can also be considered as a form of mass media. The electronic media includes electronic media like movies, CDs and DVDs, as well as the new hottest gadgets. New-age media includes mobile phones, computers and the Internet. The Internet has opened up several new opportunities for mass communication, which include e-mail, websites, blogging, TV and many other mass media which are booming today.

2) The mass media has an important role to play during conflicts. For example, during the conflicts in Lebanon in 2006, Pakistan in 2007, Kenya and Georgia in 2008, and Moldova and Iran in 2009, digital media was used extensively. The mass media was integral to the operations of both activists and combatants, and was used for organizing and mobilizing forces and demonstrations.

While reporting conflicts, the mass media can play the role of (i) critical observer, (ii) publicist, and (iii) battleground reporter. The media has a crucial role in refusing to parrot the government’s line and in uncovering hidden facts. During conflicts, the mass media has a moral duty to report serious violations of human rights and gross violations of IHL. The violations of IHL could be the use of prohibited weapons and methods of warfare, excessive damages to the environment, ill-treatment of POWs, disproportionate damage to civilian property, excessive civilian casualty, ill-treatment of interned civilians, use of child soldiers, inhumane and degrading treatment of women and children, medical experimentation on POWs, and destruction of protected monuments. It is often through the reports of journalists that inhuman practices in wars are made known to the rest of the world.
3) Under Article 13 of the 1899 Second Hague Convention with Respect to the Laws and Customs of War on Land and its annexed regulations, newspaper correspondents and reporters who follow an army without directly belonging to it are entitled to POW status. However, it is necessary that they carry a certificate from the military authorities of the army they are accompanying. Under Article 4(A)(4) of the Third Geneva Convention of 1949, war correspondents are entitled to POW status. However, it is necessary that they carry an identity card from the armed forces which they accompany. POW status is a double-edged sword for journalists. While such status carries with it various protections in detention, on the other hand, it renders the POW liable to administrative detention, without charge, until the end of the conflict.

In non-international armed conflicts, no specific provisions are made for war correspondents or journalists. However, common Article 3 provides for humane and non-discriminatory treatment to be accorded to persons taking no active part in the hostilities, who would include journalists also. Under Additional Protocol II, journalists are treated like other civilians in non-international conflicts in which a state is party to Protocol II. In addition, the Security Council Resolution 1738 of 2006 specifically addresses the protection of journalists. It condemns all attacks against journalists, media professionals and associated personnel in armed conflicts.

20.12 GLOSSARY

**Sousveillance** : Means the recording of an activity from the perspective of a participant in the activity, typically by way of small portable or wearable recording devices that often stream continuous live video to the Internet.

**Embedded journalist** : These journalists are inserted into military units by the governments. Journalists are obliged to follow ground rules to remain with the unit to which they were attached and which ensures their protection. They could be equated with war correspondents within the meaning of the Third Geneva Convention.

**Reconciliation** : Means re-establishing normal relations between belligerents.

20.13 REFERENCES AND SUGGESTED READINGS


http://classweb.gmu.edu/hwjeong/Conf702/Galtung,%20After%20violence.pdf
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