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# UNIT 11 MEDIA AND HUMAN RIGHTS

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## 11.0 INTRODUCTION

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Media is considered an essential pillar of democratic state because it provides people opportunities of participation by informing and educating them about their rights and duties. Media has been the catalyst of human rights movements ranging from slave-trade and racial discrimination to the plight of refugees. However, at times, the propagandist media becomes a tool to gain/retain power by a few. The struggle for political-economic-social equality vis-à-vis power, thus, necessitated the need to formally define human rights. Although, philosophy of human rights is universal in approach, yet the human rights of individuals/ communities remain contextual due to cultural and social diversity. Here, it is equally important to understand the diverse media processes operating in the diverse contexts.

In this Unit, we shall discuss the historical, theoretical and constitutional aspects of human rights from global and Indian perspectives and examine media representation of human rights issues for a better understanding of society, human rights and media.

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## 11.1 LEARNING OUTCOMES

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After reading this unit you should be able to:

- recall the history and development of human rights;
- describe the conceptual and legal frameworks of human rights;
- discuss the emerging issues related to media, society and civil liberties; and
- analyse the media processes in relation to the representation of human rights issues

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## 11.2 HISTORY AND DEVELOPMENT OF HUMAN RIGHTS

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Jack Donnelly (2003) explains in his seminal work *Universal Human Rights in Theory and Practice* that the ‘traditional’ societies did not have formal human rights frame, yet they had politically and legally well-defined systems of duties, justice and human dignity. We find the traces of the demand for and attainment of human rights from the ancient history. Various human rights were formalised and institutionalised in different political structures (including monarchies) in various parts of the world with Magna Carta (Charter), Renaissance and Enlightenment periods being the most recognised milestones in the history of human rights.

### **Human Rights and Ancient History**

The Babylonian King Hammurabi (c1810-1750BC) issued a set of public laws known as, “Hammurabi’s Codes”. These laws included almost every sphere of life ranging from civil laws, marriage and family to property codes, minimum and fair wages. On the principle that strong must not harm the weak, these codes defined crimes and punishments. Though, Hammurabi’s codes are first known case of human rights, yet those were not based on equality. For example, it was ‘an eye for an eye’ as a punishment for the crime committed in the same class of people, however, the punishment for the same crime committed by elite class on a weaker class, such as slaves and women, was quite less. Moreover, the punishment for the proved crimes of slaves and women were gruesome and could not be called as ‘justice’. Interestingly, after almost 1215 years, a new benchmark of human rights was established on the same soil when Cyrus II, the King of Persia conquered Babylon in 539 BC. His rule in Babylon and a baked clay artifact known as “Cyrus Cylinder” is well recognised as a symbol of religious freedom and tolerance to multiculturalism. He set the Babylonian/exiled slaves free to return to their homes and practice their religion and cultures.

Similarly, the Indian history witnessed humanitarianism and universalism as core philosophy during the reign of Mauryan King Ashoka (268-232 BC), who devoted his whole life to non-violence and Buddhism after the War of Kalinga

(262 BC). Important historical evidences, “Edicts of Ashoka” with 33 inscriptions on pillars, boulders and cave walls describe his policies related to religious tolerance and egalitarianism.

### **Medieval History and Formation of Human Rights**

In the year 1215, the “Great Charter” i.e. the Magna Carta in England declared the law of land as supreme for the first time. With establishing ‘right to justice and fair trial for all free men’, even the king had been brought under equality before law (‘unfree’ peasants were not a part of it!). It eventually gave way for the petition of right (1628) to demand supremacy of English Parliament against the King and further, the Bill of Rights (1689) to declare the “political and civil rights, including the freedom to elect Members of Parliament, the protection of free speech in Parliament and that the king or queen could not interfere with the law” (<https://vdocuments.us>). Following this, the minority rights to Jews were provisioned by the statute of Kalisz or Boleslaus de Pious in Poland in the year 1264. Interestingly, in 1630s, Dutch jurist Hugo Grotius laid the foundation of international law to protect world citizens with the substantial treatise ‘The Rights in War and Peace’. Thus, Magna Carta became the foundation for UN Charter of Human Rights (UNCHR).

### **Reformation, Renaissance and Enlightenment: The Era towards a ‘Modern World’**

The Renaissance in 14th - 17th century and the Enlightenment in 18th Century Europe is known to be the first wave of human rights movement for religious and civil liberties. With the philosophy of ‘natural rights’ the philosophers like John Locke (1632-1704), Voltaire (1694-1778) and Jean-Jacques Rousseau (1712- 1778) proposed the idea of human life and liberty, equality and independence. The European wars of religion from 14th century onwards set the motion for demands of equal rights in religious-cultural and political spheres and aggravated with the civil wars in England (17th century). Protestant Reformation started by Martin Luther in 16th century Germany encouraged common people to question the religion. Consequently, German Peasants’ War against Holy Roman Empire resulted in “Twelve Articles” demanding “Swabian League”. Similar wars in France, Spain and other parts of Europe were important movements that led to religious tolerance and political decentralisation. The period was important to understand the role of press as well. It was through the technology of printing press that Martin Luther could take the translated bible (From Latin to English Language) from confinement of church to the common people and it could get the massive response. You will be surprised to know that the comic strips gained popularity from this period onwards!

### **The Modern History: From French Revolution to Universal Declaration of Human Rights**

Philosophers such as Thomas Paine circulated the ideas of equal rights (The Rights of Man) and reason (The Age of Reason) throughout the Age of Enlightenment. In 1789, the Declaration of the Rights of Man and of the Citizen

made a way for participation of all (excluding women) in civil and political life an inalienable right of “all born equal and free” in France.

The US Bill of Rights proclaimed the freedom of speech, press and assembly in the first 10 amendments to the American Constitution. In America, a massive movement for human rights was led by leaders from different fields. William Lloyd Garrison, journalist and abolitionist led Anti-slavery campaign and regularly published pieces related to “the great cause of human rights” in his newspaper *The Liberator*. Another important step in those war-struck times was the Lieber Code, the instruction for the US Armed Forces signed by the US President Abraham Lincoln in the USA (1863) for “humane treatment of prisoners of war”. Simultaneously founding of the International Committee of the Red Cross (1863) and Geneva Conventions (1864-1977) are also important in this regard. A parallel movement for women rights started in 1848 with Woman’s Rights Convention in New York and women were fighting for their civil and political rights in other parts of the world. Kate Sheppard led woman’s right movement in 1893 in New Zealand became the first success when women were given right to vote in parliamentary elections.

It is interesting to note that imperialistic world powers indulged in the most socio-economic exploitative practices with colonisation, slavery and racism, reconciled to a demand for an ‘equal world’ in their homeland. For example, Britain, engaged in colonising the countries of Asian and African continents till the Second World War, passed the Slave Trade Act and Slavery Abolition Act in the years 1807 and 1833 respectively, in Britain.

Violation of human rights in the World War I compelled the world leaders to initiate the foundations of the League of Nations in 1919; it was the World War II with technological advanced weaponry and atomic bombing on Hiroshima and Nagasaki, Japan, which had been realised as the threat to whole human life and the United Nations was formed in 1945 with a purpose to prevent wars in future, to settle disputes through negotiations and peace talks and improving human welfare universally. A founding stone of international humanitarian law and human rights law, the Universal Declaration of Human Rights (UDHR) came into being in 1948, followed by international covenants such as the International covenant on Economic, Social and Cultural Rights (1966) and the International Covenant on Civil and Political Rights (1976) as part of the International Bill of Human Rights. The world’s largest human rights organisation, Amnesty International was founded in 1961 followed by British lawyer Peter Benenson’s campaign.

While colonised nations were fighting for political independence, Mahatma Gandhi became a role model of humanitarian non-violent movement and emerged as a crusader for human rights. Similarly, Dr. B.R. Ambedkar built a movement against caste-based discrimination and human rights violations and became a force for institutionalisation of affirmative action for the weaker sections of society through a written constitution. Thus, we find some concrete actions along with the evolved philosophy and development of historical events

that collectively contributed toward the present form of human rights all over the world.

With the three generations of citizenship and human rights movements as described by eminent sociologist T.H. Marshall and later, Jurist Karel Vasak, the history of human rights can be summarised as:

- Emergence of civil and political rights (individual liberties)
- The development of social and economic rights (social welfare)
- The collective/solidarity rights (sustainable development, peace and fraternity at global level).

**Check Your Progress: 1**

**Note:** 1) Use the space below for your answers

2) Compare your answers with those given at the end of the Unit.

1) Why are the Hammurabi’s Codes considered as ‘partial’ human rights?

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2) List three human rights movements/landmarks from medieval world history.

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3) Discuss the contribution of French Revolution in Human Rights History.

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## 11.3 HUMAN RIGHTS: CONCEPTUAL AND THEORETICAL FRAMEWORK

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The “Rights of Man” was not all-inclusive during the ancient and medieval world history. However, it proved to be a pathfinder to conceptualising an ‘equal and just’ world and thus, we arrived at the definition of human rights as propounded by the United Nations i.e., “Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status.”

The UN’s concept of human rights is based on ‘universal’ and ‘egalitarian’ ‘natural rights’ or basic rights emphasizing upon ‘individualism’. We will discuss various perspectives of human rights in terms of action or practice i.e. ‘positive’ and ‘negative’ rights; the ‘duty’ and ‘responsibility’ approach to understand the full meaning of ‘rights’ as a part of ‘society’ based theories; along with individual perspective in this section. The torch-bearers of human rights propagated principles of ‘liberty, equality and dignity’ that can be described as the soul of human rights born out of these theories.

### 11.3.1 Different Theories of Rights

#### Individual and ‘Society’ Rights Theories

The classical philosophers Plato and Aristotle proposed the idea of ‘universalism’ and ‘justice’. However, it was English philosopher John Locke whose idea of ‘natural rights’ became the foundation of modern liberalism. He defined three elements of natural rights - life, liberty and property. However, philosophers like Immanuel Kant, Thomas Paine, Karl Popper defended the single attribute of individual freedom as human rights.

You can understand all the three elements with a single example of a new born baby. With the birth, a ‘baby’ comes in the world with the right to life; since ‘baby’ is a caste, class and/or gender neutral term, s/he enjoys right to equality at birth; a baby moves, cries, smiles and expresses herself at will, hence the ‘life’ and ‘liberty’ are given to her by ‘nature’; the natural resources provide air, shelter and food for her that constitute ‘property’. However, in the later years, with community/caste/class/gender affiliations take place and power starts to play a role in his/her later life which mostly comes with a hold on economic resources. This situation is well explained by Rights theorists of 17th-18th centuries. Thomas Hobbes, John Locke and Jean-Jacques Rousseau considered natural rights as liberties confronted by individuals against each other when interests clashed.

Eventually, these incontrovertible rights of equality, justice and dignity were promoted by liberal economists and philosophers such as John Stuart Mill, Adam Smith and David Ricardo for decentralisation of power in individuals (citizens), groups, organisations, market and media instead of the State.

The second set of theories immersed into ‘society’ where individual is

considered as a part of society. Theorists like David Hume hold human rights as social product developed through social processes. Based on Thomas Hobbes' view that individuals in a society accept rules from legitimate authority in exchange for security and economic advantage, John Rawls developed the "Social Contract" theory. In French Enlightenment tradition, Jean Jacques Rousseau extended social contract theory to 'general will of people' while, Charles-Louise de Montesquieu (1684-1755) laid foundations of the modern political systems with the separation of power among three branches of state i.e. executive, legislature and judiciary.

### **Negative and Positive Rights Theory**

A close scrutiny of the human rights provides another set of theories which is called as 'positive and negative rights' theory. Based on rights legislation and practice, negative rights are the individual liberties enjoyed through 'non-interference' by others. As Herbert Spencer asserts, "Every man has freedom to do all that he wills, provided he infringes not on the equal freedom of every other man" (cited in Boersema, 2011). First generation rights, also sometimes called "political rights" are essentially negative rights; for example, the right to vote. Positive rights are what Henry Shue calls as, "social guarantees against actual and threatened deprivations of at least some basic needs." (1996:18). Those are affirmative action by state and society to protect individual rights. The second-generation rights, are predominantly positive or "welfare rights", for example, education, employment, health care, etc. where State/government guarantees the fair opportunities of participation to the weaker sections of the society.

### **Duties and Rights**

Italian philosopher Giuseppe Mazzini (Duties of Man) focuses on duties rather than rights of individuals. One individual's right involves another individual's duty and vice-versa. They are relative to each other. As David Boersema says, "Rights are a mode of regulating our behaviour". You can understand the concept with the example of clean environment. Since right to life is dependent on good health, in order to protect that right, it is the duty of every individual to use clean energy mechanism towards a pollution free environment.

### **11.3.2 Critique**

We all live in different social contexts, hence the 'universal individualism' proves to be limited in scope. Equally, the social theories fail to address individual concerns due to structured social hierarchies and single perspective of western modernity (especially in relation to North-South or centre-peripheries debates). By taking individual as an "active agent" and development as "interdependent phenomenon", we can understand the complexities in terms of "the three conventional dichotomies" offered by Jan Servaes and Chris Verschouten (UNESCO, 2008).

**Tradition and Modernity:** The concept of ‘modernity’ is mostly considered on western lines and it conflicts with the traditional values of cultures of third world countries. In such a situation, we need to work in a cohesive ‘observers’ and ‘participants’ culture where using our own experiences, we can compare, critically assess and amend the malpractices within the cultures. Thus, instead of discarding the tradition completely, we can point out the wrong practices and make people aware to remove those; for example, female circumcision, caste based discrimination, superstitions, etc. Journalists need to develop more inclusive stories by spending more time in the field with the locals; build an understanding of right and wrong of the traditions, rather than just relying for the stories on ‘external’ organisations.

**Universality and Relativism:** Asian values of tolerance, harmony and consensus emphasise upon collective rights; as an alternative of ‘universal rights’. While the extreme universality and relativism lead to imperialism and ethnocentrism, respectively, legal scholar Upendra Baxi holds people and communities the primary authors of human rights. That means there cannot be a single solution for problems of similar nature everywhere. The context, the people, their values matter and we should look at indigenous traditions to seek answers thereof. However, you have to be cautious while judging the practices as right or wrong. The best way to do so would be to see that the practice in question should not be a breach of anyone’s individual right.

**Individualism and Collectivism:** The demand for ‘collective’ rights also emerged through anti-colonialist revolutions in Asian and African nations. Solidarity rights pertain primarily to certain collective concerns, such as peace, culture, development and ecological balance; while International Bill of Human Rights recognises only ‘individual’ rights. Here again we can take example of environment protection. By promulgating the Asian cultural philosophy of worshipping nature, we can revive various eco-friendly traditions towards nature conservation.

**Check Your Progress: 2**

**Note:** 1) Use the space below for your answers

2) Compare your answers with those given at the end of the Unit.

1) List the most important elements attached with individual human rights.

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2) How do 'negative rights' form the basis of individual human rights?

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3) List the demands raised under 'collective rights movement'.

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## 11.4 HUMAN RIGHTS: LEGAL FRAMEWORK

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When the war-torn world realised the need of peace during 1940s, the world leaders initiated the process to recognise human rights at a global platform of the United Nations Organisation in the form of the International Bill of Human Rights. The Bill comprises of the Universal Declaration of Human Rights and international covenants on economic, social and cultural rights as well as civil and political rights. It stands on the core principles of the Human Rights framework of universality, indivisibility, participation, accountability, transparency and equity and non-discrimination. It provisions for human dignity, equal and inalienable rights to promote freedom, justice, peace and hence, social change in the world.

### 11.4.1 Universal Declaration of Human Rights

The UN Charter of Universal Declaration of Human Rights is an amalgamation of the total philosophy of human rights. The Articles range from individual-natural-negative rights and social-state-responsibility based positive rights to individual duties. Thus, they are fully centered on right to life and dignity and protection of it. These can be classified as below:

- i) Birth/Natural Rights (Article 1-5): Right to equality, life, liberty, security, dignity; right against slavery and cruelty
- ii) Positive Rights provided by the State (Article 6- 12): Right to equal protection of the law; and other related laws to justice
- iii) Personal liberty based rights (Article 13-20): Right to privacy, honour; freedom of movement, residence; nationality; Right to marry, have a family, property; freedom of thought, expression, religion
- iv) Political Rights (Article 21-22): Right to freedom of peaceful assembly/ association; right to take part in government
- v) Social, Economic and Cultural Rights (Article 23-28): Right to social security, employment, economic security, education, cultural life, social order

- vi) Duties (Article 29-30): Duties of individuals and state, respectively to keep environment suitable for enjoyment of human rights by all in society.

### 11.4.2 Indian Constitution and Human Rights

The Indian Constitution significantly assimilated all, negative and positive human right in Part III and IV, providing for the Fundamental Rights and the Directive Principles of State Policy. As enacted, amended and interpreted by Courts, the Fundamental Rights (Article 12-35) advanced the avowed goals of the Constitution, namely, Secularism, Socialism, Equality and Justice. They ensure freedom of thought, expression, belief, faith and worship, Equality of status and of opportunity, fraternity and dignity of the individual. According to Dr. B. R. Ambedkar, Fundamental Rights are inalienable and constitutional. Rights of individual are abridged only with 'due process of law'. Articles 14, 15 and 16 of the Constitution mandate, therefore, equality before the law and equal protection of the laws without considerations of religion, race, caste, sex, and descent, place of birth or residence."

The Directive Principles (Article 36-51) enlist the desired social transformation through affirmative action from the State; such as - to secure and protect social order and justice (Article 38); to ensure fair distribution of means of production and economic resources (Art. 39b and c); to provide for decentralisation of authority and governance (Article 40), economic security (Article 41), education and health (Article 45, 46 and 47).

Included in Part IVA (Article 51A) of the Constitution, are the Fundamental Duties of the citizens to 'promote the spirit of nationalism and to uphold the unity of India and that of individuals. Though, both, Part IV and IVA are obligatory in nature and are "not enforceable by law".

The National Human Rights Commission was constituted by the Protection of Human Rights Act, 1993 enacted by the Parliament (with two amendments in 2000 and 2006). The act also provisions to constitute the State Human Rights Commission in various states and Human Rights Courts for protection of human rights of every individual in the country.

#### Activity-1

Visit the website: <http://nhrc.nic.in>, go to the 'press releases' in media section. Observe the top three press releases, analyse the role of National Human Rights Commission in circulating the action and policies of government in the area of human rights.

#### Check Your Progress: 3

**Note:** 1) Use the space below for your answer

2) Compare your answers with those given at the end of the Unit

1) Fill in the blanks

- Article 6-12 of Universal Declaration of Human Rights provision for Right to and other related laws to justice.
- The Fundamental Rights advanced the asserted objectives of the Constitution, namely,....., ....., ....., and .....
- Directive Principles and Fundamental Duties constitute a set of positive rights on part of ..... and respectively.
- The National Human Rights Commission was constituted by the Protection of Human Rights Act in the Year .....

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## 11.5 MEDIA, SOCIETY AND HUMAN RIGHTS

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As an important social institution media plays an essential part in everyday life of modern societies. It has become a cultural practice where people interact with media in one form or the other. Media content informs, educates, socialises people and gets reflected in their behaviour. It builds perceptions about individuals, groups, classes and communities in societies. Because of this power of media, it has been realised as a tool to create awareness about ‘wrongs and rights’ of social behaviour and achieve human rights toward an egalitarian-just society.

### 11.5.1 Democratic Polity, Mass Media and Processes

We can understand the relationship between media and political systems through ‘power’ theories and ‘normative theories of press’. While power theory states how any political system cannot sustain itself on coercion and needs ‘consent’ of people eventually; the normative theory of press describes different systems of media working towards this ‘consent’ in different political structures ranging from authoritarian to democracies.

Based on varied purposes of state media (responsibility/propaganda) and commercial media (profitability), the news does not reflect the whole truth, but it takes the facts or ‘some aspects’ and thus, ‘signifies’ the event. As Walter Lippmann (1922) asserts that, “news is not a mirror of social conditions, but the report of an aspect that has obstructed itself” (cited in McQuail:2005:375), ‘news’ is not absolutely objective or intentional. This can further be understood through the explanation of newsgathering processes such as ‘filtration’, ‘gatekeeping’ and ‘agenda-setting’, where media organisations structure and frame the stories to give them a perspective. Therefore, it is pertinent to understand these media processes:

**Framing:** To provide a structure to the news, it is given some ‘angle’ or ‘theme’. In doing so, the journalist select certain facts with prominence. Frames define problems, chalk out causes, make judgments and suggestions in one directional manner and thus, provide intended meaning to an event. We can borrow Marcel Danesi’s “textual devices” to understand the framing of content (2002:73):

- Strategic repetitions of certain words.
- The use of compact phrases set in eye-catching patterns (vertically, horizontally, diagonally).
- The use of contrasting font styles and formats, along with supporting illustrations.
- The creation of slogans and neologisms designed to highlight certain aspects of the content; for example, the slogan “War on Terrorism” used by American media after 9/11 attacks in the USA.
- Media, thus, provide a frame of events which echoes the viewpoint of the sources used or states the national context. For example, the coverage of war/conflict by various international channels shows the event coverage from their own frame of reference.

**Priming:** The news is provided with a meaning also through placing or ordering the stories according to the ‘inverted pyramid’, i.e. from most important to lesser important. This function is called priming. When the stories are primed, they imply different meanings, being at ‘different positions’.

In this background, the search for enjoyment of human rights by all individuals takes us to what Graham Murdock cites as the “communicative rights”. These “rights in relation to the production and circulation of public knowledge and public culture - are central to any definition of full citizenship in a complex democracy” (Murdock: 1994:3)

### 11.5.2 Representation of Social Identities: Caste, Class, Gender, Ethnicity, Minority

Often, the mainstream media is criticised for representing ‘only politics’. Therefore, in order to understand the current structures of representation, we require an understanding of the dynamics of institutional structures and social identities. On this premises, the present section will focus on various social identities rooted in Indian society and their representation in mainstream media in relation to the human rights issues.

**Caste** is an embedded system of social stratification in Indian social structure. It has been defined by various sociologists as “hereditary, localised endogamous group”. With regional variations, the caste structures developed in ascribed occupational roles based in Varna System. It became exploitative in nature with unbreakable caste hierarchies; for example, Dalit atrocities. However, according to M N Srinivas (1966), the dominance of caste in one local area or village unit rests on various factors, such as, the degree of their population along with their economic and political strength. The affirmative action by the State lead to decline in the caste based exploitative practices and increased mobility in the social sphere. In the political sphere, the “scheduled caste” became an issue to give birth to new political parties and to mobilise people by the existing ones.

While the complexities of ‘exploitation of lower castes by the high castes’ have been represented in the narratives of films like, Jagriti, Deeksha, Rudaali, the real issues went missing in the news media. It has been observed that only the ‘scheduled caste politics’ is covered by the newspapers and news channels mainly in relation to the ‘reservation issue’ and ‘electoral politics of vote bank’ without their contexts like, history, demography, social or economic background. You will find a lot of caste-based stories in newspapers highlighting the word ‘Dalit’. But, unfortunately you will not be able to find out the context in absence of backgrounders and follow-ups.

**Class** is a Marxian notion based on economy. According to the concept given by Karl Marx in terms of Base (economy) and Super-structure (all other social institutions), the societies from historical times are structured in two classes of ‘haves’ and ‘have-nots’. In complex and diverse social structures in India, the “backward classes” have been attached primarily with “scheduled tribes, scheduled castes and the other backward castes”. Here, it is not merely the economic condition but the social status of groups which define class. However, one can see wider class-divide in terms of rural-urban as well as urban-urban constructs majorly on economic basis.

While films of 1950s to 1970s depicted the class-conflict in society by showing the power relations among industrialists and workers, mostly ending with the workers’ victory, by the late 1980s, the plot or theme was no more visible in the films. While it never became the part of narrative in other entertainment based genres such as daily soaps, the news media covered the issues (especially the protests and strikes) from the industrialists’ perspective. On the other hand, the human rights issues as ‘poverty’ get diluted when “human rights issues become ‘human interest stories’, forced to adhere to certain emotional clichés.” (ICHRP, 2002:6)

**Gender** is a social construct dividing man and woman on the basis of family, work and most importantly ‘power’ equations in society. Based on patriarchal structures in society, women universally have been treated as ‘second sex’ or others. There has been a long history of women movements to acquire political and economic rights along with social equality and there are various countries in the world where these movements are still on. While the ‘third gender’ i.e. transgender were rarely a part of gender discourse till recent years, the proactive role played by civil society, advocacy groups and the protective policies made by state seem to positively working in this direction.

An array of studies of women representation has been conducted. According to these, media including films, soaps and advertisements re-establish the stereotypes of patriarchal structures where women are confined to the private sphere. Laura Mulvey explains how women are shown as weak, delicate sex-objects and calls it ‘male gaze’ of camera where women are passively submissive while men are the real actors. In Whose News, Kalpana Sharma and Ammu Joseph question the representation of women in news. It is observed that the news content which involves women in some capacity actually is framed in

such a manner that the women rights never become the central issue even if they are covered by the media.

**Ethnicity** refers to the inter-relationships between ethnic groups. The word 'ethnic' is generated from a Greek word 'ethno' which means 'nation'. In the plural societies like ours, various ethnic groups emerge on the basis of common characteristics like language, religion, region, race, caste, etc. At international level, ethnicity has been seen in association with nationality. Cohen (1974) defines ethnicity as a process of "interaction between culture groups operating within common social contexts". However, when economic or political interests of these groups clash, they create tension among these groups and ethnic conflicts emerge. For example, in India, formation of State of Andhra Pradesh, and carving out of three states i.e. Himachal Pradesh, Punjab and Haryana out of Punjab province were the result of ethnic demands based on language.

While, the regional and ethnic concerns are missing in the mainstream media at domestic level, they catch the limelight as soon as the ethnic groups cross the borders as 'refugees'. Recently, two such 'crisis' got attention of international media in terms of Syrian refugee crisis and Rohingya crisis.

**Minority** groups are usually low in numerical strength and have less control over resources than the dominant 'majority groups'. In India, the minority groups are predominantly characterised on the religious basis. Though Indian minority is constituted of various religious groups such as Muslims, Jains, Sikhs, Parsis and Christians, their representation is relatively less in mainstream media, and the quality of the presentation is a question of investigation.

#### Activity-2

Identify one of the social identities in a newspaper of your choice and analyse their news coverage as discussed in this sub-section.

### 11.5.3 Participatory Media to Achieve Human Rights

When mainstream media are part of the process of normalisation of inequality and "legitimate reports of bad news fail to explain causes; reports often stigmatise or stereotype local actors and societies as a result" (ICHRP, 2002:9), participatory media is making its mark to sensitise the marginalised groups towards their human rights and building a bridge between the remote areas and governments to bring a real change on ground. Mostly civil society and non-governmental organisations led participatory media is observed to work upon five policy areas that are pertinent to democratic communication rights: access to information, the availability of information, media competency, dialogue and privacy (Nieminen:2018). This is based in all forms of media ranging from newspapers, community videos, community radio and online portals.

There are newspapers started by NGOs and individuals to spread awareness and make people able to achieve their human rights ranging from gender rights to child rights in various areas of the country; for example, Khabar Lahariya. These

newspapers train and engage local people in reporting and editing. You will be surprised to know that in a village of Dehradun, children bring out a handwritten newspaper on a weekly basis! However, due to limitation in terms of literacy and economic constraints, most of such newspapers remain confined to a small area.

Since radio is still the major medium of information accessible in rural India, the community radio through community engagement is a crucial and effective way to raise important issues.

Radio Mewat, Henvalvani Community Radio and Gurgaon ki Awaz, for example, provide a platform to voice their struggles and human rights violations such as, gender violence. These community radio stations also conduct sessions to create awareness against superstitions so that the people do not interfere in the human rights enjoyed by individuals. Interestingly, Radio Mewat is funded by the central government, and it reaches 168 villages and serves a population of about 5.5 lakh. There are initiatives, community radios and programmes designed by government educational institutions including NCERT and IGNOU where we observe public participation toward widening and strengthening the sphere of human rights.

Sangwari Khabariya is another example of how participatory videos are used to bring social change in society. Sangwari Khabariya is a collective of children aged 15-18 years being engaged with media tools and trained in Citizen Journalism as part of the AEMT (Adolescent Engagement with Media Tools) initiative of UNICEF. All the children are school drop-outs and belong to some of the most marginalised tribal communities of northern Chhattisgarh state of India. Deprivation, ignorance, abject poverty are common features of the region that is the habitat of these children. The project aims to make these children aware of their rights and entitlements and empower them to voice their concerns through the medium of video. For the past three years, these children have been producing short news stories on issues related to child rights and their communities. (Tripathi: 2018). You will read more about the participatory or alternate media in Unit 16 of this course.

### Activity - 3

Watch any of the following videos:

Sangwari Khabariya Videos

[https://www.youtube.com/watch?v=llxg9\\_ZIF8c](https://www.youtube.com/watch?v=llxg9_ZIF8c)

<https://www.youtube.com/watch?v=fxrZX5beAgU>

Skymet Weather's initiative:

#HelpTheFarmer [https://www.youtube.com/watch?v=Qfs\\_mvPA-vQ](https://www.youtube.com/watch?v=Qfs_mvPA-vQ)

Analyse the efforts of civil society groups in creating awareness on human rights issues in India.

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## 11.6 LET US SUM UP

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In this unit, we examined the evolution of human rights debate. When a demand for equal rights was emerging in the age of Renaissance in European countries and America, India was also witnessing the philosophical path of humanitarian values. We observed how theoretical discourse on human rights takes us to the understanding of individual 'natural rights' as well as collective rights. The human rights theories also emphasised upon the need to see responsibilities/duties as a part of rights and also talked about 'non-interference' based negative rights and 'action' based positive rights. These rights can be categorised into three generations of human rights i.e., the first, civil and political rights; second, economic and socio-cultural rights; third, collective rights for universal peace and sustainable development.

The international organisations with a large number of countries came together to legalise and universalise the human rights toward a peaceful, egalitarian global society with individual universalism at core. However, there are complexities involved in realising these rights in full by all. These include dichotomies in relation to the tradition versus modernity, universality versus relativism as well as individualism versus collectivism concerns. The international, national and regional authorities, such as United Nations, National Human Rights Commission and state legislative bodies, through policies and affirmative actions are creating more chances of upward social mobility and economic and political participation, yet there are divides based in terms of caste, class, gender, ethnicity and minority. While public service broadcasting is creating awareness among people on human rights issues; civil society and NGO based alternative/participatory media is reaching out to people in this direction, mainstream private media is yet to take a step.

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## 11.7 KEYWORDS

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**Enlightenment:** A philosophical movement in 18th century Europe to promote reason and science against religious supremacy and control.

**Media Representation:** The way media present various aspects and social identities, such as gender, caste, class, race, etc. to audiences.

**Natural Rights:** These are the basic rights which individual acquire at the time of birth by nature or God and therefore, these are inalienable.

**Negative Rights:** These rights seek individuals not to 'act upon' or 'interfere' in the enjoyment of human rights by other individuals.

**Positive Rights:** These rights ask individuals or State to 'act' or 'pay duty' for the enjoyment or protection of enjoyment of human rights of all individuals.

**Social Stratification:** The hierarchical division of various social groups in society that define social positioning and status.



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## 11.8 FURTHER READINGS

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- 1) Joseph, Ammu and Kalpana Sharma. (eds.) (2006). *Whose News? The Media and Women's Issues*. 2nd Ed. Sage Publications India Pvt. Ltd
- 2) Kashyap, Subhash C. (1994). *Our Constitution: An Introduction to India's Constitution and Constitutional Law*. National Book Trust: New Delhi.
- 3) Motilal, Shashi and Bijayalaxmi Nanda. (2006). *Human Rights, Gender and Environment*. Allied Publishers Pvt. Ltd.: New Delhi.

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## 11.9 CHECK YOUR PROGRESS ANSWERS

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### Check Your Progress: 1

- 1) The rights pronounced under Hammurabi's Codes were confined to the elite classes and high religious groups. Women and men from lower strata of society were deprived of these rights, hence these codes are considered partial human rights.
- 2)
  - a) Protestant Reformation started by Martin Luther in 16th Century Germany;
  - b) Renaissance in 14th-17th Century Europe;
  - c) Proclamation of Magna Carta in England in 1215.
- 3) The French Revolution (1789) defined the universal rights of man. It remained influential in the Declaration of the Rights of Man and of the Citizen, 1793 that marked the role of governments in recognising and securing the individual rights of liberty, equality, security and fraternity.

### Check Your Progress: 2

- 1) Some important elements attached with individual human rights are: Life, liberty, equality and dignity of an individual irrespective of class, caste, race, gender affiliations.
- 2) Negative rights ask individuals not to 'encroach' or 'revoke' the rights of any other individual. Thus, the negative rights by 'non-interference' become instrumental in guaranteeing inalienability of human rights of all individuals.
- 3) The collective rights movement seeks fraternity at the global level. Started against "structural injustices" in terms of North-South or center-periphery divide, the third generation of rights movement is seen as anti-colonial revolution and demands for the development of new social and economic rights to sustainable development, peace and healthy environment.

**Check Your Progress: 3**

- 1) Equal protection of the law
- 2) Secularism, Socialism, Equality and Justice
- 3) State; citizen 4)
- 4) 1993

