

ISSN 2072-3334

Development Compilation
Vol. 17. Number 01. May 2022

FREEDOM OF PRESS & MEDIA AS A WEAPON OF PROMOTING HUMAN RIGHTS AND GOOD GOVERNANCE IN BANGLADESH: A CRITICAL ASSESSMENT

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Abstract: The term 'good governance' has recently become more common in the developing world. Public administration radically changes, and the perspective shifts towards good governance and sustainable development. Scholars, civil servants, and civil society members accept and comprehend the concept of faith in their own experience and surroundings constantly. Press and media, the government's fourth organ, play a significant role in all democratic countries. This study examines the media's role in supporting human rights. The research focuses on finding out why the press decided and included human rights protection as part of about there programs and the characterisation of human rights aspects in such programs. This study is not inherently a simple one; but a product of collection and classification from many books, articles written by prominent writers, and Internet sources. Analytical findings reveal that media has a role in promoting human rights and good governance throughout the country.

Keywords: Freedom, Press, Media, Human Rights, Good Governance, Bangladesh.

Introduction

The right to freedom of expression is one of the most beneficent aspects, including all rights and a cornerstone of liberty. Press freedom is essential for the development and ability to function in a democracy. In the contemporary age, the presence of people's freedoms and rights in all aspects of society is impossible without meaningful press freedom. The free and independent press is a watchdog that exposes social injustices

and essential responses to any government misbehaviour or mismanagement. Along with the three branches of government, the press is referred to as the "Fourth Estate" to recognise its ongoing contribution to a liberal country. Both national and international law recognises the right to freedom of the press as a fundamental right. Poor governance necessitates secrecy to thrive and engage in corruption and mismanagement, whereas good governance necessitates transparency to be effective (Haque, 2019). Governance refers to how power is used to manage a country's financial and social resources for growth effectively and transparently. It's been a trendy word in new international politics and economics, connoting fairness and high governance standards. Recently, notably, since the late 1980s, government and good governance have risen to the top of the global development agenda. The primary prerequisite for problem-solving and socio-economic development is effective governance (Hasan et al., n. d). Press and media play a vital role in Bangladesh as just the nation's leading watchdog on corruption. As a 'fourth estate' or a powerful watchdog, press media is over 200 years old (Coronel, 2008). With a primary function in our daily lives, the highly complicated media and news landscape are quickly evolving. It is constantly transforming how we communicate, enabling and undermining human rights, free expression, global access to data, peacebuilding, economic development, and cultural diversity. It's an impressive time to live. Sustainable Development goal 16.10 knows the significance of public information access and other fundamental freedoms. At the same time, the perspective is one in which, although cross-linguistic exchange has lagged, communication technologies had also made information quite widely accessible. Nevertheless, people worldwide have become content makers intending to involve global citizenship in social issues, not just an inactive public trying to act as viewers and occasionally voting constituency (Singh et al., 2016).

There was little organised effort to identify empirical media-governance relationships. With the proliferation of communication techniques and the presence of an unrestrained and independent press, the media is critical for liberalisation and ensuring good governance via freedom of the press, accountability, integrity, the rule of law, and delivering a pluralist system for political expression on contentious issues (Norris, 2010). The current discussion on development recognises an open democracy as one of the key elements to promoting good governance, improving the system, and ensuring human rights. A complimentary, accountable, and dynamic mass media distributes information, informs readers and politicians, allows opportunities for various views, and increases citizens' inclusion in societal and democratic structures (Ali, 2006). Press and media freedom are essential to ensure human rights as well as good governance throughout Bangladesh. This document surmises the current state of press freedom

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in Bangladesh and its constraints under the pretext of strict regulations by analysing pertinent statutory international laws and regulatory frameworks. It focuses on achieving a delicate balance between freedom of the "press" and fair constraints by mutual recognition and rational thinking. It also discusses the benefits and disputes of freedom of the "press" and some observations and suggestions for accelerating press freedom while keeping fair limits on the country's socio-legal dynamics in consideration.

Objectives of the Study

The study's key goals are as follows:

- a) To investigate the current status of media freedom in Bangladesh.
- b) To identify the challenges faced by the press & media in promoting human rights as well as good governance throughout Bangladesh.
- c) To identify prospective solutions to critical challenges.

Methodology

This paper depends entirely on secondary sources such as publishing books, research works, articles, journals, and newspapers, and the report is skillfully prepared by reviewing information from this. Some data is captured via internet browsing.

Conceptual Clarification

Press & Media

The media is a form of collaborative communication that informs the common people about current social events. Any medium of communication that utilises techniques to enable extensive private interaction with both communicator and audience is referred to as media. The term "mass media" refers to collecting individuals or even a gathering of data and knowledge distribution organs that obtain reflect the relationship. The dissemination of information is not restricted to the general public. However, the media contributes to coordinating information exchange between officials and the people and executives and supporters simultaneously (Asemah et al., 2013).

According to McQuail (2005), a faith in the press's ability to influence people has historically been focused on witnessing their broad scope and apparent effect, especially concerning the new mainstream press. Advertising campaigns largely financed the mainstream media, and sensational news reports characterised its output. Its influence was often put in the hands of influential "barons" presses.

Human Rights

Bryant (2004) reports that human rights are liberties, privileges, and opportunities that every person in the company in which he or she lives should be able to claim based on modern values.

According to Pam (2005), the concept of human rights has taken many stages in its development. They are distinct virtues that have been highly

regarded since time immemorial. Realising human rights requires spiritual awareness. That is natural law as ordained by God. However, the modern desire to learn human rights dates back to ancient Greece. It began with the interest of philosophers in the relationship between states and societies. They have resulted in the emergence of rights theory by emphasising individual rights.

Pam (2005) highlights the importance of realising civil rights once more. According to thinkers, laws can be categorised as divine, natural, unalterable, and universal laws in applying favourable laws from arbitrary regulations. They will provide human authority, those bound by non-violation contracts concluded between the state and citizens to safeguard human rights in society.

Why Media Matters in Guaranteeing Good Governance and Human Rights?

As a watchdog, the media's role is to monitor government performance and protect the public interest from ineptness, mismanagement, and abuse of power. As a public forum and ideology setter, the press enables diverse voices in the public sphere and encourages and assures citizens about their government, leading to political leaders being more responsive and accountable. Even though the media's three critical responsibilities in fostering good governance, how to evaluate media performance is vital. Analysing how the media shapes people's opinions on such issues is an excellent way to measure and assess the media's contribution to good governance (Liu, 2017). As an important political institution in democracies, the media serves as a source of information for citizens. The media can significantly impact public opinion by carefully selecting and presenting information (Iyengar, 1996). Ordinary people gain knowledge about governance mainly through media attention that spotlights particular actors, incidents, and societal issues. This study uses framing theory and the spiral of silence theory to investigate how media frames governance in the political process and how such mechanisms affect social perception and assessment of good governance.

The use of mass media in the field of human rights can be divided into four major categories, each of which has seen a significant increase in the degree and nature of contact - both among themselves and with one another - as a result of the communication system implementation. Individuals, non-governmental organisations (NGOs), government agencies, and supranational organisations have all been strengthened in the sense that they now have the tools necessary to effectively communicate their stories, goals, legislation, and agreements. Indeed, mass media and information and communication technologies (ICT) such as the Internet may facilitate the networking and mobilisation functions of many non-governmental organisations (NGOs) working across borders,

acting as a countervailing force to the influence of technocratic elites and government leaders running traditional international organisations, and may even be more effective as a force for human rights. Any study of governance must consider the changing relationship between each civil society entity, as enhanced and strengthened by mass media. This shifting dynamic has aided the emergence of a new "human rights diplomacy," in which the apparent conflict between power and morality trumps the UN's proclivity to concentrate on some areas of the world on "consistent rationality". Individuals and members of civil society have not been positioned to direct national/international policies through multiple well-oiled public diplomacy gears, as federal governments and supranational institutions have. However, ICT and mass media have significantly increased the openness and accessibility of information from the 'top'. They have greatly improved administrative organisation and management skills at the 'lower part,' restructuring the power balance slightly in the process, mainly institutional and judicial information (ITU, 2002). The media can shape a country's agenda and divert public attention away from critical political issues. People not only learn about public relations from the news media, but they also learn how important a topic is based on how much attention the news media has paid to specific issues or events. In democracies, the media, which sets the agenda, should ideally educate elected officials about public problems by drawing their attention to them. In developed countries, the press is considered to play a more significant role in addressing critical challenges that make urgent attention by the state governments or the international community (Odugbemi & Norris, 2010). When confronted with a severe or emerging problem, such as natural disasters, the media serves as a critical source of information for policymakers, assisting the government in being more proactive and sensitive to social needs. Additionally, the media's propaganda role could impose a burden on the system to pay attention rapidly and efficiently to significant political issues such as money laundering, mismanagement, and political strife.

Present Status of Press and Media in Bangladesh

Freedom of expression appears to be necessary for self-actualisation, as it is a normal part of human life to express oneself with feelings and emotions (Ash, 2011). Furthermore, it appears that free speech and expression are necessary for understanding individuality and social perspectives. All relevant evidence and assertions on any given subject must be raised in order to win the most logical explanations. "By the nature of their dignity, the concept of liberty of exclamation and voice admits without question and extends to people all over the world," writes Sean MacBride (1980). Press freedom is inextricably linked to free expression and human rights. According to Article 19 of the 1948 Declaration of Human Rights, "everyone has the right to freedom of

thought and expression; this right includes the right to seek, obtain, and communicate information and ideas through any media, apart from borders" (quoted in Khatun et al., 2017).

Individual rights to distribute ideas through any media require press freedom. "Press freedom means a person's right to publish whatever he wants in books or newspapers," says Albert Venn Dicey (1885) (quoted in Alam, 1992).

In South-East Asia, Bangladesh is a country predominantly Muslim. On 16 December 1971, after a brutal and bloody war of freeing Pakistan, it became independent. A constitutionally elected government and a democratic constitution were promulgated soon after, and the following year a general election was held. However, whenever one dictatorship was instituted in 1975, a seventeen-year shift toward greater authoritarian regimes was rapidly derailed. This regime was eventually overthrown in 1991, but it had been a long and challenging road to democracy and media freedom. The 1990s heralded a new era of media freedom under the Constitution. Despite these liberties, the media faces numerous challenges in carrying out their duties. While the media is a large and free sector in Bangladesh, reporters and media face violence and restrictions regularly, making it challenging to begin practising journalism and freely disseminate media activities (Khan & Kaarisma, 2014).

According to the Article 39 of the Constitution of the People's Republic of Bangladesh (1972, 2011):

1. The right to free expression and moral sensibility has been safeguarded.
2. Required to adhere to any stringent regulations provided by law in national defense aspirations, public order, social safety, or ethics, or even in cases of disdain, defamation, or incitement to commit an offense.
 - (a) The right of every citizen is to free speech and
 - (b) Media freedom is assured.

According to Scanlon (1972), the government also can allow free speech in cases of colossal disability. Bangladesh's Constitution, however, guarantees its citizens free speech subject to some stringent regulations. In many situations, such restrictions ultimately protect religious values & thoughts.

Journalists are secured by law enforcement authorities, which may include petty thieves in some occurrences. Journalists' defamation cases are also used as harassment tools. While turning to legal procedures rather than resorting to different legislative methods such as roughing up and intimidating people on ransacking offices may seem democratic, the law uses and interpretation leaves much room besides manipulation. Many laws throughout Bangladesh compel reporters to practice a few other degrees of self-censorship when even a lawsuit is brought under section

501 of a penal code relating to a material also known to be defamatory. It has become a procedure in Bangladesh that the court issues a court order on the first proceeding. In most cases, regardless of the severe charges, journalists are also requested to be arrested immediately. The press has long claimed that the process of issuing enforcement actions should be changed to ensure reporters do not suffer from fear of arrest, even though their report contains assurance (Islam, 2007).

In addition to this provision, there are other provisions of the penal code, namely sedition (section 124 A), slander (section 499-502), declarations of public mischief (section 505), and offense relating to obscenity (sections 292 and 293). Intentional and malicious acts aimed at offending the religious beliefs of people of all classes by mocking their faith (section 295A). The administration is an essential source of news. It is the venue where corruption and poor management are the most likely to occur in Bangladesh until it looks at the press with skepticism and fear and tries to avoid journalists (Kanti, 2003). That is a stumbling block to press growth and an accountable and effective governance system and human rights throughout Bangladesh.

Challenges of Press and Media and Adverse Impact on Human Rights and Good Governance

There's no dispute that promoting good governance is crucial to achieving human rights. Human rights promise will remain just that: an unfulfilled commitment if the legal systems, as well as other contemporary institutions, fundamental components of good governance, are not in place. Complying with fundamental freedoms can be complex. History has taught us that sustained ethical consideration requires open, responsible, accountable, and participatory governance (Australian Human Rights Commission, 2005). In a democracy, free and independent media is widely recognised and accepted as an integral part of governance. UN agencies and all multilateral development partners actively promote a free press and political rights. For example, 2005 was a watershed moment in press freedom history. This year's UNESCO World Press Freedom Day theme was "Information and Good Governance," highlighting the importance of the media in fostering good governance worldwide. It urged members to do everything possible to encourage democratic values of justice on a global scale. Since freedom of the press has been discussed as a critical element of good governance. Democracy and media must work together to ensure good governance. There is no alternative but to have an atmosphere conducive to freedom of speech.

On the other hand, Bangladesh currently does not seem to match the mold due to systematic constraints imposed by legislation such as the 2006 ICT Act and the 2018 Digital Security Act. Regardless of the situation, how media can represent any government, whether authoritarian

or democratic, as transparent, sensitive, and efficient to its people's social needs (Habib, 2009). Bangladesh is currently praised throughout the world for its increasing industrial, financial, and international development. On the contrary, the country tries to maintain the essence of freedom of expression by fostering a fair democracy in good governance that actively supports disagreement, liberalist viewpoints, and positive feedback. Bangladesh has carried out scant research on the direct relationship between human rights, media, and governance. Suppose we are talking about traditional print, electronic or social media. In that case, a free and independent press is a requirement for democratisation and good governance, including a pluralistic forum for political speech on human rights, openness, accountability, the rule of law, and, last but not least, freedom of the press.

Legal Bindings

A few of the provisions of various media-related acts violate the "Declaration of Human Rights" and may also violate Bangladesh's Constitution. To protect its vital interests, it goes far beyond the expectations of democracy. Specific regulations of these acts are incompatible with progressive ideals and, to various degrees affect press freedom. The International Press Institute (IPI), a global association of publishers, media executives, and leading journalists committed to "promoting and safeguarding press freedom, protecting freedom of opinion and speech, promoting the free flow of news and information, and enhancing journalistic practices," considers the following laws in Bangladesh to be impediments:

a) Crime defamation, b) The Special Powers Act of 1974.

"Criminal defamation is a black law that must be abolished," Mahfuz Anam, editor of The Daily Star, stated. Journalists were frequently harassed by judges using defamation charges under sections 500, 501, and 502 of the 1860 Bangladesh Penal Code and the 1898 Code of Criminal Procedure. Similarly, the 1974 Special Powers Act authorises detention without charge for up to 120 days and has been used in the past to arrest journalists (Hasan, 2011).

Lack of Professionalism and Incentives

Besides a few other national, private satellite TV and newspaper stations, the news media industry struggles with 'fair pay for journalists. As a result, many journalists engage in unethical conduct.

Life Threats and Killings

Bangladeshi journalists are often threatened, killing many journalists after independence in 1971. Additional risks for journalists include extreme pain, telephone threats, and kidnappings, too. According to the Committee to Protect Journalists in Bangladesh, twelve journalists were killed from 1992 to March 2012 (CPJ 2012). Most assassins avoided prosecution.

The stories of crime and corruption covered three-quarters of all those killed. Only three of the 27 cases filed during the past 15 years concerning the death of journalists, including one conviction and two acquittals, have yet to be resolved, another report said. The prospects of the murder of other journalists differ from that of journalists. The majority of journalists believe that these murders are aligned with the murder of other citizens. Few claim that as a result of their journalism, journalists were murdered. Instead, for personal reasons or rivalry, they were assassinated. "Journalists were assassinated for career progression," according to a newspaper editor. In general, journalists were killed for specific corporate interests with other side businesses and journalism (Khatun et al., 2017).

The Tension between Media and Government

The government and the media in Bangladesh have always had a strained relationship. We see the government criticising the press and urging it to become more "objective" and document on a "factual basis" whenever a newspaper story criticises the government. According to the International Press Institute, "Journalists, in the meantime, felt that politicians continue to recognise that keeping government to account is one of journalism's fundamental functions." As a result, many lawmakers are unconcerned about the significance of inquiry. Newspapers lose a source of revenue; as a result, attempting to put political control under excessive strain (Hasan, 2011).

Corporate Pressure

Newspapers' economies are mainly reliant on public sector and private sector advertising. Consequently, negative news typically comes from the press, as advertisers fear losing advertising revenue if they do not. Additionally, journalists and members of civil society place a premium on journalists' self-interest, which motivates them to self-censor. Although the essence of that self-interest was not defined, it is necessary that the implied meaning is a preference for certain parties and their supporters based on partisanship or shared trust (Khatun et al., 2017).

Partisan Journalists

The political affiliation of journalists is another issue for Bangladesh's news media industry. The IPI mission discovered a profound political polarisation even among journalists working in different private news organisations. "Journalists and editors that met with IPI Mission complained that perhaps the media tends to favour either of the two main political parties. The Awami League and the BNP — with great disregard for their professional duty of fairness," according to the report, ignoring the fact that "good journalism is good business" (Hasan, 2011).

Islamist Political Parties Influence

Religious parties try to inspire people by referring to Islam as a "religion." According to a news report in the New Age headlined "Islamists endanger

non-stop attack," "thousands of Islamists ended up going on protests around the country demanding punishment of secular bloggers with Shabugh for derogatory remarks about Islam and its prophet Muhammad (SM)." Islamist groups tend to be targeting journalists and bloggers, which seem to be restricting their freedom of speech (Khatun et al., 2017).

Other Challenges

In addition to these restrictions, the press board (a government-appointed institution responsible for press accountability across the country, at least in theory) also features the limited activities of the news, as noted earlier, other serious issues such as news manipulation; problems with news acquisition in rural communities; expropriation of private satellite and radio licenses.

Recommendations for Media and Press Freedom as a Weapon of Protecting Human Rights and Good Governance

Researchers would suggest the following to create a free-media environment in the country:

- (a) The authorities must react positively to journalistic criticism, recognising that journalists are allies, not enemies, in ensuring liberal democracy in a state where criticism is advantageous to a stable democracy.
- (b) All Bangladeshi laws must comply and remain following Article 39 of the spirits and intentions of the Bangladeshi Constitution, with global standards on press freedom.
- (c) Laws and practices with law enforcement that are harmful to journalists' safety must be repealed. Harassment of journalists would not yield positive outcomes.
- (d) Media owners must create an institution instead of using it to further their commercial interests.
- (e) Corporate media power must be restricted, as it is incompatible with the country's free press spirit.
- (f) Should establish an independent watchdog for media freedom.
- (g) Should provide a common ground for journalists to create independent and voluntary standards of ethics that promote fair, accurate, and responsible journalism.
- (h) It is critical to compensate journalists fairly in a global marketplace and to eliminate politically biased reporting.

Conclusion

In an evolving free democracy, the media must empower social groups by serving as a simple public sphere in which all interests communicate to achieve an agreement on society's development. It is critical that the media meet the democratic requisites of participation and that the press is widely accessible to any citizens, including civil society groups. When competing interests collide, this approach can become quite contentious (Ahmed, 2006). Despite multiple challenges, Bangladeshi news

organisations have been courageous and impressive in promoting progressive values in the country and during illegal army interventions or oppressive, democratic regimes. As a result, nationalist governments and media owners must recognise the value of freedom of the press in a modern democracy and facilitate collective steps to reduce constitutional, economic, and commercial media power. As everyone knows, good governance needs to provide information. The recent study is a secondary investigation. The study attempts to integrate the ideas of press and media, individual rights, and good governance to shed light on the complex relationships between media, human rights, and good governance. There are several theoretical and analytical problems that need to be discussed and investigated. An empirical study is necessary to substantiate the claim. Thus, future research should focus more on the impact of these factors on individuals' rights, perceptions, opinions, and assessments of good governance. Therefore, researchers would distinguish between the effects of governance interpreting human rights and the evaluation of good governance.

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