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Threats to Journalists in India: Journalism in the Age of Intolerance and Rising Nationalism

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Michaelmas and Hilary Terms: 2016-2017

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“I would rather have a completely free Press with all the dangers involved in the wrong use of that freedom than a suppressed or regulated Press.”

— Jawaharlal Nehru, India’s first prime minister said during a speech at the Newspaper Editor’s Conference on December 3, 1950

1. Introduction

“If they wanted to arrest me, they could have done just that. Why did they have to beat me and set me on fire.”

— Jagendra Singh, freelance journalist who was burnt to death in Shahjahanpur in 2015 in his statement from his deathbed

In the past three years, the killing of three journalists shook the country and brought the journalistic fraternity in India to demand safety of journalists. Jagendra Singh in 2015, Rajdev Ranjan in 2016 and Gauri Lankesh in 2017. The three journalists reported on politics, crime and corruption and the investigations in each case indicated the involvement of an upset political dispensation.

On June 8, 2015, Jagendra Singh succumbed to burn injuries at his home in Shahjahanpur, a town in India's most populous state Uttar Pradesh. In his last video recorded statement to the local administration, Singh, lying on a stretcher with burns on his face and body, accused the local police and a politician’s henchmen of the attack¹.

The journalist accused Ram Murti Singh Verma, a member of the then ruling Samajwadi Party (SP), for targeting and threatening him for revealing his alleged involvement in cases of land encroachment and corruption. On Facebook, Singh had also posted about the minister being accused of rape, a case reported in Hindi-language media as well².

¹ Burnt journalist made a dying declaration, what more does Akhilesh need? | The News Minute. (2015, June 13). <http://www.thenewsminute.com/article/burnt-journalist-made-dying-declaration-what-more-does-akhilesh-need>

² 'मंत्री ने गेस्ट हाउस में मेरे साथ किया दुष्कर्म' | Jagran (2015, May 28). <http://www.jagran.com/news/national-allegations-of-rape-on-state-minister-rammurti-singh-verma-12419123.html>

After widespread outrage, condemnations and incessant coverage around the threats to journalists in India, the news gaze gradually moved on to other stories. Singh's case was closed without any convictions. Singh's sons submitted an affidavit in court saying that their father had immolated himself. Later, a key witness had taken a 'u-turn' and termed the murder a suicide³.

On September 5, 2017, Gauri Lankesh, a veteran journalist who published and edited Gauri Lankesh Patrike, a Kannada-language weekly was shot dead by three assailants outside her house in Bangalore⁴. Her tabloid was known for its criticism of the right-wing Hindu extremism. According to her lawyer, as reported in The Hoot, the killing was a sinister and pre-planned attack by 'Hindu terror units'⁵.

According to news reports, the investigating team found similarities in the "mechanics of the crime" with the murder of rationalist thinker MM Kalburgi who was killed on August 20, 2015, in Dharwad, Karnataka. Both the cases, however, are still under investigation.

1.1 Is India a dangerous country for journalists?

The extensive list maintained by the Committee for Protection of Journalists (CPJ), shows that 75 journalists (and media workers) have been killed in India since 1992 – with 44 killed with confirmed motives⁶. Jagendra Singh and Gauri Lankesh are one of them. Both their stories are an example of how a journalist writing about politics and corruption in India, outside the context of war reporting, is confronted with fatal consequences.

It is often believed that democratic political systems should be able to provide a safer working environment to journalists, but it has been argued that the more democratic a country is, it increases the likelihood of journalists being killed, whereas less democratic regimes reduce the odds (Victor Asal et al. 2016). In the same paper, it is contested that 'more

³ In a U-turn, 'sole witness' says social media journalist committed self-immolation | The Hindu. (2016, April 03). <http://www.thehindu.com/news/national/other-states/up-journalist-jagendra-singh-death-main-witness-statement/article7329247.ece>

⁴ Journalist Gauri Lankesh shot dead in Bengaluru | The Hindu. (2017, September 5). <http://www.thehindu.com/news/national/karnataka/journalist-gauri-lankesh-shot-dead-in-bengaluru/article19625724.ece>

⁵ "Hindu terror units killed Gauri Lankesh" | The Hoot (2017, September 06). <http://www.thehoot.org/free-speech/media-freedom/hindu-terror-units-killed-gauri-lankesh-10286>

⁶ Journalists Killed in India | Committee to Protect Journalists. <https://cpj.org/killed/asia/india/>

democratic regimes provide journalists with opportunities to pursue sensitive information and thereby place themselves at risk, while less democratic regimes restrict these opportunities’.

The paper notes:

Democracy allows for and encourages increased investigative reporting, which, in turn, can get journalists killed. Alternatively, journalists are not at as great a risk for murder in autocracies not because autocracies make them “safer” but because there are fewer incentives or opportunities for them to pursue stories that would put them in mortal danger⁷.

(Victor Asal et al. 2016) found that a “robust support for the idea that a better quality of governance lowers the risk for journalists.” The authors cite existing evidence that the likelihood of journalist killings go up when a) severe personal integrity rights violation by the state happens, b) the quality of governance goes down giving rise to corrupt and illegal groups and cartels, c) country is embroiled in civil conflict.

The Committee to Protect Journalists (2005, np) has argued earlier that: “The best way to combat murder is to push governments to aggressively investigate and pursue those who carry out the killings.”

As Woodhull and Snyder (1998, xiii) point out:

Next to tough and timely reporting that establishes the facts of a case, nothing protects a journalist so much as public outrage and public support. Ordinary citizens can play an enormous role by pressuring thugs and tyrants who would like to stifle the freedom of the press.

Globally, murders of journalists engaged in reporting on crime and corruption in non-conflict situations often far outpace even their mortality rates during conflict (Eigen 2002⁸, Waisbord 2007⁹). In its 25th edition of its annual report released in 2016, the International Federation of Journalists notes that it has recorded at least 2,297 killings of media professionals in targeted assassinations, cross-fire incidents and bomb attacks, including

⁷ Asal, V., Krain, M., Murdie, A., & Kennedy, B. (2016). | Killing the Messenger: Regime Type as a Determinant of Journalist Killing, 1992–2008. *Foreign Policy Analysis*. <https://doi.org/10.1093/fpa/orw007>

⁸ Eigen, Peter (2002). | “Measuring and Combating Corruption.” *The Journal of Policy Reform* 5: 187–201 <http://www.tandfonline.com/doi/abs/10.1080/1384128032000096805>

⁹ Waisbord, Silvio (2007). | Democratic Journalism and “Statelessness”. *Political Communication* 24: 115–29 <http://www.tandfonline.com/doi/abs/10.1080/10584600701312837>

112 who lost their lives to violence in 2015.

Since 1992, more than 1200 journalists have been killed across the world, with around 60% killed in places far from war zones. Out of the 115 media casualties, 60 died in countries supposedly at peace such as Guatemala, where the government is battling drug cartels, India and Brazil¹⁰.

From an outsider's view, India doesn't appear to be a dangerous place for a journalist to work. Unlike major conflicts that simmer around the globe, especially in places such as Iraq, Syria or Afghanistan, India is largely perceived as a peaceful country. However, on a closer look the picture seems different.

In 2015, a Reporters Sans Frontières (RSF) report went as far as to say that India is "Asia's deadliest country for media personnel, ahead of both Pakistan and Afghanistan". Of the 110 journalists killed globally that year, RSF says, most were in "countries at peace"¹¹. The RSF ranking placed India right behind Syria and Iraq in the global tally.

In 2016, 122 journalists were killed globally including five in India, said International Federation of Journalists (IFJ) in its annual report.¹² India was the eighth worst in the list that was topped by Iraq. In *Killing the Messenger 2016*, an analysis of news media casualties carried out for the International News Safety Institute (INSI) by Cardiff School of Journalism placed the figure at 115.

"Six of the 2016 casualties came from a country supposedly at peace, India, where investigative journalists are increasingly being targeted by those who wish to silence the messenger...Most were not international journalists, few had the support of major news outlets, and most died after fighting insurmountable odds, daily threats and constant pressures."

—Hannah Storm, *International News Safety Institute (INSI) report*

¹⁰ *Killing the Messenger 2016* | International News Safety Institute <http://newssafety.org/news/insi-news/insi-news/detail/115-journalists-killed-in-2016-year-begins-and-ends-with-mass-casualties-1827/>

¹¹ What are the world's deadliest countries for reporters? | Al Jazeera. (2015, December 29) <http://www.aljazeera.com/news/2015/12/world-deadliest-countries-reporters-151229080419780.html>

¹² In 2016, 122 journalists killed globally, 5 in India. | Indian Express (2017, January 1) <http://indianexpress.com/article/india/in-2016-122-journalists-killed-globally-5-in-india-4454010/>

1.2 Going beyond counting casualties

This paper intends to put the state of media in the context of today's political climate in country — especially after 2014 general elections — where the State itself (or actors emboldened by current polity) has frequently attempted to muzzle the media's voice. This falls in line with the global rise in the narrative of hyper-nationalism and politics dedicated to populist ideas. While the attacks on press freedom are nothing new, the paper tries to inspect whether or not the country has become more dangerous for journalists as the frenzied hyper-nationalism rises.

The research will then move on to understand the threats to journalists in India, the biggest democracy in the world, to understand what kind of journalism makes India an unsafe place. This study will pick up from where international organisations such as CPJ, RSF and IFJ limit themselves, and go beyond counting the number of killed journalists and reporting incidents of crime against media professionals.

Depending on the region and the beat journalists cover, different challenges are thrown at them. Politicians, corporate houses, police, businessmen, Maoist rebels*, militants, army, vigilantes or the mining mafia, are all considered a threat, who try to stop the facts from reaching the public. This paper aims to build a comprehensive understanding of the different kinds of threats a journalist faces in the country. Anchored around some of the prominent incidents, the research will identify these threats and explore how it differs from region to region, especially in smaller towns.

Trust in news media has taken a plunge globally. In India, media is not short of being perceived as a medium bought over by politicians or businesses, seen as a lying press full of biases. Is slander a new tool to target journalists? Often, after a journalist becomes a target, his/her work is systematically discredited. This largely unfolds online within the safe confines of the virtual realm.

The last section, therefore, will further our understanding of how a journalist's profession as well as character comes under severe scrutiny online. The paper will detail the

virtual threats that journalists face — in particular the threats faced by women journalists — as news increasingly relies on the social media.

1.3 The approach

This study draws primarily on interviews and opinions expressed by journalists on different media platforms and at protests. The interviews are based on a semi-structured questionnaire (detailed in the Appendix) conducted over emails with 15 prominent journalists based in different parts of the country. These are journalists who have encountered threats in some form or other and are witness to the change to attitudes toward media leading up to the 2014 general elections and after. For journalists, apart from the 15 emailed, who are based in mofussil towns responses were sought over phone calls.

Almost everyone interviewed for this paper had faced threat in some form — either abused online or offline, attacked or received threats, imprisoned, fought or are still fighting cases filed against them. Five journalists, all from small towns and working for regional media, were victims of all these tactics. They were arrested, cases were registered against them, abused and tortured for their work and lived in fear for their lives. Interestingly, majority of the respondents are still caught up in legal tussles because of their work.

Interviews were conducted in 2016 and 2017. Interviewees were a cross-section of representatives from various news organisations — from print, broadcast to online, stringers to editors spread across the country and working in different languages. I also relied on some of the interviews I had conducted earlier on reporting trips for the New Delhi-based English newspaper, Hindustan Times. The experiences and quotes in the paper are from interviews conducted, unless a source is mentioned where it was published or broadcasted.

2. Journalism amid hyper-nationalism

“You were asked to bend, but you began to crawl.”

— *BJP leader LK Advani’s remark on media’s response to Emergency imposed by the then Prime Minister Indira Gandhi in 1975*¹³ *(Today, when his party is in power we are witnessing similar attempts by the government to influence and gag the media)*

Welcome to the new nationalism. For the first time since the second world war, the great and rising powers are simultaneously in thrall to various sorts of chauvinism, says an article in *The Economist* about the rise of dangerous nationalism. India’s Prime Minister Narendra Modi finds a mention among the likes of Turkey’s Recep Tayyip Erdogan, Russia’s Vladimir Putin, and the recent recruit to this growing tribe, Donald Trump¹⁴.

But before the West started discussing the increasing conservatism laced with racism and hatred, India was already reeling under what was termed as rising intolerance in the country. Since the day Bharatiya Janata Party’s (BJP) Narendra Modi was elected as the prime minister, in one of the most polarised elections in the country, India hasn’t stopped debating the spike in nationalism, intolerance, religious hatred and discrimination. The BJP’s ideological parent is the Rashtriya Swayamsevak Sangh (RSS), a right-wing, Hindu nationalist organisation. Modi, a veteran RSS man, espouses the same strain of Hindu nationalism.

It started with the holy cow or at least it became a turning point in the current scheme of things. Sale and consumption of beef was banned in two BJP ruled states, Maharashtra and Haryana, and the idea of ‘Gau Raksha’ or cow protection was propagated by politicians bringing ‘beef politics’ into the life of everyday Indian. (Cows are considered holy by Hindus, revered as mother or ‘gau mata’. Most of the states have had laws prohibiting slaughter of cows and/or bulls for decades.) The events took an ugly turn when a villager, Mohammad Akhlaq, was lynched for alleged possession of beef in Dadri, 60 km from New Delhi. The killing of a Muslim man on the pretext of storing beef was a reflection of the turn

¹³ When you crawl, unasked | Indian Express (2015, June 25) <http://indianexpress.com/article/opinion/columns/emergency-then-and-now/>

¹⁴ The new nationalism | The Economist. (2016, November 19) <http://www.economist.com/news/leaders/21710249-his-call-put-america-first-donald-trump-latest-recruit-dangerous>

national discourse had taken. It sparked fear of growing intolerance and the rise of Hindu nationalism. It also marked the increase in cow-related vigilantism that the country was witnessing.

“While all governments aim to manage and massage the fourth estate, there is a rhetorical difference in the relationship between the State and the news media before the 2014 elections and afterwards,” writes historian Mukul Kesavan in an opinion piece. “I can't remember a time when there was as strong a rightward tilt in television news as we have now and the worrying thing is that it makes sound business sense, not just in terms of political access, but in terms of advertising, revenue and profit.”¹⁵

In the days leading to 2014 general elections, popular opinion changed rapidly. It divided people into those who follow the leader, and those who criticised his populist policies. As Kesavan mentions, the changes in media wasn't hidden either. It was and still is seen as either with the establishment or against it. The neutral media, it seems, has ceased to exist in the popular narrative. After the Narendra Modi-led BJP took over the government in May 2014, attempts have been made to keep the Indian media at a distance.

Soon after the elections, senior journalists and media experts started writing about how media was being treated by the new government. Kumar Ketkar, a senior journalist, in an opinion piece in July 2014 wrote the following¹⁶:

In this kind of structure, the media is forced not to debate but just disseminate government decisions. Modi neither watches nor cares for televised debates. Modi has seen how anchors and wise panelists ragged and terrorised the Manmohan Singh government, how editorial writers ruined the credibility of the UPA and how so-called investigative journalists unearthed scandals that piled up for the government.

Three years later, in July 2017, writer and columnist Sadanand Dhume wrote this in The Wall Street Journal:

¹⁵ A delicate balance: The state of the fourth estate | The Telegraph. (2017, February 12) http://www.telegraphindia.com/1170212/jsp/opinion/story_135266.jsp

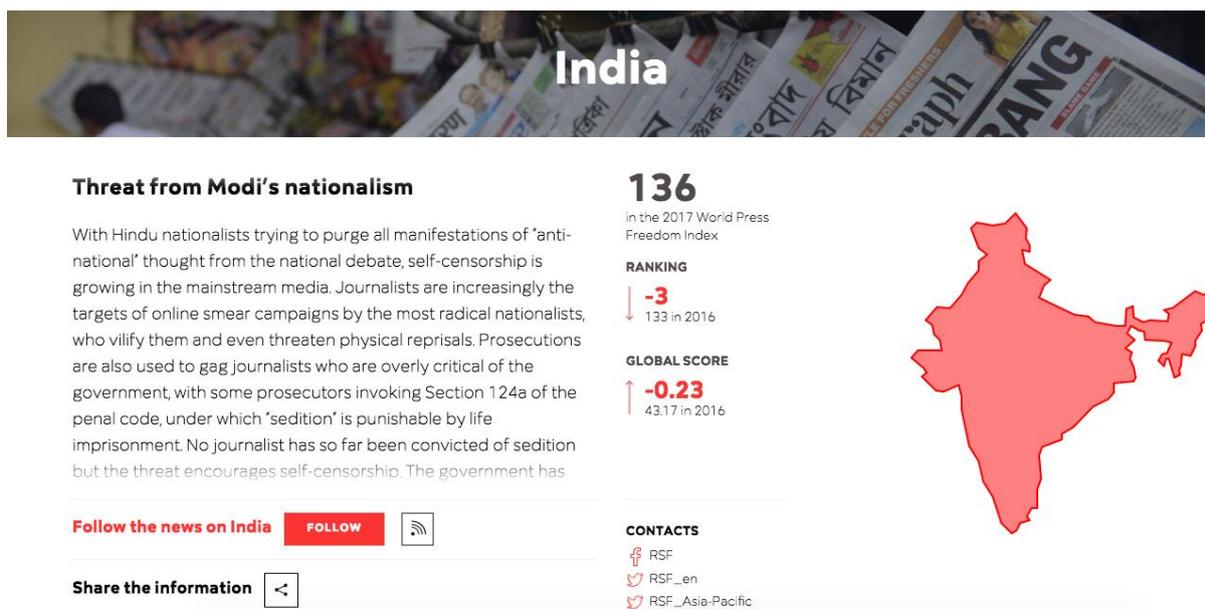
¹⁶ Opinion: PM Modi Forces Government Into A Silent Zone | NDTV. (2014, July 22) <http://www.ndtv.com/opinion/pm-modi-forces-government-into-a-silent-zone-591980>

Things have nonetheless deteriorated on Mr. Modi's watch. This government is particularly ruthless about cutting off access to reporters it deems unfriendly. The BJP also appears to at least tacitly encourage social-media lynch mobs that go after any journalist seen to be stepping out of line. No other major political party appoints trolls to responsible positions.

Throughout the world, polls show that trust in the news media has generally fallen. As per the 2017 Edelman Trust Barometer survey, The State of Trust in the four institutions — business, government, NGOs and media — declined in 2017. Media declined the most. Media is distrusted in 82 percent of countries and government is distrusted in 75 percent. In only five—Singapore, China, India, Indonesia, and the Netherlands—is media trust above 50 percent. On the other hand, the survey shows that trust in search engines is more than either the traditional or the non-transitional media¹⁷.

Pew Research Center's recent report claims that 76 percent of Indians continue to trust the media and believe that it has a good influence on the way things are going in the country'. The national government, however, rakes in more support with 86 percent believing in the government's good influence. Perhaps, such trust in the government makes people see stories critical of the government as being biased or propaganda to malign the nationalist government or the prime minister in particular. The trust by the audience also is in mediums that conform to their ideology or world view. For instance, a person trusting a news from Zee media, a network on the right of the spectrum, will find it difficult to trust media houses like NDTV that is perceived as from the left liberal spectrum.

¹⁷ 2017 Edelman Trust Barometer - Executive Summary
<http://www.edelman.com/executive-summary/>



2.1. How national pride and rising intolerance targets journalists

“Pakistan Zindabad, haan?” I can't tell what got me scared more, his bigotry or ignorance... I wanted to tell him that I am not one of those who shouted the stupid slogans in JNU; am a journalist here to cover the proceedings.”

— Akshay Deshmane, a journalist with *The Economic Times*, assaulted by ‘nationalist’ lawyers in Patiala House court last year¹⁸

On February 16, a mob of lawyers turned violent before a case hearing in the court premises of New Delhi’s Patiala House court. Images were splashed across news publications, of journalists being physically assaulted by black-robed lawyers. One of the picture showed a terrified journalist pinned against a locked gate surrounded by an angry crowd of lawyers¹⁹.

The incident came as a warning to big city journalists, that the nationalist zeal and rising intolerance in the country wasn’t just limited to the streets of small towns or realms of

¹⁸ JNU stir: When defenders of civil rights turned attackers at Patiala House Court | *The Economic Times* (2016, February 16) <http://economictimes.indiatimes.com/news/politics-and-nation/jnu-stir-when-defenders-of-civil-rights-turned-attackers-at-patiala-house-court/articleshow/51002252.cms>

¹⁹ Lawyers turn violent again, SC steps in to ensure Kanhaiya’s safety | *Hindustan Times*. (2016, February 17) <http://www.hindustantimes.com/india/jnu-row-lawyers-turn-violent-again-sc-steps-in-to-ensure-kanhaiya-s-safety/story-6XyXNn1EBXO4dSB5OjQB6H.html>

social media anymore, it had reached the safe institutions of the national capital. It could not be termed as the act of the fringe anymore, it had become mainstream.

The event that led to the violent targeting of journalists and some university teachers was related to the demonstrations that took place at the Jawaharlal Nehru University few days earlier. The university's student union president was being tried for sedition for the alleged "anti-national" protests that took place inside the university campus few days earlier²⁰. The 'patriotic' lawyers, unhappy with the media's coverage of the entire episode, decided to take matters into their hand.

Mumbai-based independent journalist Geeta Seshu believes the current political environment is a reason to the increasing threat to journalists. "The current political environment — irrespective of the party in power — is responsible for the impunity with which these attacks take place," says Seshu. "The difference that the political party currently holding power makes is that often, the vigilante groups that attack the journalists are part of or owe allegiance to the same powers."

The attack in Patiala House court, however, wasn't the only incident. In the past four years, the country has witnessed several measures or attempts by the government (including state governments) to curb or gag the media.

In the conflict-ridden state of Chhattisgarh, the state police arrested four journalists within the span of one year alleging they were Maoists and working against the state. In Tamil Nadu, news publications have seen over 50 cases of defamation charges against them, especially under the late chief minister J Jayalalitha's government. In October 2016, Kashmir Reader, a Srinagar-based English daily in the conflict-ridden state of Jammu and Kashmir, was banned by the government. And, in Delhi, an attempt was made to take NDTV India (the Hindi news channel of NDTV or New Delhi Television) off-air for a day for 'irresponsibly' covering the attacks on an army base in Pathankot.

Many journalists, including Jagendra Singh and Rajdeo Ranjan in Bihar — two

²⁰ JNU student leader held: Kanhaiya Kumar sent to 3-day custody | The Indian Express. (2016, February 12) <http://indianexpress.com/article/india/india-news-india/jnu-student-leader-held-kanhaiya-kumar-sent-to-3-day-custodyjnu-afzal-guru/>

prominent cases that attracted national media's attention – were killed where involvement of politicians has been suspected. Then there is the continuing onslaught on journalists online, especially on social platforms or hacking of emails and social media profiles of some prominent journalists.

2.2 From lügenpresse to presstitutes

“Those who throw ink are being appointed spokespersons and those who write with ink are only indulging in propaganda. Contemporary journalism is the contemporary propaganda.”

— Ravish Kumar, senior journalist NDTV India in his Kuldip Nayar Journalism Prize acceptance speech²¹

In October 2016, a journalist tweeted a video of two men at one of the Trump rallies shouting “lügenpresse” at journalists²². The use of the old German phrase that means “lying press” by supporters of Donald Trump brought back the derogatory term from the days of “ugly Germany”. The phrase was most frequently used in Nazi Germany and later in East Germany.

The word disappeared from the public discourse for over half a century, but, the far right, anti-Islamic groups such as Pegida, resurrected it in 2014 who wanted media to “tell the truth” about immigrants in Germany. Emboldened by Donald Trump's speeches, calling the media “dishonest” and more recently in the case of CNN, fake news, the infamous phrase made it across the Atlantic to be used by Trump supporters.

In India, a similar ‘name-calling’ came into usage after the BJP took to insulting and slandering the mainstream media by calling them sickulars (an insulting variation of seculars) and libtards (for liberals). The Indian prime minister didn't hide his dislike for media either. In his public statements during election campaigns he called the media as “*bazaar*” or news

²¹ “We have become the consumers of tragedy”: Ravish Kumar on the Indian media's political agenda | Scroll (2017, March 20) <https://video.scroll.in/832288/we-have-become-the-consumers-of-tragedy-ravish-kumar-on-the-indian-medias-political-agenda>

²² The ugly history of “Lügenpresse,” a Nazi slur shouted at a Trump rally | Washington Post. (2016, October 24) <https://www.washingtonpost.com/news/worldviews/wp/2016/10/24/the-ugly-history-of-luegenpresse-a-nazi-slur-shouted-at-a-trump-rally/>

traders.

Instead of using a word like *lügenpresse*, Indian politicians started using a term, perhaps even worse than the German word. The first use of the term “Presstitutes” by a public figure was when it was used as a rude description of journalists by General VK Singh, a former Indian army chief and the current Minister of State for External Affairs. This term was soon picked up by social media trolls of BJP supporters. It all started when Singh was in Djibouti, to supervise evacuation of Indians from conflict-ridden Yemen. He had said in a press conference that visiting the Pakistani High Commission was more exciting than conducting rescue operations in Yemen²³.

Singh’s statement was followed by outrage on social media and the mainstream media went after the union minister for his ‘insensitive comment’. In response, Singh retorted with a tweet, which read:

Friends what do you expect from presstitutes? Last time Arnab thought there was ‘O’ in place of ‘E’.

It was targeted at the news channel Times Now but was pointed at media in general. The label, a play on press and prostitutes, was promptly picked up by his followers and BJP trolls. The term has remained in usage since, used mostly to shout down journalists perceived as liberal or those critical of Prime Minister Modi or the BJP government in general.

Politicians have been accused of promoting a culture that prevents questioning of public institutions, particularly steps taken in the name of national security. Minister of State for Home Affairs, Kiren Rijiju went as far as saying that people should stop asking questions: “First of all we should stop this habit of raising doubt, questioning the authorities and the police,” Rijiju told journalists. “This is not a good culture.”²⁴ He was responding to questions being raised around circumstances in which Madhya Pradesh police shot dead eight undertrials who escaped from a central jail.

²³ General VK Singh calls media 'presstitutes' on Twitter | India Today. (2015, April 8) <http://indiatoday.intoday.in/story/vk-singh-calls-media-presstitutes-twitter-djibouti/1/429006.html>

²⁴ Kiren Rijiju says nobody should question government – but that’s what he did as an Opposition MP | Scroll (2016, November 1) <https://scroll.in/article/820470/kiren-rijiju-says-nobody-should-question-government-but-thats-what-he-did-as-an-opposition-mp>

“News media became openly compromised in its selling of news space, thereby losing credibility in the eyes of readers and audiences. So the public believes news is false. Opinion makers, including the Prime Minister, openly criticise the news media as fake,” says Geeta Seshu.

Journalists feel that a perception of media is being cultivated that is wrong and is detrimental for the democratic system. If they are not allowed to question then who would? Referring to the murder of journalist Gauri Lankesh the Bombay High Court said that, “Will more people be targeted? There is no respect for liberal values and opinions... It’s like if there is some opposition to me, I must have that person eliminated.” The court added that trend of killing all opposition is dangerous and it brings a bad reputation to the country²⁵.

Journalists and some politicians from the opposition camp have likened the situation in the country to the days of Emergency. On June 25, 1975, when the then Prime Minister Indira Gandhi declared Emergency it resulted in curbing of civil liberties and suspension of elections. Many of Gandhi’s political opponents were jailed and media was censored. Within hours of declaring Emergency electricity to major newspapers were cut. One of the reason, the Gandhi government justified, was of national security.

Lankesh, who was opposed to the right wing Hindu nationalism, many suspect was a target of Hindu nationalists. A few days later, several journalists from different organisations based in New Delhi received a threatening message²⁶. The message written in hindi referred to Lankesh saying that: “... She was anti-nationalist and anti-Hindu. Now, if anyone in this country dares to write anything against Modi or his party, they will not be spared. They will be eliminated.”

While India has been a dangerous country when comes to murderous attacks on journalists — ranked low in press freedom index and high in impunity in reports published by different press freedom watch groups — it is post-2014 India that has the journalist fraternity

²⁵ Trend of killing all opposition dangerous: Bombay HC on Gauri Lankesh | Indian Express (2017, October 13)
<http://indianexpress.com/article/india/gauri-lankesh-murder-bombay-high-court-pansare-dabholkar-trend-of-killing-all-opposition-dangerous-4887902/>

²⁶ India: death threats against journalists by Hindu nationalists | Reporters without borders. (2017, October 3)
<https://rsf.org/en/news/india-death-threats-against-journalists-hindu-nationalists>

concerned.

The threat has increased many fold when it comes to the virtual world. So much so that expressing one's views online can be seen as problematic. The research details the threats a journalist comes across on social media. Such threats are targeted towards journalists who are critical of the government and for expressing opinions, particularly directed towards women journalists. The paper discusses such threats in detail in the fourth chapter on social media and journalists

Today, the threat is not just limited to unhappy powerful politicians, state security, mafia or businesses. Any journalist can find herself surrounded by 'nationalists' or vigilantis (often aligned to a political ideology) accusing them of acting against the country, for being an anti-national. The danger becomes much more pronounced if the journalist comes from one of the religious minorities.

Nikhil Wagle, a senior journalist and popular Marathi prime-time anchor, has faced many attacks from goons of different parties throughout his long journalism career. "Police never investigated any of the cases, so I lost trust in them," he says. "The atmosphere is totally poisonous. These people [political bigwigs] have tried to pressurise management [of media houses]. They didn't want us to be there. BJP today has appointed editors across Mumbai."

In July 2017, Wagle quit TV9 after his popular Marathi show was cancelled by the channel without any explanations. Wagle told The Wire later that he suspected political pressure behind the move²⁷.

"In the run up to the 2014 elections, the corporate sector unanimously rooted for Narendra Modi. They made no bones about it. There have been no other occasion when the corporate sector actively and energetically supported the candidature of one man," says Paranjoy Guha Thakurta. "The corporate sector controls much of the mainstream media while individuals with political affiliation are the big owners of media.

²⁷ Nikhil Wagle Quits TV9, Says TV Show Dropped Due to "Political Pressure." | The Wire (2017, July 21) <https://thewire.in/160030/nikhil-wagle-quits-tv9-popular-tv-show-dropped-due-political-pressure/>

Thakurta believes the corporate sectors control over the media is becoming stronger. This is manifested in the form of convergence between telecommunication and broadcast. At least two individuals, he says, Mr KM Birla who owns Idea Cellular and Mr Mukesh Ambani who owns Reliance Communications have major investments both in the media and the telecom sector. These are examples of convergence of interests of the corporate, politics and the media.

3. Threats and the reality of small-town journalism in India

3.1 Reporting from conflict areas

Kashmir

“Regions like Kashmir, Manipur and Nagaland, where anti-India sentiment has been strong, are used for intimidation of the press [by the state]... We often look at Indian media from the prism of a few big newspapers and the noisy news channels. But beyond that there is a vast world of local media, both English and vernacular. Their influence is huge”

— Hilal Mir, former editor, *Kashmir Reader*, an English daily published from Srinagar, Jammu and Kashmir

The Kashmir conflict is one of the oldest conflicts in the country with its epicentre in the Kashmir valley. The region is considered as the ‘head’ of the geographical region and a paradise on earth. A territorial conflict, primarily between India and Pakistan, started right after the Partition of the two countries in 1947 and has continued since. It is also the most militarised region in the world and is one of the few Indian states where the Armed Forces Special Powers Act (AFSPA) is in force since 1990.

AFSPA, a controversial and draconian legislation, was enacted by the Indian Parliament in 1958, first implemented in the Naga hills (then part of the northeastern state of Assam) amid the nascent Naga insurgency. The act gives tremendous power to the armed forces — army, state and central paramilitary forces — including shoot to kill, search houses or destroy a property on mere suspicion in areas declared as “disturbed” by the home ministry²⁸.

When militancy had first gripped the region, starting around the late 1980s, journalists too bore the brunt of the tense situations. To top it all, the immense power given to the armed forces in the “disturbed areas” makes journalism a dangerous profession to be in when working in conflict areas of India.

²⁸ Explained: AFSPA-Disturbed Areas debate in J&K | Indian Express (2015, March 30)
<http://indianexpress.com/article/explained/explained-afspa-disturbed-areas-debate-in-jk/>

On September 7, 1995, a package was delivered to the Srinagar office of British Broadcasting Corporation (BBC) addressed to Yusuf Jameel, BBC's Srinagar correspondent. Mushtaq Ali, an Agence France-Presse photographer, was also present when Jameel opened the package. The parcel exploded injuring Jameel and killing Ali²⁹. Vikram Parekh wrote about the incident in a 1995 CPJ report:

Ali was the fifth Kashmiri journalist to be murdered since 1990, when a long-running dispute over sovereignty in Kashmir escalated into an all-out war between separatist militants and Indian government forces. The warring parties have often viewed local journalists and the news outlets they work for as mouthpieces of their adversaries and have made it a part of their offensive to intimidate the media into reporting their particular view at the expense of all others.

The recent upsurge in militancy in south Kashmir and several anti-India protests over the years after 2008, has turned the region into a tinderbox again. Last year, on July 8, the death of Hizbul-Mujahideen (a militant organisation active in Kashmir since 1989 and now a foreign terrorist organisation as declared by the US State Department) commander Burhan Muzaffar Wani at the hands of the Indian army led to protests in the valley. A day later, curfew was announced in some parts of Kashmir, but thousands turned up defying the curfew to attend Wani's funeral.

Violent clashes broke out between the armed forces and the angry Kashmiri youth which, like decades of protests, involved stone pelting on Indian armed forces or whatever is considered a part of the state machinery. Caught in the midst of young, angry Kashmiri men and the security forces, were the journalists, who despite curfews and violence were reporting on incidents from the region. Several journalists were roughed up, harassed, assaulted and even silenced by either the forces present or the Centre.

In the recent past, Kashmir has seen three uprisings, in 2008, 2010 and 2016. In all these protests, people had taken to the streets, pelted stones on security forces while the anti-India sentiment kept growing stronger. In response, the armed forces quashed these protests

²⁹ Local Journalists Targeted by Warring Parties in Kashmir | CPJ <https://cpj.org/attacks95/SpecialReports/kashmir.html>

with more violence and aggression.

“Journalists were beaten up in all these uprisings,” says Hilal Mir, who is now an associate editor at the Greater Kashmir, an English daily published from Srinagar. The stories of bias towards New Delhi-based media organisations and the regional ones become apparent from the stories told by local journalists. “Days before our newspaper was banned, when the uprising was peaking, journalistic grapevine was flush with apprehensions that the state might detain a few journalists under the draconian Public Safety Act... Arrest is one threat. Then there are subtle threats by police and other agencies. The threat of marginalisation is another threat — politicians, officials are not forthcoming in talking to you if you have been critical of them.”

Mir recalls a dangerous trend of forces trying to silence media. “Bilal Bhat, of Sahara Samay had fractured ribs after several soldiers brutally beat him up in 2010. Along with him, more than a dozen journalists were beaten up during 2010 uprising. During last year's uprising, a photojournalist was blinded in his right eye after a trooper fired pellet ammunition at him. Our photographer had about a dozen pellets wounds in the head,” he said.

In the February 2011 issue of the Tehelka magazine, a report pointed out how for about 30 days in 2010, no newspapers were published in Kashmir because of the strict curfews imposed by the state. “On a number of other days, newspapers would be stopped from being distributed in an area where violence had occurred. On others, entire lots of newspapers were seized from the press. On the odd days that papers did come out, their resources were strained to the hilt. There was no saying how many staffers would be allowed to get to office,” it read³⁰. The piece also mentioned that during the four-month long agitation in 2010, journalists were beaten or humiliated, their curfew passes were invalidated and text messages was banned in the Valley.

The state still relies on the same strategy. On July 2, 2016, Kashmir Reader was banned from publication. The reason given: Publishing material that can “cause incitement of acts of violence and disturbance of public tranquility”³¹. The publication remained under the gag

³⁰ The Valley's media is being throttled. Giving rumours a free run of the conflict zone | Tehelka (2011, February 5) <http://www.tehelka.com/2011/02/the-valleys-media-is-being-throttled-giving-rumours-a-free-run-of-the-conflict-zone/>

³¹ #Mediagag in Kashmir: Journalists unite to protest the ban on Kashmir Reader | Scroll (2016, October 5)

order for nearly three months before the ban was lifted on December 26³².

The news of media curbs, however, wasn't just limited to Kashmir Reader. Within a week of the protests in July, police began raiding newspaper offices and seizing tens of thousands of local newspaper copies, imposing a ban on printing for three days including the popular publications such as the Rising Kashmir and Greater Kashmir. They also detained many printing press workers.

On August 5, Mir Javid, a reporter for Kashmir News Network got injured in an eye by shotgun pellets used by the forces to control the protesters. Three days later, Muneeb ul Islam, a photojournalist working for Kashmir Reader and Daily Roshni, was beaten up by the paramilitary Central Reserve Police Force (CRPF) while covering the unrest. On August 17, during imposed curfew, a female journalist with Rising Kashmir, Sumaiya Yosouf, was beaten by a police officer on her way back home.

Journalists from several media publications took part in a sit-in protest asking the state to stop gagging the Kashmiri media, which as Mir puts it, is an important aspect of news that the national media ignores covering in its attempt not to vilify the Indian army or what might be considered as fuelling anti-India sentiments.

The Northeast

“Each [northeastern state] of us have our own particular sets of issues, on which respective governments attempt to impose their narratives, irrespective of whichever political party is in power. The contradictions therein create contentions between state governments and the local media. Indubitably, these governments use, abuse, even misuse, all powers within their ambit to control the local media, especially through withholding advertisements, and revenue thereof, to make “stubborn newspapers” malleable and toe the line.”

— Monalisa Changkija, editor and publisher, Nagaland Page, an English daily published from Dimapur, Nagaland

<https://scroll.in/article/818254/mediagag-in-kashmir-journalists-unite-to-protest-the-ban-on-kashmir-reader>

³² Kashmir Reader: Newspaper printing again after ban lifted | BBC News (2016, December 28)
<http://www.bbc.co.uk/news/world-asia-india-38448891>

The northeastern states of India, which includes seven sisters — Mizoram, Tripura, Nagaland, Manipur, Assam and Arunachal Pradesh — and Sikkim, has seen its share of anti-India or separatist sentiments in the past. Some areas still continue to simmer with such sentiments, or at least where there are demands of autonomous administration.

According to the South Asia Terrorism Portal (SATP), “multiple insurgencies in India’s troubled Northeast, remained above the ‘high intensity’ threshold in 2007 and 2008, but have declined enormously since”, with 273 killed in 2015 and 56 in 2016³³. SATP data points out that about 27 active insurgent groups continue to operate in the northeastern states — seven in Assam and Meghalaya, six in Manipur and Nagaland each and one in Mizoram. While several others are in peace talks or ceasefire agreement with the Indian government.

Working as a journalist in these areas can, and has been, a difficult task considering the overlapping objectives of some of the militant groups and the enmity within the insurgent groups themselves, each claiming to be a saviour for one or the other ethnic group in the Northeast.

While the number of incidences of targeting of journalists have gone down in several areas, some still remain a dangerous field for reporting. On the other hand, armed forces or state police too can be a threat to free press. Although many instances of attacks on media fails to get the mainstream media’s attention, a few do trickle in from time to time.

In October 2016, Assam Rifles, a paramilitary force under the Ministry of Home Affairs, had issued a diktat to the editors of the newspapers in Nagaland to stop covering any news or publishing any statement from the insurgent group National Socialist Council of Nagaland - Khaplang (NSCN-K). The diktat read:

It is reiterated that any article which projects the demands of NSCN (K) and gives it publicity is a violation under the Unlawful Activities (Prevention) Act 1967, and should not be published by your newspaper³⁴

³³ Annual Fatalities North East in Graph: 2016 | South Asia Terrorism Portal.
<http://www.satp.org/satporgtp/countries/india/database/northeast2016.htm>

³⁴ Nagaland govt’s silence over Assam Rifles notice is unacceptable | Hindustan Times (2015, November 21).
<http://www.hindustantimes.com/analysis/nagaland-govt-s-silence-over-assam-rifles-notice-is-unacceptable/story-8kjU3M6XcTGZFYohWJTnN.html>

In the following month, on November 16, the National Press Day, three newspapers — Morung Express, Eastern Mirror and Nagaland Page — collectively decided to publish blank editorials to protest against the diktat.

“When journalists, or even media houses, are targeted by either the military or the militants, each government of the Northeastern states has reacted and responded differently, especially depending on the kind of relationship these governments have with the militants,” says Monalisa Changkija, editor of the Nagaland Page. “When the Assam Rifles issued a directive on what to publish or not to publish, the Nagaland government remained a silent spectator,” she says.

In response to the same issue, Akum Longchari of the Morung Express had told the BBC that the “Naga newspapers are accused of favouritism by both the army and rebel groups.”³⁵

Publishing blank editorials to protest as an attempt by newspapers to get across a message has been used in the past as well. In 1975, when former prime minister Indira Gandhi had declared Emergency in the country that suspended elections, severely restricted press freedom and civil rights, the English language national daily Indian Express protested by publishing blank editorials.

Bastar

“If they [police forces] find any report which is to their disliking you are termed as a Naxalite. There is no neutral ground for journalists here. You are either labelled a Naxalite or a Police informer.”

— Prabhat Singh, a Bastar-based journalist who was imprisoned for 96 days for “publishing and transmitting obscene material in electronic form” on a WhatsApp group

Bastar, an administrative division of the Chhattisgarh state in central India, is one of the most dangerous conflict zones of South Asia. The Naxalites, the Maoist guerrilla groups

³⁵ Blank space: Why Nagaland papers ran empty editorials | BBC News. (2015, November 17) <http://www.bbc.co.uk/news/world-asia-india-34841210>

active there have been fighting the Indian State for over a decade. (Maoists are often referred to as Naxals, called so after the origin of their ideology and politics in a leftwing peasant uprising in Naxalbari, West Bengal – in the late 1960s.)

In the midst of lush green forests and hilly ranges Bastar sits on reserve rich pockets ladled with mineral wealth, especially coal, iron, tin and bauxite. The reason that led to ongoing land conflict between the industrial corporations and one of India's poorest communities, the indigenous people or *adivasis*, living in the region. As Nandini Sundar, a Delhi university professor, writes in her recent book 'The Burning Forest', the primary purpose of the counter-insurgency operations of the Indian state against the Maoists in the jungles of Chhattisgarh, had to do a lot with the latter's presence as an obstacle in land acquisition and exploitation of minerals in the region.

Caught in the middle of this civil war are the villagers who dwell in the forest and are almost deprived of basic necessities. As Sundar puts it: "the villages remain without basics like schools, electricity and health centres" even as there is a proliferation of "urban official infrastructure, with fancy Collectorate buildings" and "massive highways"³⁶.

On September 29, 2015, Santosh Yadav was arrested by the Chhattisgarh Police for alleged involvement in a suspected Maoist encounter that claimed the life of a police officer. He was charged with criminal conspiracy and aiding the Maoists in the operation. Yadav is a journalist, who gathered news for Hindi language newspapers including Dainik Navbharat and Dainik Chhattisgarh. After spending a year and half in the jail, Yadav was released on bail on February 27.

Two months earlier, Somaru Nag, one of the few adivasi (indigenous Indian tribes) journalist in the region was arrested on allegations of aiding Maoists and keeping a watch on the police while the rebels set ablaze to a crusher plant. Nag ran a small news agency of Patrika, a newspaper of Jaipur-based Rajasthan Patrika group, in Bastar and contributed news for the same organisation too. Few months later, in March 2016, Prabhat Singh, who worked as a stringer for Patrika too was arrested. He was imprisoned for posting 'objectionable

³⁶ India's Rotten Democracy and the Maoist Movement | *Economic and Political Weekly* (2017, January 21). <http://www.epw.in/journal/2017/3/book-reviews/indias-rotten-democracy-andthe-maoist-movement.html>

content' on a WhastApp group mentioning the Inspector General of Police of the Bastar division.

Singh's arrest came amid growing reports of journalists, activists and lawyers being attacked and threatened in the region. Few months earlier, lawyers belonging to JagLag — a group of independent lawyers fighting forged cases against villagers — were forced out of their rented houses in Jagdalpur, apparently at the behest of the police force which saw them as an hindrance to their work. Before that, Malini Subramaniam, a contributor to news website Scroll, was attacked by a mob formed of groups claiming to fight against voices that supported Naxals in the region.

In the same month, journalist Deepak Jaiswal was arrested in Bastar, on a seven-month old complaint filed by the principal of a school in the region. Jaiswal and Prabhat Singh had written a report on teachers at the school helping students cheat in their examinations. Jaiswal was the fourth journalist to be arrested within a span of six months. Sundar said in an interview about her book:

The state government and the security establishment — i.e. the police and the paramilitary forces — both at the Centre and in the state are simply not interested in following Constitutional norms. They have even ignored the Supreme Court's clear orders to stop state support for vigilantism, and to disband civilians who were recruited as special police officers. Everyone says the police want the war to continue because of the unaccounted security money they get.³⁷

Several journalists in Chhattisgarh's Bastar spoke about threats and harassment by the state police, the paramilitary force CRPF and Maoists. A situation between the devil and the deep sea, "a reporter here is scared of both sides. Police is capable of manufacturing any case against you; Santosh [Yadav] is an example. And if you go into their (the Maoists') area without permission there is a chance you might get killed," said Ganesh Mishra, a Nai Dunia journalist based in Bijapur, a district that comes under the conflict zone.

³⁷ Books, J. (2016, September 19). "Salwa Judum split families and villages apart in Bastar." Retrieved June 20, 2017, from <http://blog.juggernaut.in/nandini-sundar-the-burning-forest/>

There are advantages of siding with the government too. Several journalists have alleged that it is rewarding to be a journalist and toe the government line. In a story in The Caravan magazine, Prabhat Singh talks about journalists being handed out contracts in return for “freely publishing police handouts about fake encounters with Maoists or suppressing reports of rapes of tribal women... These contracts are for construction projects, or for providing supplies to camps run by paramilitary forces.”

Kamal Shukla, editor of the weekly newspaper Bhumkal Samachar based in Chhattisgarh, has been a journalist in the state for the past 25 years and has been spearheading a local movement demanding rights for journalists and protection laws. Quoted in the same article he talks about being offered Rs.1 crore (about £120,000) in cash and enjoy a trip to the United States on a six-month fellowship by the police chief SRP Kalluri to stop fighting for journalists’ rights³⁸.

In the past few years, concerns were raised by the civil society on the armed operations inside the jungles of Bastar. There have been several instances where the police or the paramilitary have claimed to have arrested Naxals or killed them in encounters or have reported on Maoist violence in the villages. Anil Mishra, a Raipur-based journalist with Hindi daily, Nai Dunia, said:

The only way to check these claims is to go inside the jungle, to the villages where the incidents have happened. In my experience, most of the time that I went to check such claims the police’s version turned out to be a lie.

Trouble for journalists in Bastar continue to surface. On March 30, First information Report was filed against Prabhat Singh and Kamal Shukla with Chhattisgarh’s Bastar police. The two were accused of sharing a message on social media about interactions between the former Inspector General, SRP Kalluri and Maoists³⁹. They have been charged with defamation, insult to provoke breach of peace, public mischief and disturbing religious enmity.

³⁸ Embattled Lines | The Caravan (2017, February 1). <http://www.caravanmagazine.in/perspectives/chhattisgarh-journalists-pressure-persevere>

³⁹ FIR filed against two Chhattisgarh journalists for Facebook post about ex-IG’s meeting with Maoists | Scroll (2017, March 30). <https://scroll.in/latest/833295/fir-filed-against-two-chhattisgarh-journalists-for-facebook-post-about-ex-igs-meeting-with-maoists>

The same Inspector General who is known for his several misdoings and responsible for a 'reign of terror' unleashed in Bastar during his tenure was invited to speak in a seminar in Indian Institute of Mass Communication (IIMC), Delhi, on May 20, 2017⁴⁰. The seminar was on 'Vartaman Pariprekshya mein Rashtriya Patrikarita (The Current State of National Journalism: Media and Myth). The institute considered as one of the premier journalism institutes saw protests from several journalists, former and current students for inviting someone who is synonymous with fake surrenders, fake encounters and fake news.

⁴⁰ IIMC's Invitation to Kalluri Raises Questions on Fake Surrenders, Fake Encounters and Fake News | The Wire (June 1, 2017) <https://thewire.in/142377/srp-kalluri-iimc-bastar/>

3.2 Attacks on journalists in non-conflict areas

Exposing ‘strongmen’

“Journalists are targeted only if they are true to their profession or if they are too close to the powerful. If I had died like Jagendra did, I’d have been called a blackmailer too.”

— Narendra Yadav, a journalist with *Dainik Jagran* in Bareilly, Uttar Pradesh, carries a gun strapped to his waist after his throat was slit for writing about a jailed religious ‘Godman’

Uttar Pradesh (UP), the largest and most populous state of the country perhaps has the highest number of journalists, most working in the vernacular media, Hindi. UP also accounts for the maximum number of fatal attacks — nine out of the 63 murders since 1992. Ten years ago, in a book titled ‘Headlines from the Heartland’, senior journalist and media critic, Sevanti Ninan, had written about the silent revolution in the Hindi heartland⁴¹ — in the small towns of Hindi speaking states of UP, Bihar, Rajasthan, Haryana, Madhya Pradesh (MP), Chhattisgarh, and Uttaranchal.

After the economic liberalisation of the country in 1991, when “both cable and Satellite TV, and the Internet captured the attention of the growing urban middle class... a less visible media juggernaut was rolling across a less visible part of the country”. As literacy expanded in the Hindi heartland, Hindi newspapers picked up readers where there had been none, she explained. “Journalism flowered in unexpected and unorthodox ways, and media marketing unfurled across villages from Bihar to Rajasthan”.

This expansion also brought in a wave of Hindi journalists, who wrote and investigated local issues, as media houses gradually became more localised and so did their news. This localisation not just helped in spreading news, awareness but also uncovered truths that were, at times, unpalatable for local strongmen — businessmen, contractors, politicians or religious gurus — who were earlier not bothered about media’s presumed limited reach. Internet helped further in bridging the gap between the regional vernacular media and the city-based English media. Stories that earlier remained limited to the regional media, increasingly started being picked by the national media. Social media made it impossible for any news to

⁴¹ Ninan, S. (2007). *Headlines From the Heartland: Reinventing the Hindi Public Sphere*. SAGE.

be ‘contained’ locally, and frequently exploded on the national scene. Such quick flow of information helped provide an impact by penetrating the political arenas of not just state assemblies but further to high chambers in Delhi.

Narendra Yadav, Jagendra Singh, Samiuddin Neelu, Rajdev Ranjan, Karun Misra, are a few names of journalists who have either been a first-hand witness to threats or were killed for investigating and writing about corruption on topics ranging from the state machinery, police officials to mining, gambling and religion. Strongmen dominate in every aspect mentioned.

On May 13, 2016, Hindi newspaper Hindustan’s Siwan bureau chief in Bihar, Rajdev Ranjan, was shot dead. He was on his way home from his office.... by two bike-borne assailants, when one of them fired at him from a close range. Ranjan died on the way to the hospital. Ranjan’s killing on a busy street, by assailants connected to a politician, is an example of how a strongman — powerful politicians or businessmen — can target journalists for their work.

According to several news reports Ranjan had written criticising about a jailed local politician, Mohammad Shahabuddin (a criminal turned politician who was sent for life imprisonment for ‘abducting with the intent of murder’ of a trader) and even implicated him earlier in the murder of a press advisor to BJP MP from Siwan, Om Prakash Yadav. Shahabuddin, although being behind bars, still holds sway over local politics in Siwan. The Central Bureau of Investigation (CBI) took custody of Shahabuddin and has recently filed a chargesheet against him.

In a Hindustan Times report,⁴² police officials said that Ranjan was killed in the same way that the press advisor was killed. He too was shot from a close range in November 2014.

Being a journalist in any of the mofussil towns in the country is a risky business. It is also one of the poorly paid work one can find. City-based newsrooms depends on an army of

⁴² Murdered Bihar journalist wrote on jailed RJD leader Shahabuddin | Hindustan Times (2016, May 14)
<http://www.hindustantimes.com/india/murdered-bihar-journalist-wrote-on-jailed-rjd-leader-shahabuddin/story-U4GsZKc3QPrcNXILPNfy6K.html>

freelance reporters and stringers working at the tehsil or village levels. They are the footsoldiers but are also a part of an exploitative system which is unwilling to take the responsibility of their safety or well being.

According to Mohammad Irfan, an executive member of the National Union of Journalists, many journalists operate in what is called a 'grey area'. There is a lack of training and the pittance paid to these journalists is a reason why some of them turn to people with power or money. Some double up as marketing and advertising agents to rake in more income from the media house. The popular way is to run a distribution agency of the newspaper which comes with an added perk, a press card. A card to brings them some amount power over local authorities.

"A journalist here isn't a mere reporter. He looks after circulation, gets advertisements and does marketing as well," says a Rashtriya Sahara stringer in Khutar, Uttar Pradesh. "For that you get a sum of Rs.1,500 (~£16) per month. And that's only if you work for the leading newspapers. Others pay much less. In this salary, forget running a household, you can't even buy tea for your family for a month," he adds.

The threat from mining mafias

On June 1, 2015, Jagendra Singh was doused with petrol and burned for writing stories against a local powerful politician, Rammurti Singh Verma, who also happened to be a state minister. Singh succumbed to the injuries few days later.

While undergoing treatment, Singh had recorded a statement on video (a clip of which was widely circulated and played by news channels) which accused Verma's henchmen and police working in collusion to hurt him. He had been a victim of continuous harassment and threats for his stories and social media posts that alleged the minister being involved in illegal land deals and mining activities.

Similarly, Karun Misra was targeted for stories on illegal mining operations in Sultanpur, UP. Three gunmen on motorcycles shot Misra in Sultanpur district as the journalist was driving to his home in Ambedkar Nagar on the afternoon of February 13, 2016. Misra was the Ambedkar Nagar bureau head of the Hindi daily, Jansandesh Times. A special

task force of the UP police arrested two suspected mining contractors claiming that the contractors were upset with Misra writing about their involvement in illegal mining.

Misra was the fifth journalist to be murdered in UP within a year, since March 2015 — half of the 10 killed across the country within that period, as per the data compiled independently by a media watchdog The Hoot and IndiaSpend, a data journalism website. Mining mafia or the illegal mining contractors in the country have increasingly become a serious threat to journalists reporting on the environment. In a rapidly developing country, a commodity that has become dearer and is always in demand is construction material, primarily sand or gravel among others. India's sand mining problem is so widespread and prevalent that it has developed into a black market with several nexuses spread across the country that continues to exploit millions of tons of this commodity annually.

The article on IndiaSpend tries to draw a parallel on booming illegal business and attacks on journalists who expose this loot. “But illegal mining has steadily increased over the last six years...” says the report. “In UP, where his investigation of illegal mining cost Karun his life, cases registered almost doubled over a decade.”

Two murders monitored by RSF, according to their 2015 report, “were linked to illegal mining, a sensitive environmental subject in India”. In an open loot of the riverbeds, canals and beaches, sand is being drained by illegal means. Journalists reporting on the mining mafia remain increasingly vulnerable in the country.

A similar case in southern India came to light recently. Sandhya Ravishankar published a four-part series on the sand mafia in southern India's Tamil Nadu and “documented the illegal sand mining, political collusion, and methods used to suppress competition in the south and is the outcome of four years of investigative journalism”. The Chennai-based senior journalist wrote the series for The Wire, in January this year. Since then, she has alleged, that she is being harassed by supporters of S Vaikundarajan, the owner of the largest mining conglomerate who has been mentioned in articles several times.

Sandhya Ravishankar in a letter to the Press Council of India (PCI):

I have been harassed online with trolls on social media using foul language against me, calling me a “corrupt” journalist, a “fake” journalist etc. My mobile number was published

on Twitter and Facebook by the anonymous trolls supporting Mr S Vaikundarajan, the largest beach sand miner in the country... Subsequently I received a flood of abusive and threatening calls — unknown people threatening to put chilli powder inside my private parts, threatening to beat me up and abusing me in the filthiest manner possible.⁴³

Tamil magazine *Vikatan*, *The Hindu* (Tamil) and others are also at the receiving end of the miner's ire and false defamatory claims when they cover to the subject of illegal beach sand mining. "If this continues, I am afraid that the freedom of journalists to write on core key issues in Tamil Nadu will face a death knell," wrote Ravishankar.

Using laws to intimidate

Sedition, a colonial era law in India, continues to be used by the Indian government to stifle dissent in the world's biggest democracy. One of the cases that came recently to prominence and triggered a country-wide debate on archaic laws such as Sedition was when the Delhi Police charged a few college students in a Delhi university with sedition in February 2016. Their crime: to organise a protest in the campus of Jawaharlal Nehru University, a central university in Delhi. The president of the University student union along with two others were arrested on allegations of organising a protest where anti-India slogans were raised.

A recent incident in the Punjab state is another example how sedition charges are used liberally and frivolously against anyone the state presumes to be a nuisance. In April 2017, at least 66 Panjab University students were booked under sedition for protesting fee hike which ended in a clash with the police force.⁴⁴ More recently, 15 Muslims were arrested under sedition charges for allegedly shouting pro-Pakistan slogans after the neighbouring country defeated the Indian cricket team in the finals of the Champions Trophy match held on June 17. The news later turned out to be false and the police had to release the 15 men.⁴⁵

⁴³ For investigative series on sand mining, Chennai journalist gets slandered, threatened | The Wire (2017, January 30).

<http://www.thenewsminute.com/article/investigative-series-sand-mining-chennai-journalist-gets-slandered-threatened-56523>

⁴⁴ Chandigarh Police Slap Sedition Charges On 66 Panjab University Students Protesting A Fee Hike | Huffington Post India (April 12, 2017) http://www.huffingtonpost.in/2017/04/11/chandigarh-police-slaps-sedition-charges-on-66-panjab-university_a_22036171/

⁴⁵ 15 arrested for sedition in MP for celebrating Pak's Champions Trophy victory | Hindustan Times (June 20, 2017) <http://www.hindustantimes.com/india-news/15-arrested-for-sedition-in-mp-for-celebrating-pakistan-s-champions-trophy-victory/story-Zh0ME4zSqVHPTSRn67NfPN.html>

For decades, successive governments have used the sedition law — the dreaded section 124A of the antiquated Indian Penal Code — against students, journalists, intellectuals, social activists, and those critical of the government, or in some cases on allegations of cheering Pakistan’s cricket team. The offence of sedition is an offence against the State.

In a case in 1962, the Supreme Court of India, for the first time, had to consider the legality of the colonial law — enacted in 1870 — on sedition in post independent India. It had termed such acts as seditious that fuelled “the feeling of disloyalty to the Government established by law or enmity to it imports the idea of tendency to public disorder by the use of actual violence or incitement to violence.”

In September 2009, Laxman Choudhury, an Odisha-based reporter with leading Odia language daily Sambad was accused of propagating Maoist ideology and distributing pamphlets on their behalf. He was charged with sedition and waging war against the state. This happened after a package addressed to him had copies of a Maoist leaflet. Copies of the same Maoist leaflet were circulated widely and sent by post to many journalists across the state, including this reporter. Choudhury spent three months in jail before he was released on bail.

Officers [police] showed me a brown packet which they said had come from the Maoists and was addressed to me. When I said that I was not aware of this, they beat me up and tried to force me to sign some blank papers. I was puzzled, hassled and taken aback by the ruthless behaviour of the policemen who were adamant to present me as a hardcore criminal. I was not allowed to contact anyone.

— Laxman Choudhury, as quoted in the book “In Defence of Journalists”⁴⁶

According to Choudhury, what earned him the ire of the police was his investigation of the nexus between the drug mafia and the local police. The tribal areas of the Gajapati district — where Choudhury is based — has a large-scale illegal production of marijuana supported by a well-organised mafia syndicate. Interestingly, two months after Choudhury secured bail, the inspector who was responsible for his arrest was himself arrested by the vigilance

⁴⁶ Shutler, N., Chapman, N., & Dobhal, H. (2011). *In Defence of Journalists*.

department for taking bribe from an illegal marijuana trader ⁴⁷.

Criminal defamation, on the other hand, exists in India both as a civil action and a criminal offence. It is defined as either written or spoken word, which has the effect of lowering an individual in the estimation of others.

An editorial in one of the leading English newspaper, The Hindu, stated that “Criminal defamation has a pernicious effect on the society: for instance, the state uses it as a means to coerce the media and political opponents into adopting self-censorship and unwarranted self-restraint; groups or sections claiming to have been hurt or insulted, abuse the process by initiating multiple proceedings in different places; and, more importantly, the protracted process itself is a punishment.” ⁴⁸

On October 8, 2017, The Wire, a news website, published an investigation around Jay Amit Shah, the businessman son of Amit Shah, and dramatic increase in some of his businesses⁴⁹. Amit Shah who is the BJP president is referred to as the second most powerful politician in the country. Some people, such as former minister and journalist Arun Shourie, have gone as far as to say that the India is currently run by two and a half men — Modi, Shah and Arun Jaitley, the current finance minister.

The article alleged, among other things, that the turnover of a company owned by Shah’s son increased 16,000 times over in the year following election of PM Narendra Modi. In response, on the same day, Jay Shah, released a statement threatening them with a criminal defamation lawsuit of Rs. 100 crores against the news portal⁵⁰. The statement further threatens anyone republishing the “imputations made in the same article, whether directly or indirectly” with similar consequence.

One of the Indian states that stands out for the number of defamation cases registered against journalists has been Tamil Nadu, especially under the chief ministership of the

⁴⁷ Chasing stories to death | Hindustan Times (2015, July 6). <http://projects.hindustantimes.com/chasing-stories-to-death>

⁴⁸ A pernicious law | The Hindu (2015, July 16). <http://www.thehindu.com/opinion/editorial/criminal-defamation-a-pernicious-law/article7426091.ece>

⁴⁹ The Golden Touch of Jay Amit Shah | The Wire (2017, October 8) <https://thewire.in/185512/amit-shah-narendra-modi-jay-shah-bjp/>

⁵⁰ BJP defends Amit Shah’s son; Rs 100 cr defamation suit to be filed | PTI (2017, October 8). <http://www.thehindubusinessline.com/news/national/bjp-defends-amit-shahs-son-rs-100-cr-defamation-suit-to-be-filed/article9893198.ece>

recently deceased J Jayalalitha. Nakkeeran Gopal, the editor of Tamil bi-weekly ‘Nakkeeran’ is famed for getting a number of defamation cases against him — 211 cases in total. It has been a long battle against criminal defamation for him. Nakkeeran is known for its bold investigative stories — sometimes bordering on being scandalous — and for being a strong critic of the government, irrespective of the party in power.

Between 1991-1995, the All India Anna Dravida Munnetra Kazhagam (AIADMK) ruled-government under J Jayalalitha more than 100 cases were filed against him, which were later withdrawn when the other leading party, Dravida Munnetra Kazhagam (DMK) came to power. But DMK too, has filed several cases of defamation against the bi-weekly. Clearly, such cases are used to stifle media and are used to harass the media houses or a journalist. The worst thing a defamation case does is that it bleeds them of both time and money.

In most cases, there is a court hearing or summons every 15 days or a month. Lawyers’ fees, court fees, all have to be paid. Each time reporters from districts have to travel to other courts.

— Nakkeeran Gopal told The News Minute in an interview in 2015 ⁵¹

After Jayalalitha’s death in December 2016, there has been a sharp decline in the number defamation cases in Tamil Nadu.

Criminal defamation is not just used as a tool by public officials or the government, but it is also seen as an go-to strategy by big corporate houses as well, used to discourage critical stories about their businesses. Reliance Industries Limited is one of the biggest conglomerate in India that owns business across the country engaged in energy, natural resources, retail and telecommunications. Reportedly Reliance Industries also became India’s most profitable firm in 2015. Just like several others, Reliance has frequently used criminal defamation, usually through pre-emptive legal notices, to arm twist or harass journalists who dare to write against the big corporate.

In April 2013, Delhi-based English magazine The Caravan received a notice from legal representatives of Reliance Anil Dhirubhai Ambani Group as a pre-emptive warning as the

⁵¹ “I have 211 cases against me” - Nakkeeran Gopal on his battle with criminal defamation | The News Minute (2015, May 20). <http://www.thenewsminute.com/article/i-have-211-cases-against-me-nakkeeran-gopal-his-battle-criminal-defamation>

magazine prepared to publish a cover story that exposed the close link between company's chairman Anil Ambani and the then Attorney General Goolam Vahanvati. Three legal notices were sent within a matter of days to scare the magazine for "preparing to publish defamatory information concerning our clients' business".

A year later, in April 2014, the book 'Gas wars: Crony Capitalism and the Ambanis' was launched in Delhi. The book was co-authored by Paranjay Guha Thakurta, Subir Ghosh and Jyotirmoy Chaudhuri, all journalists. Guha, his co-authors and book distributors were sent a defamation notice and demanded that the book be withdrawn, online sales stopped and a public apology tendered.

The book, as it mentions on the book jacket, highlights "cases of crony capitalism that allowed the Reliance group to blatantly exploit loopholes which were consciously retained in the system to benefit it" ⁵².

"Business houses regularly resort to filing criminal libel suits, often referred to as SLAPP (Strategic Legal Action against Public Participation), against journalists and media houses, in order to muzzle their voices."

— Paranjay Guha Thakurta, editor, Economic and Political Weekly

"It's a scare tactic. To have a chilling effect on others," says Thakurta. "People who are powerful and influential and who want to intimidate journalists and publications." Thakurta has received more than half a dozen notices including from lawyers representing the Ambani brothers of the Reliance Group, Subrata Roy of the Sahara group, Times Group that publishes the leading English newspaper The Times of India, and recently by the Adani Group, a multinational company based in Gujarat. The senior journalist believes that journalist associations and unions can be far more proactive in defending the rights of journalists, even seeking help from international NGOs that provide legal aid.

Just like Seditious, plenty of examples exist where in a defamation case filed has turned out to be frivolous in nature. On May 25, when the helicopter of chief minister of Maharashtra, Devendra Fadnavis, crash landed in the town of Latur, a local scribe had written

⁵² Thakurta, P. G., Ghosh, S., & Chaudhuri, J. (2014). *Gas Wars - Crony Capitalism and the Ambanis*. <http://www.gaswars.in/about-the-book.html>

that the police officials were the first to run away watching the chopper crash, fearing that it might explode. Instead, a local scrap dealer came to the minister's rescue. The Latur police was swift enough to register a case of defamation against the journalist for 'malining the image of police'⁵³.

In many instances, defamation cases have taken years before they could reach a conclusion. In April last year, Delhi's Tis Hazari court passed a judgement in a defamation lawsuit against Nav Bharat Times and others, 22 years after the lawsuit was filed in 1994.

An article in The Hoot cites different such cases of defamation against journalists or media houses that has taken years before a judgement was passed⁵⁴. The article not only mentions the lengthy delays are a concern, but "that public servants are filing defamation cases against the media for rather routine coverage... and the absolutely flimsy nature of some of these defamation complaints."

Categorised in broad definitions above, this part of the paper is a round-up of the reasons why a journalist is attacked. From the cases picked for the study, sourced primarily from interviews and news reports, it is evident that predominantly it has been an ugly mix of politics, business and corruption that led to the attack. While reporting from conflict zones has remained a big threat to the safety of journalists, it is the investigation into the corruption of political-business nexus in all corners of the country that resulted in threats.

In conflict-ridden areas, journalists working in two regions, Kashmir and Bastar, have been a target of the state security apparatus. In these volatile domains the state has resorted to every tool that can be used against journalists. Threats, imprisonment, preventing to publish, physical force and torture, and claiming them to work for the enemies of the state.

Newslandry, a media watch website, along with CPJ and International Center for Journalists introduced a project to track murderous attacks on journalists in India.⁵⁵ The data

⁵³ Defamation case against scribe for denting police image | Outlook (May 28, 2017) <http://www.outlookindia.com/newscroll/defamation-case-against-scribe-for-denting-police-image/1061978>

⁵⁴ Defamation lawsuits that drag on and on | The Hoot (June 21, 2016) <http://www.thehoot.org/free-speech/judgements/defamation-lawsuits-that-drag-on-and-on-9440>

⁵⁵ #Silenced: Tracking murderous attacks on journalists | Newslandry <https://www.newslandry.com/silenced/index.html>

of 62 journalists killed since January 1992 shows that 46 of them were working for regional language media, based mostly in small towns.

4. Social media: Facing the trolls

A glossary of terminologies used for journalists by right-wing trolls and others:

Presstitute

presstitute (plural presstitutes) (derogatory, sometimes attributive) A person or media entity that misleadingly tailors news to fit a particular partisan agenda.

Sickular

from the word secular, to be separate from religion, and its off-shoot, pseudo-secular, which suggests a deceitful, opportunistic form of secularism.

Libtard

liberal + retard: libtard; widely used for people expressing liberal views

Coolie

originally used a racial slur for Asian labourers, but online it means who 'mindlessly carries the briefs of any party opposed to Narendra Modi'

Khangressi

khan, referring to Muslims + Congress, a party that supposedly works only for appeasement of Muslims

Bootlicker

anyone who is perceived to support the Nehru-Gandhi dynasty

Newstrader or Paid Media

journalists whose professional decisions to write something that criticises Modi are suspect. First used by Modi himself in an interview⁵⁶

⁵⁶ What exactly do they mean when they call you a sickular sepoy? | Scroll (2014, May 30)
<https://scroll.in/article/665496/what-exactly-do-they-mean-when-they-call-you-a-sickular-sepoy>

“It [online trolling] is a problem because it comes from a clear, deeply misogynist point of view. If a male journalist is trolled there is no use of sexually abusive language, but every time a woman journalist is trolled there are rape threats, abuses hurled are with sexual connotations and at times you get stalked online.”

— *Neha Dixit, a Delhi-based independent journalist and former ICFJ Knight Fellow*

When Dixit was interviewed she was already facing a formal police complaint registered against one of her stories on child trafficking. On the other hand, she spoke about how she faced a barrage of abuses on social media every time she posted something about the story or being critical of the government.

Online or social media trolling, just like in any other country in the world today, is one of the issues faced by Indian journalists. A large extent of online trolls in India are politically-motivated people, hired trolls on the payroll of political parties, or social media/IT cells, as they are called, or are people who associate themselves with either the party or their ideology. Some, however, encouraged by the rising hyper-nationalism can't bear to hear anything critical of the country.

In her book, *I Am A Troll: Inside The Secret World of BJP's Digital Army*, broadcast journalist Swati Chaturvedi explores how the ruling party BJP orchestrates online campaigns to intimidate government critics through its social media cells⁵⁷.

Social media has transformed the newsrooms. It has made information exchange so much easier. It connects reporters to sources, and to their audience, like never before. Being active on social media, especially on Twitter and Facebook, has become a central part of the role a journalist in India today. The platforms offer a place to look for news, sources, and help in developing story ideas as well. It also is a preferred medium to disseminate one's work, which works equally well for journalists working in any medium. Facebook Lives and Twitter Periscopes are increasingly becoming a part of the routine work a journalist does.

Some Indian newsrooms have gone so far as to take interest and regulate a journalist's

⁵⁷ 'I Am a Troll' by Swati Chaturvedi | Financial Times (February 20, 2017) <https://www.ft.com/content/6dd90462-e3bd-11e6-8405-9e5580d6e5fb>

social media profile, issuing guidelines of what they can share and what not. Even annual Key Result Areas and Key Performance Areas for annual appraisals in digital-first newsrooms depends on a journalist's engagement with social media to work, promote and interact on social platforms.

The main concerns, however, that journalists face today while using social media is the speed at which news breaks on it, when it becomes difficult to control the flow of information. Lack of accuracy and the need of verification, two pillars that form the core of journalistic ethics, are overlooked at times.

In 2014, The Hoot, a media watch website based in New Delhi, conducted an online survey to assess how, and to what extent, Indian journalists use social media in their daily professional lives⁵⁸. The respondents, predominantly from English media and working for print — said that they use Facebook and Twitter as a news source and to find leads for stories. Of the 275 people — largely with an urban background — who registered their opinion in the survey, 60 percent used Twitter and 61 percent used Facebook for news. About half of the journalists used the two platforms to disseminate their work.

“I like responding to people who write on my timeline. The fact that you don’t know someone, but are still trying to figure out their views, is challenging and pleasurable,” NDTV Hindi’s Ravish Kumar had said this about Twitter to the researchers back in 2014. He left Twitter soon after, and prefers stay away from social media today. Kumar, like many other journalists, was targeted and trolled with a tirade of slander which forced him to eventually leave the social platforms.

Hindustan Times, in a campaign ‘Let’s Talk About Trolls’ that focused on online abuse and bullying invited a few women — famous, and active on Twitter — to write about what they usually go through in the online world. It included voices of two female journalists who share their experiences with the readers.⁵⁹

⁵⁸ How Indian journalists use social media | The Hoot (December 5, 2014). <http://www.thehoot.org/research/books/how-indian-journalists-use-social-media-7934>

⁵⁹ Let’s Talk about Trolls | Hindustan Times (April 26, 2017). <http://www.hindustantimes.com/interactives/lets-talk-about-trolls/>

“I’ve been called a prostitute and an escort girl. My face has been superimposed on a naked body and my mother’s photograph has been taken from my Instagram account and photoshopped in the most objectionable manner possible,” writes Rana Ayyub in one of the articles in the series⁶⁰. Being a Muslim, a woman and journalist, Ayyub is targeted for her different identities. “That I am Rana ‘Ayyub’ makes it worse. For, how could I have liberal, democratic ideas of India and continue to be a practicing Muslim?” she writes further.

Barkha Dutt, one of the top women journalists in the country, feels that the kind of trolling women attract is much different from men, even if it is for their work. Detailing it in a piece for Hindustan Times, Dutt says: “...the public scrutiny of women — and especially those of us who are proudly ambitious and fiercely independent — is very different from the standards used to measure men. And the subtext is always sexual... It is within these contours that they, the lynch mobs of the virtual world, come hunting in packs for the women they disapprove of.”

No matter how many settings you change or how many people you block, it is not possible to stop the onslaught of abuse and slurs. When I did the RSS story (a story on how RSS, the fundamentalist parent organisation of the ruling BJP, ‘trafficks’ young girls), fake profiles were set up on my name and with my picture. “They [trolls] then sent abusive messages and tweets to prominent people from my handle,” says Dixit. Social media has also become a tool to spread rumours, promote slander and target whoever dares to have an ideology different from theirs.

While the use of social media in India is largely urban, rural areas too have witnessed cases of journalists being maligned on social media, especially as messaging apps make inroads to rural heartlands with increasing internet penetration.

A report posted by Khabar Lahariya, a women-run, digital first rural newspaper in Hindi language, talks about Akanksha, a journalist in Mahoba, Uttar Pradesh, who was called a prostitute on social media, stalked and given a death threat because some men in the small

⁶⁰ Women are molested virtually on a daily basis: Rana Ayyub | Hindustan Times (May 12, 2017). <http://www.hindustantimes.com/india-news/let-s-talk-about-trolls-women-are-molested-virtually-on-a-daily-basis-rana-ayyub/story-ehKczykSQcnhHe60eAujvN.html>

town were upset by her reporting⁶¹.

A 2017 BuzzFeed India article points out Twitter India failure to address the issue of harassment on the social platform where it's response has been "apathetic."⁶² The article gives an example from the US: "...it banned conservative writer Milo Yiannopoulos for inciting followers to tweet racist and demeaning comments at actress Leslie Jones. But there haven't been any high-profile suspensions in India so far."

Facebook is available in 11 Indian languages and Twitter supports six. While the algorithms to scour through thousands of messages of threats or harassment is refined for the English language, doing the same for regional languages is still in early development.

In September 2012, senior journalist Sagarika Ghose had written an opinion piece expressing a need to reign in hate speech on the internet.⁶³ Recounting her own experiences, she had written, "Self-professed supporters of Narendra Modi and Subramanian Swamy specialise in abusing what they call "paid media". For them, "whore", "bitch", "Congress pimp", "Muslim-loving whore", "Congress-funded media" are all in a day's work. While abusing journalists is a far lesser evil than abusing religious minorities, the daily invective and defamation by hundreds of Twitter handles speaks of an organised campaign."

Five years on, Twitter handles continue to spread the vitriol.

These examples and trends are indicative of how such attacks are planned in advance, timed, orchestrated with an objective to slander and 'question the character' of the victim, scare the individual or force the journalist to take down the opinion or the reportage that might have triggered trolling.

⁶¹ संघर्षों से जुझकर आगे बढ़ते हुए महोबा की पलकार आकांक्षा | Khabar Lahariya (2017, May 31) <http://khabarlahariya.org/संघर्षों-से-जुझकर-आगे-बढ़/>

⁶² Twitter Has A Harassment Problem In India, And Targets Say The Company Isn't Doing Enough To Stop It | BuzzFeed (2017, October 17) <https://www.buzzfeed.com/pranavdixit/twitter-india-harassment-problem>

⁶³ Netiquette, Not Censorship. (n.d.). Retrieved October 21, 2017, from <https://www.outlookindia.com/magazine/story/netiquette-not-censorship/282107>

5. Conclusion

“India does not require any lesson on freedom of the press from The Times. Our institutions and traditions are nurtured by our rich and diverse cultural heritage and democratic ethos.”

— *RK Gaur, Press information officer and spokesman for the Central Bureau of Investigation (CBI) in response to an editorial ‘India’s Battered Free Press’* ⁶⁴

On June 5, 2017, when the CBI, India’s top investigative agency, raided the offices and houses connected to the founders of the news channel NDTV (New Delhi Television Limited), it was seen as the government trying to send a message to the larger journalistic fraternity. The message was clear: toe the line.

“The raids mark an alarming new level of intimidation of India’s news media under Prime Minister Narendra Modi,” wrote The New York Times. In response, the government’s top investigative agency took it upon itself to respond with a statement. As the paper brings forth the kinds of threats journalist face in India, including from the government, perhaps, India does need a lesson on freedom of press unlike what the CBI spokesperson would like to believe.

The objective of this paper was to understand such intimidations experienced by Indian media professionals under the current rule. The study set out to look for answers to three core questions: How does the current political climate in the country impact safety of journalists? Are journalists or media houses in India targeted more today than ever before? (with case studies across India) and Whether it has become easier to target or malign journalists critical of the establishment at a time when trust in media dwindles across the globe and social media trolling is at its peak?

Based on the interviews and qualitative research of media reports on attacks on journalists here are the key findings:

⁶⁴ Opinion | Freedom of the Press in India | *The New York Times*. (2017, June 15)
<https://www.nytimes.com/2017/06/15/opinion/freedom-of-the-press-in-india.htm>

- Rising or hyper-nationalism has indeed emerged as one of the key factors that can be blamed for increasing threats. What happened outside the Patiala House Court in February 2016 was something that the journalist fraternity had never witnessed — reporters were beaten up and called anti-nationals for covering a story on alleged anti-India sloganeering by college students.
- Vigilantism, emboldened by the current right-wing Hindu nationalist government, has been blamed for attacks on the voices of dissent or of those considered critical of the government. Hindu vigilante groups have been suspected of killing writers, journalists and academics.
- Several cases of mob attacks or threats have been reported across the country and even in metropolitan cities such as Delhi. In some cases the journalist covering was targeted as well because the mob believed that the reporting was or will be unfair to them (The two points hold significance at a time when mobs or vigilantes target and kill of minorities in the country).
- A careful engineering of social atmosphere has been done to undermine the role of journalists in a society. Senior politicians, public figures and even some journalists using terms such as ‘paid media’, ‘presstitutes’ has fueled further distrust and angst against media.
- Attacks on press freedom is often talked about when journalists are killed, however, the study finds that in many of the cases in post-2014 India, scribes have faced verbal harassment, have been beaten up, jailed and in some cases, their organisation were taken off air, gagged or investigated.
- Recorded data on journalist killings also point to a dangerous trend of the rising frequency. Fifteen journalists have been killed since May 2014, mostly for their reporting on corruption or politics.
- Social media has emerged as another key area where journalists are trolled, abused and threatened. Women journalists have especially been on the receiving end with threats of sexual assault, slander, character assassination or comments laced with sexism.
- Religion of the journalist or comments on religious issues by journalists have met with similar vitriolic response. Journalists have experienced physical harm and threats in three recent cases where religious ‘Godmen’ were prosecuted by the law.
- Maligning journalists with fake news campaigns, labelling them of being a presstitute or paid media if they chose to report or express their opinion on the atrocities against

minorities and Dalits in the country.

In a recent report by Pew Research Center, 76 percent of Indians continue to trust the media (in comparison to the West) and believes that it has a good influence on the way things are going in the country'⁶⁵. The national government, however, rakes in more support with 86 percent believing in the government's good influence.

India's attitude to media today mirrors the political faultlines that divides the country. On one side are citizens, institutions and media outlets that refuse to accept criticism of the government. Their belief in the goodness of the system, the government and the prime minister remains unwavering. While the other, the liberal citizenry and the voices representing them often finds itself pitted against the former, countering their narrative. Polarisation seems to have seeped in too deep that it makes people trust the medium that voices their thoughts and ideology only.

For instance, in student rallies news outlets like Republic TV or Zee News are heckled and criticised for their coverage, marches by lawyers or right-wing ideologues finds the presence of NDTV or Scroll unbearable.

Calls by journalists for a press conference by the prime minister, however, seems to have been gone unheard. Even after four years in power, Prime Minister Modi has refrained from holding a press conference, preferring Twitter or his radio show Mann ki Baat on the public broadcaster, All India Radio, where he addresses the nation or a select few interviews which were everything but critical.

“Things have nonetheless deteriorated on Mr. Modi's watch. This government is particularly ruthless about cutting off access to reporters it deems unfriendly. The BJP also appears to at least tacitly encourage social-media lynch mobs that go after any journalist seen to be stepping out of line. No other major political party appoints trolls to responsible positions.”

⁶⁵ Public Attitudes Toward Human Rights Organizations: The Case of India, Indonesia, Kenya and Mexico | Pew Research Center. (2017, October 3) <http://www.pewglobal.org/2017/10/03/attitudes-toward-human-rights-organizations-india-indonesia-kenya-mexico/>

— Sadanand Dhume in a column in The Wall Street Journal⁶⁶

Politicians also have been accused of promoting a culture that prevents questioning of public institutions, particularly of the security machinery. Minister of State for Home Affairs, Kiren Rijiju went as far as saying that people should stop asking questions: “First of all we should stop this habit of raising doubt, questioning the authorities and the police,” Rijiju told journalists. “This is not a good culture.”⁶⁷

Recommendations

There are different afflictions that plague the Indian media. These range from unethical practices to corporatisation, from paid news to fake news, from jingoism to hyper-nationalism. So, how do we ensure safety to journalists? A question raised in several gatherings of press clubs across the country.

First step would be to nurture a narrative that asking questions and being critical of the government and its machinery — including the armed forces — is an essential role a journalist plays in a healthy democracy. In an environment where it is propagated that asking too many questions, keeping a watch on government’s every move is wrong shouldn’t become an acceptable norm.

India has The Press Council, an independent body that media houses are answerable to, however, due to the lack of power it is popular in the media circles as the ‘toothless tiger’. While some journalists have advocated giving more powers to the council than let it remain an institution that can only recommend suggestions.

Journalists, often at protest meetings, have voiced the need to strengthen press associations across the country. Press associations exist in every corner of the country but are scattered in their efforts and their demands. When journalists find themselves without their organisation’s support, the need of the day perhaps, is to stand together and not be limited to

⁶⁶ Dhume, S. Modi’s Message to the Media. | Wall Street Journal (2017, June 15) <https://www.wsj.com/articles/modis-message-to-the-media-1497544087>

⁶⁷ Kiren Rijiju says nobody should question government – but that’s what he did as an Opposition MP. | Scroll (2016, November 1) <https://scroll.in/article/820470/kiren-rijiju-says-nobody-should-question-government-but-thats-what-he-did-as-an-opposition-mp>

the national capital or the big metro cities.

Impunity is another big concern and this is where the government can play a major role in quelling fear and distrust and the journalist associations to pressure it into action. In May 2017, Reporters Without Borders in its annual Index ranked India at a low 136 out of the 180 countries according to the extent of their freedom of press. India slipped three positions from its 2016 ranking. According to CPJ, India has never responded to UNESCO's requests for the judicial status of journalist killings in the country. Justice is hardly delivered especially in the cases of journalists who are attacked in smaller towns. This is a major concern as more than 50 percent of the cases take place in small towns with journalists working for regional media houses.

Demands for law to protect journalists have been cropping up in different parts of the country from time to time. In 2011, when Jyotirmoy Dey, a veteran investigative journalist with the tabloid Mid Day was killed in Mumbai, protesting journalist fraternity had put down a demand for a law. The legislation never materialised despite the assurance by the then Maharashtra chief minister.

Two years ago in Chhattisgarh's conflict ridden Bastar, journalists were being arrested. Local journalists came together to form a committee to demand for a protection law. Yet, nothing happened. In New Delhi's Press Club of India, at a protest meeting last year, it was suggested by senior journalist Hartosh Singh Bal to form a committee with politicians on board and draft a tentative bill to present it to the government in power. The intent was to be proactive in demands rather than expecting the government to take an initiative.

As far as criminal defamation is concerned the Supreme Court of India upheld its validity. It declared in May 2016 that: "Right to free speech is not absolute. It does not mean freedom to hurt another's reputation." Journalists have always remained against the defamation law and called for its decriminalisation.

The debate on tackling online harassment has been risen from several quarters, in particular by women journalists. This is where social media giants, Facebook and Twitter, can do their part. There has been demand for more action from Twitter where the problem seems to be prevalent. Here too, journalist associations can take up the matter up with the

companies to ensure a step.

Acronyms

CPJ: Committee for Protection of Journalists

RSF: Reporters Sans Frontières

IFJ: International Federation of Journalists

INSI: International News Safety Institute

SP: Samajwadi Party

BJP: Bharatiya Janata Party

RSS: Rashtriya Swayamsevak Sangh

NDTV: New Delhi Television

PSA: Public Security Act

AFSPA: Armed Forces Special Powers Act

BBC: British Broadcasting Corporation

SATP: South Asia Terrorism Portal

CRPF: Central Reserve Police Force

NSCN-K: National Socialist Council of Nagaland - Khaplang

IIMC: Indian Institute of Mass Communication

CBI: Central Bureau of Investigation

PCI: Press Council of India

AIADMK: All India Anna Dravida Munnetra Kazhagam

DMK: Anna Dravida Munnetra Kazhagam

SLAPP: Strategic Legal Action against Public Participation

ICFJ: International Center for Journalists

Annexure

**Questionnaire for the research*

- *Is there a rise in the number of attacks on journalists or cases of intimidation against them? Do you feel journalists in India are targeted more today than ever before? If yes, then, what do you think are the reasons for the rise in crimes against journalists?*
- *Would you blame the current political environment for the increase? Why? How do you think the government has tried to increase its control over the media?*
- *Why do you think there is deep distrust on the news media? Do you think journalists are to be blamed themselves or the trolls/opinion makers emboldened by the current political environment? Why?*
- *In many cases, when journalists are targeted, it is alleged that they are blackmailers or were unethically involved. Why do you think it has become easier to malign a journalist today?*
- *Targeting doesn't always mean killing a journalist. It means intimidation, harassment, coercion and other threats, direct or indirect. From Delhi to Bastar, there are examples from across the country. What are the threats that a journalist has to face, especially if he or she is a small town journalist?*
- *After every incident, there comes a demand for a law to protect journalists. There is a demand in Chhattisgarh, it was in Maharashtra (after J Dey's murder) and in Bihar (after Rajdeo Ranjan's killing). What do you think can be included in such laws to protect journalists and bring the government on board too?*
- *What is your opinion on laws like Sedition, Defamation or draconian ones like Public Security Act which are often used against journalists or publications to silence them?*

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