

## WORLD PRESS FREEDOM DAY

# There was a time... Why Press Council is failing to protect press freedom



Tanim Ahmed is a dropout journalist who thinks freely, comments a lot and writes a little.

TANIM AHMED

There was a time when journalists sought to be biased, but only towards people. And it was in the interest of the masses that they prided themselves on questioning the regime. It was a time when members of the press corps would silently measure who was asking the most pertinent questions that others had missed. There would be a certain degree of respect and awe for those raising the toughest questions in their quest to ascertain whether the people were benefiting.

The mere act of questioning, in itself, did not warrant applause so much as the degree of accountability that one demanded. It was the degree of inspection the regime was being subjected to that won the admiration. It was a time when we assessed who was it that gave pause to the figure at the podium, whose question was it that caused the speaker to be beaded with sweat. And it would be s/he who deserved the backslaps and applause.

There was a time when news outlets could be fiercely political and steadfastly non-partisan in their adulation as well as admiration, boldly adversarial and yet dispassionately balanced in their commendation as well as criticism of the ruling regime or its opposition. Sure, there would be backlash when the critique was too incisive, and the commendations dull. But nothing that could not be smoothed over during a strained détente.

It would be naïve to believe that there was a time when there were no news outlets acting like mouthpieces. There always were. But they would be on the sidelines, never daring to claim the validity of the mainstream. For it was the mainstream that maintained neutrality and independence. It was a time when the press strived to inform, educate, and entertain the audience with objective journalism, instead of clickbait headlines and an eternal quest for what has come to be known as viral content. There was a time when, through their work, journalists sought to comfort the afflicted and afflict the comfortable.

There have been sycophants too. But they would never condemn fellow journalists with unabashed self-righteousness, despite their own chequered careers riddled with political somersaults from one camp to another, for pointing out the obvious. They would never dare slam an outlet and accuse them of misconduct merely to be in the good graces of the government, especially if the outlet in question was only writing about deprivation and misery of the people. They would do the bidding of the powers that be in awkward embarrassment and slither back into the obscurity where they belonged. They never flaunted the complete decay of their spine from years of genuflection, for they too knew those who championed the needs of the poor and acted as the mouthpiece of the people were actually being responsible.

There was a time when it was unpatriotic to write about the Indigo Revolt for it cast the regime in a bad light. There was a time when it was unpatriotic to cover the Salt March for it planted seeds of rebellion. There was a time when it was unpatriotic to cover the Language Movement for it emboldened people to rise up

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in popular demand.

There was a time when it was unpatriotic to champion the political process over the mediocrity of uniformed stewardship. Ironically, the last time this was the case, the stewards attempted to banish the custodians of democracy from the public sphere and held them forcibly on the national parliament grounds, which is the seat of our democracy. Ironically still, it was in columns like these that we saw repeated criticism and resistance to injustice, and continuous calls for restoration of democracy through elections. There have also been times when it was unpatriotic to champion the plight of millions left without the ability to afford two square meals.

But criticism of the political establishment never invoked the wrath and vitriol of the executive, legislative and the judiciary or vice versa, threatening to blur the already thinning grey line between the party and the state, especially when the heart of the matter was true.

There were times when regimes exploited and employed the state apparatus to watch over those deemed to lack patriotism, particularly journalists and news outlets. But there was always a veneer of civility, there was always a façade of operating under the table. There was always the foregone subconscious that it was essentially wrong to monitor the press and impinge on its independence, for it contradicted the spirit of our democratic people's republic. Those deployed to keep watch would operate at the fringes and sniff around apologetically. They never demanded a seat at the table.

Autocratic or dictatorial, fascist or totalitarian, these regimes have remained



VISUAL: REHNUMA PROSHOON

stubbornly oblivious to the electorate's persistence and its capacity to protest. These regimes have, thus, underestimated the creativity and imagination of the electorate with single-minded devotion. From *Bhootnath* to *Jiban Theke Neya*, wit and humour have never failed to overwhelm these regimes with absolute befuddlement. There was a time when two bumbling idiots named Goopi and Bagha showed the hollowness of a totalitarian regime built on the riches of its diamond mines.

There was a time when the regime was particularly averse to the criticism of collaborators. It was as if Razakars never existed on this soil. So, no one dared point their fingers at the guilty or even mention the murky past. That was also a time when a parrot decided to accuse its confronter of being a collaborator. And "*Tui Razakar*" caught the imagination of millions. No matter how strongly dissent is subdued or throttled, parrots have chirped. Bumbling idiots have cracked iron-fisted regimes.



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KAMAL AHMED

As countries observe World Press Freedom Day today with the theme "freedom of expression is a driver for all other human rights," Bangladesh is perhaps passing through the worst phase of it. Our standing in the World Press Freedom Index has been witnessing a year-on-year slide for quite some time, despite the fact that the number of media outlets – be it a newspaper, a TV channel or a multimedia portal – in the country has seen a spectacular growth. These numbers have certainly given the government a viable tool to counter the national and international outcry of curbing media freedom.

Media plurality, though essential in all democracies, has sadly become a tool for drowning out independent and critical voices. From India, the world has learnt

According to the statistics compiled by Bangladesh-based think tank the Centre for Governance Studies (CGS), journalists are the second-most sued professionals under the DSA since its enactment. At least 355 journalists have been implicated in these cases, and a significant number of them have been arrested and faced incarceration for some time. As the DSA allows anyone to file a lawsuit without being remotely linked to the alleged offence, it has become a preferred weapon to suppress independent and critical voices. Though the outcome has been widely described as self-censorship, Prof Ali Riaz of Illinois State University says it's not self-censorship, rather an environment of fear in which everyone feels there's no way other than complying with the authorities.

The original legislation, the Press Council Act, 1974, noted in its introduction, "Whereas it is expedient to establish a press council for the purpose of preserving the freedom of the Press and improving standard of newspapers and news agencies in Bangladesh." Unfortunately, the council, in its lifetime, never stood up for preserving press freedom against an attack from the government, which

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can be seen in India. Its focus remained largely concentrated in adjudicating cases brought in by the members of the public against any specific newspaper or news agency. In recent years, it started giving some training to journalists.

The Press Council of India, despite being a statutory body, set up under a national legislation and reformed quite a few times, still remains a truly independent and self-regulatory institution for the media industry. However, one plausible explanation for its independence is that its financing comes from the levy it gets from the industry. In Western democracies, including the United Kingdom, the press is largely self-regulated, and the government stays away from the regulatory body, which is set up by the industry.

Journalists are now least protected in Bangladesh, not only due to a host of repressive laws and punitive actions by the authorities including discreet bans on advertisements and refusal of access to state premises and functions, but also for physical harm and attacks. Last year, I wrote in *Prothom Alo* about the record-setting extension allowed for the 88th time to complete the investigation into the killings of journalist couple Sagar Sarowar and Meherun Runi. Now we know the investigating unit of the Rapid Action Battalion (Rab) has been granted 97th extension for the probe. Most other cases of the slain 23 journalists since 1992, compiled by the Committee to Protect Journalists, either remain unsolved, or justice remains elusive. Can the Press Council take some initiative to ensure protecting journalists and ending impunity for attacking them?

Ministers and some members of the current Press Council have argued that the strengthening of the institution will improve the standard of journalism and help tackle the threats of misinformation or fake news in Bangladesh. The council has also undertaken a scheme to register professional journalists, which is an outdated practice mostly confined to some autocratic countries. No other country in South Asia has such a scheme. According to the Center for International Media Assistance (CIMA), this form of registration is considered as licensing and is used by governments to control the press. There's plenty of reasons to be fearful that the intent here is to curb independent journalism. In this context, voices should be raised to demand that the government abandon the planned amendment of the Press Council Act and allow the industry to formulate a self-regulatory regime.

a new term called "Godi media," which is used to describe the unprecedented growth and expansion of news outlets that represent the coterie formed among politicians belonging to the ruling party, the government, and their corporate owners. Replication of this model in our country can be felt in the environment of the so-called plurality. In addition, allowing concentration of diverse media outlets in the hands of a few has already posed critical division within the industry, which has caused additional challenges to independent news organisations.

The introduction of Digital Security Act (DSA), replacing the much criticised Information and Communication Technology (ICT) Act for its rampant abuse, has a chilling effect on journalism. Since its enactment, editors, journalists, rights activists and opposition parties, all in unison, have been complaining that they no longer feel able to say what they really want to say.

Mahfuz Anam, the editor of this daily, last year questioned why there were so many laws against free media, and listed a dozen of them, including two drafts, that directly or indirectly affect journalism. Weeks later, it was announced that the cabinet had approved, in principle, another law with deeper and wider implications in regulating the media. The amendment of the Press Council Act, if and when approved, will allow the council to impose financial penalties for mistakes deemed to be against national security and public order and causing moral degradation. It will also have powers to take suo motu cognisance of such an offence. The draft amendment increases the number of government representatives in the council, thereby tightening its grip on the supposedly independent institution.

Strangely enough, apart from a few details given by the cabinet secretary after its approval, no further details have been given, let alone make the draft public.

## Press Freedom: A Vital Element for Democracy

In 1993, the United Nations General Assembly declared May 3 as World Press Freedom Day. It is a day to celebrate the fundamental principles of press freedom, to evaluate press freedom around the world, to defend the media from attacks on its independence, and to pay tribute to journalists who have lost their lives practising their profession.

A free and independent press is a vital element in any democracy. It gives citizens the information they need to hold their leaders accountable and promotes economic development. The right to press freedom is enshrined in the

founding documents of the United Nations as well as in many national constitutions.

The Universal Declaration of Human Rights, adopted by the United Nations General Assembly in 1948, recognises the importance of freedom of expression. Article 19 states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

By protecting press freedom, we uphold our shared values of

democracy and human rights. Journalists must be able to cover issues without fear of harassment, intimidation or violence. This is necessary to support good governance and ensure that the public is fully informed. Additionally, journalists must have access to information and be able to protect their sources.

The Media Freedom Coalition consists of like-minded countries that advocate for media freedom and the safety of journalists around the world. The undersigned countries of the Diplomatic Network Initiative of the Media Freedom Coalition

in Bangladesh are pleased to commemorate the 30th anniversary of World Press Freedom Day today.

As members of the Media Freedom Coalition, we underscore the importance of recognising the value of press freedom and of protecting it. This concerns governments, owners of media organisations, civil society leaders, political parties, and international organisations. By protecting media freedom, a society can become more inclusive and prosperous. Studies have shown that countries with more press freedom have greater economic growth. The reason for this is simple:

a free press promotes transparency, which increases accountability as it helps reduce corruption and fosters innovation, supporting a business-friendly environment.

A free press is also essential for promoting human rights and social justice. Journalists play a critical role in exposing human rights abuses and violations, and promoting accountability. This is true for every country where a free press exists. Journalists can also promote gender equality by ensuring that women's voices are heard, and their experiences represented.

By ensuring press freedom, a

sound basis is set for societies to develop and to improve through open discussions. The members of the Media Freedom Coalition in Bangladesh enthusiastically look forward to continuing this conversation with all parties.

**Signed,  
The embassies and high commissions of Australia, Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Norway, Spain, Sweden, Switzerland, United Kingdom, and United States.**