# Freedom of Press

**Introduction**

***Freedom*** of ***Press*** ***Freedom*** of the ***press*** or ***freedom*** of the media is the ***freedom*** of communication and expression through mediums including various electronic media and published materials. While such ***freedom*** mostly implies the absence of interference from an overreaching state, its preservation may be sought through constitutional or other legal protections.

According to the Law Dictionary, freedom of expression is the right to say what you want through any media, as long it doesn't harm the "character of reputation" of another individual.

The Swedish parliament passed legislation that is now recognized as the world’s first law supporting the freedom of the press and freedom of information on December 2, 1766. Freedom of expression is protected in the U.S. as well as in India.

**Need and Purpose**

To preserve the democratic way of life it is essential that people should have the freedom to express their feelings and to make their views known to the people at large. The press, a powerful medium of mass communication, should be free to play its role in building a strong viable society. However, Freedom of the Press was not created by the Founding Fathers for the convenience of either the politicians or the press; it was created as a guarantor and protector of an informed citizenry, without which we have no democracy.

**Freedom of Press and Indian Constitution**

Article 19(1)(a) of the Constitution of India guarantees to all its citizens the right to freedom of speech and expression. The law states that, “all citizens shall have the right to freedom of speech and expression”. ... This right is available only to a citizen of India and not to foreign nationals.

Freedom of press is not specifically mentioned in article 19(1) (a) of the Constitution and what is mentioned there is only freedom of speech and expression. However, in the Constituent Assembly Debates it was made clear by Dr. Ambedkar, Chairman of the Drafting Committee, that no special mention of the freedom of press was necessary at all as the press and an individual or a citizen were the same as far as their right of expression was concerned.

Article 19(1)(a) corresponds to the First Amendment of the United States Constitution which says, the “congress shall make no law abridging the freedom of speech or of the press”. The provisions in the US Constitution has two notable features i.e.: - freedom of press is specifically mentioned therein, - no restrictions are mentioned on the freedom of speech. But the Supreme Court of India has held that there is no specific provision ensuring freedom of the press separately. The freedom of the press is regarded as a species of which freedom of expression is a genus. Therefore, press cannot be subjected to any special restrictions which could not be imposed on any private citizen, and cannot claim any privilege as such, as distinct from those of any other citizen.

**Ground of Restrictions**

1. **Security of the country**
2. **Friendly relations with foreign countries**
3. **Public order**
4. **Decency or morality**
5. **Incite violence**
6. **Contempt of court**
7. **Defamation**
8. **Sovereignty and integrity**

**Advantages**

1. In a democracy, freedom of speech and expression opens up channels of free discussion of issues
2. freedom of press is essential for the proper functioning of the democratic process

#### The freedom of speech and expression is of paramount importance and the Press is undoubtedly the most powerful watchdog of public interest. A free press stands as one of the great interpreters between the Government and the people

1. **A free press could investigate, monitor, report on and expose the abuses and lies of a govt.**
2. **Free Press plays a major role in maintaining a free society.**

**Disadvantages**

1. Media entities under a free press system can be manipulated by those who own them
2. **Spread of false information**

Freedom of expression may allow for the easy spread of false information or lies Especially with the rise of the internet. One example is the idea that vaccines lead to autism, a piece of misinformation that is dangerous and yet does not harm the character of any particular person. While it might be protected speech, it is untrue and can lead to unvaccinated children getting or transmitting preventable diseases.

1. **Defamation of character**

Further, freedom of expression can often lead to defamation of character. Though perpetrators may later be forced to retract their statements, the damage may already have been done.

1. **Incite physical violence**

Freedom of expression protects speech that some argue can incite physical violence against other groups, such as hate speech towards an ethnic group leading to killing members of that group or violent pornography encouraging violence against women.

1. **Creates its own paradox**

Freedom of expression creates its own paradox: a society doesn't truly have freedom of speech if people are not allowed to make assertions that are distasteful or unpopular to the bulk of the population, yet these statements can be hurtful to others.

1. A press may appeal to prurient interests, such as publishing pornographic or semi-pornographic information.
2. It may also publish entertaining but not newsworthy information that can be distracting.
3. It may also publish embarrassing personal information that people do not like.
4. It prevents the government from interfering with your freedom of the press, but it does not prevent private interests (people or companies) from interfering with that freedom. For example, some radio or TV personalities have lost their jobs because of what they said using their freedom of the press. Freedom from government censorship does not equal freedom from consequences.
5. Media cannot be prosecuted for publishing classified information, but those who have a duty to protect that information can be prosecuted for supplying the information to the media.

Those problems can also happen in non-free press, although probably less often

**Conclusion**

Freedom of the press should not be viewed solely as the freedom of journalists to report and comment. It is strongly correlated with the public’s right of access to knowledge and information. Communication often acts as a catalyst for the development of civil society and the full exercise of free expression enables all parts of society to exchange views and find solutions to social, economic and political problems. Free media play a crucial role in building consensus and sharing information, both essential to democratic decision-making and to social development