



# Press Freedom and Parliamentary Privileges



# Press Freedom and Parliamentary Privileges

Dr. Shambhoo Saran Gupta



**BOOKS ARCADE**  
KRISHNA NAGAR, DELHI

# Press Freedom and Parliamentary Privileges

Dr. Shambhoo Saran Gupta

© RESERVED

This book contains information obtained from highly regarded resources. Copyright for individual articles remains with the authors as indicated. A wide variety of references are listed. Reasonable efforts have been made to publish reliable data and information, but the author and the publisher cannot assume responsibility for the validity of all materials or for the consequences of their use.

No part of this book may be reprinted, reproduced, transmitted, or utilized in any form by any electronic, mechanical, or other means, now known or hereinafter invented, including photocopying, microfilming and recording, or any information storage or retrieval system, without permission from the publishers.

For permission to photocopy or use material electronically from this work please access [booksarcade.co.in](http://booksarcade.co.in)

## BOOKS ARCADE

**Regd. Office:**

F-10/24, East Krishna Nagar, Near Vijay Chowk, Delhi-110051

Ph. No: +91-11-79669196, +91-9899073222

E-mail: [info@booksarcade.co.in](mailto:info@booksarcade.co.in), [booksarcade.pub@gmail.com](mailto:booksarcade.pub@gmail.com)

Website: [www.booksarcade.co.in](http://www.booksarcade.co.in)

Edition: 2024

ISBN: 978-81-19923-29-8



# CONTENT

<b>Chapter 1.</b> A Comprehensive Review on Publication Freedom in India.....	1
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 2.</b> Freedom of Speech and Parliamentary Privileges: An Overview.....	8
— <i>Mr. Kamshad Mohsin</i>	
<b>Chapter 3.</b> A Review of Literature and Future Directions on Nature of Work in Media Industries ....	14
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 4.</b> Limitations on Restricted Commercial Speech Democratic Discussion.....	22
— <i>Mr. Kamshad Mohsin</i>	
<b>Chapter 5.</b> A Study on the Artificial Neural Network-Based Method for Press Freedom Value Assessment.....	29
— <i>Dr. Trapy Agrawal</i>	
<b>Chapter 6.</b> Control of Media and Communications in a Global Networked Society .....	36
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 7.</b> Digital Media Design Instruction in Relation to Media Integration .....	43
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 8.</b> Appropriateness of Platforms for Digital Media Communication.....	50
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 9.</b> New Broadcasting Alliances to Finance Content and Audience Addiction .....	58
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 10.</b> The Development of Indian Constitutionalism.....	64
— <i>Mr. Kamshad Mohsin</i>	
<b>Chapter 11.</b> Colombian Local Media Pluralistic in Terms of News and Social Diversity .....	70
— <i>Dr. Shambhoo Saran Gupta</i>	
<b>Chapter 12.</b> Comparing the Effectiveness of Media Companies' Performance Based On How Search Engines Provide News Content .....	77
— <i>Dr. Shambhoo Saran Gupta</i>	

## CHAPTER 1

### A COMPREHENSIVE REVIEW ON PUBLICATION FREEDOM IN INDIA

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

The importance of freedom of speech as the cornerstone of a democratic society has long been highlighted. In recent decades, press freedom has continued to be a topic of constant dispute across the democratic world. Today, the degree of press freedom that a state grants its media is used to determine that state's democratic credentials. The press offers thorough and unbiased information on all facets of the social, political, economic, and cultural life of the nation. According to this study, there are differing opinions on whether the press has unrestricted freedom to say anything it deems appropriate in accordance with article 19. Because the press is the fourth pillar of the constitution, it is regarded as one of the most significant institutions in society. The purpose of the essay is to examine the degree of press freedom and research press freedom in India.

#### **KEYWORDS:**

Constitution, Democracy, Freedom, Press.

#### **INTRODUCTION**

A free press is essential and fundamental to the effective operation of a vote-based government. A free press has often been referred to be the vote-based system's lifeblood. One cannot exist without the other. Our actual experience since independence, and particularly in the last decade or so, also suggests that a free and responsible press is essential to control impurity and treachery, at least to the extent that public sentiment can be stoked by press analyses and remarks. The press serves as a useful counterbalance to any abuse of power by government authorities and as a way to keep the chosen authorities aware of the general population they were chosen to serve. Today, the legal standing of a state is determined by the level of press freedom that state enjoys. It is crucial to keep in mind the importance of press freedom, which is regarded as the fourth pillar of majority rule governance, as we approach the sixth decade of our window of opportunity. The existence of mass society, where communication between nations can occur using media like the press and broadcasting and not just specifically which wins both specialized and in the Indian setting, budgetary, the significance of the press is considerably more vital, adds another measurement to the flexibility of articulation [1], [2].

The history of the Indian press dates back to the times when the British ruled the country. The Indian Press Act of 1910, the Indian Press Act of 1931–1922, and other laws were established by the British government to control the press. During the Second World War, the official exercised extensive authority under the Safeguard of India Act and authorized oversight on the press. Meanwhile, it was declared illegal to distribute any news about the meeting. The perspective changes with the post-sacred era. Article 19 of the Indian Constitution states that "All nationals might have the right" to the freedom of speech and expression. The Indian Constitution does not expressly grant freedom of the press, unlike the US Constitution, but it

is widely accepted that the phrase "discourse and articulation" in article 19 includes freedom of the press as well. The article 19 of the Indian Constitution protects against professional interference with the content and format of daily newspapers. Empirical research is also known as data-based research and its conclusions are capable of being verified by observation and experiment. It is carried out by collecting or gathering information by a first-hand study into the universe, unlike doctrinal research, which is based on facts and data already collected in the library, archives, and other data base [3], [4].

### **India Has Press Frequency**

In *Romesh Thapar vs State of Madras*, Patanjali Shastri watched that "The right to speak freely and of the press establish at the framework of all vote based association, for without free political talk no state funded training, so basic for the correct working of the procedure of well-known government, is conceivable. " For this situation section and flow of the English diary "Cross Road ", printed and distributed in Bombay, was restricted by the legislature of Madras, The same was held to be violative of the right to speak freely and articulation, as "without freedom of circulation, production would be of little esteem". The Honorable Supreme Court saw in *Association of India versus Association for Law-based Change*, "uneven data, disinformation, misinformation and non-data, all equally create and ignorant citizenry which makes vote-based system a power. The right to speak freely and articulation incorporates appropriate to bestow and get data which incorporates opportunity to hold conclusions". In *Indian Express Newspapers VS Association of India*. The press is said to play a significant role in the machinery of majority rule. The courts have a duty to uphold journalistic freedom and invalidate any legislation or authority actions that restrict that option.

There are three main parts to a press opportunity. As follows:

1. Unrestricted access to all data sources.
2. Distributional freedom
3. Certainly a chance.

There have been countless instances when the ruling body has hindered journalistic freedom. The everyday daily papers, 1960, which regulated the number of pages and size that a daily paper may issue at a cost, was declared to be a violation of press freedom and not a reasonable restriction under article 19 in *Sakal Papers against Association of India*. In *Bennet against the Association of India*, the court upheld the legality of the newsprint restrictions order, which dealt with the most extreme amount of pages. Violates the provisions of article 19 and is not a reasonable restriction as defined by article 19. The court also rejected the legislature's proposal that it assist small daily newspapers.

### **DISCUSSION**

Press freedom restrictions in India. The press's adaptability is very related to discourse and articulation. The right to freedom of the press is very essential under a majority rule system because it acts as a guard dog for the three organs of a vote-based government: the legislative body, the executive branch, and the judiciary. The flexibility of the press, however, is not inherent in nature. It is subject to the precise restrictions outlined in article 19 of the constitution. The following list includes the reasons for detention listed in article 19:-

- 1) India's integrity and sovereignty.
- 2) The state's security.



- 3) Goodwill toward other countries
- 4) Law and order.
- 5) Morality or decency.
- 6) Disrespect for the law.

By the constitution ACT, 1951, the grounds of "public order" and "Friendly relations with foreign states" were included. While the 1963 Constitution Act introduced the foundation of "sovereignty and integrity of India."

### **The History of Press Freedom in India**

In India, the conflict with the norm of favorable speech dates back to British India in the seventeenth century. The historical context of India's press freedom and the historical context of patriot growth are inseparable. A series of laws passed in an effort to stifle the possibility of a combined outcry against border tyranny fought against the patriot movement for a free India by suppressing the right to free speech and expression. The English government's belief that it was vital to periodically familiarize abusive institutions with the need to kill the vigor of the print medium is clear evidence that the press had a significant role in the formation of political consciousness. Act on Publication and Registration of Books, 1867. The press and Registration of books act, which was established in 1867, is the first extant edict that was specifically organized against the press. The issue was how to increase governmental control over journalistic freedom. It was an administrative statute that gave the government the authority to control daily newspapers and printing presses via a system of recruitment and to guard copies of books and other items made in India [5]–[7].

#### **1. Official Secrets Act 1923**

The official privileged insights act of 1923, which was passed to maintain state security against breach of secret data assault and similar things, is a broad demonstration that has a stronger impact on the press in particular. The Indian press control legislation of 1931 required the press to provide protection upon government request. The provision allowed a common government to direct a printing press to store a security that was subject to forfeiture if the press published any issues through which any of the ill manifestations specified in S. The criminal law modification act, 1932, modified the provision. Four of the demonstration's objectives were made possible, such as by inciting scorn or contempt for the legislature, igniting hostility against the government, and encouraging different groups of subjects, such as an open worker, to quit or ignore their duties.

#### **2. Press Act 1951**

Prelude of the press appeared innocent because its stated purpose was "to secure against the printing and distribution of induction to wrongdoing help other offensive issue". The changes were as follows: the new demonstration accommodated a legal request by a sessions judge before security could be implemented, the demonstration of 1951 was an impermanent one to stay in constrain for a time of two years,

#### **3. Press Boards Act 1965**

A press board was established in 1996 under the Press Chamber Act of 1965, which was permitted to implement the idea of the press constitution, in accordance with the British point of reference. The chamber was formed in order to preserve the press's ability to follow and

improve the standards of India's daily newspapers. In order to display works that were doubtful or not legally accountable, a set of agreed norms had to be developed.

### **Press Current Scenario and Its Successes**

As was previously discussed, the press is seen as one of the pillars of a vote-based system since it functions as one of the three organs of the majority rules system. The ability to speak freely and to be seen is valued by the populace, but there are many instances where the press must deal with difficulties. For example, in the Teheika case, the website Teheika.com was forced to shut down completely and its writers were frequently harassed after they exposed a security service scam involving former resistance instructors and central government pastors. There have been several instances when columnists have been injured or even assaulted sometimes. Despite these issues, the press has advanced significantly in recent years. Manu Sharma, the son of a Haryana waiter, killed Jessica Lal on April 29, 1999 because she refused to provide him alcohol at the restaurant where she was working. Due to the need for confirmations, the case was closed and everyone who had been held accountable was let free. However, following media attention and public outcry, the case was finally reactivated, leading to Sharma's conviction. In the case of Priyadarshini Mattoo, Santhosh Kumar, the son of an IPS officer, killed his companion, a law student named Priyadarshini Mattoo, in 1996 after she rejected his proposal. After a protracted litigation, Priyadarshini's weak and experienced father received a ruling in October 2006. The Delhi High Court criticized the removal of courts and specialists under investigation for leaving the city [8], [9].

Similar to how they did in Nitish Katara's case, the media took a crucial role in this circumstance as well. The media had a significant impact on the Aarushi Talwar murder case by highlighting possible solutions to the problem that would have allowed the authorities to intervene. The main person to blame for the problem is Aarushi's father. Recently, in the case of Ruchika, 14-year-old tennis player Ruchika Girhotra was assaulted in Panchkula, 1990, by then-Haryana police IG S.P.S. Rathore. After three years, Ruchika committed suicide, which her friend and co-witness Aradhana attributes to Ruchika and her family being provoked by powerful individuals. Rathore is released after 19 years with a 1000 rupee fine and a half year of rigorous detention, ostensibly due of his seniority and the prolonged trial. This caused widespread astonishment, the media took a significant role in the matter, and police decorations given to S.P.S. Rathore were taken away. A case of aiding suicide was also reported against s.p.s. Rathore under section 306 of the IPC. 11 Lok Sabha MPs were found to be allowing commerce for the purpose of conducting inquiries out of the Lok Sabha in 2005 news channel Aaj Tak's Duryodhana activities. Later, a trustee board for the exams was established and was led by veteran congressman Pawan Kumar Bansal. All of the MPs were found to be responsible and expelled from the Lok Sabha.

### **The media need to be accountable**

Even while the press has acquired significant roles for public welfare, it sometimes acts flippant. For instance, other important news was ignored while the abhiAsh wedding was hyped up in the media. When ABVP members killed Prof. Sabharwal, there were several television networks and daily newspaper reporters there, and they had proof of the murder. Nevertheless, the media behaved unreliable, and the police described the incident as a "simple situation." The media recently behaved dishonestly during the 26/11 terror attack on Mumbai by airing live coverage of the drawn-out, sixty-hour operation Black Tornado undertaken by security forces to repel an assault on the Taj Mahal Castle Inn and Nariman House. News stations sometimes cover breaking news, such as "Bollywood tattles" and page 3 and similar stories, which has reduced them to a tiny "Diversion channel." There are many

important subjects that the media should cover, but regrettably it doesn't. Association home pastor P. Chidambaram was defending a congressman who was accused of instigating the 1984 Anti-Sikh revolts while attending to the media in April 2009 during a public interview. The author, Jarnal Singh, worked as a reporter for the local daily newspaper Dainik Jagran. Later, he expressed regret for his behavior to the association home cleric. This was one of the most abhorrent acts that revealed the negative side of the media.

We get a media that captures the majority of the clamor but none of the criticality in its adaptation of itself. Tuning in during prime time on any of India's main channels has evolved into a mental and auditory exercise in perseverance and resiliency. In any event, this would give the impression that Indian media is booming and that news coverage is in fine form to the typical viewer. In any event, when the bulk of the noise, advertisements, and hashtags are removed, what is left is a seriously damaged pillar of popular governance that is being attacked in each of its important wildernesses. The Hoot published its "India Freedom Report - Media Flexibility and Opportunity of Articulation in 2017" on January 19. The report's findings are appalling for a nation that proudly claims to have the world's largest majority-rules democracy. In India today, it is difficult to provide an accurate description of the situation due to the 11 authors who were slain, 46 assaults, and 27 incidents of police intervention. The murder of Gauri Lankesh, a forthright writer and government watchdog, on September 5, 2016, may have been the most shocking since it managed to immediately awaken India's infamously irrational urban white collar elite.

However, barely two months after the incident, the death of writer Sudip Datta Bhowmik in a Tripura security office failed to generate the same commotion and was a somber reminder of what has now become routine for columnists throughout the country. While some journalists lost their lives exercising their right to speak out and report, several others continue to endure the burden of routine reporting because to threats to their safety or outright cruelty by state and non-state actors. This has meant for the calling that writers face an increasing risk to their lives when they announce and are critical of intense performers both within and outside the state. The Indian people are then denied a mirror through which they may observe some of their most dreadful proclivities by shutting off fundamental information at its source. When basic reflexivity is eliminated, a path is then opened for a fundamentally damaged yet jingoistic and overly enthralled media to become the norm and stop asking the difficult questions that result in people losing their lives [10]–[12].

Notwithstanding cutting off news at the source, it has evolved into a standard starting point for criminal proceedings against investigative columnists and media organizations, starving them of funds and ensuring them follow the rules. Following the 2016 common defamation lawsuit against research journalist Josy Joseph, more criminal criticism lawsuits followed. In 2017, the wires covered investigative news. If the start of 2018 is any indication, then the criminal bodies of evidence filed against Rachna Khaira of the Tribune for disclosing the Aadhaar information leak point toward yet another year of press terrorism carried out by entities that appear to be exempt from the laws that apply to everyone else. Finally, though, and most importantly, Facebook, which has evolved into one of the world's most important sources of news, has improved its positioning framework for posts on news feeds to limit the scope of posts by distributors and instead, support posts by loved ones. The justification for the shift was that Facebook needed to transform its current news feed use culture, which is unimaginative and impersonal, into one that consistently engages its users on a personal basis. In any case, what this means for news organizations is that, in a time of rapid media corporatization, independent investigative media outlets must deal not only with the persistent affirmation bias in their audience, but also with the inevitable outreach restrictions

that will follow. Independent investigative media currently appears to have been left out in the cold, competing for preferences and remarks with unimaginative image pages and like hungry "substanceoutlets" while the majority of the biggest global media houses have withdrawn behind pay dividers and the remaining vast houses have the money to get their posts promoted.

### **Contrast with the U.S. Constitution**

The primary amendment to the United States of America's constitution serves as the basis for Article 19(1)(a). The main change reads: Congress may not pass legislation that establishes a religion as its basis, restricts its free exercise, limits the press's freedom of expression, or restricts the right of the general public to peacefully gather complaints and ask the legislature to review them. The Indian constitution does not provide a specific or distinct provision for the flexibility of the press, in contrast to the main amendment to the American constitution. Additionally, although article 19(2) specifically states that the privilege of the freedom to speak freely and articulately is limited, this is not the case with the principal revision. The US Supreme Court has looked at a few understood restrictions on journalistic freedom that are, in essence, not precisely the same as article 19(2). But generally speaking, from a legal and social perspective, the American press opportunity is considerably stronger than the comparable Indian promise. The issue of whether to include in the Indian constitution a separate standard for the press as distinct from the traditional national was hotly debated by members of the constituent gathering. The component group came to the conclusion that such an arrangement was not required.

The press is only another means of expressing a person or a country, according to Dr. B.R. Ambedkar, executive of the constituent assembly drafting board of trustees. The press has no special rights that cannot be granted or cannot be exercised by a person in their own right. Since a press's chief or proofreader are all citizens, when they write in daily newspapers, they are only exercising their right to free speech. In my opinion, this implies that no special specification is crucial to the press's flexibility in any manner. The courts have often declared that the privileges of the press are comprehended in the certification of the right to speak freely and articulation under article 19(1) (a) of the constitution, even if no special arrangement has been created to preserve the rights of the press. In fact, the Supreme Court of India has repeatedly overturned legislation that restrict journalistic freedom and reinforced the viewpoint expressed in the original amendment. Extents One of the earliest cases to be decided by the Supreme Court was Thappar versus Condition of Madras, which involved a challenge to a request made by the Administration of Madras under Section 9(1-A) of the Madras Maintenance of Open Request Act of 1949 that forbade the passage and distribution of the diary, cross streets, printed, and distributed by the solicitor. The court overturned section 9(1-A), ruling that the privilege of the right to free speech and expression was fundamental and that only a direct threat to the state's institutions or a possibility of its overthrow could justify a restriction on that privilege. The disapproved agreement, which authorized the annoyance of confinements for the broad purpose of guaranteeing open wellness and open request, exceeded the reasonable limit permitted by article 19(2) and was declared invalid. Importance of the freedom of speech, expression, and press opportunity.

### **CONCLUSION**

India's press freedom situation is a complicated and developing one. A free press is supported by India's democratic underpinnings, however there are several obstacles in the way of this freedom's actualization. It is a constant battle to strike a balance between the need of responsible journalism and the urgency of preserving the safety and freedom of journalists.

The joint efforts of media organizations, journalists, civil society, and governments to solve these issues will determine the future of press freedom in India. Not only is a free and active press crucial for keeping authority figures responsible, but it also helps to ensure that India's population's many views and viewpoints are heard and appreciated on a worldwide scale. In the end, the wellbeing of India's democracy and its population depend on the promotion and defense of press freedom. Analyzing the existing situation, current problems, and advancements in press freedom. Although the press is seen as the democracy's watchdog, it is concluded. Sadly, despite being the greatest democracy in the world, there is little respect for the truism in our nation. The court has unequivocally shown a preference for press freedom, in line with its declaration that freedom of speech is "one of the essential foundations of a democratic society". It must be emphasized that and the freedom of expression coexist.

#### REFERENCES:

- [1] B. Nahida, "Media Ethics: Different Perspectives," *Int. Res. J. Soc. Sci.*, 2014.
- [2] V. Parthasarathi, "On the constituted contexts of public communication: Early policy debates on the Press in India," *Media Int. Aust.*, 2014, doi: 10.1177/1329878x1415200109.
- [3] R. Kapur, "A leap of faith: The construction of Hindu majoritarianism through secular law," *South Atl. Q.*, 2014, doi: 10.1215/00382876-2390446.
- [4] I. Habib, "Book Review: Sucheta Mahajan, ed., Towards Freedom: Documents on the Movement for Independence in India: 1947, Part 1," *Stud. People's Hist.*, 2014, doi: 10.1177/2348448914537396.
- [5] Ankitha Praveen, "Role of Media in Democracy and Good Governance," *Academike*, 2014.
- [6] G. De Vos, "Awards, Announcements, and News," *Deakin Rev. Child. Lit.*, 2014, doi: 10.20361/g2559b.
- [7] D. L. Burge *et al.*, *Yoga and Kabbalah as World Religions? A Comparative Perspective on Globalization of Religious Resources*. 2014.
- [8] P. Bajomi-Lázár, "Variations in media freedom: Why do some governments in Central and Eastern Europe respect media freedom more than others?," *Cent. Eur. J. Commun.*, 2015.
- [9] S. A. Irum and A. S. Laila, "Media censorship: Freedom versus responsibility," *J. Law Confl. Resolut.*, 2015, doi: 10.5897/jlcr2015.0207.
- [10] S. K. Nanda, "Media Freedom, Film Censorship and Freedom of Expression - An Evaluation," *Int. J. Sci. Technol. Manag.*, 2015.
- [11] J. Oster, *Media freedom as a fundamental right*. 2015. doi: 10.1017/CBO9781316162736.
- [12] R. Aslam, "Media, politics and the threats to journalists in Pakistan," *Pacific Journal. Rev.*, 2015, doi: 10.24135/pjr.v21i1.156.

## CHAPTER 2

### FREEDOM OF SPEECH AND PARLIAMENTARY PRIVILEGES: AN OVERVIEW

---

Mr. Kamshad Mohsin, Assistant Professor,  
 Maharishi Law School, Maharishi University of Information Technology, Uttar Pradesh, India  
 Email Id-kamshad@muit.in

#### ABSTRACT:

Legal immunity that certain members of the legislative bodies of specific nations possess is referred to as parliamentary privileges. These rights provide immunity in the form of defense against legal and illegal actions. These activities include remarks made and deeds carried out by these lawmakers while doing their legislative responsibilities. In accordance with Article 105 of the Indian Constitution, they have also been defined. This study discusses several parliamentary rights and how they relate to judicial review and free speech. Freedom of speech and parliamentary privileges go hand in hand. The powers, privileges, and immunities of the Houses of Parliament, their members, and committees are covered in Article 105 of the Indian Constitution. Every Member of Parliament has the right to free expression, according to this article. Additionally, it provides these members with protection from legal action in any court with regard to whatever they may have said or voted in the Parliament or any of its committees

#### KEYWORDS:

Authority, Court, Constitution, Indian, Parliamentary Privileges.

#### INTRODUCTION

Do courts have the authority to evaluate these privileges? If the court determines that a legislation or order made by the state is unconstitutional, it has the authority to declare it invalid. This process is known as judicial review. The legislature and the courts are in direct contact thanks to parliamentary privileges and judicial review. On the one hand, the Parliament asserts complete control over its privileges, while on the other, the judiciary rejects any limitations on its ability to conduct judicial reviews. The two highest organs of the State often clash as a result of this. With reference to India and the United Kingdom as examples, emphasis has also been placed on whether parliamentary sovereignty is immune from judicial scrutiny. This study tries to show how these three general words operate well together in contemporary settings [1], [2].

#### (A) Parliamentary Privileges

Legal immunity that certain members of the legislative bodies of specific nations possess is referred to as parliamentary privileges. These rights provide immunity in the form of defense against legal and illegal actions. These activities include remarks made and deeds carried out by these lawmakers while doing their legislative responsibilities. The Indian Constitution's Article 105 defines legislative privileges in that country. "105. Houses of Parliament, as well as its members and committees, have certain powers, privileges, and other rights.

1. Freedom of expression is guaranteed in Parliament, subject to the provisions of this Constitution and the rules and standing orders governing its conduct.

2. No member of Parliament shall be subject to any proceedings in any court with respect to anything said or any vote cast by him in the House of Representatives or any of its committees, and no person shall be subject to such liability with respect to the publication of any report, paper, votes, or proceedings by or under the authority of either House of Parliament.
3. In all other respects, each House of Parliament, as well as its members and committees, shall have such powers, privileges, and immunities as may from time to time be defined by Parliament by law; however, until such time as such definitions are made, each House, as well as its members and committees, shall have the same powers, privileges, and immunities as they did prior to the effective date of Section 15 of the Constitution (Forty-fourth Amendment) Act of 1978.
4. The provisions of articles (1), (2), and (3) shall apply to individuals who, by virtue of this Constitution, have the right to address a House of Parliament or any committee thereof and to participate in its proceedings in any other manner as they apply to members of Parliament.

Parliamentary privileges have a similar connotation in the United Kingdom. According to the official definition, members of both Houses are granted specific legal immunity via the use of parliamentary privilege. The goal is to prevent interruption from the outside world while the members carry out their responsibilities. These rights include the freedom of expression and the ability of each House to manage its own affairs.

### **(B) Freedom of speech**

Globally, the right to freedom of speech is considered as one of the most significant inherent rights. This right is a fundamental one since it is granted to a person from birth. The right to hold and express one's own opinion is a part of freedom of expression. Everyone has the right to freedom of expression, which includes the freedom to hold beliefs without interference and to look for, receive, and share ideas across borders and through any media.<sup>5</sup> However, this right is subject to some limitations, and people cannot have unrestricted access to it. This is due to the fact that, as a rational entity, man has limitless wants, but in a civil society, these impulses must be restrained and managed in order to regulate and balance everyone's needs and desires [3], [4].

### **(C) Judicial Review**

India's highest court is the Supreme Court. As the Supreme Court, it has a duty to watch over and defend the public's basic rights. Additionally, it is in charge of upholding and interpreting the Constitution. It has the authority to judge whether a state's laws are constitutionally legitimate. If it believes a statute to be unconstitutional, it may reject the whole legislation or a portion of it. This is referred to as the Supreme Court's authority for judicial review. Any nation's judicial system has the authority to interpret the Constitution and declare any statute or executive order that does not comply with it to be invalid [5], [6].

## **DISCUSSION**

### **Area of Speech and Expression Freedom**

According to Article 19(1)(a) of the Indian Constitution, every citizen has the right to freedom of speech and expression. Citizens have the freedom to express their ideas and opinions thanks to this right. Man, being sensible, has numerous wants. However, in a civil society, his wants must be restrained by others' expression of like desires. It is not an unqualified right and is subject to certain comprehensible limitations.

**(A) Press freedom**

Despite not being specifically specified in Article 19, freedom of the press is a crucial component of free speech and expression. Since the media is recognized as the fourth pillar of a robust democracy, it is the state's duty to guarantee that it can provide the people with accurate and trustworthy information. For the democratic process to run smoothly, press freedom is crucial. Citizens may actively engage in the democratic process thanks to press freedom. Additionally, it makes it possible for open, unfettered debates of public issues, which cleverly helps the populace exercise their right to vote. According to the Supreme Court's ruling in the case of *Express Newspapers (Bombay) (P) Ltd. v. Union of India*, "In today's free world, freedom of the press is the core of social and political interaction. In the developed world, where television and other forms of contemporary communication are still not widely accessible to all segments of society, the press has now taken on the role of the public educator, enabling formal and non-formal education on a global scale. A democratic voter cannot act responsibly without the publication of facts and ideas, which the press's role is to promote. Newspapers are major sources of information and opinion with regard to public administration, and they often provide. In another well-known case involving press freedom, *Romesh Thappar v. State of Madras*, the Supreme Court stated that "freedom of speech and of the press lay at the foundation of all democratic organizations, for without free political discussion no public education, so essential for the proper functioning of the processes of popular Government, is possible."

**(B) Profanity**

There are restrictions on speech freedom in India. It is subject to a few limitations that the Constitution has spelled out in great detail. One of these limits is obscenity. The State may impose reasonable limitations on the freedom of speech and expression protected by Article 19(1) in order to maintain public order, morality, and decency. Obscenity is defined as "offensive to modesty or decency; lewd, filthy and repulsive" in the Indian context.<sup>22</sup> The test to ascertain whether a work of art or a speech falls under the ambit of obscenity must be such as to detect whether the publication has the tendency to corrupt the minds of people who are susceptible to such immoral influences. The piece has to be read through in its entirety and studied independently. In the case of *Samaresh Bose & Anr.*, the Supreme Court addressed art and obscenity. In the case of *People v. Amal Mitra & Anr.*, it was stated that "where obscenity and art are mixed, the art must be so preponderating as to throw obscenity into a shadow or the obscenity must be so trivial and insignificant that it can have no effect and may be overlooked."<sup>23</sup> It was determined that obscenity cannot enjoy the constitutional protection of freedom of speech unless and until it serves a preponderating social purpose or profit [7], [8].

**(C) Grounds for Restrictions**

As was previously established, there are certain logical limitations on the basic right to freedom of speech and expression guaranteed by Article 19(1) of the Indian Constitution. It is critical for people to have the freedom to voice their thoughts in a democratic system. It's crucial to impose certain limitations on this freedom, however. If the right to free speech is elevated to a fundamental right, social order will be impossible to maintain. As a result, the following are the justifications for placing limitations on the right to free speech:

1. Safety of the State
2. Friendly ties with other countries
3. Public Order
4. Morality or Decency



5. Disobedience to a court
6. Defamation
7. Incitement to Commit a Crime
8. India's Sovereignty and Integrity

### **A Comparative Study of Judicial Review and Parliamentary Privileges**

Judicial review refers to the judiciary's authority to interpret the Constitution and nullify any legislation or executive action it deems to be in violation of the Constitution. The court may evaluate the laws, regulations, and directives of the legislative and executive branches that are brought before them thanks to judicial review. The court decides whether or whether these legislation are constitutionally sound. If a legislation is constitutional, it is sustained; if not, it is deemed unconstitutional and is deemed illegal or void.

#### **India**

Judicial review has always been an authority of the Indian judiciary. In India, court reviews are not exempt from affecting parliamentary rights. The responsibility of defending the basic rights has been entrusted to the Indian judicial system. It is the only institution that protects people's basic rights. As they assert complete control over their powers, politicians often criticize the judiciary's role. They do not want the legal system to become involved in their personal affairs. However, as the watchdog of our Constitution, the judiciary must carry out its duty to defend people's basic and unalienable rights. It cannot remain silent if a citizen's basic rights are infringed because of privileges or when there is a way to avoid being held criminally liable. The use of parliamentary privileges as a shield by members of parliament is fairly widespread. The court must speak out against the wrongs that these individuals have perpetrated. These members' privileges are restricted by basic rights. In many rulings, the Supreme Court has noted that any inconsistency between privileges and basic rights must be addressed by harmonious construction. Even if legislative matters are beyond the purview of the court, it is imperative that any infringement of societal basic rights be addressed by the Court in the manner it sees suitable.

#### **United Kingdom**

In the UK, judicial scrutiny is not applied to legislative activity. Parliamentary privilege is what makes this exclusion possible. In essence, it states that judicial review of how Parliamentary business is conducted is not permitted. Parliament is the only body with the power to make laws, and it has ultimate sovereignty. It is the only institution in power of enacting laws. Parliamentary privilege is a means and a feature used in the United Kingdom to demonstrate the supremacy and sovereignty of Parliament. Courts have a small role to play in the creation of laws. The courts lack the authority to examine core legislation. They are unable to assess if the law is reasonable, appropriate, or constitutional. The sovereignty of the Parliament would undoubtedly be compromised if the judges were given the authority to enact legislation. It would imply that the courts, not the Parliament, would be able to decide whether a legislation may be put into effect. In this context, the subject of free speech as a legislative privilege becomes crucial. It is protected under Article 9 of the 1689 Bill of Rights. This privilege is extremely important because it guarantees that Parliament is independent of the judiciary and that anyone who is contributing to the functioning of the parliament, is able to voice his opinions without any kind of fear. It states that "that the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place outside of Parliament." There is a history of mutual respect between the Parliament and the judiciary. Typically, Parliament takes care to avoid bringing up issues in debates, motions, or questions that are still subject to judicial review. The courts,

however, carefully watch to avoid interfering with the creation of new laws. These organs each watch out for one another to prevent encroachment [9]–[11].

### **Does Judicial Review Not Apply To Parliamentary Sovereignty?**

The supremacy of the Parliament in enacting laws is referred to as parliamentary sovereignty. In India, judicial review and legislative sovereignty continue to clash. When it comes to adopting laws and directives, the Parliament seeks unrestricted power. Additionally, the court seeks complete flexibility in its ability to interpret these laws and, if necessary, declare any statute to be unconstitutional. On the one hand, Parliament asserts complete authority over parliamentary affairs. It desires to be the only organ in the nation with the power to make laws and decisions. It does not want the legal system to affect how it operates. The Indian Constitution and the basic rights guaranteed by it, on the other hand, are kept safe by the court. The judiciary has a responsibility to ensure that no unconstitutional laws are enacted. In India, parliamentary sovereignty is not immune from judicial review since it does not acknowledge any limitations on its authority of judicial review. If a legislation approved by the legislature or the administration is not in accordance with the Constitution, the judiciary has the authority to declare it invalid. However, the situation is a little bit different in the United Kingdom. The laws passed by the British Parliament are not exempt from judicial scrutiny, but they also cannot be stopped or amended without Parliament's consent. The legislation passed by the British Parliament may be subject to judicial scrutiny, but they cannot be outright ruled unconstitutional or void. The parliament has complete sovereignty and is the only body that can pass laws. The Parliament has the authority to rule on whether a legislation is constitutional or not. Consequently, parliamentary sovereignty is subject to judicial scrutiny in the United Kingdom. However, judges may only express their view with regard to a specific law or order and cannot participate in the process of creating new laws. The Parliament has the exclusive authority to decide whether to take such view into account [12], [13].

### **CONCLUSION**

An important and necessary component of Indian democracy is parliamentary privileges. To help the Members guarantee that the parliament runs well, certain rights are granted to them. It is crucial that these advantages adhere to the basic rights protected by the Constitution. The lawmakers must watch out for their protection and fight for our welfare since fundamental rights are fundamental, inherent rights, and they are our representatives. The right to free speech is one of the most significant parliamentary privileges and basic rights. If privileges are not consistent with fundamental rights, democracy as a system for protecting citizen rights would be destroyed. It involves sharing one's opinions verbally, in writing, visually, via audiovisual tools, through ads, and through any other kind of communication. It also includes journalistic freedom, the right to knowledge, and other things. Thus, the extent of this basic right is rather broad.

### **REFERENCES:**

- [1] F. J. Aranda Serna and J. Belda Iniesta, “The delimitation of freedom of speech on the Internet: the confrontation of rights and digital censorship,” *ADCAIJ Adv. Distrib. Comput. Artif. Intell. J.*, 2018, doi: 10.14201/adcaij201871512.
- [2] L. Alexander, *Freedom of speech*. 2018. doi: 10.4324/9781315181981.

- [3] S. M. Croucher, C. Zeng, D. Rahmani, and X. Cui, "The relationship between organizational dissent and workplace freedom of speech: A cross-cultural analysis in Singapore," *J. Manag. Organ.*, 2018, doi: 10.1017/jmo.2016.73.
- [4] A. A. A. S. R. Gorda, N. N. J. Arsawati, and P. E. D. Antari, "Limitations of freedom of speech in a democratic government: A contemporary analysis in Indonesia case," *Int. J. Mech. Eng. Technol.*, 2018.
- [5] P. Koutrakos, "Judicial review in the EU's Common Foreign and Security Policy," *Int. Comp. Law Q.*, 2018, doi: 10.1017/S0020589317000380.
- [6] L. M. Bruijn, M. Vols, and J. G. Brouwer, "Home closure as a weapon in the Dutch war on drugs: Does judicial review function as a safety net?," *Int. J. Drug Policy*, 2018, doi: 10.1016/j.drugpo.2017.08.003.
- [7] L. Kendrick, "Use your words: On the 'speech' in 'freedom of speech,'" *Mich. Law Rev.*, 2018, doi: 10.36644/mlr.116.5.use.
- [8] "Cyber Law and Practice of Freedom of Speech on Internet: Pakistan Perspective," *J. Soc. Sci. Res.*, 2018, doi: 10.32861/jssr.spi2.519.530.
- [9] A. H. Aguirre, "Freedom of speech and access to social media: Packingham v North Carolina," *Rev. Chil. Derecho y Tecnol.*, 2018, doi: 10.5354/0719-2584.2018.49020.
- [10] L. Yanhong, "Criminal Law Boundaries for Freedom of Speech in the Online Era\*," *Soc. Sci. China*, 2018, doi: 10.1080/02529203.2018.1448052.
- [11] D. A. Herbeck, "Freedom of Speech and the Communication Discipline: Defending the Value of Low-Value Speech. Wicked Problems Forum: Freedom of Speech at Colleges and Universities," *Commun. Educ.*, 2018.
- [12] D. Martin Herrera, "HATE SPEECH AND FREEDOM OF SPEECH FROM SOCRATES' GREECE TO CURRENT DEMOCRACY," *E-LEGAL Hist. Rev.*, 2018.
- [13] "Freedom of Speech in the Academic Workplace Academic Freedom to Microaggressions, Tenure, Contracts and the Courts," *J. High. Educ. Theory Pract.*, 2018, doi: 10.33423/jhetp.v18i7.262.

## CHAPTER 3

### A REVIEW OF LITERATURE AND FUTURE DIRECTIONS ON NATURE OF WORK IN MEDIA INDUSTRIES

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

Workers in the media industries have a crucial role in forming collective memories, traditions, and belief systems since their job shapes culture and influences how people see the world. The literature in this field is still rather fragmented even though research on the factors influencing the nature of work in the media industries have greatly increased over the past several years. In order to offer a thorough overview of the literature and its techniques, this study conducts an in-depth evaluation of 36 academic publications that were published in significant journals from 2006 to 2017. This is the first step in addressing that deficiency. By classifying prior research into five subthemes commonalities, disputed terrain, gendered profession, developing practices, and influencing factors this study expands on the idea of media work. Prior studies have emphasized the need to explore media workers' subjective experiences in greater detail; however, if we want to paint a more complete but accurate picture, those experiences must be contextualized and linked to the specific organizational arrangements and macrostructures that media work is embedded within. The current study illustrates how examining media production via multiple theoretical frameworks may give it distinct interpretations. Future research on the nature of media work may benefit from our study because it gives researchers a fine-grained basis on which to build their understanding of the connections between their specific research problem and other topics that can have an influence on their studies.

#### **KEYWORDS:**

Media, Management, Organization, Social.

#### **INTRODUCTION**

In order to effectively carry out a variety of activities in a broad range of economic, leisure, and social domains, media companies must operate in an extremely complex, technology-driven, and quickly changing environment. Additionally, they provide outstanding goods that are fundamentally distinct from those of other sectors of the economy. Leading academics have emphasized that the exceptionality of media goods also explains the singularity of media activity. In the context of the media and creative industries, Deuze and Lewis' conceptualization of media work included a broad spectrum of professions involved in creating cultures, symbols, and signs. These occupations go beyond journalism and strive to improve the success of media goods. The lives of individuals in society and those of media workers are in fact closely related, since people's perceptions of the world depend greatly on the information that media workers produce and distribute. It may be claimed that learning about the working life of media professionals would help us better appreciate what it means to live in the modern world. Leveraging previous research, we can envision media work as a profession characterized by a variety of characteristics, including project-based work, knowledge-based work, creative work, innovative work, emotional work, and relational work

[1], [2]. It is also important to keep in mind that the media industry is significantly impacted by outside changes such as regulatory and policy frameworks, technological advancements, and audience preferences. The interesting thing about this is that, as Markova and McKay argued, these changes are shaping new forms of media work in such a way that workers may benefit from new opportunities. This means that media work is by no means happening in a vacuum. However, media professionals may also face extra dangers. Previous studies on the media industry have emerged in a variety of fields, including sociology, management, and journalism. The literature in this field is still rather fragmented even though research on the factors influencing the nature of work in the media industries have greatly increased over the past several years. Despite some encouraging attempts to conceptually link the many theories and viewpoints on media work, a system-oriented and more inclusive strategy is lacking for bringing disparate empirical investigations together. The current research therefore aims to get a more comprehensive understanding of the nature of media work by undertaking a systematic evaluation of the prior literature on the subject. Theoretical frameworks, influencing variables, subjective experiences, and developing issues found in earlier empirical investigations will all be explored and integrated [3], [4].

We definitely think that our endeavor may provide a solid basis for future labor-oriented research in the media and creative industries, and that it offers a polyvalent view of media work by combining the many trajectories that characterize this area. The study adds to the growing body of knowledge on the nature of media work. In particular, it offers an updated foundation on which several intriguing and unanswered issues may be raised to arrive at a more comprehensive understanding of media production, assisting future academics in navigating the variety of perspectives present in this area of study. From a practical standpoint, it may assist media professionals in making sense of their line of work more deliberately across many settings and industries and, perhaps, inspire them to investigate more purposeful methods of carrying out work in the media. The reflections presented in this study may also help media managers actively look into new strategies for addressing the escalating disruptions brought on by digital and cognitive technology.

## **DISCUSSION**

In order to do this, the remainder of the essay is organized as follows. We first show and talk about the theoretical underpinnings of certain fundamental studies in media work. Second, we outline the research strategy and resources we used. Third, we explain our results by grouping them into five subthemes, and lastly, we wrap up our work by making some suggestions for future research. A "cultural work turn" has been indicated in media and communication studies after decades of study on media content and viewers due to scholars' increased reflections on labor and work in the media sectors. Although not complete, we highlight three major tendencies that constitute innovative attempts at conceptualizing media activity in order to give a theoretical background for this research. We selected three academic works, consisting of two books and one paper, to represent these three themes. The authors of the two volumes are well-known academics whose writings have contributed significantly to the expanding body of knowledge on media work, as shown in part by the large number of citations. The third source, which was an essay, was chosen because of its conceptual approach, which looked at the foundational literature on media work while paying close attention to an emerging trend that was influencing the character of media work. We discuss each of these studies independently in the sections that follow and explain the crucial components that make them valuable resources on the nature of media work literature.

Deuze is the author of the first and primary theoretical trend. He conducted a thorough investigation of the subjective experiences of media professionals in a variety of fields,

including journalism, advertising, public relations, and game creation. It is safe to say that his landmark book "Media Work" served as a significant turning point in the empirical study of labor in the media industry. Deuze proposed his conceptual framework that may be referred to as "liquefied media work," which was heavily inspired by the postmodern theorist Zygmunt Bauman, who described contemporary society with its continually shifting and melting life boundaries as liquid modernity. Media work, which is ingrained in a contemporary fluid culture, is all about coping with the always shifting conditions connected to its four key characteristics: content, creativity, connection with audiences, and financial imperatives. Deuze further shown the extent to which developments in technology, markets, rules, and policies occurring outside the workplace have an impact on the media industry. As media work plays a crucial part in forming societal memories, traditions, and belief systems, it further defines the nature of media work in all types of creative sectors. Finally, Deuze foresaw how developments in digital technology would make it difficult to come up with a precise definition for media work:

However, I'm proposing that the liquefaction of the borders between many domains, disciplines, practices, and categories that formerly separated media work from other employment is what distinguishes media professions in the digital era and contributes to their growing complexity. Hesmondhalgh and Baker offered a conceptual model of media work that differentiates between "good and bad models of media work," which is the second theoretical tendency. The two writers conducted a comprehensive investigation of how media employees' subjective experiences are woven into political, cultural, economic, and organizational contexts by combining knowledge drawn from business studies, communication research, and sociology of work. According to Deuze, media work is conceptualized in their insightful book "Creative Labour" as a culture-making activity that influences how individuals see the outside world. In addition, they argued that there are two important groups that can be identified in the media industry: principally creative individuals and technical workers. As media practitioners often fight with financial demands and the need to maintain their creative autonomy, contradictions in their conceptualization are essential for understanding this sort of work. Hesmondhalgh and Baker's model suggested that, depending on the circumstances, media professionals may see their line of work as either a potentially fulfilling source of purpose or a disappointing phase of their professional life. More precisely, they see certain traits as qualities of successful media work, including autonomy, engagement, sociality, self-esteem, self-realization, work-life balance, security, and contribution to the greater good. A defective model of media work might result from other characteristics, such as being under the direction of others, boredom, loneliness, poor self-esteem, missing self-realization, overwork, and instability [5]–[7].

The final but not least strategy is presented by Malmelin and Villi, who attracted attention to new media work forms that emerged in the digitalized environment, a development that may be referred to as "emerging media work". To provide a definition, they pointed out that working in the media does not just pertain to or belong to journalists or content producers. Instead, it has to do with all the professions that help make digital media goods and services successful. Malmelin and Villi, building on Deuze's work, provided tangible examples of how the dominance of digital platforms in the media industries has changed the responsibilities of both media employees and managers. Media workers must strengthen their multitasking skills, develop their commercial attitudes, and develop stronger connections with their viewers in the present media environment. Malmelin and Villi further stressed that media work should not be viewed in terms of a value chain but rather a value network in which crucial players like viewers, media organizations, partners, and subcontractors engage closely with media workers.

## Techniques and Resources

Our current study is guided by the following research question: "What are the primary features of work in the media industries? We used a three-stage method to our systematic literature review, which comprised planning, conducting, and reporting the study, to incorporate the current state of knowledge surrounding media work in a fair and repeatable manner. We also made an effort to adhere to the PRISMA statement's recommendations for a thorough and open review procedure. By identifying the present gaps and interesting topics for more study, SLRs are helpful tools for obtaining the most up-to-date knowledge of the body of research on a certain subject. We used "an understanding of media work that covers media content production, journalistic work, concept development and design, marketing and communication with audiences, as well as online services" as our starting point. To find and gather the previously published articles for our study, we made advantage of one of the most well-known scientific databases, Scopus. To improve our collection procedure, we independently carried out another round of in-depth research using well-known publishers' websites including Emerald, Wiley, Sage, ScienceDirect, and Taylor & Francis. "Media work" or "media profession" or "media labor" or "media career" or "work and media firms" were some of the search terms we used [8], [9].

## Criteria for Inclusion and Exclusion

It was difficult, if not impossible, to narrow down the articles from the search results that may have disclosed a key aspect or fundamental truth about media production. Although not incorrectly, one might argue that any study focused on media corporations and the media industry would likely provide some fresh perspectives to aid readers in making sense of media content. We aimed to set boundaries for our study and establish the procedures for adding or eliminating prospective articles, much as in prior thorough literature evaluations in the area. In order to do this, we decided to only take into account articles that specifically examined the nature of, or influencing factors in, employment within the media sectors. We had certain queries when analyzing those publications and attempting to come to a choice, such as: "Do the terms in the paper contain an explicit signifier, such as media employment, media labor, media career, etc.?" or "Is the inquiry the article poses on the qualities of media work clear?" We also looked at how well the articles we examined followed the important theoretical tendencies that our theoretical background had identified. Accordingly, 108 pertinent academic publications were gathered by carefully examining the titles, abstracts, and keywords in the first round of the literature search and deleting the duplicates. 45 articles were subsequently disregarded. After careful consideration of the remaining 63 publications, 27 were further eliminated because they did not fit our selected definition of media work, as stated above, or our study goal. For the purpose of performing our literature study, 36 peer-reviewed publications that were all published between 2006 and 2017 and were all indexed by Scopus were chosen.

We performed a thematic content analysis, which focuses on detecting, analyzing, and reporting patterns about a certain issue, to better comprehend media output by examining it from many perspectives. In order to achieve this, we first spent a lot of time reading and making notes on the final articles that had been chosen for our review. The next stage was finding similar themes and creating some preliminary semantic codes indicating what appeared particularly intriguing about those publications. Then, in keeping with the goal of our paper, we began to consider the connections that already existed between our codes and notes in order to investigate broad subthemes that would eventually help us comprehend media work better. We do not initially assume or anticipate that these subthemes will be firmly divided by definable borders or that they will include all potential aspects of media

activity. Instead, we invite readers to consider potential connections between them in advance. Through a variety of theoretical philosophies and conceptual frameworks, the current endeavour strives to provide a fruitful ground for media work studies [10], [11].

### **Commonalities**

This section discusses research that look for characteristics that are present across various media businesses and that may shed light on what makes work and professional lives in the media distinct from work in other professional settings. Deuze et al. empirically demonstrated that a professional identity could be gradually constructed through negotiating processes that continuously attempt to balance employees' desires, company ethos, and industry standards by examining the professional lives and identities of game developers and practitioners. According to this research, game developers are sometimes prepared to put up with ludicrous circumstances, including task overloads and lengthy workdays, in order to make concessions and give up desirable features in the hopes of landing a job and being considered as qualified game developers in the business. Martin and Deuze offered a novel perspective on "independence" and "autonomy" at work as characteristics of professional life in the context of the digital gaming business in a different research. They argued that in order to understand independence, one must take into account a variety of interrelated aspects, including game developers, markets, technology, organizational structures, and audiences. Therefore, it is possible to see "independence" as a multivalent notion with many connotations for the actors who work in the video game business. For businesses, for instance, it can include a flexible work structure that enables employees to produce greater outcomes, but for developers, it might entail having the creative freedom to nurture their original ideas while still coping with the demands of the market. According to a recent survey by Creus et al, media professionals believe that working well in a team is essential for success in the video game business.

While the majority of the literature on media work focuses on the professional lives of present media workers, Ashton focused on the distinctive experiences of potential media workers. Ashton examined this topic in order to improve graduate media students' prospects of finding employment. He said that pupils interpret "employability" as being professional in an instrumental way. Therefore, the idea of "professionalism" may be used to analyze employability among potential media professionals. Ashton has further shown in another research that new media professionals saw themselves as "runners" to join the film and television industry. He shrewdly observed that underqualified duties and unpaid employment are common among media students in higher school as an essential step toward a secure future profession.

The notion that "creativity" is an important component of media labor has been explored by many scholars; nevertheless, as Malmelin and Nivari-Lindström have demonstrated, this word encompasses several aspects in the media industries. They said that a creative worker in journalism is someone who benefits from having a goal-driven attitude, a commercially minded mind, and a collaborative spirit. According to Malmelin and Virta, "serendipity" is another idea that could aid in our understanding of creative activity in the media. Their research suggests that media professionals might enhance their creative abilities by learning about fortuitous events that may inspire creative ideas and behaviors inside their firms. Media professionals should increase their interest and personal involvement in the many crises inside their businesses to accomplish this. It is important to keep in mind that not all media labor is done for pay. Stiernstedt and Golovko classified volunteering as a kind of media work when researching volunteering at the Eurovision Song Contest. They claim that "eventfulness" is a key factor that motivates volunteers to take on unpaid work. One of the



study's most important conclusions is that symbolic capital is a crucial element in causing media employees to feel compensated, even when their labor may be entirely unpaid [12], [13].

### **Influential Elements**

Media workers' perceptions and consequent actions are influenced by a variety of corporate and external influences. In order to find and understand such contributing elements, this subtheme needs study. In this regard, Witschge and Nygren pointed out that changes in technology and the economy are altering the traditional norms by which the journalistic work was originally classified. They have experimentally shown that the de-professionalization of journalism is primarily being worsened by commercial pressures as a result of the dominance of digital media platforms in the media sectors and the empowerment of audiences to actively spread material. Evans found that the use of digital technology led media professionals to reassess their understanding of the limits of their field. There are additional studies on the effects of social media on media professionals' personal branding strategies and how automation is transforming the fundamental principles of journalism in relation to how digital and smart technologies are changing the nature of media work.

Technology changes are by no means the only influencing elements. In fact, a few other things have also been researched. For instance, Stiernstedt discussed how changes in legislation might have a significant impact on how the media industries shape work. He stated that addressing the consequences of policy changes and regulatory frameworks is necessary to evaluate the role of the economic situation and technological revolution in the media industry's increasing precariousness and de-professionalization of labor. Furthermore, Sherwood and O'Donnell demonstrated how media practitioners' perceptions of their professional identities would change over time if they lost their positions as a result of bad work circumstances and had a strong institutional history in their field. It is important to note that media employees' subjective perceptions of the nature of their work are rather malleable and prone to change over time, i.e., it is a transformational process anchored in the larger context of society [14]–[16].

The most important topic covered in the studies above has been how digital technologies are evolving the media industry. The effects of this change range from accelerating the de-professionalization of journalism and market pressures to opening up new opportunities for media professionals, like the ability to create a personal brand. By no means do we believe that new technologies are concrete forces influencing the development of media, but rather that they are reflections of the social, economic, and political relationships that present in every society. A crucial consequence of this discovery would be to advise future researchers to consider the macroframeworks that influence how new technologies are thought of and used when interpreting their impacts. It's also important to note that media professionals' opinions about their line of work may evolve with time. Therefore, by creating institutional support and improving the job circumstances provided by media companies, a positive view of working in the media may be instilled and developed among employees over time.

### **CONCLUSION**

The goal of the current article was to incorporate theoretical perspectives, personal experiences, structural difficulties, and determining elements that influence work in the media sectors. We argue that despite the appearance of some fundamental aspects of media work, such as emotion, passion, and creativity, still being intact, this is primarily because of the quick development of digital and smart technologies and their undeniable impact on work procedures. We have shown that media work has faced, and continues to face, both

opportunities and challenges as it moves along its evolutionary path by drawing on an extensive analysis of pertinent prior material. We fervently contend that by their very nature, technologies lack any really destructive inclinations. Instead, certain particular political, social, and managerial choices that led to its acceptance and execution might have a detrimental impact on media activity and put it in a disputed environment. Thus, the present paper supports the adoption of a fluid point of view, highlighting the atypical nature of media work, in contrast to a binary point of view toward media work, such as that of the good and bad model of work in the media proposing negative and positive dualities in the definition of media work. Due to the rapidly evolving civilization and way of life in our current world, which is greatly influenced by digital technology, we need to take into account that the boundaries formerly used to describe what media production was are fairly blurred.

#### REFERENCES:

- [1] M. Komorowski and H. R. Ranaivoson, "To be or not to be the media industry – Delineation to a fuzzy concept," *Observatorio*, 2018, doi: 10.15847/obsobs12220181156.
- [2] M. Komorowski, T. Do Huu, and N. Deligiannis, "Twitter data analysis for studying communities of practice in the media industry," *Telemat. Informatics*, 2018, doi: 10.1016/j.tele.2017.11.001.
- [3] E. Maryani, S. Karlinah, and D. Rahmawan, "The Sustainability of Local Media Within the Domination of National Media Industry," in *E3S Web of Conferences*, 2018. doi: 10.1051/e3sconf/20187314010.
- [4] M. H. R. Bussin and N. N. Thabethe, "Reward preferences in South Africa's media industry," *SA J. Hum. Resour. Manag.*, 2018, doi: 10.4102/sajhrm.v16i0.1010.
- [5] M. Komorowski, V. Wiard, S. Derinöz, I. Picone, D. Domingo, and G. Patriarache, "A mediapark in Brussels? The media industry and its regional dynamics: BSI synopsis," *Brussels Studies*. 2018. doi: 10.4000/brussels.1938.
- [6] A. Khakpour, M. Kazemi, A. Tavakkoli, and S. Fazli, "Designing a communicational model between the competitiveness types of small and medium industries in Iran," *Ind. Eng. Manag. Syst.*, 2018, doi: 10.7232/iems.2018.17.3.550.
- [7] Indrati, Fiati, L. Mani, and M. Aras, "Challenges to Mass Media Posed by Convergence in the Indonesian Context," *Glob. Media J.*, 2018.
- [8] M. McNutt, "Social TV fandom and the media industries," *Transform. Work. Cult.*, 2018, doi: 10.3983/twc.2018.1504.
- [9] S. Cobb and T. Horeck, "Post Weinstein: gendered power and harassment in the media industries," *Feminist Media Studies*. 2018. doi: 10.1080/14680777.2018.1456155.
- [10] T. F. Corrigan, "Media and cultural industries internships: A thematic review and digital labour parallels," *TripleC*, 2015, doi: 10.31269/triplec.v13i2.608.
- [11] B. E. Burroughs, "Streaming media: Audience and industry shifts in a networked society," *Iowa Res. Online*, 2015.
- [12] R. Mazumdar, "'Invisible Work' in the Indian Media Industries," *Media Ind. J.*, 2015, doi: 10.3998/mij.15031809.0001.306.

- [13] N. V. Chukwunweike, M. I. Ani, F. J. Ocheje, and O. V. Akunna, "Production subcontracting: A strategy for the survival of small and medium scale industries in Nigeria," *Mediterr. J. Soc. Sci.*, 2015, doi: 10.5901/mjss.2015.v6n4s2p639.
- [14] X. Y. Leung, B. Bai, and K. A. Stahura, "The Marketing Effectiveness of Social Media in the Hotel Industry: A Comparison of Facebook and Twitter," *J. Hosp. Tour. Res.*, 2015, doi: 10.1177/1096348012471381.
- [15] M. Vidas-Bubanja and I. Bubanja, "ICT as prerequisite for economic growth and competitiveness: Case study print media industry," *J. Eng. Manag. Compet.*, 2015, doi: 10.5937/jemc1501021v.
- [16] M. Knoche, "The media industry's structural transformation in capitalism and the role of the state: Media economics in the age of digital communications," *TripleC*, 2015, doi: 10.31269/triplec.v14i1.730.

## CHAPTER 4

### LIMITATIONS ON RESTRICTED COMMERCIAL SPEECH DEMOCRATIC DISCUSSION

---

Mr. Kamshad Mohsin, Assistant Professor,  
Maharishi Law School, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-kamshad@muit.in

#### **ABSTRACT:**

It's a common misconception that our society has become more open and democratic as a result of the digital media revolution, which has expanded the amount of platforms, places, and possibilities for free speech. This Chapter focuses on the ways that commercial media and communications networks still censor speech, limit our cultural viewpoints, and contain the space for open, democratic debate. It examines three potential causes for this, including the ideological effects of advertising becoming a more important source of funding for the arts and information, the increasing reliance of cultural sectors on a small number of large information suppliers, and the disruption of the commercial news industry's business model following the advent of the digital revolution. The voice of advertising has grown to the point that it now dominates all other possibilities. If we wish to promote a more dynamic free speech environment, we must promote other funding sources for the creative sectors. We are now seeing a decline in these chances for a healthy freedom of expression.

#### **KEYWORDS:**

Advertising, Commercial Media, Democratic, Free Speech, Media.

#### **INTRODUCTION**

The development of digital media has increased the number of platforms, discussion groups, and opportunities for free expression. However, the democratic potential of the digital world has been restricted by the dominance of a commercial media and communications system. It is sometimes claimed that this makes our society more open and democratic. This system, which is shaped by certain economic imperatives, restricts free speech, narrows our cultural perspective, and establishes boundaries for open, democratic discussion. Differentiating between free speech that is driven by the market and free speech that is driven by democracy is important in exploring this idea. Traditional concepts of free speech tend to be democratic in nature: free speech campaigns are often held in a broadly political context, and it is usually the repression of political ideas that raises the greatest alarm. Although less well developed, market-driven theories of free speech often equate free markets with free speech, particularly in nations like the US, and are thus more relevant in how laws restricting speech are interpreted. This equivalency, I shall argue, is flawed since the market itself favours certain forms of expression while suppressing others [1], [2].

I want to start by differentiating between three types of speech restrictions. The first focuses on governmental constraints like censorship. These limitations are enshrined in legal frameworks, and those who breach them are subject to a number of penalties. These restrictions on free speech often amount to a blatant and chronic violation of people's right to freedom of expression under less democratic, more authoritarian governments. Based on the

idea that free speech may only be restricted if it causes damage, such limits are used more sparingly in more developed, open democracies. Of course, there is a lot of discussion and disagreement about how this damage is defined, including whether it encompasses ideas of "national security" or the encouragement of hate.

The second kind of constraint is also governed by legal frameworks, but it is policed or run by corporations rather than by the government. Arne Hintz notes that as commercial organizations grow more closely associated with forms of state monitoring, the distinction between corporate and governmental limits on free expression are becoming more muddled in the digital era. The digital age has also seen an increase in the use of intellectual property law, particularly by multinational corporations. Although intellectual property laws are meant to safeguard artistic expression, they are increasingly being used to restrict free speech or even charge for it. So, for instance, copyright and trademark law restricts my ability to produce a book on advertising. The third restriction on free speech is the least severe since it often isn't covered by statute legislation. We need to look at how the freedom of speech is linked to uneven power systems in order to comprehend this kind of limitation.

These power structures often have an economic foundation as opposed to a legal one, therefore they aren't as taken seriously as constraints on free speech or free expression that are more firmly rooted in the law or quasi-law. Nevertheless, these restrictions are far more ubiquitous and significant in people's daily lives in the majority of "open" democracies. My attention is on these less severe but no less significant restrictions on freedom of speech. This is a definite shift away from the dominant corporate conceptions in the US, which, as Victor Pickard points out, see freedom of speech as freedom from governmental interference. Instead, this is a shift toward what Andrew Kenyon refers to as "positive free speech," a framework that promotes freedom for a variety of different voices [3], [4].

Does a tree that falls in a silent forest make a sound? This proverb may be revised in the internet era to read, "Has someone really expressed themselves if no one listens?" Does it matter if someone uploads a YouTube video that no one watches? The answer is "yes" in strictly legal terms, which is a technical fact based on ideals rather than actualities. Our understanding of freedom of expression is advanced by Nick Couldry's examination of the idea of "voice" in market economies. Most liberal democracies would agree with his starting position, which is that democratic citizenship depends on individuals being able to express their views, concerns, and identities. But he goes a step further: he emphasizes that in order for voices to be heard, they must also be meaningful or significant in order for them to be successful.

## DISCUSSION

According to Couldry, market economies theoretically provide people the right to free speech, but in practice they may restrict that right based on their status and access to economic or cultural power. The fact that the news media is privately owned and favours certain voices while excluding others is one of the most obvious instances of this. The more leeway we give private media owners through, for instance, loosening restrictions on monopolies or relaxing standards for objectivity the less opportunity there is for alternative viewpoints to be heard. According to studies, in such a setting, residents' ability to talk is both constrained and heavily restricted. This disparity in voice served as the intellectual foundation for the Leveson Enquiry into the UK Press. Many of the widely reported crimes that sparked the investigation, most notably phone-hacking, were said to be already subject to legal restrictions, according to opponents of press control. However, they also believed that the structural disparities inherent in a system where substantial sums of wealth are needed to

operate a profitable newspaper were the norm. The market-driven interpretation of free speech contends that newspapers just publish the opinions of their readers and that ideological bias arises from the bottom up.

The notion that newspapers reflect the political views of the populace is obviously false, even if there is a strong link between the opinions of newspapers and those of their readers. For instance, the Sun daily vigorously supported the Conservative Party during the 2015 UK General Election. Although a majority of Sun readers did not vote for the Conservatives, many did, and over a quarter chose Labour, a party that was often lampooned and derided by the Sun throughout the campaign. Even the Daily Mail, the British daily most frequently associated with a right-wing "Middle England" viewpoint and remorselessly hostile to the Labour Party, had a modest but significant number of Labour supporters. Only the Mail and the Express, both of which are solidly on the political right, are available to Labour supporters in the UK who desire a mid-market daily. Since the British Press barons' heyday in the first half of the 20th century, the majority of newspaper owners have tended to tilt to the right, and their publications have been more a reflection of their beliefs than an attempt to represent their audience. When access to money serves as the main criterion for media ownership, this is, in fact, a reasonably plausible consequence according to the political economics of media.

A less lopsided framework that would allow for more freedom of speech was the goal for many supporters of press regulation. One persistent fallacy of the digital era is that because of its open architecture and low barrier to entry, the Internet bypasses media oligopolies and enables a diversity of viewpoints to be heard. Of course, to some extent, this can and does occur, but as Couldry points out, even in the digital sphere, the current market economy rules impose a number of structural restrictions on free speech by favoring particular worldviews and reducing the opportunity for a more open exchange of ideas. Indeed, the Internet has expanded the commercialization of the media audience in a number of ways, as Bengt Johansson and Stina Bengtsson show in their Chapter [5]–[7].

Big media players are as crucial as ever in a society with an abundance of information sources because they provide individuals a simple method to wade through the information muck. The new media oligopoly that has formed to rule the internet world serves as a fascinating example of how capitalism's history, without legislation to stop it, consistently drifts towards monopolies. The market dominance that certain businesses, like Google, amass after they occupy a dominating position makes it difficult for rivals to compete. This Chapter will concentrate on a distinct and sometimes overlooked component of market-driven speech: the growing importance of advertising as a source of revenue for the dissemination of knowledge and culture. Media have become increasingly reliant on selling their viewers as the possibility to earn from selling content diminishes. As a result, both in terms of scale and reach, advertising has emerged as our major creative sector. All around us, advertisements clog or support most kinds of artistic expression, and they rule many others. I shall argue that this has an ideological effect and limits the scope of what may be communicated.

### **Advertising limits**

The development of the creative and communications medium was seen by governments at the time as best left to the market, which led to the creation of the Internet. What started out as a public forum for the exchange of ideas transformed into a mostly commercial one sponsored by the sale of viewers to advertising in little more than ten years. I recently discovered, to my surprise and dismay that sometimes, even my own Ted X speech, which, like this Chapter, examines advertising critically, was preceded by an advertisement.

Our belief that information should be freely available to us, as well as most other kinds of cultural expression, has been influenced by the Internet's ethos. While there are some public systems for content development, the majority of commercial content producers now almost exclusively rely on advertising income as part of their business model. Newspapers, for instance, have always been able to employ advertising to support their sales. Only the most specialized magazines are likely to generate a significant revenue from selling their content in the internet era. At the same time, the buying and selling of commodities has grown more deeply ingrained in all of our creative sectors. In the music business, there used to be a distinct line separating commercials from popular music; currently, the two are inseparably linked. Both the goods and the marketing are promoted by the music. Although not nearly as often as the customary cinematic montage of pre-movie advertising nowadays, advertisements have long preceded movies. However, they are now present throughout the whole film, with product placement and commercial tie-ins becoming commonplace in the business. Most nations now have more ad-supported TV channels than ever before, and the amount of advertising per hour has reached saturation point [8]–[10].

In market economies, advertising acts as a parasite, clinging to popular material despite there being little demand for it against all of its humor and inventiveness, it is one of the rare examples of cultural expression that exists against popular preferences rather than in response to them. In this way, advertising's dominance in our society may be seen as a paradox: although it has become an increasingly important part of creative expression in a market economy, our desire for more advertising has little to do with its existence. A type of cultural tax that enables us to avoid more direct or communal forms of payment, it is there for producers rather than consumers. However, most people consider advertising to be benign, though sometimes annoying. The freedom of speech is nonetheless restricted in a variety of ways.

### **Restricts Political Diversity**

Advertisements nearly always have a practical and ideological bent. Even if websites or TV shows do not advocate the advantages of consumerism, the prevalence of ads means that, for instance, viewers watch 10 to 15 minutes of television for every hour they spend in front of the television that is dedicated to celebrating the delights of consuming. Despite the variations in the programs, there is a sense in which ads themselves are remorselessly repetitious despite their symbolic abundance. They all claim that the only way to achieve human comfort, freedom, beauty, and health is through consuming material goods. The injustices of global production and the environmental effects of distribution and disposal remain steadfastly suppressed as a result of the advertising industry's promotion of consumption. The ideological ramifications of these advertising themes cannot be understated at a time when proponents of social justice, the environment, and labor unions are challenging the pro-corporate consumerist ideology's fundamental tenets. There is no political balance here, even though authorities insist on it for programming. As long as they avoid overt party advocacy, marketers are exempt from these regulations. The *New Rulers of the World*, a John Pilger program that aired on British television on July 18, 2001, gave me a vivid illustration of this argument. Every 15 minutes, advertisements that some of which, like a Peugeot advertisement featuring motivational images of black women, were made specifically to allay consumer concerns about sweatshop production and corporate ethics contradicted Pilger's argument, which was intended to be a critique of how corporations treat workers in the global economic system. Pilger's point was completely negated by communications intended to calm and deflect. His right to free speech was more stifled than it was repressed.

A double standard is at play in this situation. Few organizations have the motivation or funds to support advertisements that criticize corporate behavior or consumer culture, thus they are uncommon. But unlike advertisements that promote consumption, they are considered as political and are likely to violate public service impartiality laws wherever they still exist. They are detrimental to business because they run the danger of jeopardizing those targets' more profitable financing sources. The Financial Times, for instance, is glad to publish puff pieces extolling the benefits of different oil firms, but it declined to publish an advertisement from Amnesty International that criticized Shell's record on respecting human rights in the Niger Delta.

The distinction between journalistic material and advertising is becoming hazier, as Tamara Piety, Fredrik Stiernstedt, and Eva-Maria Svensson note in respective Chapters. This is due to the borders between news copy and advertorials becoming more permeable. The issue here is not only the unique prejudices of some companies; rather, advertising serves as a propaganda tool, if unintentionally, for a whole way of life. Advertising, for instance, has something to say about climate change and trade conditions in a globalized world, two of the most important concerns confronting individuals in the twenty-first century. Campaigns promoting brand loyalty are contrasted against those opposing poor wages in the third world. Environmentalists worried about global warming must contend with a deluge of commercial messages that encourage people to consume without considering the implications, in addition to PR tactics intended to obscure the obvious warnings coming from climate science. It is understandable why climate change has yet to really impact elections. Advertising repeatedly teaches us that as long as we keep buying things, it doesn't matter where they originate from, how they were manufactured, or how their production, distribution, or disposal affect the environment [11], [12].

The advertising also expresses an opinion on food politics. It illustrates and normalizes the predominance of a certain food production and consumption system. The production of processed foods, which has a greater chance of "adding value" to a batch of inexpensive components and is often more lucrative than, say, selling fruit or vegetables, is favored under this system. Although it may be better to limit the use of processed ready meals, we are far more likely to encounter an advertisement for pre-cooked lasagna than for lettuce, leeks, or lentils. Advertising has so unironically normalized the purchase and sale of processed, less-natural foods. This has disastrous health effects on both poor and wealthy nations. This creates a concern about yet another kind of freedom from such speech, which I will address in a moment.

### **Benefit From an Ad-Based System**

Advertisers discriminate in favor of certain groups, particularly young individuals and those with high amounts of disposable money, as political economists have long noted. Therefore, a show that attracts the biggest viewer share may not always be the most responsive to advertiser demand. TV shows have been canceled despite being the most watched show in their time slot because an advertiser may prefer a smaller, richer, younger audience over a bigger, poorer, older one. In such a society, youth and wealth take precedence above popularity. In other words, "efficient market behavior system- atically favors the interests of advertisers, shareholders, and more valued audience segments over those of the broader population, including the poor, the very young and old, and racial and ethnic minorities," as stated by Laura Stein . In this approach, advertising restricts free expression by discouraging content creators from creating material for audiences with lower income levels. Or, to put it another way, some individuals have more votes than others in the market place of speech. Thus, in a strictly analytical sense, market-driven and democratic ideas of freedom of speech.



## Types of Material against By Advertising

Viewers who will be responsive to advertising messaging are what advertisers seek to purchase. This favors the kind of material that does not compete with or distract from the advertising that interrupt it, whether it be in magazine articles or TV shows. An audience that is angered by the interruption is the result of content that is too fascinating, deep, or serious to be readily interrupted. The most overt political implication of this is that, regardless of the interests of viewers, messages that are in opposition to the pro-corporate, consumerist worldview that most advertising either relies upon or supports are unlikely to win over advertisers. However, there is a drawback to engaging in creative activities. Sports, drama, comedies, news, and documentaries on commercial television all have the enormous aesthetic drawback of being created for commercial breaks. Since the early days of radio, programs have been created around commercial messaging in mature commercial societies like the US.

The prospective writer is reminded that "television shows structured around commercial breaks" in a primer on TV writing in the USA. This may be understood as: Usually with a teaser and tag, the tales for hour-long dramas or action-adventures are structured in four acts. Every act should end with a bang, particularly around the halfway point, when viewers are most inclined to switch channels. This responsibility renders the kind of continuous action, drama, or mood we associate with high-quality television clearly unattractive and imposes an obstruction to free expression that is often disregarded.

## CONCLUSION

Citizens' organizations, for example, have advocated for the elimination of advertising particularly for unhealthy foods from children's television programs. Even if it is difficult to conceive of a case in favor of promoting junk food to children, advertising's hold over creative culture is so strong that, with the exception of a few nations like Sweden, these efforts have typically failed. This takes the fight for free speech to a new and very distinct level. Because advertising has grown so widespread, the ability to experience communication or culture that is not confined or saturated by advertising's repeated logic is becoming more valued. One of the BBC's most important traits is sometimes overlooked in contemporary UK discussions regarding its future. The BBC is the only British broadcaster that does not have to tailor its programming around advertising. This has a lot of creative and political implications: it no longer needs to concentrate on the financial ramifications of upsetting corporate voices, restrict its originality to fit around commercial breaks, or focus on its audience's discretionary cash. But, probably most crucially, it allows consumers to listen or watch without interruption from advertising they did not intend to view.

## REFERENCES:

- [1] P. Maesele, D. Raeijmaekers, L. Van der Steen, R. Reul, and S. Paulussen, "In Flanders Fields: De/politicization and Democratic Debate on a GM Potato Field Trial Controversy in News Media," *Environ. Commun.*, 2017, doi: 10.1080/17524032.2015.1094102.
- [2] P. Maesele, "On news media and democratic debate: Framing agricultural biotechnology in Northern Belgium," *Int. Commun. Gaz.*, 2011, doi: 10.1177/1748048510386743.
- [3] P. Maesele, "Risk conflicts, critical discourse analysis and media discourses on GM crops and food," *Journalism*, 2015, doi: 10.1177/1464884913511568.

- [4] K. Atkinson, T. Bench-Capon, and P. McBurney, "PARMENIDES: Facilitating democratic debate," *Lect. Notes Comput. Sci. (including Subser. Lect. Notes Artif. Intell. Lect. Notes Bioinformatics)*, 2004, doi: 10.1007/978-3-540-30078-6\_52.
- [5] Y. Pepermans and P. Maesele, "Democratic debate and mediated discourses on climate change: From consensus to de/politicization," *Environ. Commun.*, 2014, doi: 10.1080/17524032.2014.906482.
- [6] M. Huijer, "Storytelling to Enrich the Democratic Debate: The Dutch Discussion on Embryo Selection for Hereditary Breast Cancer," *Biosocieties*, 2009, doi: 10.1017/S1745855209990238.
- [7] P. Hatemi and R. McDermott, "Policing the perimeter: Disgust and purity in democratic debate," *PS - Polit. Sci. Polit.*, 2012, doi: 10.1017/S1049096512000686.
- [8] M. Sandel, "The lost art of democratic debate," *TED Talk*, 2010.
- [9] C. Ruiz, D. Domingo, J. L. Micó, J. Díaz-Noci, K. Meso, and P. Masip, "Public sphere 2.0? The democratic qualities of citizen debates in online newspapers," *Int. J. Press.*, 2011, doi: 10.1177/1940161211415849.
- [10] P. Horrigan, J. B., Garrett, K., & Resnick, "The internet and democratic debate," *Washington, D.C. Pew Internet Am. Life Proj.*, 2004.
- [11] Y. Pepermans and P. Maesele, "The politicization of climate change: problem or solution?," *Wiley Interdiscip. Rev. Clim. Chang.*, 2016, doi: 10.1002/wcc.405.
- [12] P. Maesele and L. Van Der Steen, "Three twenty-first-century disaster films, the ideology of science and the future of democratic debate," *Catalan J. Commun. Cult. Stud.*, 2016, doi: 10.1386/cjcs.8.2.189\_1.

## CHAPTER 5

### A STUDY ON THE ARTIFICIAL NEURAL NETWORK-BASED METHOD FOR PRESS FREEDOM VALUE ASSESSMENT

---

Dr. Trapty Agrawal, Associate Professor,  
Maharishi School of Engineering and Technology, Maharishi University of Information Technology,  
Uttar Pradesh, India  
Email Id-trapty@muit.in

#### **ABSTRACT:**

In today's democratic society, freedom of the press plays an ever-more significant role, and people are becoming more and more aware of its importance. The fundamental idea, the proper characteristics, and the role functions of freedom of the press have all been developed to create the value of freedom of the press, which serves as the jurisprudential foundation for bolstering its legal construction. The right to free speech and the right to publish are both enlarged by the freedom of the press, which is the use of these rights in news transmission activities. In the contemporary era, press freedom is seen as an institutional right, a political right, and a basic right. The contradiction between press freedom's worth and other societal values becomes more and more visible as the importance of press freedom in the development of contemporary democracy grows. In such a setting, this research applies BP neural network technology to the evaluation of press freedom value in the hope that a collection of assessment method models with press freedom value at their heart may be built. The fundamental issue is how to automatically assess the worth of press freedom using BP neural network technology in order to accomplish this aim. To deliver the most useful news to readers first, a web crawler is utilized to gather news from multiple online sources. The news is then scored and reviewed by the system. The studies employed a dataset made up of 1440 data items. When compared to LSTM, linear regression, and random forest-based models, the suggested GRU with multifeature fusion technique has a greater accuracy and a lower error rate.

#### **KEYWORDS:**

Freedom, Institutional Right, Press, Political.

#### **INTRODUCTION**

The right to freedom of the press is an extension of the right to freedom of expression and of the press, and it refers to the extension of such rights to news distribution activities. Today's dominant perspective is that press freedom is a political and institutional right, as well as a basic one. Since the inception of the concept of press freedom, discussions of its worth have largely reflected people's understanding of its worth through the elaboration of the fundamental idea, the characteristics of the right, and the role and function of press freedom. The truth is that press freedom has a wealth of value because it solidifies people's ideal conceptions of it and affirms that it is a fundamental human right, serving a variety of societal purposes. The natural rights theory, the marketplace of views theory, and the people's sovereignty theory are the three main schools of thought that comprise the fundamental theories of the importance of press freedom. Natural rights theory, commonly referred to as "natural human rights," stresses that people have inherent rights that are unalienable since they are not bestowed by the government or by the law. The notion that "natural rights are the

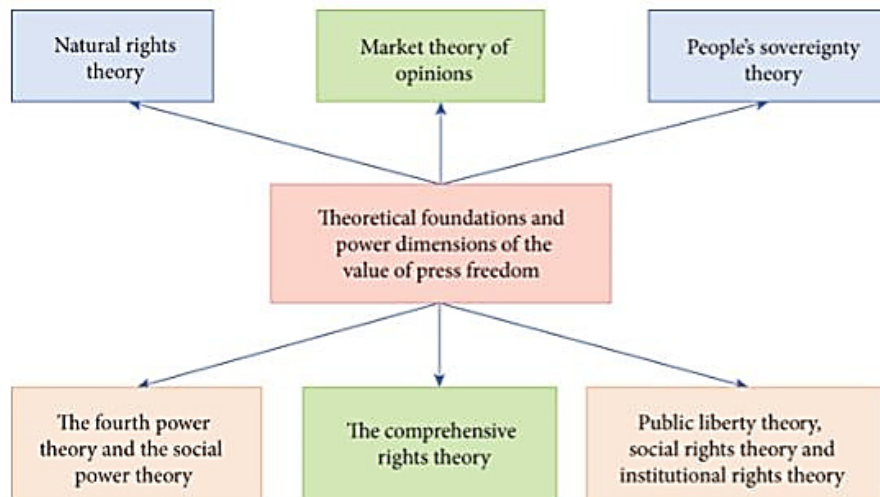
commands of proper reason," fusing natural rights with human beings' inherent reason, was initially put out by Dutch jurist Grotius [1], [2]. The concept of "natural human rights" was codified into legislation during the bourgeois revolution, and the Enlightenment philosophers saw freedom of speech and the press as one of the most significant natural rights. Since freedom of expression is an inherent right, the right to freedom of the press, which is derived from that right, is also a natural right of every individual and is one of the prerequisites for ensuring the realization of human values. The theory of natural rights also serves as the foundation for the value of the autonomy of freedom of the press, and the suppression of that freedom is valued. The value of press freedom is that it can act as a social force against autocracy, forcing the rulers to change their ways; since natural rights are the foundation for legal rights, the design of a country's rights must be based on the content of natural rights; as such, press freedom as a natural right also becomes a measure of the provisions of a country's constitution. The standard for determining whether a nation's rights are reasonable and suitable uses the freedom of the press as a fundamental right. The critical role of press freedom for the person, society, and state is especially addressed by the marketplace theory of opinion. Without the ability to express one's opinions, there would be no way to voice one's ideas and demands; without a sufficient market for opinions, society would be in a state where "all the people would be in a state of mourning"; without the competition of different opinions in the public sphere, the state would inevitably descend into totalitarianism. In other words, as the value of freedom of the press can only be achieved via the competition in the marketplace of ideas, this is the method by which it must be done [3], [4].

No news is kept a secret in the age of new media, and the more information we try to suppress, the more people want to learn about it. In the information era, news of all types permeates every aspect of our everyday lives. People may read news at anytime and anywhere thanks to the Internet, laptops, and cellphones, and they can also look for the information they want on a variety of information networks. The media landscape has also experienced significant changes in order to serve the demands of the general public, and some new media have begun to provide a platform for the gathering of information to be publicly exhibited. In conclusion, with the emergence of the new media period, the media have awoken the public's feeling of freedom, and the freedom of news is steadily being stressed. Using the Internet as an example, the Internet has shown its potent capacity in the gathering and disseminating of information and has significantly aided in the democratization of society and the growth of the social economy. But as we all know, freedom has two sides, and too much of it may easily result in the spread of false information and other forms of misinformation that might mislead the general population.

## DISCUSSION

In this sense, this essay provides a succinct analysis of how to establish the limits of freedom in the context of new media and how to use that power within constrained parameters. Figure 1 illustrates the theory and basis for the existence of the value of press freedom. The algorithm design based on the value of freedom of the press is based on the assumption that "public people" are sensible and concerned with the welfare of the general public and uses the value of freedom of the press, which is the standard by which professional journalists choose their news sources, as its theoretical underpinning. The news freedom value of professional journalists, which takes into account both the audience's interests and the news's public character, serves as the theoretical foundation for the algorithm's construction. More crucially, this algorithm is made to evaluate the information's worth and quality before guiding decisions based on how well the material has been understood. This brings us back to the crucial questions of news facts and news information. By incorporating "artificial

intelligence" technology into the assessment of the value of freedom of the press based on the theory of freedom of the press, this study seeks to develop a set of algorithmic recommendation models with the value of freedom of the press as the core index. The exploration of using artificial intelligence technology to assess the news freedom worth of a news piece is therefore one of the main goals of this project. This study offers a novel interdisciplinary approach to the study of press freedom value evaluation from the level of theoretical research on press freedom value.



**Figure 1: Foundations and ideas supporting the existence and importance of press freedom**

### Value Theory of Press Freedom

In contrast to ignorance and barbarism, which are the outcome of humans transforming nature, society, and their own subjective reality, the primary definition of civilisation is the condition of progress and enlightenment in the evolution of human society. Material civilisation, institutional civilization, and spiritual civilization are the three components or manifestations of civilization. These three civilizational forms all exhibit the civilizational virtue of law. The institutional and spiritual civilizations are where the benefit of press freedom is most evident. Modern society is gradually evolving into a participatory society where the general public can access all types of information more widely and freely and participate more widely and freely in social management and power supervision. This development is being facilitated by the development of modern society and the use of modern science and technology, especially the use of electronic media. Additionally, the modern kind of democracy is transitioning from representational democracy to participatory democracy. In certain ways, it may even be stated that the election system will be replaced by the press freedom system as the foundation of democracy [5]–[7].

Thus, the institutional value of press freedom is that it contributes significantly to the development of participatory democracy. Citizens have the unalienable right to knowledge. A crucial need for guaranteeing that individuals have access to their right to knowledge is press freedom. The right to be informed about society, or the right of people to be educated about social trends and legal issues that concern them, is a crucial component of the right to information. The underlying assumption behind social phenomena and issues that concern citizens is that they must adhere to the rules and regulations as well as the social morals of everyday citizens in order to avoid transgressing on public morals and good customs. In journalism theory, the function of normative and role model advice has long been valued. A

good typical may inspire people's spirits, even cleanse their hearts and minds, and foster a more and more progressive and civilized social milieu. A good typical can have a great impact on society via media propaganda and garner widespread public attention. As a result, the right to social knowledge may be crucial in fostering social growth, enhancing individuals' quality of life, and addressing their spiritual needs. Citizens have the same rights as those who take part in politics when it comes to creating a moral or aesthetic environment. Thus, the development of ideologic and moral sublimity reflects the spiritual significance of press freedom. By performing its monitoring and propagandizing duties, the press may undoubtedly aid in encouraging the growth of educational institutions, the expansion of culture, and the progress of science and technology.

Both an institution and a value, democracy. The value and this system are basically the same. Democracy is not only a theoretical concept; it is also, and perhaps more significantly, a social practice. Democracy is the sum of a particular state system, the freedoms and rights of its citizens, the conduct of its public officials in a democratic manner, and its general awareness of its own democratic nature. It includes political democracy, economic democracy, cultural democracy, management democracy, decision-making democracy, and supervision democracy; it bases its operations on legal democracy and election democracy. The definition of democracy is simply that the people as a whole exercise national sovereignty. For democracy to be realized, each person must really exercise their democratic rights and freedoms as a part of the people at large. The depth and scope of individual engagement in society is a key indicator of how far democracy has progressed. The people's right to knowledge and speech is guaranteed, and it also allows for significant public participation in the governance and oversight of society. This is how freedom of the press satisfies both prerequisites of democracy. The foundation of a democratic system is freedom of speech, and press freedom is the manifestation of democratic principles in the realm of communication, according to democratic political theorists. Press freedom has helped transform representational democracy into participatory democracy to a certain degree. An approach to living that is more in line with true democracy and, in a way, a return to direct democracy, is advocated by participatory democracy.

With a large area, a sizable population, and a sophisticated structure, the contemporary state is a sizable social organization. The establishment of a free press system is the foundation and lynchpin of participatory democracy, and the implementation of a certain degree of direct democracy and the cultivation of a democratic way of life in such a large state necessitates the use of specific technical means and institutional design, i.e., the development of communication technology and the construction of a free press system. Accordingly, freedom of the press has a crucial democratic value, and "whatever the definition of democracy is, democracy itself cannot exist without freedom of the press." Of course, freedom of the press does not automatically bring about democracy; rather, it only has a potential democratic value, the realization of which depends on the exercise of that right [8], [9].

### **Classification of News and Value Evaluation**

The network has entered thousands of homes thanks to the Internet's quick expansion, and traditional news outlets like radio, television, and newspapers have steadily given way to the network's new media. The network plays a crucial role in people's life; one of the key scenarios of network applications is the vast variety of applications, access to news, and information via the Internet. For news editors, the majority of them are manually retrieved or copied from the Internet by staff members, with the exception of a limited quantity of self-generated news. The fact that there are tens of thousands of different news outlets on the Internet, including portals, newspaper websites, microblogs, and blogs, as well as the fact that

WeChat public numbers and just the Sohu news client handle millions of news items every day make it difficult for news editors to keep up. This topic will implement an automatic crawling of Internet news content and, through the integration of text classification, relevance calculation. Thus, by integrating key technologies like text classification, relevance calculation, repeatability calculation, and news free value prediction, this project will implement an effective, clear, and accurate news analysis, management, and service system that automatically crawls Internet news information.

The system's intended users are news editors and ordinary readers, giving them a clear and ideal news reading experience and assisting in editorial decision-making. First, the system reconstructs the development of news from a global perspective and separates out the development trend of news from the timeline through the analysis of correlation between texts. Next, the system's filtering and filtering technology removes duplicate news and marks it for management, making the system both efficient and comprehensive. Additionally, the finding of trending subjects is made simpler and more apparent via the visualization interface display. Second, by using text classification technology, it is possible to automatically classify news text, which lowers the amount of human labor required, gives news editors a reference point, and increases the effectiveness of news text classification. Finally, value-related characteristics are extracted from the analysis of news' free value parts, and a predictive analysis model of value is built to forecast the value trend of news and provide support for news editors' judgments to pick and publish news.

The similarity of meaning and recurrence of material are the two key areas of focus in the correlation analysis of news. By using methods like Chinese word separation, deactivating and extracting text feature words, and calculating the angle between vectors using the cosine theorem, similarity analysis converts news text into structured vector space data that is easy to calculate and analyze. Through experimentation and statistical analysis, the cosine value between similar news in the sample data is examined to identify the best threshold value for determining whether it is similar news. By comparing the news with comparable word meanings to the threshold value, the news may be assessed. This not only saves readers' time and prevents them from reading a lot of news with the same material, but it also gives them a more thorough grasp of news events from several angles. The source of the news may be determined by comparing the timing, and the original and most authentic news event can be recovered. There might be a significant number of duplicate news stories since the data is gathered from several websites using web crawlers. We analyze the sample data to determine the best threshold for the duplication index and then mark the news with a duplication index above the threshold as duplicate news in order to efficiently filter and flag these duplicate, reprinted, or slightly modified news [10].

This will save readers' time and effort while also improving their reading experience. Additionally, news topic discovery may make use of similarity detection and repetition detection. It is possible to categorize groups based on the distribution of the dots in a dotted line graph used to represent similar news, where the dots stand in for the news and the edges for the similarity index. The correlation index between the repeated news can be adjusted after the repeatability calculation, improving the effectiveness and success rate of group discovery. The examination of news content for several categorization categories is the basis for classifying news. It successfully combines the data and enables readers to find the news categories they are interested in fast because of the enormous volume of news data that is crawled every day. SVM support vector machine has strong use in the classification with linear indistinguishability, according to examination of different classification techniques, experience, and summaries of prior writers.

For multiclassification systems, however, it is the combination of binary classification, voting elections, etc. that is changed into multiclassification since it can only do binary classification by nature. We analyze the traditional multiclassification combination strategy's benefits and drawbacks before proposing a multiclassification combination strategy for binary trees that supports vector machine classification algorithms. This strategy is based on the idea of giving priority to the categories with the smallest class distances. The categorization enables readers to swiftly identify and target various sorts of news in accordance with their preferences as well as integrating and efficiently managing the system resources. Future news value prediction: The value prediction of news is an assessment of the influence that news will have on society over the course of time. We creatively propose, based on the elements of news freedom value, to extract the features related to news freedom value at the current moment based on the Baidu search platform and construct the evaluation index of news freedom value at the current moment by analyzing with the data in between moments, as well as continuously collecting the time series data about news freedom value through a timer, and applying the self-learning BP neural network technology to the data [11], [12].

### CONCLUSION

The convergence of social and computer sciences has drawn more attention from academics in recent years. The use of NLP methods, such as text mining, has grown in the field of social sciences and is still on the rise. The issues that scholars are concerned with in the field of journalism and communication are the ability to use big data text analysis technology to mine valuable information and knowledge from the enormous amount of news texts and the ability to use artificial intelligence technology to achieve effective dissemination of news information and improve the efficiency of users' access to news information. Even though the social sciences already have a very developed framework for judging the worth of press freedom, the implementation of the specific assessment work places very high demands on the assessor's professionalism and increases the manual workload significantly. In order to estimate the value of press freedom, this research incorporates machine learning and big data text analysis techniques. To accomplish automated evaluation of press freedom value, we build a BP neural network model based on conventional press freedom value judgment criteria. In order to deliver the most relevant news to the reader, a news dataset is produced by crawling content from certain websites, which is then assessed and scored. In comparison to previous techniques, the suggested model is more accurate and has a reduced error rate.

### REFERENCES:

- [1] Y. C. Wei, Y. C. Lu, and I. C. Lin, "The impact of financial news and press freedom on abnormal returns around earnings announcement periods in the Shanghai, Shenzhen and Taiwan stock markets," *Rom. J. Econ. Forecast.*, 2015.
- [2] D. K. K. Leung, "Alternative internet radio, press freedom and contentious politics in Hong Kong, 2004–2014," *Javnost*, 2015, doi: 10.1080/13183222.2015.1041229.
- [3] K. H. Youm, "Freedom of the Press," in *International Encyclopedia of the Social & Behavioral Sciences: Second Edition*, 2015. doi: 10.1016/B978-0-08-097086-8.95054-2.
- [4] R. De Mateo Pérez, "Freedom of thought, freedom of speech, press freedom: A trinomial for debate," *Estud. Sobre el Mensaje Periodis.*, 2015, doi: 10.5209/rev-ESMP.2015.v21.n2.50904.



- [5] G. Chapman, "PRESS FREEDOM IN SINGAPORE AND MALAYSIA: DEFAMATION," *Brawijaya Law J.*, 2015, doi: 10.21776/ub.blj.2016.002.01.02.
- [6] L. Cowling, "Press Freedom in Africa: Comparative Perspectives," *J. South. Afr. Stud.*, 2015, doi: 10.1080/03057070.2015.1026208.
- [7] L. Sudirman and M. Utami, "Analisis Yuridis Terhadap Kebebasan Pers Di Indonesia Dan Malaysia," *J. Judicial Rev.*, 2015.
- [8] A. Forbes, "Courageous women in media: Marcos and censorship in the Philippines," *Pacific Journal. Rev.*, 2015, doi: 10.24135/pjr.v21i1.157.
- [9] P. Yakovlev and D. Gilson, "Public Trust and Press Freedom," *Econ. Bull.*, 2015.
- [10] G. Khiabany and M. Williamson, "Free speech and the market state: Race, media and democracy in new liberal times," *Eur. J. Commun.*, 2015, doi: 10.1177/0267323115597855.
- [11] N. Dutta and S. Roy, "The interactive impact of press freedom and media reach on corruption," *Econ. Model.*, 2016, doi: 10.1016/j.econmod.2016.05.008.
- [12] V. Asal and A. M. Hoffman, "Media effects: Do terrorist organizations launch foreign attacks in response to levels of press freedom or press attention?," *Confl. Manag. Peace Sci.*, 2016, doi: 10.1177/0738894215579622.

## CHAPTER 6

# CONTROL OF MEDIA AND COMMUNICATIONS IN A GLOBAL NETWORKED SOCIETY

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

### **ABSTRACT:**

In the linked world of today, media and communications regulation is crucial in determining how the public discourse, political narratives, and cultural exchange are shaped. This summary gives a succinct overview of the dynamics, difficulties, and effects of media and communication regulation in a highly networked, international society. This Special Issue builds on the interdisciplinary discussion that occurred at the University of Windsor symposium on the regulation of digital platforms, new media, and technologies in the fall of 2017. The collection brings together the writings of numerous academics from around the world who reflect on some of the most important questions and challenges of our time, such as how transnational digital media platforms, algorithms, and big data shape commerce, politics, speech, mobilization, or racial issues.

### **KEYWORDS:**

Communications, Globalization, Information, Media, Technology.

### **INTRODUCTION**

How can global digital platforms change the function of our governments, daily life, and the populace? How do institutions, governments, businesses, and individuals use or react to this highly mediatized networked environment? How much have boundaries between countries become irrelevant in today's networked world? This Special Issue explores the regulation of new media by drawing on the work of Canadian media theorist Marshall McLuhan<sup>3</sup> and others as a starting point. It does so in a post-colonialist and post-truth context. We expect that different media, network, and border theories at the interface of law and regulation will better inform the objectives that legislators and policymakers should pursue. This is especially pertinent at this time, when governments, businesses, and individuals confront unprecedented difficulties as a result of information flows regarding the world, hate speech, and environmental concerns [1], [2].

### **Borders and the Media**

The gathering of many concurrent discourses regarding the confluence of media theory and law is one of the objectives of this Special Issue. It offers an illustration of how this junction may be built. Marshal McLuhan's attempt to critically examine the unseen or imperceptible influence of media change served as a loose inspiration for the collection, which reveals a complicated web of inversions, reversals, paradoxes, and unexpected repercussions. It views media as "environments" that develop and maintain certain types of connectivity between people, social institutions, technology, and/or information rather than just discrete devices or platforms. Additionally, each complex of media types' unique spatio-temporal interactions are materialized in these contexts.

This tradition has at least two ramifications that apply to all of the pieces in this collection. The first focuses on the best way to conceive how media technology's non-neutrality affects the quality and nature of information. At the University of Toronto, Harold Innis, McLuhan's intellectual forebear, produced a diverse range of historical analyses that examined how various media shaped social, economic, legal, and epistemic relations in time and space, resulting in the "habits of mind" that connected and frequently coordinated individual behavior and social structures. The purpose of Innis' notion of "bias" was to clarify the tangible influences that media have on the nature and quality of knowledge. Innis believed that progress in information and communication technology did not lead directly to enlightenment. As W. T. Easterbrook once put it, Innis's idea of "the bias of communication" was a sign of an unbalanced relationship between "time and space, Church and Empire, stability and change, written and oral traditions, Roman Law and Common Law, force and sanction" [3], [4].

Bias results from the way media and communications systems provide isolated viewpoints, forming mental patterns and mindsets that limit cross-cultural dialogue. Innis would therefore caution us to be aware of the focus on broad media settings in the 20th century that result in concentrated political and economic power as well as our rising insensitivity to norms of speech, religion, and community. Innis, on the other hand, observed that "enormous improvements in communication have made understanding more difficult". One of the techniques that McLuhan would eventually formalize to demonstrate the concealed or implicit influence of media is this counterintuitive reversal. Innis criticized what he dubbed the "mechanization of knowledge", which he said resulted from the fusion of bureaucratic and technical advancements and seemed to separate the value and usefulness of information from lived experiences.

## DISCUSSION

More information did not equate to more knowledge, thought itself could be made more difficult with newer technology, and the technological sophistication of information and communication could degrade the quality of knowledge, according to Innis, McLuhan, and later thinkers like Postman and Postman. Innis also recognized that changes in media might lead to the development of "monopolies of knowledge," in which information is controlled, accessible, and used productively by a relatively privileged or elite segment of society. Thus, knowledge itself and the technical mediation of information are fundamental to the media-theoretical paradigm that Innis and McLuhan defined. These methods dispel misconceptions about technology "neutrality" by placing a focus on the "mediation" process. When addressing new or developing media technologies, prevalent conceptions like a "marketplace of ideas" or "free flow of information" often represent hegemonic interests while simultaneously restricting the applicability of legal theory and regulatory frameworks. This line of inquiry brings up issues regarding how technologies may be formed by and worsen disparities defined by class, gender, and race, among others, in light of the non-neutrality of media technology. By making regulatory and policy frameworks more aware of how these potential biases may affect different groups of people, the concept of media and mediation can help better identify these structural and material "biases" that, in turn, shape the development of digital technologies.

The second conclusion we want to draw attention to is how media theory enriches discussions of boundaries and "borderization" in a world connected by networks. Has the ideal of a world without borders that existed after 1989 come true? According to Sandro Mezzadra and Brett Neilson's *Border as Method*, the opening of new borders after 1989 served to maintain the precarious state of conceptions of citizenship and sovereignty. The world was undergoing a

series of compounding changes and challenges to border regions when we held the Media and Space Symposium in the fall of 2017 or shortly thereafter: the US-Canada border had closed to passenger travel but remained open to commercial flows; the UK and EU were coping with the results of the Brexit vote; migration between North Africa, the Middle East, and Europe was straining relations with the EU; and the Trump administration was implementing new immigration policies. Borders may be seen as medial and material forces that transcend historical divisions, political upheavals, as well as colonial and racist experiences of country and territory, in addition to their legal frameworks [5], [6].

Borders and borders pertain to both geographical and social issues, such as the changing lines between work and play or private and public life. Political, social, cultural, and geopolitical boundaries may be created or altered as a result of the introduction of new media; conceptually, media theory can guide how boundaries are contested or reaffirmed by digital technologies. How do media and material circumstances influence the regulation and formation of borderland areas as well as the stories that people tell about these places? Considering borders and boundaries as contradictory points of connection and disconnection, or what McLuhan would refer to as intervals of resonance, is particularly well suited to the tradition of McLuhan's media theory, which emphasizes mutual annoyance between cultures, traditions, institutions, and forms of governance. A wide range of disciplines can benefit from thinking about borders in "media-theoretical" terms emphasizing circulation, movement, and temporality as key factors in considering regulatory stakes for future media technologies in an era where borders are important mediating points in the global economy.

## Networks

Although McLuhan's idea of the "global village" caught how media and globalization are intertwined, this understanding has a far deeper philosophical heritage. In fact, a fundamental objective of European modernity has been the development of a worldwide "network" society, a process that was itself made possible by colonial exploitation. The numerous methods in which important philosophers and economists of the European Enlightenment, especially Mattelart, lay the foundation for a goal of "networking the world" in order to build a utopian global market are identified. New political and economic energies are mobilized to achieve a utopian global society that would realize a specifically European set of Enlightenment ideals for human sovereignty and communal life with each new wave of information and communication technologies telegraph, telephone, broadcasting, satellite, and Internet.

In the works of Daniel Bell, but especially the sociologist Manuel Castells, who provided the framework for conceptualizing and foreseeing the effects of networks on a global scale with *Rise of the Network Society*, the creation of a global economy founded on the power of networks reaches its 20th century iteration. Understanding "network" as a mediating function of infrastructure and infrastructure was necessary in the 1990s because it was a key term used to assess the emergence of a potentially new type of society, "the network society." The network is made up of a set of structured relations between nodes that are connected by relays. The "spirit of the age" is best summed up by the phrases "networks" and "Network Society" [7], [8]. Regulatory organizations like the International Telecommunications Union and ICANN continue to work toward the goal of establishing a world order based on ICT networks. Similar attempts to envisage and plan, at least in theory, a more equal and connected global network society included the doomed New World Information and Communication Order and the World Summit on the Information Society.

In addition to posing new challenges to the idea of borders, supranational global networks that support the "free flow of information" doctrine and the principle of "immediacy" present regulators with a difficult task of balancing national sovereignty objectives with the principle of "immediacy." Castells foresaw the network form's impact on how businesses, governments, international supply chains, and interpersonal interactions function. Similar to how terrorism, cybercrime, and cyberwar have evolved to use or utilize the power of networks, networked social movements have as well. Digital networks, according to Nick Dyer-Witheford have sped up the worldwide dissemination of social movements and campaigns for justice. In order to understand "virality," networks must be considered in relation to both the global routine surveillance depends on a specific type of network analysis, and the dissemination and remixing of viral media content via social networks, such as disinformation, fake news, clickbait, and memes.

### **Environment-related Issues**

In a time when the world is dealing with environmental disasters, theorizing media has a lot to give. Using terms indicative of the true costs and effects of digital media technologies on or for the environment, McLuhan established a heterogeneous "media environment" bound by its materiality. The fact is that any communal reaction to environmental challenges has these same media squarely to blame. News about the environmental disaster must also fight for representation in a cutthroat attention economy that rewards sensationalism, misinformation, and entertainment as an urgent newsworthy subject of global public concern. The disaster which is a symptom of numerous global environmental crises, has sparked a greater reliance on media technologies and made ubiquitous connectivity an indispensable component of the infrastructure for daily life, giving rise to battles over the rights to connect and disconnect. Tracking applications, vaccination passports, and public health monitoring all worsen pre-existing tendencies in surveillance but give them a new sense of urgency due to worries about possible overreach and misuse. A sophisticated knowledge of the tensions and contradictions that exist in the media environment more widely is necessary given the urgency created by privacy concerns despite expanding surveillance tactics. The confluence of a throughout the world and escalating environmental concerns has increased the urgency of all previous forward-looking regulatory approaches to digital platforms and media.

### **Regulation**

Many different interpretations of regulation are brought together by the interdisciplinarity of this Special Issue between law, media, and communication theory. The interaction of various disciplines exposes the limits of conventional understandings of regulation as referring to a state or other authority prescribing standards of behaviour, maybe more than previous points in time. Less obvious, but no less important, norms are also imposed through media, algorithms, network structures, and digital platform designs, which influence how businesses behave and how people behave. Regulating refers to "an official rule made by a government or some other authority" in its more conventional sense, which is the one that legal experts often share; Hamilton and Robinson 2017. While legislation and other forms of rules of conduct are typically associated with regulation, non-binding or non-coercive regulation can also refer to other types of rules that come from international or industry-specific organizations [9]–[11].

Other types of norms controlling behavior require as much, if not more, consideration, according to media and communication theorists. Although the notion that software code and algorithms establish crucial unwritten rules, or *lex informatica*, that impose conduct or behavior equivalent to legal rules, is not new, many aspects of the networked society have

exponentially increased how algorithms regulate the behavior of organizations or individuals. The primary objectives and effectiveness of state regulation are called into question by transnational digital platforms and their structures, network effects, market domination, the extended extraction of user and other large data, and the customization of information and services. Media content and speech regulation are the first regulatory topics that come to mind when law, media, and communication theory are combined, and it should come as no surprise that these are important topics for this Special Issue. Additionally, this collection also addresses regulatory concerns raised by the possible conflicts between the material individuals interact with online and what happens to their personal information and privacy when they do so. The discussion made possible by the Special Issue's interdisciplinarity will encourage or remind legal academics and policymakers to reconsider the purpose and scope of state regulation. Additionally, it may ask media and communication researchers to consider how, if appropriate, better state regulation might be aided by studies on media environments or network effects.

### **The Relationship of Interdisciplinarity to Law and Regulation**

An important issue of this Special Issue is how interdisciplinarity struggles with barriers, namely those set up by the fields of law, communication, media, anthropology, archives theory, etc. Interdisciplinary study demands the identification and awareness of how and why we construct boundaries inside and across the disciplines we investigate in order to seek new insights, link, and cut across fields. Interdisciplinary research in the field of law is abundant. Many of the articles in this collection take a Law and Society approach, which holds that laws and court rulings should be understood in the context of their respective societies rather than as an independent, self-contained set of binding laws. The Special Issue deals with the Law and Literature theoretical approach as a subset of this strategy. According to this theory, literature "sheds light on law's gaps, rhetoric, and moral stance" while offering practical interpretative methods used to analyze fictional literature. . In the tangle of information aided by social media and international digital platforms, one author to the Special Issue considers how fictional works may provide important sources and standards to legislators. Other authors expand on the wealth of legal and communication theory work that looks at the continuing issues with Internet, broadcasting, and communication regulation [12], [13].

When it comes to law, interdisciplinarity has a little subversive quality. The doctrinal approach to law, which is used by judges, attorneys, and to a large extent, is the approach taught in law schools, is based on hierarchical, prescribed legal principles and rules, such as *stare decisis*, statutory or contract interpretation. According to some, this integrated methodology of principles and laws should continue to be self-contained, independent, and follow its own logic, unconcerned with wider social policy objectives or ambitions. As a result, interdisciplinarity is at variance with or even incompatible with this approach that is inherent to law and its practice as well as the idea that law is a self-contained collection of binding rules and norms. The conflict between a more conventional doctrinal approach to law and an interdisciplinary or other critical theoretical approach to law is evident in this Special Issue. Our understanding of the nature and impact of regulation on media, communications, and the internet is shaped by the ways in which various disciplines vary in their theoretical approaches.

An approach based on media theory would see regulation as one of many social phenomena that might be equally vulnerable to other phenomena, such as the unchecked power of social media and its platforms. For instance, one author takes an ecological theory of media approach to the regulation of Facebook and other such transnational online platforms and expresses doubt about the viability of any attempt to control such entities. Given the coercive

powers that laws often grant the state, a rigid legal approach to regulation may presume, in large part, that legislative change would have the desired results. This explains, for instance, why the recent fierce opposition to Bill C-10, an attempt to update the antiquated Canadian Broadcasting Act. The law and media interdisciplinary approach is used in one of the articles to critique top-down state regulation of internet broadcasting and to highlight the real effects of regulation and the displacement of vested interests that any regulatory reform may entail [14], [15].

The discussion that was sparked by starkly opposing viewpoints on the nature and consequences of media regulation and, more broadly, internet regulation, serves as an example of the importance of bridging boundaries and disciplines. Some legal academics, legal professionals, or law students can be dubious about the success of such initiatives if they take a media studies or sociological perspective to regulation. Conversely, media or communication theorists may see views in the ability of legislation to address the borderless internet as mistaken or hopelessly naive. Whatever one's opinions on the control of media and communication, it is our goal that the contacts made possible by this Special Issue's discipline-border crossing may spark some points of resonance that will inspire more research on the topics addressed in this collection.

### CONCLUSION

In a society that is globally networked, media and communication regulation is a complicated and dynamic issue. Unprecedented possibilities for free speech, information sharing, and intercultural interaction are provided, but there are also many difficulties. Governments and businesses aggressively seek to exert influence and control over the flow of information for a variety of reasons. Among the strategies used include censorship, monitoring, and content modification. It is still very difficult to strike a balance between the necessity for information regulation and the values of free speech and democratic dialogue. Control over the media and communications has ramifications for preserving individual liberty, cultural diversity, and political stability. Society must have serious conversations, promote accountability and transparency, and defend the values that support a democratic and knowledgeable global networked society as it navigates this changing environment.

### REFERENCES:

- [1] B. Schivinski and D. Dabrowski, "The effect of social media communication on consumer perceptions of brands," *J. Mark. Commun.*, 2016, doi: 10.1080/13527266.2013.871323.
- [2] R. G. Duffett and M. Wakeham, "Social Media Marketing Communications Effect on Attitudes Among Millennials in South Africa.," *African J. Inf. Syst.*, 2016.
- [3] M. Roshan, M. Warren, and R. Carr, "Understanding the use of social media by organisations for crisis communication," *Comput. Human Behav.*, 2016, doi: 10.1016/j.chb.2016.05.016.
- [4] R. Mansell, "Recognizing 'ourselves' in media and communications research," *Int. Commun. Gaz.*, 2016, doi: 10.1177/1748048516655734.
- [5] G. Youngs, "New media and communications," in *Handbook on Gender in World Politics*, 2016. doi: 10.4337/9781783470624.00048.

- [6] R. G. Picard, "Isolated and particularised: The state of contemporary media and communications policy research," *Javnost*, 2016, doi: 10.1080/13183222.2016.1162991.
- [7] Y. A. Eliseyeva and P. Y. Tenhunen, "Educational programme 'media communications': Domestic and foreign experience in implementation," *Integr. Educ.*, 2016, doi: 10.15507/1991-9468.085.020.201604.468-483.
- [8] P. Tsatsou, "Can media and communication researchers turn the present challenges of research impact and interdisciplinarity into future opportunities?," *Int. Commun. Gaz.*, 2016, doi: 10.1177/1748048516655718.
- [9] S. Kannengießer, "Politics, Civil Society and Participation: Media and Communications in a Transforming Environment," *Ed. lumière*, 2016.
- [10] M. Y. Arman, M. A. Lily Suriani, and H. H. Low, "The effect of social media on intra-organisational communication," *World J. Manag. Behav. Stud.*, 2016.
- [11] E. O. Adewuyi, "Behavior Change Communication Using Social Media: A Review Behavior Change Communication Using Social Media: A Review," *Int. J. Commun. Heal.*, 2016.
- [12] P. Wenxiu, "Analysis of New Media Communication Based on Lasswell's '5W' Model," *J. Educ. Soc. Res.*, 2015, doi: 10.5901/jesr.2015.v5n3p245.
- [13] E. Lauk, "A view from the inside: The dawning of de-westernization of cee media and communication research?," *Media and Communication*. 2015. doi: 10.17645/mac.v3i4.545.
- [14] M. W. Graham, E. J. Avery, and S. Park, "The role of social media in local government crisis communications," *Public Relat. Rev.*, 2015, doi: 10.1016/j.pubrev.2015.02.001.
- [15] V. Vevere, "Impact of Social Media on Interpersonal Communication Patterns," *Issn*, 2015.



## CHAPTER 7

### DIGITAL MEDIA DESIGN INSTRUCTION IN RELATION TO MEDIA INTEGRATION

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

The modern digital world heavily integrates many media, making conventional education challenging. It has been challenging for the conventional classroom to satisfy educational demands, particularly in the context. In order to address the demands of students' digital learning in the new age, this project intends to create a video teaching system for classroom teaching employing digital media technology in a media fusion environment. This research focuses on the examination of video teaching in the classroom and provides subtitles for classroom video assets to help students learn in dry teaching designs. For the objective of teaching design, this research combines digital media with other media in accordance with the media integration concept. The experimental findings of this research show that the segmentation of a video takes between 130 and 170 seconds, and that the segmentation accuracy is above 95% and up to 100% overall, demonstrating that the system's functional usage in this study is adequate. The system's overall accuracy rate for adding subtitles is over 97%, and the highest rate is 100%, which amply demonstrates that it may provide useful help for learning.

#### **KEYWORDS:**

Communication, Digital world, Internet, Media.

#### **INTRODUCTION**

Media convergence is an inevitable growth trend that is being profoundly promoted by social media. Many experts and academics comprehend media convergence based on the present state of growth in China, and they think that there are still many issues with media convergence. Also mentioned are the media integration's fusion mode, fusion content, and fusion outcomes. The growth of numerous media in concert is known as media integration, which is a result of the advancement of Internet technology. This trend in media development features better content, more varied communication channels, and more accurate audience targeting. Additionally, it is a movement that incorporates technological frameworks, audience placement, content engagement, and awareness ideas. Digital media art helps pupils develop their capacity for creative discovery. Students must employ a complete ability of all areas, such as photography, and they must pay attention to composition, light and shadow, shooting, and other skills while using digital art, science, and technology. Stop-motion animation requires inventive thought, teamwork and collaboration, as well as the capacity for active investigation. Every step of creating digital picture art demands pupils to have the necessary art skills, use their imaginations fully, and think creatively. Therefore, in light of the media convergence, it is vital to establish digital media teaching practices [1], [2]. In order to improve communication and create better transmission effect, this research employs the present signal transmission method for the media fusion theory and convex optimization theory for communication upgrading. This ensures that students will learn, among other

benefits. (2) This research focuses on the capabilities of adding subtitles and segmenting movies for the educational design of digital media. A better learning environment for students may be created by such a feature, and subtitled movies are particularly beneficial for student comprehension.

Since 2014, media integration has been a subject of debate and investigation in Chinese academics and business. Many academics have addressed them in the context of modern digital media. Digital media, according to Park et al, have altered both the nature of art and the way it is taught at colleges and universities, and they are a significant way to increase the resources available for art instruction. The teaching model he created may raise students' success by 20%, according to Xu et al. who applied it to real-world teaching situations. Standardized exams and surveys were used to preliminary validate the logic and efficacy of the teaching methodology. According to Chu , students may fully compensate for the shortage of teacher teaching time by reading and absorbing the time, place, and culture that are introduced to the book via reading. People can only exist in their own particular time and space without it. The study status based on the use and use of animation and digital pictures in interactive media teaching materials was described by Cheng. He also discussed the main issues to be resolved, the research's aims, and the potential outcomes [3], [4].

The worldwide has, however, made digital education more vital, and many individuals have looked into this. According to Lee et al, blended learning has become a standard practice in colleges and universities as a result of the difficulties professors face in higher education. Flipped learning (FL) is a newer approach to blended learning in which students attend online lectures on their own time prior to class and then collaborate with classmates and lecturers to engage in classroom activities. The word "computation" was suggested by Laporte and Zaman to refer to a well-defined computational model whose semantics are unambiguous and fit the topic being studied. By giving students enough learning resources, Troussas et al. proposed an inventive and complex technique for enhancing the interaction between students and computers in Java programming lessons. To achieve this, the provision of individualized learning resources that enhance student engagement is the goal of a mix of pedagogical theories and intelligent technologies, especially, component display theory, content-based filtering, and multicriteria decision analysis. It has been discovered that, in contrast to this study's analysis of student needs, teaching strategies based on relevant research tend to be more focused on instructors' instructional strategies than on students' learning requirements.

## DISCUSSION

Media are pervasive in the information age and have an impact on how social forms are shaped and regulated. Information increasingly becomes decentralized thanks to the digital electronic information transfer technology. Similar to the enormous energy generated by atomic fission, fresh energy is released as a result of media contact. The integration of media breeds both human hearts and livestock in society. Information seems more flat due to decentralization and the fluctuating nature of the electronic medium. Any topic should embrace the Internet, as suggested by "Internet," and any discipline is incorporated into the contemporary media landscape. The gap between individuals has been eliminated by this media technology that transcends time and location. In addition to mutual "union," this is a time of mutual "integration". Without a core, society has devolved into a flat, consumerist mass collective. The traditional power is transferred, everyone has access to the medium, everyone may express their ideas, and everyone will have an influence. Everyone has the right to speak. As a result, it is clear that the interaction of multiple media results in the release of new energy.

## Teaching using Digital Media and Media Convergence

The transition from single media to omni-media is still being accelerated by media integration, and in this process, talk show hosts and distribution must also be improved. As much as feasible, we shall sort out the instances in this study's sample sorting that had high evaluations and click-through rates. This research analyzes models with significant market awareness and social impact to provide an overview of the usual traits, needs, and trends of talk show hosting and distribution against the backdrop of media integration [5], [6].

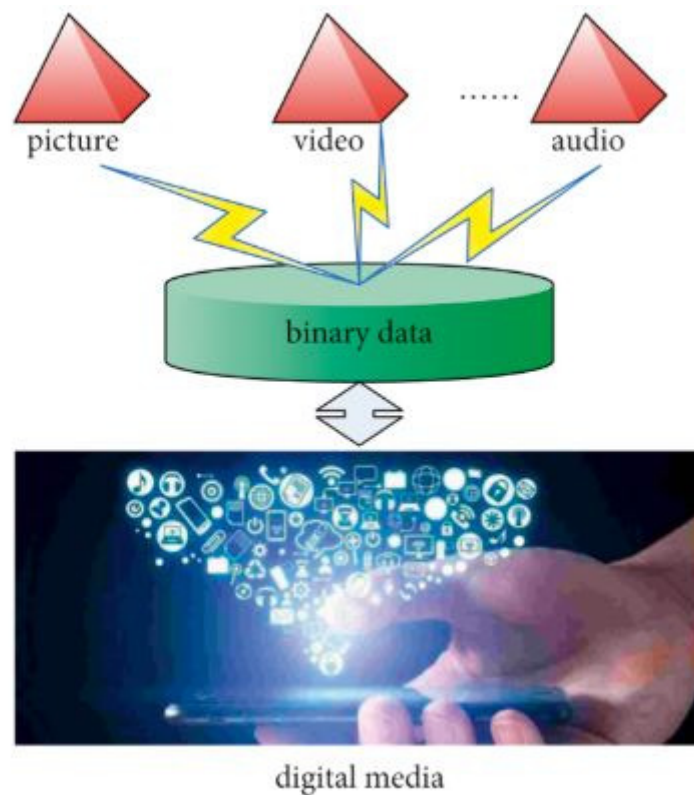
### Digital media courses that teach design

Binary data is used to process and record digital media. To gather, store, and communicate diverse vector digital texts which may include different types of information including graphics, photos, videos, sounds, and animations they use the digital communication concept. Digital media are often thought of as a carrier, a platform, and as either logical or physical media. "Digital media" is also known as "digital multimedia," and includes network media, digital vision coal bodies, and mobile phone bodies. One of these is the carrier of digital audio and video data. It has a more visually appealing and visually impactful form of communication with a range of interactive capabilities, but it also has the qualities of customized involvement and engagement. Digital TV animation, multimedia animation and its network animation, virtual 2D and 3D online games, virtual reality roaming technology, animation cartoons, video clips, digital design works, digital maps and illustrations, digital stunts, and digital audio are a few examples of common digital media art manifestations.

Modern sophisticated computer technology has created previously unheard-of possibilities and problems for the growth of digital new media art and technology. Promoting the growth of digital, informational, and networked traditional art is still a worldwide trend given the rapid advancement of strong circular network technology and digital communication technology. Additionally, digital technology is utilized for recording, editing, and broadcasting, and TV stations and radio stations have successfully integrated their networks with their digital infrastructure. Digital TV animation, mobile phone animation, cinema animation, computer animation, and multimedia education and entertainment programs are all examples of new media pan-animation. The predominant kind of new digital media carrier now is digital audio and similar formats. It is also possible to develop industrial items while using the computer to create renderings of building plane elevation construction drawings and interior decorating renderings. The growth of the digital media sector is the main goal of the nation's support of the incubation of high-tech enterprises. Figure 1 illustrates how the digital media sector is evolving toward this new industrial model.

Digital technology enables the programming of new media. In conventional media, individuals only read and watch content in the order that it is naturally structured in, making knowledge acquisition a linear process. One logic is closely related to the next, and one thought leads to another, for instance, in print media, where the organization of information is carried forward word by word, sentence by sentence, page by page, and step by step. The audience also receives information in a linear fashion, as seen by the following example: in conventional TV media, viewers had complete power over changing channels, despite the fact that the remote control's introduction made TV somewhat interactive. However, every TV show has a direct correlation to the chronology and the TV shows that are shown at any given moment. The audience has the option to watch or not, but they have no control over how the TV show will unfold or even whether to pause it. The only way the viewer's initiative is shown while viewing a photo collection is by their decision to watch or not, as

well as the image they decide to focus on. We are unable to change the image arbitrarily, such as by adjusting the contrast, applying color correction, or adding fill light [7]–[9].



**Figure 1: Digital Media**

Traditional media's presentation of its material is often consistent. In contrast to the linear qualities of conventional old media, new media may be abstracted into an editable digital display, offering new media nonlinear qualities. Using preset algorithms in picture editing programs like Photoshop, it can modify and create photos. It can also access image data whenever and wherever it's needed. Additionally, it may arrange the montage of native picture materials and the integration of audio and music according to your own requirements and preferences by using video editing software like premiere to carry out video editing operations in accordance with software programming. The reproducibility and adaptability of art in the age of digital media are made possible by the programmability of new media, which also offers more sophisticated technical support for creative production based on digital media. The definition of new media and digital media requires a developmental perspective, but this developmental perspective does not imply that the evolution of new media requires the elimination of old media as an opportunity. Instead, new media continuously integrate into all the old media forms that have been produced, "every old media will serve as the content of new media." Instead, as media evolve, old and new media get entwined, learn from one another, and affect one another. This more clearly represents how media and innovation are being integrated. The inclusion of media is particularly pronounced in the age of digital technology. Digital media, however, enable media to have its own expression. Media are not only a message. This expression incorporates the details of personal experience, and the rules governing video art shift as a result.

The employment of "digital imaging technology" in art instruction in elementary and secondary schools is only one example of how extensively utilized digital technology has been since the dawn of the digital era in many facets of people's life. The use of digital pictures as a teaching aid increases the flexibility of teaching methods, the availability of teaching materials, and the effectiveness of art instruction. The use of digital media technology to support classroom instruction has steadily become more prevalent in the area of education with the advancement of digital image technology. Modern art schools cannot function without the use of digital technologies, which has completely changed how art is taught. Junior high school pupils are more likely to choose the contemporary educational model that uses digital media in conjunction with computers than they are the conventional approach that uses chalkboard writing and textbooks. Modern digital information education models are more extensive, comprehensive, and entertaining, allowing students to learn in a comfortable and enjoyable environment, fully utilizing their enthusiasm for learning, and allowing learning to become active. This is especially true of art education in primary and secondary schools. To accomplish the educational objectives, it is also possible to employ digital video teaching to clarify challenging concepts in the classroom. As a result, more art instructors now adopt a teaching strategy that combines classroom instruction with the use of digital images [10], [11].

### **Convex optimization theory for network optimization**

In the 1970s, the subgradient descent method was initially proposed as a simple technique for lowering uncorrelated convex functions. This method is mostly comparable to the conventional gradient approach for differentiable functions, with a few significant modifications. For instance, subgradient approaches employ a step size that is curved forward, as opposed to gradient techniques, which use an exact or approximative linear search. Contrary to traditional gradient methods, subgradient techniques are not pure descent methods, and their values may increase. Although Newton's methods are quicker, subgradient approaches are more user-friendly and adaptable. By combining subgradient methods with primal or dual factorization techniques, it is sometimes possible to solve the problem using a simple distributed algorithm.

### **System design specifications**

The following desired design objectives are mentioned so that they may be achieved without overly complicating the program while still allowing for the fundamental functionality of video nonlinear editing. First and first, you must be able to effectively decode the content if you wish to alter it. Only then can it be imported. Of course, the majority of this content is in the form of video, audio, and so on. Here, converting the processing of visual signals into digital signal processing is highly practical. The signal may be frequently preserved and reused, which is the second benefit, and the first is that it is not readily lost during transmission.

The open-source software FFmpeg will be used in this research to carry out the aforementioned tasks. The program's open source allows for good optimization as well as promoting its functional strength. Use FFmpeg to capture video signals. FFmpeg, which has robust features and its own library of audio and video encoding and decoding called libavcodec, may be used to convert video formats, such as converting MP4 format video and AV format video. Of course, it can also convert video and audio, stream audio and video, and record audio and video for extended periods of time. This article's objective criteria are well met by FFmpeg thanks to a number of significant features [12], [13].

After editing the video track with the help of the nonlinear video editing software, we should be able to export it in popular video formats like MP4, AVI, and FLV for distribution of video works to popular video players like Youku, QQ, iQiyi, Tencent, Baofeng, and others. The author created an overall architectural diagram for the fundamental processes employed in the video editing software system after thoroughly evaluating the fundamental specifications for video posting. The following essential steps are summarized after using the current video nonlinear editing software repeatedly and taking into account the difficulties that novice users frequently run into while learning: first, users must prepare which materials they want to edit and then import the materials into one area. They may choose resources for editing from this section if they wish to. The editing in this case consists of video editing, audio editing, image insertion, Mongolian subtitle addition, material fusion, etc. But there is also a place where real-time previews may be seen concurrently with editing. After all the components have been edited, the video may be exported in a common format.

### CONCLUSION

In the current era of all-media informatization, an application research on the video nonlinear editing teaching experimental platform model for news media integration is proposed in order to seamlessly connect the theoretical courses of video production with the application practice of post technology. This study initially presented the research context and media industry research importance before analyzing the benefits and drawbacks of many popular nonlinear video editing programs and their relevance to media education's foundational application. Second, it discussed the origin of media technology, its connection to current educational technology, and their interrelationship. The general structure and functional modules of the software system are not calculated in order to meet the fundamental operation of video nonlinear editing without too complicating software operation. Finally, this research examines the characteristics of numerous widely used video nonlinear editing programs and enhances several features, such as function simplification, vertical subtitle display, and interface localization. The results demonstrated that the general design can satisfy the demands of learning.

### REFERENCES:

- [1] D. Buckingham, "Defining digital literacy: What do young people need to know about digital media?," *Nord. J. Digit. Lit.*, 2015, doi: 10.18261/issn1891-943x-2015-jubileumsnummer-03.
- [2] D. Smahel, M. F. Wright, and M. Cernikova, "The impact of digital media on health: children's perspectives," *Int. J. Public Health*, 2015, doi: 10.1007/s00038-015-0649-z.
- [3] B. Bimber, M. C. Cunill, L. Copeland, and R. Gibson, "Digital Media and Political Participation: The Moderating Role of Political Interest Across Acts and Over Time," *Soc. Sci. Comput. Rev.*, 2015, doi: 10.1177/0894439314526559.
- [4] L. Copeland and B. Bimber, "Variation in the Relationship Between Digital Media Use and Political Participation in U.S. Elections Over Time, 1996–2012: Does Obama's Reelection Change the Picture?," *J. Inf. Technol. Polit.*, 2015, doi: 10.1080/19331681.2014.975391.
- [5] D. Popa and D. Gavriliu, "Gender Representations and Digital Media," *Procedia - Soc. Behav. Sci.*, 2015, doi: 10.1016/j.sbspro.2015.02.244.

- [6] S. Park, E. M. Kim, and E. Y. Na, "Online Activities, Digital Media Literacy, and Networked Individualism of Korean Youth," *Youth Soc.*, 2015, doi: 10.1177/0044118X14561008.
- [7] B. Gan, T. Menkhoff, and R. Smith, "Enhancing students' learning process through interactive digital media: New opportunities for collaborative learning," *Comput. Human Behav.*, 2015, doi: 10.1016/j.chb.2014.12.048.
- [8] I. Beleli, "The imperative of images: Construction of affinities through the use of digital media," *Cad. Pagu*, 2015, doi: 10.1590/1809-4449201500440091.
- [9] A. Badia, J. Meneses, S. Fàbregues, and C. Sigalés, "Factors affecting school teachers' perceptions of the instructional benefits of educational digital media," *Reli. - Rev. Electron. Investig. y Eval. Educ.*, 2015, doi: 10.7203/relieve.21.2.7204.
- [10] J. Meese, B. Nansen, T. Kohn, M. Arnold, and M. Gibbs, "Posthumous personhood and the affordances of digital media," *Mortality*, 2015, doi: 10.1080/13576275.2015.1083724.
- [11] M. Mason, "Prototyping practices supporting interdisciplinary collaboration in digital media design for museums," *Museum Manag. Curatorsh.*, 2015, doi: 10.1080/09647775.2015.1086667.
- [12] M. Dezuanni, "The building blocks of digital media literacy: socio-material participation and the production of media knowledge," *J. Curric. Stud.*, 2015, doi: 10.1080/00220272.2014.966152.
- [13] S. Bengtsson, "Digital distinctions: mechanisms of difference in digital media use," *MedieKultur J. media Commun. Res.*, 2015, doi: 10.7146/mediekultur.v31i58.18501.

## CHAPTER 8

### APPROPRIATENESS OF PLATFORMS FOR DIGITAL MEDIA COMMUNICATION

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

The importance of the Politics and Ideology curriculum in university education is rising. The quality of university students and the advancement of the country and the nation are both directly impacted by the Politics and Ideology curriculum. New media has grown in importance as a conduit for college students to get information as a result of technological advancement, which has a significant influence on their views and way of life. Situations, issues, the environment, politics, and ideologies must address fresh difficulties. Additionally, it introduces fresh viewpoints, concepts, and models. This study examines the impact of new media on college students' learning of politics and ideology, examines the relevance of new media to political education, and assesses the direction and corrective measures to enhance new media communication with the theoretical underpinnings of communication, politics and ideology curricula, and other disciplines. By using literature research and questionnaire surveys, the AIDMA model of the validity of new media communication is built, and the validity of digital media communication is explored. The findings demonstrate that using new media to entice archive users is unquestionably doable and offers benefits that conventional media technology cannot match

#### **KEYWORDS:**

Communication, Media, Politics, Technology.

#### **INTRODUCTION**

The behavior of profile users in the model may change depending on how quickly and effectively information is disseminated. The influence of digital media is used in college and university political education to continuously improve the caliber of lecturers, students' media literacy, educational content, innovative educational carriers, educational environment, and new media management mechanism, among other things. The work in politics and ideology is the backbone of many academic disciplines and permeates the whole college experience to guarantee that students are always placed first. The key to determining whether pupils have a strong political and ideological awareness and a positive spiritual view is if the many educational efforts in this area are successfully executed, and whether they are relies on how effective they are. To improve college students' grasp of socialism with Chinese characteristics in the new era, the Chinese President requested in 2017 that instructional material relating to socialism with Chinese characteristics in the new era be added to Chinese colleges. The significance of Chinese universities' politics and ideology curricula has expanded as a result [1], [2].

People have entered the new media era in recent years as a result of the thorough development of information technology, portal websites, search engines, virtual communities, e-mails, blogs, online literature, e-books, e-magazines, Internet radio, Internet TV, and mobile newspapers, mobile text messages, new media networks represented by mobile TV,



digital TV, etc immediate accessibility, all-area and all-time coverage, immediate openness, and equal involvement are features of new media. It has taken use of advancements in communication technologies, altered the nature of media communication, and altered how people interact with one another. As a result, it is gaining popularity among college students.

The standing and function of conventional media, which includes television, radio, newspapers, magazines, and other outlets, have been damaged by new media, and college students' interest in it has progressively dropped. The substance of educational information transmission has become more diverse thanks to digital media communication technology, and the conventional unity in communication has also been shattered. Modern digital media transmission technology integrates text, images, music, and video, displaying online classrooms with these elements.

The dynamic and rich learning tools may provide students access to correct information and support individualized learning. The current Chinese President has argued that universities and colleges should incorporate new media technologies with cutting-edge teaching methods. This may guarantee that pupils absorb politics and ideology more effectively than the conventional educational model. The frosting on the cake will be how well our job turns out when we combine our abilities with cutting-edge technology [3], [4].

But everything has a flip side, and digital media communication technology is starting to have a detrimental effect. Technology for digital media communication has two sides. For instance, modern society lacks face-to-face communication opportunities, and interpersonal relationships are becoming more apathetic due to lack of trust in information sources, lack of credibility in information content, and a lack of a systematic process for disseminating information. It is challenging for educators to understand issues like sex, college students' acceptance, and more. It is a wise decision to integrate new media technologies with conventional education to support the advancement of university Politics and Ideology curricula. Researchers need to do further study on how to include new media into conventional Politics and Ideology curricula and what kinds of issues will arise throughout the integration process in the age of fast information distribution via new media technology. Finally, it is advantageous for institutions to increase students' learning efficiency in this area.

## **DISCUSSION**

The quick advancement of technology has led to an unending stream of new media communication types. The conventional media's appeal has steadily declined in favor of the introduction of new media platforms, which have a permanent impact on people's lives. Digital media refers to the use of digital technology, the packaging of information for distribution across a network, and the users and consumers of mobile phones and computer screens who consume the product. According to a professor of communication studies at Tsinghua University, the growth of information technology helps the rise of new media. On the internet, information may travel rapidly and have a greater impact on more people. According to Professor Huang Shengmin of the Communication University of China, it is undeniable that new media is built on digital technology, and that numerous media forms are expanded on the basis of network technology.

Traditional media and developing media are the two types of media. The Internet is a new media that has just emerged and is considered to be an emerging medium. With the advancement of information technology, certain conventional media, such electronic newspapers, digital TV, and mobile media, may also increase the effectiveness of communication via information technology.

### **New Media Theoretical Research**

In contrast to traditional mass media, Professor Meng Wei of Communication University of China believes that new media uses digital technology, network technology, and mobile technology, and offers users information, entertainment, transactional, and social interaction functions through channels like the Internet. "Core Theories and Concepts of Communication Studies," a book by Professor Dong Lu, describes how she interprets new media. According to Professor Dong Lu, "The so-called new media is the combination of audio/video technology and digital communication technologies, such as the Internet, which refers to the emerging digital Technology and digital platforms, and also refers to electronic or multimedia publishing [5], [6].

### **Curriculum Research on the Effects of New Media on Politics and Ideology**

The development of new media technologies is necessary for the Politics and Ideology curriculum. In order to encourage the development of contemporary educational technology, the Politics and Ideology curriculum at universities mixes information technology and new media. It also illustrates how education is increasingly merging with contemporary science and technology. The integration of politics and ideology curricula with multimedia in the age of new media, as well as the growth of ideas against the backdrop of integration, were proposed by Candidatu and Ponzanesi. Zhao Jian examined the challenges that colleges and universities have when incorporating new media into their politics and ideology curricula. He then described how to conduct online politics and ideology curricula from the standpoint of counselors approach. Liu and Wang provide an overview of the state-of-the-art and issues with politics and ideology education in higher education in their book. They also discuss the impact and innovation of new media on politics and ideology education and the necessity of integrating politics and ideology courses with new media technology under the development of new media technology. Janmohammadi investigates how college students learn politics and ideology in the modern period of theory and practice and contributes to the use of new media in politics and ideology curricula.

### **Studies on the Impact of Political and Ideology Education in the New Media Era**

The efficiency of education in the age of new media has been the subject of 106 articles published on China Knowledge Network between 2011 and November 2017. 54 of them were investigated by academic institutions, 23 by university students, 6 by ideological and political education classes, 4 by counselors, and 3 by academic institutions. Young instructors are the study subjects, higher vocational colleges are the subject of two papers, and the agenda-setting of network Politics and Ideology curricula is the subject of two pieces. Graduate students in the liberal arts, students in public security institutions, and students in vocational programs are also study subjects. Yi Class Network politics and ideology, Jinping Xi's New Era of Socialism with Chinese Characteristics "Three Advances," and a review of political science and ideology curricular study. Only six publications have been written based on fieldwork research. Two significant issues with new media and the Politics and Ideology curriculum, according to Wang Xiaoxia, are the complexity of the subject matter being taught and the reduction in student communication effectiveness. Additionally, the instructional value of the curriculum material for Politics and Ideology will suffer as a result of the incorporation of new media technologies.

The Politics and Ideology course that college students are now taking has a lot of issues. These issues range from issues with instructional strategies and resources to issues with school administrators and instructors. In order to manage the Politics and Ideology curriculum, Fu Gang analyzes the systems and personnel management systems of various

colleges and universities. He also provides an overview of the difficulties teachers have in various colleges and universities and how these difficulties affect the effectiveness of the Politics and Ideology curriculum. He presented pertinent and fair answers for many problems. Jiang Yanhong thought that the study of politics and ideology by students was not given enough consideration by the institution. This is the primary cause of politics and ideology courses at colleges having little impact. The impact of the Politics and Ideology curriculum at universities will also be influenced by the teaching staff, the management style, and other factors. Methodology issues are raised, and remedies are suggested [7]–[9].

Through the case studies in the article, Qin Xiaojuan discovered that the effectiveness of college Politics and Ideology teaching is also influenced by the attention of the students, and that many colleges and universities have deficiencies in their Politics and Ideology curricula and teachers' methods of instruction. She thinks that the benefits of the Internet should be included into the Politics and Ideology curriculum at Chinese colleges and that schools should always be aware of how the Internet affects college students' study of Politics and Ideology. The widespread usage of mobile Internet has had a significant impact on this generation's political, economic, social, and educational landscapes. Colleges and universities must take the initiative to adapt to the needs of the times, master and use mobile Internet technology, and occupy a new position in Politics and Ideology curriculum work in order for colleges and universities' personnel training work to be more effective. Colleges and universities that grew up with Internet technology are deeply branded by the times.

### **Studying the Way and Taking Action to Increase the Impact of New Media on Politics and Ideology Education**

A special meeting on the politics and ideology curriculum for college students in the context of new media was organized by the Ministry of Education in 2009. The panelists acknowledged that the Internet and mobile phones, in particular, have had a significant influence on the Politics and Ideology curricula of today's college students. College students' linguistic traits, cognitive patterns, psychological awareness, and conduct have all been significantly impacted by the introduction of text messaging and other forms, and the Politics and Ideology curriculum now faces both new chances and problems. Theorists generally hold that although the development of new media is advantageous, improving the effectiveness of the Politics and Ideology curriculum in universities and providing convenience for both students and teachers, it will also have some negative effects and challenges, posing many previously unheard-of new issues. Theorists concentrate more on study, living, and thinking when examining how new media affects college students' study of politics and ideology. The pros and cons are also examined by theorists. It not only makes students' lives and studies more convenient, but it also causes them to feel nervous and confused about their lives and studies [10], [11].

According to Yu Lei, the three primary effects of new media on conventional political and ideological education are a greater emphasis on difficulty, depth, and breadth. In order to better realize the combination of the growth of new media and the Politics and Ideology course that college students are required to take, countermeasures are proposed. In "New Probes in Politics and Ideology curriculum Methods from the Perspective of the Internet," Li Caijun and Tang Wenwu analyzed the organic integration of politics and ideology curricula and the internet and proposed a crucial path for the development of the two and their strong leading power. According to Yin Tingting and colleagues, colleges and universities should focus on updating the Politics and Ideology curriculum as well as improving teaching and working practices. Colleges and universities must come up with more creative approaches to enhance the impact of their politics and ideology curricula in the modern world. A strong

carrier and material resource to support college students' overall growth, new methods and approaches may help students properly perceive the new media. In conclusion, researchers have investigated the usefulness of the Politics and Ideology curriculum in the new media period from the aforementioned perspectives, and they have identified some of the difficulties with the curriculum and actively sought ways to address them. Politics and ideology curricular issues have positive results. On the one hand, educators should actively engage new media and stop using the outdated ones. Through digital media, students may obtain government information. Instead, the formation is a combination of politics and ideology. The mission team's skill is practiced by the media, as is its application. The notion of socialist nuclear values is spread via digital media. Using the popular linguistic form to make fun of society is the theoretical implication. The network's virtual environment is influenced by the idea of value. Strengthening public communication and cultivating through it the development of a rational and peaceful network public opinion environment are necessary to increase the effectiveness of digital media transmission. This will also create a favorable environment for the dissemination of fundamental socialist values and serve as a source of information for the author of this article. In order to further earlier study, this essay will go even further into the problem of how to increase the efficiency of the politics and ideology curriculum in the age of new media.

### **1. Method of Literature Research**

To synthesize and comprehend ideas like new media and the Politics and Ideology curriculum, we study several texts and monographs. This study evaluates how colleges and universities could enhance the impact of Politics and Ideology curriculum in the current development of new media technologies and makes sound recommendations based on a comprehensive knowledge of the definitions of each subject [12], [13].

### **2. Method of Questionnaire Survey**

The questions are broken down into five aspects by constructing pertinent queries. Use of modern media by pupils comes first. The second is that students pay attention to how the Politics and Ideology curriculum is now being presented in the new media. The third is the effect that new media has had on the teaching of politics and ideology to pupils. The fourth factor is how colleges and universities are now employing new media to carry out their curricula for politics and ideology. Utilize the Questionnaire Star platform to conduct online surveys to students at specific schools and institutions, gather statistics analysis questionnaires, identify current issues, examine the causes of the issues, and provide targeted recommendations for remedies.

### **Research Findings and Model Variable Analysis**

A measure of the linear correlation coefficient is the Pearson correlation coefficient. The correlation between the variables in the assumptions is examined one at a time in accordance with the different hypotheses suggested above. Greater than 0.8 is seen as strongly related, 0.6 to 0.8 is regarded as highly connected, 0.4-6 is regarded as the moderate correlation, 0.2 to 0.4 is regarded as a weak correlation, and 0.0 to 0.2 is regarded as being very weak or having no correlation. The variables in this study are assumed to be associated since their Pearson correlation coefficients are all higher than 0.4. The two hypotheses H1 and H2 have been established, and it is recognized that there is a large positive link between the perceived value of archive users and how beneficial and interactive they are to new media communication. It is clear from the validation of the two hypotheses H3 and H4 that the perceived risk is lower the more users of the file are seen as credible and rely on new media for communication.

The higher the perceived usefulness of new media communication, the stronger the perceived interactivity, and the more aggressive behavior of new media communication; the higher the perceived credibility of new media communication among archive users, the more reliant they are on new media communication, and the more aggressive behavior of new media communication.

Assume that the validation of H5 and H6 shows that there is a positive connection between users' perceived value and their conduct, and that there is a negative correlation between users' perceived danger and their activity. In light of the features of new media communication, the assumptions in the preceding model of variables affecting archive user behavior are all validated by relevant experiments. To provide services in a targeted way, the archive user behavior model was built and archive user behavior model research was conducted. According to the updated model of elements that influence archive user behavior, archive users' methods for acquiring information have altered in the age of new media. The model developed in this study analyzes archive users' acceptance behavior based on the technological acceptance model. The model developed in this study shows that employing new media to draw archive users is plainly viable and provides benefits that conventional media technology cannot [14], [15].

The model's process of file user behavior, including the development of file demands, the production of query motivation, and the occurrence of file review behavior, may be impacted by how quickly and effectively information is disseminated. The perceived danger of archive users is inversely correlated with the dependability and reliability of new media communication, which may have an adverse effect on archive users' behavior. Through the creation of official public accounts, official Weibo, and other forms, archives' institutions discovered that improving the release quality of pertinent archives information resources on their official platforms has a significant impact on lowering perceived risks and raising perceived value of archives users. This is true even though the information content of new media communication is less authoritative than that of traditional media. Additionally, it may collaborate with a reputable, well-respected, and comprehensive third platform to publish archive information resources on a larger platform and actively use new media traits to impact more current and future archive users.

## CONCLUSION

New media may effectively draw in students as the conduit for ideological and political teaching at colleges and institutions. Thus, the emergence of new media can make bitter ideological and political education content integrate into the reality of life. "Today's user's attention is the only valuable resource, but, in the Internet age, its supply is in short supply because the expansion of content is the focus of the platform that needs more attention." Political theoretical information that was formerly obscure and tedious can now be taught and spread by creating microvideos, animations, charts, and audios, which is not only practical but also straightforward and easy to grasp, making the topic more engaging. In addition, you may access pertinent material at any moment while studying, speeding up the process of gaining information. Students' usage of emoticons in the online environment may assist educators better comprehend the dynamics of students' ideas, gather emoticons that students have posted, assess the present state of students' thinking, and carry out their job in a focused way. Students' sense of pride, realization of their ideals and beliefs, patriotism and moral education, and the emotions created by their own personal practice always go far deeper than the mechanical indoctrination of professors. Every student now has a platform to share their thoughts thanks to the development of new media.

They may voice their ideas whenever and wherever they choose by sharing bullet screens or leaving comments while following the lecture. Students actively absorb the ideological and political education's material and immediately use it to comprehend one's own thought processes and produce their own beliefs.

#### REFERENCES:

- [1] J. Reyna, J. Hanham, and P. Meier, "The Internet explosion, digital media principles and implications to communicate effectively in the digital space," *E-Learning Digit. Media*, 2018, doi: 10.1177/2042753018754361.
- [2] J. Reyna, J. Hanham, and P. C. Meier, "A framework for digital media literacies for teaching and learning in higher education," *E-Learning Digit. Media*, 2018, doi: 10.1177/2042753018784952.
- [3] S. Jackson, "Young feminists, feminism and digital media," *Fem. Psychol.*, 2018, doi: 10.1177/0959353517716952.
- [4] J. Reyna and P. Meier, "Using the Learner-Generated Digital Media (LGDM) framework in tertiary science education: A pilot study," *Educ. Sci.*, 2018, doi: 10.3390/educsci8030106.
- [5] J. Reyna and P. Meier, "Learner-generated digital media (LGDM) as an assessment tool in tertiary science education: A review of literature," *IAFOR J. Educ.*, 2018, doi: 10.22492/ije.6.3.06.
- [6] M. T. Nuseir, "Digital media impact on smes performance in the UAE," *Acad. Entrep. J.*, 2018.
- [7] R. Schroeder, "Towards a theory of digital media," *Inf. Commun. Soc.*, 2018, doi: 10.1080/1369118X.2017.1289231.
- [8] S. Ruest, A. Gjelsvik, M. Rubinstein, and S. Amanullah, "The Inverse Relationship between Digital Media Exposure and Childhood Flourishing," *J. Pediatr.*, 2018, doi: 10.1016/j.jpeds.2017.12.016.
- [9] P. Nikken and S. J. Oprea, "Guiding Young Children's Digital Media Use: SES-Differences in Mediation Concerns and Competence," *J. Child Fam. Stud.*, 2018, doi: 10.1007/s10826-018-1018-3.
- [10] H. L. Kirkorian, "When and How Do Interactive Digital Media Help Children Connect What They See On and Off the Screen?," *Child Dev. Perspect.*, 2018, doi: 10.1111/cdep.12290.
- [11] R. L. Gerwin, K. Kaliebe, and M. Daigle, "The Interplay Between Digital Media Use and Development," *Child and Adolescent Psychiatric Clinics of North America*. 2018. doi: 10.1016/j.chc.2017.11.002.
- [12] L. Lee, "Digital Media and Young Children's Learning: A Case Study of Using iPads in American Preschools," *Int. J. Inf. Educ. Technol.*, 2015, doi: 10.7763/ijiet.2015.v5.643.
- [13] I. Beleli, "The imperative of images: Construction of affinities through the use of digital media," *Cad. Pagu*, 2015, doi: 10.1590/1809-4449201500440091.

- [14] D. Smahel, M. F. Wright, and M. Cernikova, "The impact of digital media on health: children's perspectives," *Int. J. Public Health*, 2015, doi: 10.1007/s00038-015-0649-z.
- [15] B. Bimber, M. C. Cunill, L. Copeland, and R. Gibson, "Digital Media and Political Participation: The Moderating Role of Political Interest Across Acts and Over Time," *Soc. Sci. Comput. Rev.*, 2015, doi: 10.1177/0894439314526559.

## CHAPTER 9

### NEW BROADCASTING ALLIANCES TO FINANCE CONTENT AND AUDIENCE ADDICTION

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

The European Commission updated the EU Audio-visual Media Service Directive in 2010, and the restrictions governing inappropriate promotion and product placement in television were tightened. To summarize, broadcasters are now liable for telling viewers about product placement if they benefit financially from it. There are ways around the laws, however, by employing production businesses, media brokers, and agencies. This Chapter examines certain incidents from the Swedish commercial broadcaster TV4 in which inappropriate promotion of commercial interests and product placement has been called into question. It also deals with various sorts of integrated material on Swedish public television. Brand exposure to fund media content is now utilized with or without audience approval. These market-driven shifts are set against the backdrop of the audience's growing ad weariness.

#### **KEYWORDS:**

Advertising, Journalistic, Media, Social Media, Television.

#### **INTRODUCTION**

Commercial messages mixed into journalistic material abound, particularly when the global media entertainment business and social media are included. As previous study has shown, product placement occurs in practically all entertainment enterprises, but more comparative research is needed to properly understand the effect of these activities. At a time when advertising and consumers are shifting away from conventional media, media businesses are experimenting with new methods of supporting content. Television broadcasters play an important role in this evolution. New types of content cooperation are being created as part of this process, challenging both present regulations and the audience's confidence. This Chapter looks at the history and present developments in broadcast advertising and audience fatigue in Sweden. One goal of the EU Audiovisual Media Services Directive is to harmonize television advertising laws across the EU in order to increase content funding. The Directive allows for 12 minutes of advertising per hour, more flexible scheduling, and greater product placement and sponsorship opportunities. The Directive's goal for advertisements remains that advertising should be plainly identifiable so that the public can differentiate between editorial and commercial material. This general viewpoint is reflected in national legislation as well as industry codes of ethics such as the International Chamber of Commerce Code, as well as in most codes of ethics for journalists, including the Swedish code, which emphasizes editorial independence from commercial interests [1], [2].

However, there are discrepancies in practice among nations, both in terms of how authorities interpret the law and how broadcasters adjust to the new restrictions. For example, when there are product placements in shows aired from the United Kingdom, a "P" appears on the screen, although the Swedish Radio and Television Act requires no branding throughout the program.



Instead, product placement may only be aired during commercial breaks and before and after the show. As this Chapter will demonstrate, Swedish marketers have opted out of product placement in favor of various types of partnership with broadcasters. In order to protect editorial independence, the Swedish government recommended strengthening the Radio and Television Act in 2015, a proposal that may be seen as a worry about new forms of merging editorial and commercial material. The Radio and Television Act was amended in 2016 to add a new clause declaring that program sponsorship should not impact editorial independence.

The Swedish television market is dominated by domestic actors, with the five public service broadcasting channels accounting for 34% of total viewing. Commercial Bonnier is nearly as strong, with 17 channels, some of which are on the terrestrial network. The Stenbeck family, with numerous channels inside MTG, Modern Times Group, is the third biggest actor. Even if the public is becoming bored of television advertising, commercial television remains tremendously lucrative in Sweden. For five years in a row, the television business has recorded record levels of advertising income. At the same time, the newspaper advertising industry has significantly decreased in recent decades. Television's share of the entire advertising market in Sweden climbed from 15.4% in 2008 to a record-high 18.9% in 2013. The Nordic Television market as a whole follows a similar path, accounting for 18.0 percent of the entire advertising market; the biggest market, however, remained the daily newspaper, accounting for 25 percent [3]–[5].

## DISCUSSION

The success of television advertising, and hence their revenue potential, is heavily influenced by viewer sentiments. It has been critical for broadcasters to maximize advertising income while maintaining the audience's patience and confidence. The concept of ad avoidance is extensively explored, as are methods of ad blocking. With just a twenty-five-year history of television ads in Sweden, the television business and politics have struggled with regulations governing commercial placement and loudness. Initially, Swedish law was rather stringent, restricting both time and area for ads. Gradual revisions have now brought national law in line with the EU regulation, which allows for 12 minutes of advertising per hour and commercial breaks inside programming. The audience, on the other hand, does not seem to have noticed these alterations. Since 1992, the Swedish SOM-institute has conducted a National SOM poll to assess people's attitudes about television advertising. The institute is a University of Gothenburg-based independent survey research organization that studies opinions about media, politics, and public services.

### **Audience Exhaustion**

Initially, more than a third of the public had a very or somewhat favorable attitude about television ads, with just a tiny minority having a distinctly negative view toward TV commercials. The extremely negative and somewhat negative groups have risen into a great majority over time. In Sweden, opinions regarding commercial material tend to be more favourable among younger generations, a tendency that seems to be continuing, although negative sentiments continue to dominate the study's youngest generations. Changes in public opinion about television advertisements may be related to changes in national and EU laws on television commercials; every liberalisation and growth in television advertising accompanied a rise in unfavorable opinions among the audience. TV ad attitudes are just one measure of viewer tiredness. Other signs include the growing usage of paid streaming services, the development of both native adverts and ad-blockers for digital content, and the employment of online Influencers to push businesses.

## Commercial Radio and Television Broadcasters

The Swedish Broadcasting Commission, which is part of the Swedish Press and Broadcasting Authority, is in charge of monitoring the rules under the Swedish Radio and Television Act. The Swedish Broadcasting Commission seeks to protect freedom of speech in its rulings. The Commission reviews previously aired programs and is responsible for ensuring that content rules are followed. Initially, Swedish advertising and commercial broadcasters seemed to be baffled by the new audio-visual rules. Few marketers intended to utilize the product placement option in the manner that the Swedish Radio and Television Act required. The fact that, six years following the new regulation, there have only been 11 complaints to the Swedish Broadcasting Commission reflects this hesitation. The Commission made a ruling on seven of them, while the others were rejected. Only two of the seven cases involved product placement: placing a hot dog stand on a remote island in the entertainment program *Robinson* on TV4 received an unfavorable decision, and a training program on 24UNT received complaints about not having enough information on product placement [6], [7].

Instead, other aspects of the Act have been put to the test. According to the Swedish Radio and Television Act, shows may not: 1) encourage the purchase or rental of products or services, or include sales-promotional elements, or 2) promote a product or service in an inappropriate way. These restrictions were contested numerous times at the start of the new legislation's implementation, but activity eventually calmed to a level of 13 to 18 cases each year that resulted in unfavorable rulings. The most prevalent unfavorable commercial messaging choice is poor promotion, followed by sponsorship.

The rare occasions where broadcasters have received unfavorable verdicts may suggest that everything is in order, that the regulations are clear, and that they are followed. However, the interaction between broadcaster and advertiser has become more complicated, and new methods of incorporating commercial messages seem to be on the rise. There is also room in the law for extra advertising funding. Product placement happens in Swedish law if the broadcaster has profited financially from it, although the laws does not specifically address production firms or other parties involved. As a result, television material might be created that may attract complaints about inappropriate marketing, but it can be difficult to determine if the promotion was purposeful or not, and who, if anybody, benefited financially from it, the broadcaster or the production business. Here are some pertinent details from recent incidents that have garnered complaints.

### 1. Improper promotion sponsorship and paying visitors

The commercial broadcaster TV4 chose to experiment with a novel idea, allowing marketers to pay to appear as experts on the TV program *Forkvall*. The legality of the particular connection with experts who paid their way onto the program was not tested, but it was criticized by other media and the show got multiple complaints. The Swedish Broadcasting Commission ruled against TV4 for improper sponsorship because the TV studio background was wallpaper with a company logo pattern and the expert speaking in the studio worked for the same company. Due to low viewership figures, the program was canceled in 2011.

### 2. Product placement

TV4 premiered the comic drama series *Solsidan* [the Sunny Side] in 2010 and it rapidly became one of their biggest popular hits. *Solsidan* is also regarded as one of the most successful product placement campaigns. However, it has never gotten a negative ruling about product placement. The show has received complaints for exposing items, but the Swedish Broadcasting Commission found no reasons for unfavorable rulings, given the

program's nature, which takes place in a luxury neighborhood with a lot of devices and products. To prevent negative feedback, TV4 utilized the argument that the program was created by a production firm.

### **3. Inappropriate promotion**

The establishment of external production businesses that offer programming to broadcasters seems to be an attempt to bypass the regulations. The TV4 program *Kust och hav* [Coast and Sea] drew complaints for inappropriate commercial advertising since one episode concentrated completely on one shipping firm and the debut of their new cruise ship. It was never disclosed whether or whether TV4 or the production business benefited from their work with the shipping company. The broadcasting business stated it depended only on editorial choices, and the Broadcasting Commission was never able to determine if sponsorship had any impact on editorial content. In this instance, the Swedish Broadcasting Commission determined that the broadcast featured sales advertising and that it was an inappropriate promotion of the shipping firm, and it demanded a punishment of 150,000 SEK at the Administrative Court [8], [9].

### **4. "Brand exposure" is an untested method of marketing**

Advertisers are aware of ad fatigue and viewer behaviors such as skipping advertisements. As a result, "brand exposure" has emerged as a new economic opportunity. Similar to sponsorship, brand exposure includes more than just broadcasters, production firms, and marketers. The important participant is the media agency, which provides advertisers with agreements that offer their goods with visibility in the program as well as the prospect of cooperative engagement on other platforms and commercial sectors, such as marketing with the TV logo on their product. In certain circumstances, marketers are also TV show sponsors, while in others, they just have a sponsorship deal with the production firm that is not apparent to the viewer.

In a student essay regarding the TV4 program *Hela Sverige Bakar*, all interviewed parties felt that brand exposure is preferable to product placement. TV4 earns more money, product exposure is tailored, media agencies improve their proportion of the entire advertising market, and the viewer is spared from direct advertising. However, this implies that the public cannot distinguish between editorial and commercial judgments, nor can they understand why specific items are exposed and discussed. Furthermore, no complaints against the show *Hela Sverige bakar* have been lodged with the Swedish Broadcasting Commission. This might be taken as acceptance of brand exposure or as the audience being unaware of what is going on.

### **Complaints and Answers about Public Service Television**

Although there is no advertising on Swedish public service television stations, they may nevertheless be punished for inappropriate promotion, sponsorship, and product placement. The Swedish Broadcasting Commission has received multiple complaints and rendered unfavorable findings involving inappropriate marketing in public service; in fact, there are more unfavorable rulings against public service Swedish Television than commercial TV4. This might imply that public service broadcasters have a more difficult time distinguishing between editorial and commercial material than private broadcasters. However, it may also represent the audience's expectations of public service to meet greater standards of independence. Sports programming and sport profiles are mentioned in nine of the 17 negative complaints about SVT. One 2012 complaint involves a tale about a prominent Swedish golfer.

Logos on the golfer's helmet and clothing were evident in every frame of the edited interview, which was deemed inappropriate marketing. The broadcaster's contention that the reporter was attempting to force the golfer to remove his cap did not influence the outcome[10]–[12].

Following that move, public television began to conceal any trademarks that individuals were wearing more often. Three years later, in 2015, another sports celebrity, this time a skier, was the focus of the entertainment. Some logos, but not all, were obscured. The Swedish Broadcasting Commission not only deemed it to be inappropriate marketing this time, but it also proposed a fine of 100,000 SEK. Brand exposure may be seen as a form of promotional message that, although being displayed on television, has yet to be tested by the Swedish Broadcasting Commission.

In order to enhance income, broadcasters have devised various sorts of advertising partnership. As intermediaries between advertising, production firms, and broadcasters, media agencies seem to play an essential role. Collaboration on brand exposure looks to be a new sort of funding that skirts the law. Neither the audience nor the authorities seem to recognize or have issues with this new form of marketing message. There have been no complaints made with the Swedish Broadcasting Commission concerning the previously stated show.

One can wonder how well marketers and broadcasters know their target audiences and how far these cooperation can go. Various situations are imaginable. These sorts of cooperation may be originally accepted by audiences. Audiences that are already bored with advertising, on the other hand, may be susceptible to these sorts of partnership if they realize the power of marketers. It seems that the television business will need more sophisticated techniques to sustain its revenue from ads without alienating people. When considering the evolution of blending editorial and commercial material, the issue of genre and trust should also be explored. The television programmers mentioned in this article are part of the broadcasters' entertainment programming. It may become more difficult if these new types of finance, which blur the distinction between editorial and commercial material, begin to appear in genres such as news and current affairs

## CONCLUSION

This Chapter looked at various cases where audiences protested about commercial messages in Swedish broadcasting and where the legal limits were chosen to be applied in practice. The law is aimed towards broadcasters, and if they have not benefited financially from a partnership, the Broadcasting Commission seldom makes unfavorable judgements. Simultaneously, more commerce seems to revolve on production businesses. There seems to be disconnect between practice and legislative purpose. Even though the product placement scenario is generally known, the broadcaster might claim that it earned no benefit from it. The fact that there were just two unfavorable product placement verdicts in Sweden between 2010 and 2015 shows that there is no product placement, that it is seamless in its visual presentation, or that the legal procedures are ineffective. There is worry that consumers would lose faith in news if they can no longer identify who is behind articles. There are now various projects in Sweden to develop new methods to fund journalism. A daily newspaper has a business reporter who does television interviews sponsored by a car firm, and the largest tabloid has a sponsor contract that pays for a US correspondent. It remains to be seen how this will play out, both monetarily and in terms of audience trust.

**REFERENCES:**

- [1] H. Zeisel and V. E. Harper, "The Advertising Value of Different Magazines," *J. Mark.*, 1948, doi: 10.2307/1247483.
- [2] I. Pike, S. Piedt, and K. Lafreniere, "337 Social marketing to reduce preventable injuries in BC, Canada," *Inj. Prev.*, 2016, doi: 10.1136/injuryprev-2016-042156.337.
- [3] P. D. Marshall, "Thinking through New," *M/C J.*, 1998, doi: 10.5204/mcj.1696.
- [4] M. D. Baldó, S. Joye, and P. Maesele, "Audience motivations to donate: The case of the Catalan telethon La Marató de TV3," *Catalan J. Commun. Cult. Stud.*, 2012, doi: 10.1386/cjcs.4.1.57\_1.
- [5] I. Pike, G. Scime, and K. Lafreniere, "Preventable: a social marketing campaign to prevent injuries in British Columbia, Canada," *Inj. Prev.*, 2012, doi: 10.1136/injuryprev-2012-040590p.1.
- [6] C. Breuer and C. Rumpf, "SPORT SPONSORSHIP AND BRAND EQUITY: WHICH VALUE DO DIFFERENT SPORT SPONSORSHIP TACTICS DELIVER?," *AMA Summer Educ. Conf. Proc.*, 2011.
- [7] A. Burns, "The Worldflash of a Coming Future," *M/C J.*, 2003, doi: 10.5204/mcj.2168.
- [8] M. Ritson and R. Elliott, "The social uses of advertising: An ethnographic study of adolescent advertising audiences," *J. Consum. Res.*, 1999, doi: 10.1086/209562.
- [9] A. G. Greenwald and C. Leavitt, "Audience Involvement in Advertising: Four Levels," *J. Consum. Res.*, 1984, doi: 10.1086/208994.
- [10] S. Pike and S. J. Page, "Destination Marketing Organizations and destination marketing: Anarrative analysis of the literature," *Tourism Management*. 2014. doi: 10.1016/j.tourman.2013.09.009.
- [11] I. V. Kozlenkova, S. A. Samaha, and R. W. Palmatier, "Resource-based theory in marketing," *Journal of the Academy of Marketing Science*. 2014. doi: 10.1007/s11747-013-0336-7.
- [12] G. Holliman and J. Rowley, "Business to business digital content marketing: Marketers' perceptions of best practice," *J. Res. Interact. Mark.*, 2014, doi: 10.1108/JRIM-02-2014-0013.

## CHAPTER 10

### THE DEVELOPMENT OF INDIAN CONSTITUTIONALISM

---

Mr. Kamshad Mohsin, Assistant Professor,  
Maharishi Law School, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-kamshad@muit.in

#### **ABSTRACT:**

A state must take steps to restrain its authority while protecting the people's basic human rights in order to operate effectively. 'Constitutionalism' is a term that is commonly used to describe these restrictions. The essence of constitutionalism in India is examined in this article, in particular how it has developed via judicial interpretation, the process by which court rulings have given the written constitution meaning and substance. The judiciary has achieved this balance between governmental authority and citizen rights. Constitutionalism, which balances authority with right, is essential to efficient government. The form that governance takes in accordance with a country's constitution, whether it be written or not, is a recurring issue. The character of any nation's governance is, of course, an issue dealt with by a constitution; but, the very fact that a constitution exists does not imply that constitutionalism would follow.

#### **KEYWORDS:**

Constitutionalism, Government, Indian, Right.

#### **INTRODUCTION**

A country may have a constitution, but not necessarily constitutionalism in the sense of limited government. A dictatorship, for example, may be governed by a constitution but rely more on the decree of the ruler than on the legal framework provided by the constitution. While there may be different ways to define the relationship between the state and its people, constitutionalism, which is essentially a kind of limited government or the presence of legal restraints on government, stands in stark contrast to the dictator's arbitrary authority. Starting with the essence of the state itself can help you better understand what constitutionalism means. A society aims to have its ideals at the core of its polity, and most people believe that in order to achieve that goal, a government with concomitant powers is required. But such principles may just as readily be destroyed by the presence of a government. As a result, there is a conflict between the rule of law and situations when the state may use excessive force while having the explicit goal of supporting the orderly development of values inside the legal system [1], [2].

The paradoxical need for governmental power to realize societal values along with its potential for destroying those very values has thus been explicitly embedded in political thought at least since Hobbes, if not implicitly much longer. Accordingly, "government power, which is essential to realization of the values of their societies, should be controlled in order that it should not itself be destructive of the values it was intended to promote." How can a state limit such power to guarantee that it is solely used for the good of the populace? This is the constitutionalists' main issue. The great instruments of liberty dating back to Magna Carta (1215) represent attempts to strengthen the limitations upon the power of government, which later became the focus of constitutionalism. Natural law philosophers such as Aquinas, Paine, Locke, Grotius, and Rousseau have wrestled with the ways in which

the common welfare might be promoted. The legal restraint on governmental authority is a key component of constitutionalism in those policies that embrace it. Constitutionalism stands in opposition to arbitrary rule, the opposite of autocratic governance that is based on the unrestrained will of a single person or small number of people rather than the rule of law. Government is constrained by legislation. All contemporary constitutions, from the British unwritten one to the American written one, have key elements of constitutionalism; in fact, their entire existence is an effort to restrain the power of the government. Although the fundamentals may be distinguished, constitutionalism continues to be dynamic and progressive, strengthening limited governance from inside a constitutional framework. Constitutionalism is a prerequisite for Indian limited government, or a government of law, according to the Indian Constitution, which was drafted during the modern period of written constitutions. As a result, the written Indian Constitution incorporates well-known constitutionalist principles that support limited government in addition to its express provisions for the existence and operation of government. These principles include federalism, secularism, reasonableness, an independent judiciary with judicial review powers, the doctrine of the rule of law and the separation of powers, free and fair elections, decentralized, accountable, and transparent democratic government; fu These are systemic and structural tenets that support and link different parts of the written constitution. They give the constitution coherence. They turn it into a natural totality. They still constitute an element of the government created by the Indian constitution, even if they are not officially expressed in written laws [3]–[5].

The dynamic nature of constitutional ideas is shown by the Indian constitution. Although we make no original claims in our description, the Indian tale in this essay serves two functions. For those who are unfamiliar with that background, it offers an outline of the Indian strategy in the first place. Second, and more crucially, this book analyzes the core principles of constitutionalism as they are found in the Indian polity, drawing methodologically on the activity of the judicial branch; in that sense, it serves as a singular exemplar of constitutionalism for many readers. There are three sections to it. The first takes into account the authority enshrined in the federal government, which is constrained by a comprehension of rights and obligations. The transition of constitutionalism from obligations to basic rights is examined in the second section. The summary views on the constitutionalism's dynamism in the Indian constitution are provided in the last section.

## DISCUSSION

India adopted its constitution after a protracted war for independence, placing a strong focus on the proper administration of justice. In the Preamble, the constitution's writers outlined the goals of government. The constitution also established an ordered legal system that the state must abide by while exercising its constitutional authority. The constitutionalism envisioned by the founders and enshrined in the Indian constitution is reflected in Thomas Paine's words: A government without a constitution is a power without rights since it is not an act of a government but rather of the people who form it. A government is just the product of a constitution, which is a thing that comes before a government. In order to guarantee that the government is "legally limited" and that its power is reliant on the execution of such constraints against itself, constitutionalism lends substance to the constitutional language. As a result, the state is required to enact restrictions on its own power.

### Right and Duty

According to Paine's definition of a constitution, the written Indian constitution is prior to the form of government it established, with the former constraining the latter's power through

enumerated rights of the people and its responsibility to promote the welfare of the people. The protection of basic rights in Part Three of the Indian Constitution, which is modeled after the conventional civil and political rights listed in Articles 2 through 21 of the Universal Declaration of Human Rights, and non-justiciable directive principles of State policy in Part Four accomplish this. Both are strengthened by the Preamble, and when combined, they declare the essential concepts and values that make up the Indian Constitution. This was upheld by the Indian Supreme Court in *Maneka Gandhi*, when Justice Bhagwati said the following: These essential rights stand in for the fundamental ideals upheld by the nation's citizens from Vedic times. They are designed to safeguard each person's dignity and foster environments that allow each person to express their unique personalities to the fullest. They provide a "pattern of guarantees on the basic-structure of human rights" and place a negative responsibility on the State not to interfere with individual liberty in any of its forms [6], [7].

The essential liberties covered by the written constitution are listed in Part 3. The foundation of this protection is two essential clauses. According to Article 13, any legislation and executive orders that conflict with the rights guaranteed by Part Three are null and invalid. In the event that the government attempts to violate Article 13 in any way, Article 32 grants the Supreme Court the ability to take corrective action. A further aspect of the people's rights is effectively added by the ability for this corrective authority to ensure the execution of the basic rights in Part Three. The Supreme Court has the authority to take action to enable individuals whose rights have been violated to seek remedy, while not being a representative body in and of itself. Using a set of non-justiciable directive principles or positive duties (Articles 36-51) derived from the idea of a welfare state and the ideal of socio-economic justice, Part Four completes the protection of fundamental rights. These duties include the state's responsibilities in the creation and enforcement of laws.

According to the Supreme Court, Part Four complements Part Three's essential rights in order to further the welfare state's goal and, in doing so, attempts to accomplish the Preamble's goals. The non-justiciability of these positive obligations is stated in Article 37, making it plain that the judge cannot order the state to carry out a responsibility imposed by the directives. However, these guiding principles are an essential part of governance; according to Dr. Ambedkar, "a state just awakened from freedom with its many pre-occupations, might be crushed under the burden unless it was left free to decide the order, the time, the place, and the mode of fulfilling them." These positive duties are not merely moral precepts but rather Constitutional obligations; they serve as a set of instructions that the state must abide by, with neither the leg nor the arm being bent in violation. The foundation of the guiding principles is laid forth in Article 38 of the constitution, which states that the state must work to further the welfare of the populace by preserving and defending a social structure in which social, economic, and political fairness permeate all spheres of public life.

Of course, the directive principles are not justiciable, as we said before. However, there are three ways that some enforceability may be achieved. First, the protection of free speech provided in Article 19 allows some recourse in the event that the state violates the fundamental principles by allowing citizens to criticize the offending government conduct. Second, amendment has given rise to a positive version of constitutionalism. As a result, the right to education, which is outlined in Articles 41, 45, and 51 of the constitution, has been reclassified from being a negative right in Part Three to a positive one under Article 21-A. In the case of *Unni Krishnan, J.P. v. State of Andhra Pradesh*<sup>23</sup> described the steps taken to move education to Part Three of the law. When read in connection with the directive principle on education and the directions in Article 45 establishing that the state is to attempt to offer free education, the court concluded that education is a basic right inherent in the



fundamental right to life under Article 21. As defined by Isaiah Berlin as "liberty from; absence of interference beyond the shifting, but always recognizable, frontier"<sup>24</sup>, this trend has transformed the people's right from a positive responsibility of the state to a negative one. The ultimate penalty is held by the voters, the people, and here is where the genuine enforceability of these obligations placed on the government may be discovered. An administration that is unpopular may lose the next election [8], [9].

The Supreme Court's significant role in the judicial interpretation of the written text, however, is more significant for the concept of constitutionalism in the Indian context. In this case, the court has created its own brand of constructive constitutionalism through its approach to the directive principles. In 1950, A.K. With reference to the phrase "procedure established by law" in Article 21 of the constitution, Gopalan allowed the Supreme Court the chance to examine the deficiency of procedural fairness. When asked to compare the phrase to "due process of law," as it is defined in American constitutional law, the Supreme Court had to decide if standards of rationality, fairness, and justice were required to adhere to Article 21's requirements. The court used a strict interpretation of Article 21 that limited its scope to providing a safeguard against unlawful executive activity. By interpreting Articles 14, 19, and 21, the court came to the conclusion that each must be seen as exclusive of the others. Therefore, "due process of law" could not support the more comprehensive, substantive meaning that the court was required to adopt since it was rejected by the Constitution's authors in favor of "procedure established by law," a notion with British roots.

In later cases most notably *R.C. Cooper* (30) and *Menaka Gandhi* (31), "procedure established by law" might contain justice, fairness, and rationality. Additionally, this constitutionalism (32) included Articles 14, 19, and 21, where exclusivity had no place in the interpretation of these clauses. Instead, the law must now be established that Article 21 does not preclude Article 19 and that even if there is a law outlining a process for taking away someone's personal freedom, there is therefore no violation of the fundamental right granted by Article 21. However, a law that restricts or eliminates any fundamental right under Article 19 would need to comply with Article 19's requirements. Consequently, a statute that restricts someone's "personal liberty" must pass not just the test of Article 21 but also the tests of Article 19 and Article 14 of the Constitution [10]–[12].

In the 1973 decision in *Kesavananda Bharati*, the Supreme Court, in a decision written by Justice Matthew, found that the fundamental rights contained in Part Three are merely "empty vessels" into which each generation must pour its content in light of its experience. This has operated in conjunction with Parliament, in its capacity as an amending body, making changes to the constitution in such a way as to eliminate the fundamental rights contained in Part Three. In response to the judicial change regarding education, Article 21-A was added to the constitution, and the Parliament passed the Right to Education Act<sup>36</sup> and the Right to Information Act. This supports the movement towards enshrining power with right as a part of the basic structure of the written constitution, and over the course of its 73-year existence, the Indian constitution has seen these empty vessels being filled through judicial and legislative.

The court has ruled that the directives in Part Four supplement the fundamental rights and do away with the mutual exclusivity between the Third and Fourth Parts in order to bring about social revolution and the creation of a welfare state as envisioned in the Preamble. The two parts are viewed as two wheels of a chariot to aid in social and economic democracy. Through moral claims or positive duties, as the court has dealt with, the fundamental rights of Part Four. Thus, this constructive constitutionalism movement contributes to the Indian

constitution's structural framework, which was itself a component of the founders' vision. And the court has given this approach to constructive constitutionalism real-world application. One of the more notable instances of this occurred in 1973 when the court in Kesavanada established the "basic structure theory," which, based on the amending authority of Article 368, places a check on the amending power of the government in order to ensure the non-destructibility of the written Indian constitution. The court made sure that the Parliament cannot modify the fundamental structure or fundamental framework of the constitution in this manner, and in reliance on the "identity test theory" by which the court evaluates and permits the emergence of a number of limits. The court said that "the personality of the Constitution must remain unchanged" and that "one cannot legally use the Constitution to destroy itself" [13], [14].

One may call this post-Kesavanada strategy judiciary constitutionalism. The court has developed a number of the principles that today make up the constitutionalism of the Indian constitution using its construction and judicial review powers and acting as the protector of the constitution: the supremacy of the constitution, the rule of law, the principle of separation of powers, the principles guiding the enumerated fundamental rights, objectives specified in the Preamble, judicial review, federalism, secularism, freedom, and dignity of the individual. A closer balance of power and right has been achieved in the written Indian constitution as adopted by "We the People of India" by recognizing each of these elements of constitutionalism; however, this does not bring an end to the lengthy process characterized by Professor Faizan Mustafa's observation that "India needs constitutionalism, not constitution."

### CONCLUSION

In order to achieve these goals, the Indian Constitution's Preamble states that it aims "to secure to all its citizens: JUSTICE, social, economic and political; LIBERTY of thought, expression, belief, faith and worship; EQUALITY of status and of opportunity; and to promote among them all FRATERNITY assuring the dignity of the individual and the unity and integrity of the Nation." These ideals support constitutionalism when taken as a whole. In this process, the judiciary plays a crucial role. It really is essential. Of course, while the elected and thus representative branches of government are primarily responsible for enforcing constitutionalism through self-limitation, the unelected judicial branch nevertheless plays a crucial role in ensuring that those two elected branches do not violate the fundamental rights of those who are members of the otherwise unrepresented minority in their purported efforts to advance the values of those they represent. Judicial constitutionalism permits quick changes in response to the desires and ambitions of the majority as well as the minority of the population. In this context, the judiciary plays a crucial role in ensuring limited and efficient government and, above all, advancing the equality of all people as guaranteed by Article 14. Constitutionalism in general, and judicial constitutionalism in particular, enables for the Preamble to have a tangible meaning in the lives of the Indian people, which is a development that is not just bad.

### REFERENCES:

- [1] S. Rajagopalan, "Incompatible institutions: Socialism versus constitutionalism in India," *Const. Polit. Econ.*, 2015, doi: 10.1007/s10602-015-9188-0.
- [2] M. Guruswamy, "Freedom to Assemble and the Freedom of Association," *SSRN Electron. J.*, 2015, doi: 10.2139/ssrn.2574555.
- [3] M. Sharafi, "South Asian Legal History," *Annual Review of Law and Social Science*. 2015. doi: 10.1146/annurev-lawsocsci-102612-134041.

- [4] R. Cooke, "The Constitutional Renaissance," *SSRN Electron. J.*, 2015, doi: 10.2139/ssrn.2512524.
- [5] L. Campbell, "Race, Upper Canadian constitutionalism and 'british justice,'" *Law Hist. Rev.*, 2015, doi: 10.1017/S0738248014000558.
- [6] G. BHATIA, "Freedom from community: Individual rights, group life, state authority and religious freedom under the Indian Constitution," *Glob. Const.*, 2016, doi: 10.1017/s2045381716000228.
- [7] A. Elangovan, "Constitutionalism, political exclusion, and implications for Indian constitutional history: the case of Montagu Chelmsford reforms (1919)," *South Asian Hist. Cult.*, 2016, doi: 10.1080/19472498.2016.1168094.
- [8] S. Pillai, "Fragmenting the Nation: Divisible Sovereignty and Travancore's Quest for Federal Independence," *Law and History Review.* 2016. doi: 10.1017/S0738248016000195.
- [9] E. Newbiggin, O. Shani, and S. Legg, "Introduction: Constitutionalism and the evolution of democracy in India," *Comp. Stud. South Asia, Africa Middle East*, 2016, doi: 10.1215/1089201x-3482099.
- [10] R. Lalander, "Constitutionalism in Twenty-first Century Venezuela: Participatory Democracy, Deconcentrated Decentralization or Centralized Populism?," in *New Constitutionalism in Latin America: Promises and Practices*, 2016. doi: 10.4324/9781315597904-17.
- [11] A. Roy, "Polyrhythms of Citizenship," *Lateral*, 2016, doi: 10.25158/15.2.13.
- [12] A. Z. M. A. Habib, "Primacy and efficacy of preamble propositions in India and Bangladesh: A comparative understanding of interpretative constitutionalism," *Int. J. Law Manag.*, 2016, doi: 10.1108/IJLMA-08-2015-0047.
- [13] S. Choudhry, M. Khosla, and P. Bhanu Mehta, "Locating Indian Constitutionalism," in *The Oxford Handbook of the Indian Constitution*, 2017. doi: 10.1093/law/9780198704898.003.0001.
- [14] H. Duschinski and S. N. Ghosh, "Constituting the occupation: preventive detention and permanent emergency in Kashmir," *J. Leg. Plur. Unoff. Law*, 2017, doi: 10.1080/07329113.2017.1347850.

## CHAPTER 11

### COLOMBIAN LOCAL MEDIA PLURALISTIC IN TERMS OF NEWS AND SOCIAL DIVERSITY

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
Email Id-ssgupta@muit.in

#### **ABSTRACT:**

For individuals to exercise their political rights, they need information on how local governments are run and what the political figures that oversee them are doing. Therefore, it is important for these governments to provide reliable information that the media may utilize as a basis for their news reports. These media sources must compare and report while taking into consideration the diversity of their viewers at the same time. Locally, however, there is collaboration between political influence and media proprietors that limits the diversity of news, supports the prevailing political interests, and obscures the demands, interests, and activism of other social actors. In Colombia's Caribbean Region, we research this issue. We examine the information that the major print newspapers and regional television news networks get from the town halls of the region's major cities and how they cover local politics. To determine if there are various news reports, we compare these news articles. The topics covered, the protagonists mentioned in headlines and news stories, and the sources used to compare the news and images are all examined in order to determine whether the news items published by private media outlets present a limited view of reality. The findings point to flaws that restrict the diversity of news reporting and the social protagonism of other social actors by causing comparable information between public information and private media material. In the end, this makes it more difficult to produce high-quality news that fulfills public needs.

#### **KEYWORDS:**

Communication, News, Political communication, Social, Television.

#### **INTRODUCTION**

The whole media system receives information from public administration press offices. They are so crucial because they provide people the information they need to understand the acts of their elected representatives, assess those actions, and engage in political activity. Similar to this, leaders have a responsibility to give comprehensive information for the sake of social and economic accountability, demonstrating the interests of various collectives, utilizing the public media as a tool in service of the overall democratic objective. In this regard, the information that governments disseminate to the general public through their various media outlets is just as crucial as the information that governments disseminate to the media, which has a responsibility to describe and interpret reality for a plural audience, or one made up of people with a variety of interests, perspectives, possibilities, expectations, and characteristics due to their origins, education, gender, social status, age, etc. , a crucial issue in Colombia given its multiethnic nation. Concurrently, developments in technology, the economy, and society have an effect on consumer behavior and the media sector [1], [2]. However, there are a number of control mechanisms or tactics that may be used to restrict the amount of information that local governments reveal.

Being involved in local politics gives you a vantage point from which you may direct public resources toward disseminating news about that administration that is advantageous to the interests of the people in power at any particular time. Given that digital technologies present tremendous opportunities for high-quality journalism, they also make the worst practices possible, such as the complete copying of press releases provided by administrations publishing without comparing socially and politically it is necessary to understand both the structure of the media and journalistic routines in order to study these strategies. Parcu cautions that the concentration and dissemination of misinformation pose two dangers to pluralism and information quality today, both of which need for countermeasures in the shape of public regulations. According to other research, the engagement of both public administrations and other actors, such professional and user groups or the media sector, is necessary to safeguard pluralism in a setting of political polarization and media hybridization [3].

We base this study on Edward Gibson's concept of "Subnational Authoritarianism," which is a set of tactics developed and applied by local political elites, even in democratic systems, to exert influence or even power at the national level and control over political actors in subnational territorial demarcations. Gibson acknowledged that one of these leaders' crucial methods is to exert control over the information that is released in the local media in order to present a reality that is favorable to their objectives. Practices like those Gibson outlines in the United States up to the 1950s or Durazo in Mexico are prime examples of the mutual dependency between the political center and the periphery; as a consequence, these entities are always allies and assist one another. Gibson notes that there is a "juxtaposition regime" between national and local administrations in many Latin American nations, which serves as a battleground for political players who operate at multiple levels of the government. This phenomenon is referred to as subnational authoritarianism in the region. For instance, León Vázquez notes that in the case of Mexico, there is now a contradiction between national democratic processes and subnational authoritarianisms that even threaten the safety of journalists. Similar circumstances may be seen in Colombia, where Barrios and Miller claim that self-censorship is a habit among journalists as a result of harassment from the judicial department and editorial pressures. The later authors, however, demonstrate that professionals use counterstrategies such informing their coworkers about sensitive information, obtaining funds from abroad, or developing new media [4], [5].

## DISCUSSION

Behrend limits the idea of subnational authoritarianism by noting out that a family's control over a certain region's politics, economy, and media does not always indicate authoritarian conduct and attributes it to what he refers to as "closed games." Later on, the same author would speak of "illiberal structures and practices" that hinder democracy in certain places, however it is acknowledged that media outlets sometimes spread false information and may even foster a hostile climate. As a result, these interests create the media agenda, which influences the topics of public discussion. Furthermore, as the media is the primary way through which the public learns about issues, the "framing" that these constructs predetermine the range of potential interpretations for news reporting. The agenda-setting idea continues to be significant. In the contemporary multiplatform and multimedia media milieu, recent studies demonstrate how the importance that the media offer to a topic impacts the audience's attention and perception even in foreign issues. The audience's understanding of the influence of the media must, however, constantly be taken into account. Similar to this, investigations on Colombian cybermedia show evidence of media framing.

The lack of openness is the first step towards the management of local information. The concealment of information about government policies, the inadequate information provided by local public administrations, the management of public media, where journalists put the needs of the current administration above those of the people, and the ownership of private media come next. Although digital and online technologies have facilitated the appearance of new independent media outlets that influence the mediatic order, difficulties in accessing the Internet experienced by a portion of the population in regions like the one we study here a concept established as "institutionally generated network disadvantage" along with the prestige that traditional media continue to enjoy, give the latter a key role in the dissemination of news about local political issues.

The insecure working circumstances of journalists are added to the absence of reliable public primary sources and the local community service, which encourages self-serving intervention. According to Jess Martnez, who emphasizes that the press release "despite having gone through two newsrooms (the agency's and the media outlet's), barely undergoes any alteration" , the press release, "despite having gone through two newsrooms (the agency's and the media outlet's), barely undergoes any alteration" . This interference is fueled by plagiarism, which is the complete or partial re-production of the information distributed by companies and institutions. The constant requirement to update material, particularly in the digital press, favors this lack of quality information in addition to employment instability. Misinformation and a lack of rigor are the results. According to this set of circumstances, "government actors suggest" that the information presented in local media "is suggested to justify previously announced policies or decisions, and the media does not fulfil the social function of forming public opinion in these cases for the real democratization of the social and political processes of our societies" [6]–[8].

With this context in mind, we examine whether the political interests of the dominant elites are influencing the media's dissemination of local information in a way that affects both the diversity of information and the social representations of today. Specifically, we examine the extent to which the media restricts the presence of the women and men who make up the social body while exaggerating the presence of some protagonists at the expense of others. The most significant cities in the nation, Barranquilla, Santa Marta, and Cartagena, are located in the Colombian Caribbean Region, which is where we focus our attention on this issue. We look at how private media outlets in this region spread information about these districts (municipalities with a specific regime), which are the most significant local administrations led by mayors (a post attained by direct election). To do this, the town hall press releases and media news stories are contrasted. In addition, the local political news reported by the three newscasts of the regional channel Telecaribe and distributed by the four print newspapers with the highest circulation and readership in the Colombian Caribbean is examined. With this, we may assess whether or not the media system accurately explains and represents the local society or if people can really access a variety of information.

The family-like structure of the media and its links to the political parties for whom the press has provided a forum are at the heart of Colombia's history of journalism. The presence of "illegal or legal actors use undemocratic practices to co-opt democratic institutions and impede or restrict the exercise of citizens' civil and political rights" is still shown by recent research, according to that study. In light of this, the nation is categorized as belonging to "authoritarian social orders", "totalitarian contexts", or "authoritarian territories". Additionally, as Mejia has shown, the political culture of Colombian society is greatly influenced by the role that the media plays in this environment of conflict between democracy and authoritarianism. González explored how elites function with more autonomy

in those places where there is not a major presence of the State, whereas Duncan noted institutional distinctions in each region that fit elites' goals. According to Guzman and Rojano, the issue became worse after the political reform of 1986, in particular with the *Acto Legislativo 1/1986* of 9 January, which instituted the mayors' election by popular vote.

This highlighted Colombia's severe party atomization and intensified regional factionalism a result of de-ideologization and the crisis of conventional bipartisanship in order to make room for a rising regional political elite. Additionally, voters' relationships with political parties are mostly based on favoritism and personal connections rather than shared ideologies or programs. In order to retain control at the municipal and provincial levels, paramilitaries and local politicians have formed a significant partnership, according to Valencia. Rangel, Borrero, and Ramirez, quoted by Pino, also make reference to the use of violence as a tactic for local and regional control, while Romero claims that the country's democratization sparked a response from groups including local elites, the army, and drug trafficking organizations. It is also important to take into account Tamayo, Bonilla, and Escobar's research on how journalists operate in areas where armed violence is most prevalent. The researchers gathered testimony on the issues with free speech that are caused by conflict, corruption, political patronage, and the dynamics of the local elites. Regarding media ownership, in the Colombian case, connections with local economic and political power are established in both traditional newspapers and television channels, which typically belong to families of regional elites, according to authors like Deas, Gutiérrez and Ramirez, Espinosa, Garca, Algarn and Garca, Ocampo, Barros, or Ruiz, who also specify that in the Caribbean Region [9], [10].

The main goal was to ascertain whether the local and regional media (press and TV) in Colombia's Caribbean Region produce information on local politics autonomously and independently or whether, in contrast, their news reports offer a constrained in line with the interests of local administrations uniform vision of the local sociopolitical reality, which also limits the social representation of citizens. Previous studies, such those conducted by Muoz, have demonstrated the connections between media owners and people in positions of authority in local governments. We thus began with this information in order to investigate how much this fact limits the variety of information in the area and to ascertain what techniques are used by interested actors to accomplish this restriction. We identified the following as operational goals to accomplish the overall goal:

1. Similarities and differences between news releases produced by town halls and information given by the media;
2. What information is provided by the local print media on regional politics in the Colombian Caribbean and how it is presented?
3. What information on municipal politics in the Colombian Caribbean Region is aired on regional television news shows, and what this information looks like?

We conducted a content analysis of the press releases, the local news stories published in three local newspapers, and the local news aired on three television newscasts in order to accomplish these goals. Then, we conducted a comparison study between the news items supplied by newspapers and television newscasts included in our sample and the press releases published by the town halls. Since this model suggests observing whether the "news perspective" includes various social groups or if it is only concerned with showing those who are in positions of power and the environments in which they carry out their activities, we used Amparo Moreno Sardà's method to create the analysis sheets based in turn on the work of Jaques Kayser. We may respond to five essential issues using this technique: who concentrates on whom, what activities are focused on, in what settings, and with what

sources. These questions' responses help us identify which protagonists are included in the news and, therefore, who is left out. Four analytical sheets were therefore made. The first looked at the news releases that the town halls sent out through email or on their websites. The second examined data from three local newspapers' local news sections. The third investigated the data presented by three regional television newscasts. The fourth contrasted the material included in the press releases released by the town halls with that which was reported in the three local newspapers and on the three local television newscasts. The following categories were included in the first three analysis sheets: the protagonist of the headline; the protagonist of the content, as it relates to text, picture, and video; educational themes; and the presence or lack of sources. The following factors applied to the first two groups, the headline protagonist and content protagonist:

1. Mayor's equivalent to the first district authority;
2. Secretary's equivalent to one or more of the municipal cabinet's secretaries;
3. Official's equivalent to members of the public who hold positions in the administration other than those of cabinet secretaries or who are not part of the local administration;
4. Other governmental entities: referring to governmental entities other than the town hall;
5. District is the area around the town hall;
6. Any member or members of the citizenry are referred to as citizens;
7. Non-human referring to a non-human entity such as a structure, a piece of construction work, or any other inanimate thing as the protagonist;
8. The lack of a protagonist is indicated by the phrase "no protagonist";

It is never a good idea to duplicate town hall news releases in whole or in part since doing so restricts the variety of information to that presented by the government press offices. In order for residents to have access to assessment tools that enable them to make politically responsible choices within the framework of democracy, local media outlets must keep an eye on the acts of local governments. In the instance under study, we can observe how this malpractice affects the headlines that are printed; texts in particular are reproduced, along with the sources cited, showing that information is not compared and that the official version is accepted as reliable. This version reaches citizens through formally independent means, but in the end, it offers a consistent representation of the political reality. If journalists don't provide their own version based on conversation between authoritative sources and other voices that counterbalances the news articles that the public consumes, there is no journalism [11], [12].

However, it is important to point out that town hall news was regularly covered in the news, showing that the editor of the media source thought the stories were important for the audience and important current events that needed to be brought to their notice. They must thus be handled with the highest respect and professionalism, which, as we have seen, is not always the case. We also noted that the majority of news stories reported by the media do not originate from press releases released by town halls. We may now assess whether, in light of this fact, the media really offers a diverse image of social reality or if, instead, this vision is restricted to the interests of local governments.

We confirmed that the governance and management of local governments are often mentioned in the headlines of the examined newspapers, and this frequency is much greater for television news. In the evaluated news pieces, we also noticed a glaring absence of different sources. More than half of the news articles did not reference a second source, and those that did tended to be related to the same group of players or were based on a single



institutional source. This suggests that there is a dearth of diverse perspectives that would enable audiences to contrast the account of reality provided by local governments with that of other social, political, or economic actors who may provide opposing viewpoints, pursue other interests, or voice criticism. Citizens cannot piece together a more comprehensive picture of what is occurring in terms of the local issues that concern them since there aren't a variety of perspectives in journalistic coverage. As stated by Castells, the media form a framework that is generated as a multilevel process that starts with negotiations between politicians and the media before the information reaches audiences, acting as a sounding board for the intentions of the governments and forgetting the role they must play as tools of control or supervision of leaders. In terms of the protagonists of news articles, we can observe that the headlines overwhelmingly feature non-human protagonists. This dehumanization of the news is nothing new; Amparo Moreno first proposed it. It still adheres to journalistic standards, however. Institutional protagonists, who completely predominate in news story texts and show a very noticeable lack of the diversity of individuals that make up local society, are in second place. Instead of serving politicians or other authorities, journalism must report on people's daily realities.

### CONCLUSION

The paucity of citizen-focused news stories and the shortage of diverse sources degrade news reports and separate them from their social role. The photographs were the final thing to be examined. Again, in contrast to political and official actors, we saw a very substantial presence of non-human protagonists and a very low representation of civilians. As a result, we have established that the press and television, which are the main media outlets for the citizens of the Caribbean Region, provide little information about reality and are more concerned with serving institutional leaders' interests than those of citizens. They are also far from offering a plural social representation, as they neither offer a panorama of the various visions present in the territory nor even attempt to represent them through the images they disseminate. While there are some minor variations between the findings of the press and television assessments, or between specific media sources, none are significant enough to change these conclusions.

### REFERENCES:

- [1] L. Morlandstø, "Innovation and Value Creation in Local Media," *J. Media Innov.*, 2017, doi: 10.5617/jomi.4350.
- [2] H. Zhang and J. Xiao, "Assimilation of social media in local government: An examination of key drivers," *Electron. Libr.*, 2017, doi: 10.1108/EL-09-2016-0182.
- [3] A. O. Ayandibu and J. Houghton, "The role of Small and Medium Scale Enterprise in local economic development (LED)," *Banach J. Math. Anal.*, 2017.
- [4] D. A. Crow, J. Berggren, L. A. Lawhon, E. A. Koebele, A. Kroepsch, and J. Huda, "Local media coverage of wildfire disasters: An analysis of problems and solutions in policy narratives," *Environ. Plan. C Polit. Sp.*, 2017, doi: 10.1177/0263774X16667302.
- [5] C. N. Thomas, D. Inokuchi, T. Lehman, R. Ledsky, and A. Weldy, "Overweight and obesity in local media: An analysis of media coverage in CDCFunded communities," *Prev. Chronic Dis.*, 2017, doi: 10.5888/pcd14.170107.
- [6] Y. S. E. Cho, "Local Media and Individual Trading," *SSRN Electron. J.*, 2017, doi: 10.2139/ssrn.2908264.

- [7] L. Capitano, R. Lallement, J. L. Vergely, M. Elyajouri, and A. Monreal-Ibero, “Three-dimensional mapping of the local interstellar medium with composite data,” *Astron. Astrophys.*, 2017, doi: 10.1051/0004-6361/201730831.
- [8] L. V. Wihartanti and R. P. Wibawa, “Development of e-Learning Microsoft Sway as Innovation of Local Culture-Based Learning Media,” *Din. Pendidik.*, 2017, doi: 10.15294/dp.v12i1.10582.
- [9] B. Cuadrado-Ballesteros, J. Martínez-Ferrero, J. V. Frías-Aceituno, and I. M. García-Sánchez, “The role of media pressure in promoting transparency of local governments,” *Transylvanian Rev. Adm. Sci.*, 2017, doi: 10.24193/tras.51E.2.
- [10] C. A. Crown and K. F. Doubleday, “‘Man-eaters’ in the Media: Representation of Human-leopard Interactions in India Across Local, National, and International Media,” *Conserv. Soc.*, 2017, doi: 10.4103/cs.cs\_15\_92.
- [11] K. Singh *et al.*, “The Role of Local Instabilities in Fluid Invasion into Permeable Media,” *Sci. Rep.*, 2017, doi: 10.1038/s41598-017-00191-y.
- [12] A. Wongjiratthiti and S. Yottakot, “Utilisation of local crops as alternative media for fungal growth,” *Pertanika J. Trop. Agric. Sci.*, 2017.

## CHAPTER 12

### COMPARING THE EFFECTIVENESS OF MEDIA COMPANIES' PERFORMANCE BASED ON HOW SEARCH ENGINES PROVIDE NEWS CONTENT

---

Dr. Shambhoo Saran Gupta, Assistant Professor,  
 Maharishi School of Media, Maharishi University of Information Technology, Uttar Pradesh, India  
 Email Id-ssgupta@muit.in

#### ABSTRACT:

The battle between the news media and search engine companies has intensified. However, depending on the circumstance, search engines that choose and display information that they did not generate themselves do not always pay copyright fees. News media firms produce news content and get advertising and membership fees. We examined how the two hyperlink strategies impact the technological effectiveness of media firms with a focus on search engines that distribute news material to users via external vs. internal links. However, there aren't many empirical research on how news media firms operate in relation to the way search engines provide news material. When news services are delivered via internal links, media organizations are severely confined by the effect of search engines, regardless of the size, financial condition, and reputation of the companies, according to an analysis of the meta-frontier production function. The external link strategy may, however, compete with the internal link strategy if a media organization can provide customers an appropriate user experience and high-quality content. This study's findings may serve as a springboard for addressing disputes between search engines and the media sector.

#### KEYWORDS:

Media, News media, Search Engine, Technology.

#### INTRODUCTION

The media sector is afraid of the new influence that search engines have acquired. Because search engines do not create content but rather benefit by distributing material to consumers, conflicts with content suppliers are also rising. In the beginning, search engines were just directory services that also included extensive information classification. After then, by using high accessibility and cheap dispersion cost, the function of supplying information such as news, games, and entertainment has been continuously enhanced. The search engine is thus referred to as a web portal since it has broadened its focus beyond directory services, search, and e-mail to include varied contents, entertainment, communication, and commerce. The importance of search engines on the media sector has grown, and online portals, including search engines, are now acknowledged as a large medium due to their editorial privileges to disseminate news information selectively and modify titles. The media business is highly interested in this type of content publication since it has an impact on how material is consumed. With the growth of information technology came an increase in journalism delivered over the internet, and both gates and gatekeepers were used to describe search engines. The media sector is apprehensive about search engines' disproportionate market dominance. The subject of search engine optimization (SEO) and hyperlink techniques is developing rapidly as it becomes crucial to rank better on search engine results pages (SERPs) that are presented in response to a user's query [1], [2].

Search engines give material from many sources through hyperlinks, in contrast to established news media firms that post news content inside their web sites. An external link approach goes directly to a web page of a media organization that produces news material, whereas an internal link method enables visitors to access news content while remaining inside the interface of a search engine. Many search engines and sites employ internal links because they provide quick loading times, straightforward ad placement, and great user comfort through a unified interface. At the moment, Facebook News, Yahoo Japan, Daum of Korea, and Yandex of Russia all provide news material through internal connections. Particularly, Google, the top search engine in the world, mostly utilizes external connections and only employs internal links in its mobile app for "Google News." Additionally, some search engines make use of both internal and external links. News services are offered by China's Baidu and Korea's Naver utilizing a combination of internal and external connections. In comparison to the internal links technique, the external link method is seen to provide substantially less user convenience. The external link technique, on the other hand, links news consumers directly to the media company's website, providing a variety of agenda settings. This approach has the advantageous effect of encouraging media company rivalry and reducing the power concentration of search engines and portals. Additionally, any news media organization as well as a search engine may use user data when using the external link approach [3], [4].

The user's process of consuming material is influenced by techniques like content positioning and hyperlinks. More so than individual news outlets, the internal links approach in particular re-mediates news material to consumers and the search engine acts as a gatekeeper to define the public narrative. Additionally, user engagement has a greater impact than a single news outlet since any user may post a remark inside a search engine's internal links. On the other side, there is contention that the internal link approach has a detrimental effect on the media sector since it produces soft news that is geared toward amusement in large quantities and poses a danger of manipulating user comments. For this reason, some suggest that the search engine's news service should be changed to rely on external links. In Korea, numerous news outlets are urging that the news service of search engines should be converted to external links after widespread political comment tampering in the news content of internal links was exposed in 2018. Neys and Jansz contend that the external link technique has a drawback in that it increases the amount of intrusive adverts and stimulating news to boost profitability, which means it cannot resolve all issues. Google, which has long used the external link technique, sometimes has disagreements with local news organizations on how to split advertising income. In the present environment, rivalry between search engines and corporations is unavoidable since search engines efficiently supply crucial information, and news media firms are scared of the search engines creating a new power group.

## DISCUSSION

Therefore, our research concentrated on the conflict between news media firms and search engines, which has been at the center of the most intense struggle between conventional corporations and new technology companies for a long time. Asserting that search engines control the online traffic and advertising industry with minimal effort on content production, news media firms assert autonomy and sufficient recompense for the usage of news material. Existing research, however, has concentrated on how gatekeepers shape particular issues into social agendas or the process of disseminating and transferring news content in accordance with consumer interactions with search engines, which was frequently analyzed for search engines as news gatekeepers. Hinman addressed the opaqueness of search engines and emphasized that since the general public does not know precisely how they function, they are

forced to trust that search engines would not behave as fictitious gatekeepers. Academic research has also focused on the moral dilemmas raised by search engines, which dominate the media sector, including analyses of the privacy problems raised by search engine rules and practices. There has only been minimal investigation on privacy and ethical concerns in the context of search engines.

Research on the empirical influence of online agendas as well as research to assess the worth of broadcasting materials by concentrating on the issue of profit sharing among media businesses have also been conducted. Studies on the worth and effectiveness of search engines have not been connected to media firms and have not used linking techniques. There hasn't been any actual research on how a search engine's choice of linking mechanism affects a news media company's performance efficiency. Because exposure to the top pages of search results implies greater chances for material to be delivered, the mechanism of linkages employed by search engines is becoming a significant and contentious subject. The purpose of this research is to compare the impact of internal and external links on news media businesses' technological efficiency. We examined the usage of both external and internal links by the search engine Naver for this reason. Naver was chosen because it delivers news from multiple media businesses utilizing both external and internal link techniques and has the most market share in a certain area [5]–[7].

There are 123 news media businesses that provide Naver with news material, of which 60 utilize internal links and 63 use external connections to offer news to customers. Thus, in this study, stochastic frontier analysis (SFA) and meta-frontier analysis (MFA) are used to compare the technical efficiency of the two groups and the meta-technology ratio of the two groups, respectively, in order to assess the effectiveness of news media companies using the hyperlink method. The technological effectiveness of news media firms may, of course, be impacted by a variety of elements in addition to the kinds of connections, such as the types of contents, categories, length, mood, and tone. Only the impacts of the different kinds of links were studied in this research, as opposed to other earlier studies, where it was presumed that the effects of other factors were averaged out. The findings of this research should provide some empirical light on how to resolve the tension that has grown as a consequence of the gatekeeping debate between conventional news media and search engines. This study may be used as background information by global search engines like Google and news-starting firms like Facebook and Apple when negotiating copyrights with news publishers or calculating content use costs. The hyperlink approach, which is becoming more significant in social media, online commerce, multimedia content, and financial services, may also use it as a fundamental verification scenario.

Through the connectivity of all informational units on the Internet, hyperlinks allow for unrestricted travel. The hyperlink service functions as a crucial signal to illustrate the flow of information and extends horizontally to diverse regions and lower tiers of content generation, going beyond its definition as a technological tool that only links web pages. As a result, an essential component of the study to support search engine optimization (SEO) of all websites is comparing external connections and internal links. Through search engine optimization and sponsored search advertisements, websites often strive to increase their exposure in search results. Due to its analysis of the search engine's methodology and ability to show websites technically and naturally at the top of search engine results pages, SEO has a high research value compared to sponsored search, which displays web pages when searching for specified keywords. As a result, under the heading of crawling search engines and linkages, SEO has been investigated in a variety of sectors including image search, video search, academic search, news search, and industry-specific search engines.

SEO thoroughly investigates the algorithms, user search behavior, and ways that search engines provide the services that people desire. As more people enter the SERP, the potential client base continues to rise, and research on SEO has expanded. Website operators that predominantly utilize sponsored search assess that SEO implementation is complicated, costly, and does not consistently generate adequate results. However, people believe that the SERP's dependability is a crucial consideration when choosing a web page as a search result. More so than websites with sponsored adverts at the top, users trust the content of websites that are presented in response to user searches. Therefore, it is becoming more and more crucial to research SEO that websites can really employ while still meeting user demands [8]–[10].

The webmaster, or administrator of a website, started SEO efforts in the middle of the 1990s. Before the area of SEO was separated, it remained at a fundamental level and consisted of things like a web crawler reading a webpage and extracting connections to other sites. The algorithms used by search engines to choose relevant material and decide how to display web pages and search results have been continuously improved. Following that, resource allocation for SEO persisted as website managing corporations progressively came to appreciate the significance of the SERP. Resource allocation for SEO decreased superfluous traffic, increased the flow of prospective customers, and it was established that the company's genuine profit rose. As a result, search engines like Google perform research, hold conferences and seminars, and provide knowledge and best practices for SEO to the general public.

Academic and commercial research on SEO is focused on proving the efficacy of internet marketing by focusing on short-term performance metrics. According to Malaga, a crucial function of SEO is to have websites appear at the top of search engine results pages. When a for-profit firm creates a website, search engine marketing should be taken into account initially, according to Rubel et al, and it is crucial to develop a plan to encourage traffic to web pages via SERPs. The majority of research on search engines has been on enhancing the search engine's functionality, boosting the marketing viability of online sites, or enhancing customer comfort. To increase search engine efficiency, talks on moral dilemmas and search engine privacy protection have also been held in addition to SEO research. It was also noted that search engines manipulate the market to impose editorial rights in order to improve user convenience and experience. On the basis of this, there have been several thorough efforts to assess the worth and utility of search engines. Five metrics are provided by Geoghegan for comparing search engine usability. He contrasts the performance of results based on a natural query, the appearance of the input window and result list, the relevancy of the results, the speed at which the result list is calculated, and numerous other factors. A quality framework for a search engine was presented by Lewandowski and consists of the usability of the search engine, the quality of the results, the quality of the search features, and the quality of the index.

There aren't many research, as was already said, on the impact that search engine hyperlinking has on news media firms' performance efficiency. This is true despite the battle between search engines and news media companies being at an all-time high. The analysis of social phenomena in each location utilizing the quantity, orientation, and concentration of hyperlinks has been the main goal of research on hyperlinks. Through hyperlink analysis, the online projection of the offline social network structure has also been examined from a variety of perspectives. Studies that categorized information into categories including politics, economics, religion, and culture as well as examined whether categories were at the network's core or were the most exclusive and isolated based on the quantity and

concentration of hyperlinks have also been conducted. Another research examined the direction and volume of hyperlink traffic to identify the best media structures or forms for disseminating news material [11], [12].

Studies on hyperlink attributes that influence content consumption motivation and content understanding by considering the user's perspective have also been conducted. According to Wise et al, the incentive to utilize the material is only increased when the user has access to a certain quantity of news information through a suitable hyperlink on the web page. Another research found that the amount of information and interest in linked words had an impact on how well users perceived and understood the material. The fact that SEO and hyperlink research was undertaken primarily on the demands of online enterprises represented by e-commerce is a drawback of current research. Research on the media sector and news content, however, was absent. It is important to take into account how the performance effectiveness of news media organizations differs depending on the hyperlink strategy employed by the search engine, despite the fact that there have been several research on hyperlinks for SEO, online marketing, and online commerce.

Information began to exhibit a trend toward limitless abundance with the internet's widespread use and lost the economic concept of scarcity. Companies are working harder to increase information's competitiveness in order to develop exchange value. While this rivalry damaged the standing of conventional media and news content, it sparked platform competition that emphasized user convenience and delivery power, which resulted in the development of an attention economy. Search engines like Google, Baidu, and Naver are driving this shift in media in the internet environment from a push model where customers are pulled to news information to a pull model where consumers may be drawn to news material. As a consequence, the influence of conventional media businesses has been waning for a while, while search engines and social media have become more competitive and capable of gathering, organizing, and transforming material.

According to the research of this study, the group that provided news material using the internal link technique had a higher technical efficiency value than the group that provided news information using the external link method. Therefore, compared to organizations that employ external connections, the performance of news media companies that deliver news material via internal links is more similar to the group production function. The technological effectiveness of media firms utilizing the internal link approach is not equivalent to or superior to that of media organizations using the external connection method. On the other hand, compared to the internal connections group, the production function of the exterior links group seemed to be more similar to the meta-frontier production function. In terms of MTR, it can be argued that the exterior connections group's technical effectiveness outperforms the internal links groups.

The findings of this research may serve as a springboard for investigating the practical implications of the tension between search engines and the media sector. Although search engine automated algorithms seem unbiased and objective, they are susceptible to the same operator subjectivity as other media businesses. It has been noted that Google's algorithm is not value-neutral and has some bias, as an example. Because search engines desire editorial privileges without creating content, media businesses oppose their economic model. This is due to the significant impact search engine rights and rules have on media firms and consumers. For instance, the popularity-based ranking algorithm used by search engines may maintain or strengthen current power hierarchies. This article is significant because it first investigates how the linking policy of the search engine affects the performance efficiency of news media firms, which is one of the major challenges in the area [13], [14].

It has numerous ramifications that the performance effectiveness of news media firms employing the internal connection approach is more similar to the group production function. Regardless of business size, performance, or reputation, media firms enjoy comparable performance efficiencies when news services are offered via internal links inside the framework defined by search engines. Therefore, regardless of their standing as large or little enterprises, news media organizations find it challenging to escape the effect of the search engines and its format inside the internal link approach. News media organizations have fallen under the control of search engine regulations as their power has grown, and there are still significant difficulties, conflicts, and disagreements between the two sectors. Additionally, the external connections environment may be fairly unfavorable since small news media enterprises exhibit comparable performance efficiency as top-tier businesses when using the internal link strategy. Due to worries about the growing impact of search engines via internal links and the closing performance gap with small and medium-sized media organizations, major media corporations are not supportive of the search-engine-led media ecosystem.

On the other hand, it should be emphasized that compared to the internal connections group, the production function of the external links group seemed to be more similar to the production function of the meta-frontier. The benefits of a polished design and top-notch user experience are underlined in the instance of news articles offered through internal links. It is difficult for the majority of media firms to follow in a short period of time due to the competitiveness of search engines, which is based on long-accumulated technological competence. However, if the news media sector decides to adopt the search engine-led position, it will be forced to maintain the barest possible level of performance efficiency. Due to search engines' internal linking strategy, the performance gap between huge media organizations and smaller businesses might soon close. Major media businesses will also struggle to regain all of the impact they formerly had, and they will still be subject to the present disagreement scenario with search engines. Additionally, it was discovered that, rather than increasing the performance efficiency of the news media sector, the external connection approach significantly increases the performance efficiency gap between media organizations. In essence, external connections will provide a momentary chance for large media businesses. The external connections technique is a more beneficial environment, even for small and medium-sized media organizations, provided they can secure a strong interface and offer customers high-quality material based on technical supremacy.

Because of this, the linking mechanism a search engine chooses may have a big influence on the news media sector. Small and medium-sized news media organizations may increase their performance efficiency in the near term by using the environment of internal connections that search engines give. However, media businesses eventually need to adapt to the environment of external linkages by bolstering technology and content competitiveness in order to escape the existing conflict structure. News media organizations may increase their mid- to long-term competitiveness while adjusting to the changing environment as search engines strive to update the interface recently, such as by employing two hyperlink ways [15], [16].

Consumers of news often process information using the least-effort concept. In other words, they look for the best compromise between the amount of time they spend searching and the effectiveness of the findings. Through algorithmic technology, search engines provide users personalized news items and gratify their media consumption, "information acquisition," and "interest" goals. To enhance user traffic concentration, search engines have concentrated on strategically placing news material. The search engine linking approach is at the core of the dispute because it chooses performance measures like user traffic, and the technology gap



between search engines and the news media sector has led to a shift of power and cash. The debate over hyperlinks is not just extending to news media but also to other industries including social media, online commerce, video platforms, and banking services. The fact that the search function has grown in importance to boost service competitiveness in each industry unites these businesses. In other words, it is anticipated that this research will be applied to each industry and serve as a beginning point for creating a balance between platforms and content creators as many different kinds of platforms are acting as search engines in their respective industries.

## CONCLUSION

This research focused on the rivalry between news media firms and search engines, which is very divisive owing to the fight between conventional corporations and new technological companies. We examined the instance of the search engine Naver, which employs both external links and internal connections, to learn how the linking strategy of the search engine influences the technological effectiveness of news media organizations. Media organizations are severely restricted by the effect of search engines when news services are offered via internal links, and their performance efficiencies are generally comparable regardless of their size, financial situation, and reputation. The diminished authority of media firms will ultimately lead to clashes or disagreements with search engines. The external link technique is more favorable if it is a media firm that can provide customers an appropriate interface and high-quality material since the external links group's production function is closer to the meta-frontier production function. The majority of media firms, however, find it challenging to keep up with the technical prowess and user-friendly environment of search engines in a timely manner. Media firms must adjust to the environment of external linkages by bolstering technology, content competition, and consumer comfort in order to get out of the existing ineffective conflict structure. Following the research concentrating on the hyperlink approach, it is essential to gauge many aspects of media company performance and create appropriate benchmarks for judging content worth. A search engine will also need to offer a variety of distribution options to media companies as content providers given that they will have different strategies due to their differences in size, performance, financial situations, human compositions, and interests. Last but not least, it is anticipated that it will be used in a research that looks at the structural role and utilitarian value of the search function, which is developing in online commerce, video platforms, and financial services, paying attention to the movement pattern of traffic brought on by hyperlinks.

## REFERENCES:

- [1] M. Thürer, M. G. Filho, M. Stevenson, and L. Fredendall, "Small and medium sized manufacturing companies in Brazil: Is innovativeness a key competitive capability to develop?," *Acta Sci. - Technol.*, 2015, doi: 10.4025/actascitechnol.v37i3.26531.
- [2] U. ROHN and S. BAUMANN, "Media brands in social network sites: Problems German media companies have faced and lessons they have learned.," *J. Brand Strateg.*, 2015.
- [3] P. Mráček and M. Mucha, "The Use of Knowledge Management in Marketing Communication of Small and Medium-sized Companies," *Procedia - Soc. Behav. Sci.*, 2015, doi: 10.1016/j.sbspro.2015.01.1190.

- [4] N. Cea Esteruelas, "The media companies and changes in the media industry," *Opcion*, 2015.
- [5] E. Kabaale and G. M. Kituyi, "A theoretical framework for requirements engineering and process improvement in small and medium software companies," *Bus. Process Manag. J.*, 2015, doi: 10.1108/BPMJ-01-2014-0002.
- [6] L. Huotari, P. Ulkuniemi, S. Saraniemi, and M. Mäläskä, "Analysis of content creation in social media by B2B companies," *J. Bus. Ind. Mark.*, 2015, doi: 10.1108/JBIM-05-2013-0118.
- [7] D. Jugend and J. N. Leoni, "Product Portfolio Management in Brazilian Technology-based Companies: Case Studies in Medium and Large Companies," *Procedia Manuf.*, 2015, doi: 10.1016/j.promfg.2015.07.947.
- [8] S. Venkatachalam, F. Wong, E. Uyar, S. Ward, and A. Aggarwal, "Media company uses analytics to schedule radio advertisement spots," *Interfaces (Providence)*, 2015, doi: 10.1287/inte.2015.0825.
- [9] V. I. Kraak and M. Story, "Influence of food companies' brand mascots and entertainment companies' cartoon media characters on children's diet and health: A systematic review and research needs," *Obes. Rev.*, 2015, doi: 10.1111/obr.12237.
- [10] C. Dijkmans, P. Kerkhof, A. Buyukcan-Tetik, and C. J. Beukeboom, "Online Conversation and Corporate Reputation: A Two-Wave Longitudinal Study on the Effects of Exposure to the Social Media Activities of a Highly Interactive Company," *J. Comput. Commun.*, 2015, doi: 10.1111/jcc4.12132.
- [11] I. Vlachos, "Applying lean thinking in the food supply chains: A case study," *Prod. Plan. Control*, 2015, doi: 10.1080/09537287.2015.1049238.
- [12] I. Martins, A. Rialp, J. Rialp, and R. Aliaga-Isla, "The use of networks to promote entrepreneurial orientation on small and medium company growth," *Innovar*, 2015, doi: 10.15446/innovar.v25n55.47227.
- [13] G. Tsimonis and S. Dimitriadis, "Brand strategies in social media," *Mark. Intell. Plan.*, 2014, doi: 10.1108/MIP-04-2013-0056.
- [14] S. Dewan and J. Ramaprasad, "Social media, traditional media, and music sales," *MIS Q. Manag. Inf. Syst.*, 2014, doi: 10.25300/MISQ/2014/38.1.05.
- [15] F. J. Grajales, S. Sheps, K. Ho, H. Novak-Lauscher, and G. Eysenbach, "Social media: A review and tutorial of applications in medicine and health care," *Journal of Medical Internet Research*. 2014. doi: 10.2196/jmir.2912.
- [16] N. Hochman, "The social media image," *Big Data Soc.*, 2014, doi: 10.1177/2053951714546645.