

## “The Freedom of Speech and Expression in the Digital Age”

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### **Abstract**

*Women through the lens of media advances the question of how gender, emphasizing on the image of woman, has still not changed despite the advent of the constitution. She is still stereotyped in spite of enlargement and progress in the society. Women have espoused the dual role of home-maker and the bread-earner at the same time, media barely fetches this factual realism. Restricted implication is accredited to the life tussles of women at home and external world. Media delineation of women is full of images and platitude about women and girls as- the splendid sex object, the sainted mother, the deceitful witch, and the hard-faced corporate; and political rambler. Public and private local, national and international media organizations have still lodged to the tainted portrayal of women. Semantic vicissitudes need to be made by the government as well mass-media and advertising organizations to fetch a variation, rather than preserving a status quo in relation of image of women in media. Gender specific sorts in media can reinforce the image of what a man and a woman are, and how they interact with each other. Is it **Article 19** that gives the right to media to typecast women or to infringe **Article 14** and exhibit them as frail creatures? The need is only to accept their convincing strength and depict it devoid of falsification and rather than reinforcing the traditional role of the two genders, tolerant that private and public spheres of life are now demoted to both men and women. Only refining media images will not disentangle all of the glitches allied with the rights of women, inequalities have to be lectured across an assortment of social and institutional systems (education system, government, family, religion, society and so on).*

### **I. INTRODUCTION**

It shall be the duty of every citizens of India to renounce practices derogatory to the dignity of women.<sup>1</sup> Our Constitution has rendered an exceptionally fortunate status to women as a class and thus gratifies the legislature as well as the other organs of the government to work in this course. The twelve critical areas of concern highlighted in The Fourth World Conference on Women (FWCW) Beijing, China, 1995 also incorporated women in mass media.<sup>2</sup> The sustained prognosis of negative imageries of women in the media needs to be altered, and women ought to be empowered by augmenting their expertise, schooling and admission to information technology was the plea of the Conference. The comprehensive socio-economic, dogmatic and cultural backgrounds have a part to play in shaping the appearance offered by media. Captivating

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<sup>1</sup> The Constitution of India, 1950; Article 51 A(e).

<sup>2</sup> The other areas were women in poverty; education; health care; violence against women; effects of conflict on women; power-sharing and decision-making; mechanisms to promote the advancement of women; human rights; women's management of natural resources and the environment; and the girl child.

an aspect at the locus in numerous cultures across the world, the depressing part played by media emanates into light. Even though media exemplifications of women and girls are relentlessly surfacing, parts for girls in the media are often scarcely demarcated.

Studies and researches on gender and advertising are of a contemporary origin and cut across a variety of disciplines including mass communications (Busby 1975), sociology (Goffman 1976), critical theory/social criticism (Williamson 1978), feminist theory (Barthel 1988), marketing/consumer research (Courtney and Lockeretz 1971, Courtney and Whipple 1983, Belkaoui and Belkaoui 1976, Lundstrom and Siglimplaglia 1977, Venkatesan and Losco 1975, Wagner and Banos 1973) and international marketing (Gilly 1988, Lysonski 1985).<sup>3</sup> How assemblies of individuals in society are depicted in the media can have deep and far reaching effects on social discernments about their physical and intellectual capabilities.<sup>4</sup> Media needs to convert into a potent weapon of social transformation and needs to demonstrate a stable illustration& diversity of girls /women on screen; as well as in print, in voice (radio or music) and online/digital media. Media in greatest parts of the world is still a male supporter and men's voices dictate, even after an upsurge in the number of women who watch televisions, read newspapers, listen to radios and log onto websites. Dissimilar indicators exhibit an absence of gender sensitivity in fluctuating degrees and patterns reliant on the headlines, discourses, advertisements and pictures. Media can nevertheless arise to harvest more varied resources that can be used to contest gender inequality or sympathies of women, if used to challenge the stereotyped images and present reassuring sanguine parts of women.

## **II. PURPOSE OF THE STUDY**

To throw light on the appearance bent by media of women by pigeon-holing (for example, illustrating women/girls as pedestrian to men/boys or in inadequate societal and professional characters that do not echo their authentic skills and proficiencies ,dispersing a prototype of femininity consigned to the private sphere and incarnated by the values of amorousness, overhaul, motherhood and family life); disseminating images that are debasing to women/girls and harmful to their dignity (depicting them as sexual entities, as imprudent, as subservient to men etc.); encouraging imageries, ethics and behavior facsimiles that are likely to hearten violence against women is the notable purpose of the present study. The subordinate purposes embrace estimation of the bearing of sexual objectification of women and dissect the regulatory legal framework vis-à-vis portrayal of women.

## **III. REALM OF MASS MEDIA**

The effective definition of media shelters means or instruments serving as transporters of messages from a correspondent to mass spectators. Television, press, film and the internet have

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<sup>3</sup> Nancy Artz &Alladi Venkatesh, GENDERREPRESENTATION IN ADVERTISING 618, North America Advances in Consumer Research, Vol.18, Rebecca H. Holman and Michael R. Solomon (eds.) , 1991.

<sup>4</sup> THE GENDER AND MEDIA HANDBOOK- PROMOTING EQUALITY xiii, Diversity & Empowerment, Mediterranean Institute of Gender Studies, 2005.

been encompassed while undertaking this research. Television integrating visual imageries for molding minds and sentiments has the probability to impact spatially fashioned gender roles within the fictional space it fashions. Media do not simply broadcast specific messages to inert audiences, rather also harvest and publicize information, ways, ideas, thought processes, assumptions, frameworks, opinions, principles, morals and chronicles. These ways of thinking and assumptions are vigorously used to comprehend and think about the world, others and relationships. Media spaces can be owned and well-ordered by commercial and public interests, women's organizations, the State and many supplementary groups working for social revolution. The superior the variability in who owns and panels media spaces, the grander the scope for social transformation.

#### **IV. PROGNOSTICATION OF WOMEN IN MEDIA**

**“Being a woman is a terribly difficult task, since it consists principally in dealing with men.”**

**- Joseph Conrad**

Be it administration backed media or commercial media, the proprietorship does make a metamorphosis as to how women are being portrayed. Though this metamorphosis may be very less, still the Doordarshan Channels to a degree catchphrase from protrusive lewd images of women. Tenacious deleterious portrayals of women in the conformist media are prolonged and heightened by new media (for example, the internet, video games and music videos). Where government departments are expending media to nurture awareness apropos empowerment of women, commercial media is working to decline the position of women. <sup>5</sup>An in accurate character of women has shaped in congruence in the actual lives as an impact of fabricated portrayal. Media represent women either in clichéd ways that imitate and withstand socially endorsed views of gender or stabilize ferocity against women. Thus, mass media has materialized as originator of disconsolate image of otherwise correspondingly experienced class. Reality television too figures out mostly the deleterious aspect of the traits of women. The IWWMF Global Report on the Status of Women in the News Media establishes plentiful evidence of underrepresentation of women as subjects of coverage.<sup>6</sup>Just gender portrayal in the news, the use of nonaligned and non-gender specific semantic, and women not being branded as “lifestyle” or “soft news” by journalists has become an essentiality for upholding gender equality as a fundamental human right.

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<sup>5</sup> At times even government to make use of media for political motives. But such use generally don't portray women negatively.

<sup>6</sup> IWWMF : Washington, 2011 , accessed from <http://iwmf.org/pdfs/IWWMF-Global-Report-Summary.pdf> (Accessed on 1<sup>st</sup> April, 2015). The said Report for the first time presented sound data on gender positions in news organizations around the world.

## V. PROGNOSIS OF WOMAN IN COMMERCIAL ADVERTISEMENTS

Advertising is considered predominantly persuasive in forming imageries of women portrayed in media. Advertising thus defines woman's relationship to man primarily in terms of the appeal feminine attractiveness has for man.<sup>7</sup> The picture of women in advertising has advanced from principally a homemaker into the role of the unconventional woman making her own way in the world.<sup>9</sup> Film Actress Anushka Sharma ad of Sofy Side Walls is an illustration where buoyant and go getting attitude of contemporary working women is exhibited. It is needless to demonstrate women in advertisements related to male products such as men's underwear and vests. In terms of imageries created by the mass media, what it meant to be a feminist had shifted from involvement in a network of women advocating social, political, and all other rights to being a superwoman or supermom.<sup>8</sup>

## VI. INFLUENCE OF PRINT AND ELECTRONIC MEDIA ON OPINIONS REGARDING WOMAN

Nonetheless the past few decades have countersigned development in terms of transformation of means of transport, communication and other domains; the deportment of women presented by media still remains conservative. Women's bodies are center of work - women are assumed and demarcated virtually solely in terms of their reproductive competences (the capability to bear a child) and physical characteristics (beauty and sexual pull as well as susceptibility to disease and crime). The stimulus of the media has overextended so as to disturb both the decisions taken by society and discernment of the society concerning the contemporary world. How individuals create their social identities is molded by commoditized texts manufactured by media for spectators that are progressively segmented by the social edifices of race and gender.<sup>11</sup> The role models for women publicized by media give superiority to physical benchmarks over intellectual ones. The phantasmagorias shown of women inspire other women in practice to recognize normal bodies and normal physical functions as problems.<sup>9</sup> Sustained exposure to filmed violence may lower sensitivity to victims of violence in other contexts.<sup>10</sup> The precedence of women's role as mothers is accentuated not only in the media, but in all public forums and activities associated to women. There are diverse aspects of women's routine experiences which

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<sup>7</sup>MiekeCeulemans Guido Fauconnier , MASS MEDIA: THE IMAGE, ROLE, AND SOCIAL CONDITIONS OF WOMEN : A COLLECTION AND ANALYSIS OF RESEARCH MATERIALS 12 (UNESCO : Paris, 1979), accessed from <http://unesdoc.unesco.org/images/0003/000370/037077eo.pdf>. (Accessed on 3<sup>rd</sup> April, 2015).

<sup>9</sup>Kouser Noor Fathima, Role of Women in Promoting Products – With Reference to TV Ads, Indian Journal of Applied Research 3(7) ,July 2013 at 417.

<sup>8</sup> Juliann Sivulka, Ad Women: How They Impact What We Need, Want, and Buy 353 , ([Prometheus Books](#), 2009).

<sup>11</sup> Dwight E. Brooks and Lisa P. Hébert , GENDER, RACE, AND MEDIA REPRESENTATION 297 in [The SAGE Handbook of Gender and Communication](#) Bonnie J. Dow & Julia T. Wood (eds.) , SAGE Publications, Inc. : London, 2006.

<sup>9</sup> Julia T. Wood, GENDERED MEDIA: THE INFLUENCE OF MEDIA ON VIEWS OF GENDER 276, in Gendered Lives: Communication, Gender, and Culture, Julie T. Wood (ed.) , Wadsworth: Boston, 2011.

<sup>10</sup> Daniel Linz, Edward Donnerstein, & Steven Penrod , THE EFFECTS OF MULTIPLE EXPOSURES TO FILMED VIOLENCE AGAINST WOMEN 143, 34(3) Journal of Communication September 1984.

are never depicted or debated in the media, such as those associated to noteworthy vicissitudes taking place in the workplace, in gender affairs and the family; which are bent by globalization.

## **VII. ACKNOWLEDGEMENT OF THE BUDDING ROLE OF WOMAN**

The women magazines definitely are fervent to contemporary roles played by women. Such magazines are not restricted to the traditional mother/house-wife role, relatively they cover the desires and interests of working women. *Mother India*, (1957) (re-make of *Aurat* in 1940) made by Mehboob Khan ; *Kya Kehna* (2000) re-marital pregnancy , written by Honey Irani and *Filhaal* (2001) written and directed by Meghna Gulzaron surrogacy are some of the trend setter movies in Hindi cinema which attempted to educate or answer to the new social anticipations. *English Vinglish*(2012) written and directed by Gauri Shinde is also an eccentric depiction of a housewife, unacquainted with English. The three of the above four movies had a woman as the story writer, which means that a woman herself has to contemplate for her class in general. Dishwasher advertisement screening a man washing utensils and girls supporting their families in advertisement of loans are a drive-in the direction of revolution.

Innumerable government ministries at numerous times have hurled campaigns relating to rights of women. Campaign regarding family planning identifies the reproductive right of woman and her choice as to when to procure a child. “Malnutrition Quit India” campaign was launched by the Ministry for Women and Child Development (MWDC), Government of India in Nov 2012.

Actor Amir Khan was the face of this campaign.

Wakefulness musical campaign, “Betiyaaan- Save The Girl Child”, a 2.26 seconds video targets to bring transformation in the orthodox discernment of the people towards the girl child was launched in June 2013. The initiative has been backed by the National Rural Health Mission. The song originates with an introductory poem paralleling girls with boys by India’s Honorable Minister Shri Kapil Sibal is an ingenuity ventilated on ZEE TV.

## **VIII. VARIOUS MEDIA LAWS AND REGULATIONS IN INDIA**

Media legislation theatres a momentous role in determining the nature and range of media content.

The law concerning to obscenity in India prior to 1986 was only codified in **Sections 292, 293 and 294** of the **Indian Penal Code**. In spite of these provisions, there is mounting frame of offensive demonstration of women or orientations to women in publications, predominantly in advertisements, etc. which have the consequence of condescending women and are pejorative to women. **The Indecent Representation of Women (Prohibition) Act, 1986** was endorsed to prohibit offensive depiction of women through advertisements or in publications, paintings, writings and figures or in any other means. Licentious demonstration of women means the portrayal in means of the figure of a woman, her form or body or any part thereof in such a

manner so as to have effect of being lewd, or pejorative to or belittling a women, or is probable to debauch, corrupt or wound the public morality or morals. 11

**Section 4** provides for ban of advertisements containing licentious demonstration of women and **Section 5** forbids publication or sending by post of pamphlets, books, etc, containing offensive illustration of women.

**Exceptions<sup>15</sup> –**

- Any book, pamphlet, paper, slide, film, writing, drawing, painting, photograph, representation or figure-The, publication of-which is proved to be justified as being for the public good on the ground that such book, pamphlet, paper, slide film, writing, drawing, painting, photograph, representation or figure is in the interest of science, literature, art, or learning or other objects of general concern; or Which is kept or used bona-fide for religious purposes;
- Any representation sculptured, engraved, painted or otherwise represented on or in- Any ancient monument within the meaning of the Ancient Monument and Archaeological Sites and Remains Act, 1958 (24 of 1958); or Any temple, or any car used for the conveyance of idols, or kept or used for any religious purpose; Any film in respect of which the provisions of Part-II of the Cinematograph Act, 1952 will be applicable.

**IX. PUNITIVE PROVISIONS<sup>12</sup>**

On first conviction with imprisonment of either description for a term which may extent to two years, and with fine which may extend to two thousand rupees, and in the event of a second or subsequent conviction with imprisonment for a term of not less that six months but which may extend to five years and also with a fine not less than ten thousand rupees but which may extend to one Lakh rupees.

In exercise of the powers conferred by Section 10 of the Indecent representation of Women (Prohibition) Act, 1986 , the Central Government has made Indecent Representation of Women (Prohibition) Rules, 1987 providing for manner of seizure of articles ; and manner of packing and dealing with advertisements or articles seized

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<sup>11</sup> The Indecent Representation Of Women (Prohibition) Act, 1986(Act No. 60 of 1986); Section 2(c). <sup>15</sup>  
Ibid; Proviso to Section 5.

<sup>12</sup> Ibid; Section 6.

### Cases registered under Indecent Representation of Women (Prohibition) Act, 1986

Year	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Cases reported	1,378	2,917	1,562	1,200	1,025	845	895	453	141	185	212	250+

Table - I above depicts changing scenario regarding cases registered under Indecent Representation of Women (Prohibition) Act, 1986.

### X. CABLE TELEVISION NETWORKS RULES, 1994

No program should be carried in the cable service which Denigrates women through the depiction in any manner of the figure of a women, her form or body or any part thereof in such a way as to have the effect of being indecent, or derogatory to women, or is likely to deprave, corrupt or injure the public morality or morals.<sup>13</sup>

No advertisement shall be permitted which in its depiction of women violates the constitutional guarantees to all citizens. In particular, no advertisement shall be permitted which projects a derogatory image of women. Women must not be portrayed in a manner that emphasizes passive, submissive qualities and encourages them to play a subordinate, secondary role in the family and society. The cable operator shall ensure that the portrayal of the female form, in the programmes carried in his cable service, is tasteful and aesthetic, and is within the well-established norms of good taste and decency.<sup>19</sup>

The cable operator should strive to carry programs in his cable service which project women in a positive, leadership role of sobriety, moral and character building qualities.<sup>14</sup>

The Ministry of Women and Child Development (WCD) had set up an inter-ministerial group to analyze the present legislation The group has planned amendments keeping in view emergent technological changes and to comprehensively address depiction of women and children in electronic media, advertising and internet. The planned law covers demonstration of women in electronic media comprising television, mobile phones , internet and other forms like laser light, smoke, gas, sound and fibre optic. The delineation of advertisement will also be enlarged to include any circular, notice, label, wrapper etc, further visible demonstration made by means of any light including light, laser and smoke. Sentence has been heightened to embrace imprisonment of not less than two months extendable to two years for the first offence and a maximum of 5 years for the second offence. The fine has been amplified to a maximum of Rs 5 lakh.

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<sup>13</sup> Cable Television Networks Rules, 1994 (as amended upto 27.02.2009) ;Rule 6(1) (k) <sup>19</sup>

Ibid; Rule 7(2)(vi)

<sup>14</sup> Ibid; Rule 6(2)

## **XII. RECOMMENDATIONS AND DEDUCTION**

A sundry and sensible approach has to be espoused while portraying women, identifying and valuing their dignity and value as the human being. In lecturing the issue of the mobilization of the media, Governments and supplementary actors ought to promote an energetic and noticeable policy of mainstreaming a gender perception in policies and programs. Status Quo concerning dilemma of women necessitates a variation firstly in society and its replication must also be discernible in the media. Where media must depict that women have come out the concord private sphere it at the same time must present men as connecting with women in the private sphere. The theoretical equality of men and women as bibliophiles, spectators, onlookers, personalities and citizens should be understood at every level in the media - in the content of images, advertisement, texts, page design, and the order and contents of news.

A “Screening Gender” training kit has been primed in Finland to indorse new tactics among television programme producers to the portrayal of women and men. The kit, originally bent in English and German, has been so fruitful that bonus bankrolling has been acquired from the European Commission for its translation into Italian, French and Spanish. Such alike effort can be prepared in India also.

Gender sensitive trainings should be obtainable for women and male reporters, as well as for assistants, programme makers and news editors who must play a grander part in eradicating indifferent language and typecasts. On a comprehensive frame, the influence of reel image of women portrayed by media has no effect on us, but meticulously at some points the image generated by media distresses our ideology too. The mind never overlooks undeniably; and the image seen by us may have results at unforeseen times and places. The influence of electronic media on the educated class of society with regard to demeaning the women is far less than its impression upon illiterate class. Media has the obligation to indorse gender equality and bridge the gap between the men and women existing in the closely knit society.