

ST. JOSEPH'S COLLEGE (AUTONOMOUS), BANGALORE-27
BA EJP JOURNALISM – V SEMESTER
JN 5113: Advanced Journalism
MID SEMESTER TEST: AUGUST 2019

Time: 60 minutes

Max Marks- 30

Instruction:

1. This paper is meant for V semester students of BA-EJP course.
2. You are allowed to use a Dictionary.
3. You will lose marks for exceeding the suggested word-limit.
4. This paper contains FOUR pages and TWO sections

I. Read the following interview and answer the questions that follow.

In November, 2013, Hartosh Singh Bal, then the political editor of *Open* magazine, was abruptly fired from his position. His sacking was widely perceived as a precursor to what has now become standard practice — media owners acting under political pressure to dismiss journalists who are seen to be critics of the ruling establishment.

Bal, now the political editor of *The Caravan*, challenged his sacking in court. Six years later, on July 7, a district court in New Delhi decided that Bal's sacking was illegal and ordered that he be paid six months' salary under the Working Journalists Act, according to a report on *NewsLaundry.com*. It also awarded him Rs 10 lakh on account of the harassment meted out to him, the report added.

In this interview, Bal talks about why he challenged his termination, the importance of the Working Journalists Act (WJA) and the current contract system used by media houses to employ journalists.

Central to your case is the WJA and the contract system that media houses use to hire employees, which tries to bypass it. Could you explain what the Act is?

This Act was enacted with a clear vision and such an act of job protection doesn't exist for any other profession. It's a clear recognition by some of the founding figures of this republic that journalism as a profession stands aside from everything else.

The court of recourse [in this case] was a labour court but that doesn't mean we fall in the category of every other labour. What it said is that every journalist can take recourse to a labour court. In my case, it became a key argument whether somebody at the level of an editor, who also manages stuff, will count as a workman.

Unfortunately, what has happened is that we have failed to keep up the definition of what a journalist is in this country, with changing times and technology. The WJA should have been extended to television and digital media. That has not happened. Part of the confusion comes from the contract system, which is part of the reason why TV and digital journalism isn't covered under the Act.

How has the contract system been used to deny journalists their rights?

Our understanding of the contract system and the WJA is very clear: no contract between an organisation and a journalist can override the protections of the WJA. So we should feel free to sign any contract understanding that if there are any clauses in that contract which try and dilute what exists in the WJA, those clauses do not stand.

What organisations don't recognise, and should be made to recognise through legal recourse, is that the Act doesn't get superseded by signing a contract. In practice, that hasn't happened because fighting a case, sticking it out, ensuring that you still have a job while being pushed around by managements which don't want you to be doing that, is difficult.

So while in theory, our protections are still the same as before, in practice, this is difficult to fight. Recourse to the legal system isn't easy for everyone so it becomes possible for the contract system to bypass the WJA.

What are some of the lessons that you've learnt over the last five years?

It is very difficult to say why something happened. From that time on [in 2013], we have interviews which say "political pressure" [was to blame for the sacking].

In one unfortunate way, this was a prelude to the Modi years but I got sacked during the Congress years. So at that time, as usual, journalists were slow to realise that there was a problem in the system, in the way journalism is organised and how governments interact with journalism, [with practices] which predate Modi for many years.

I did not see any great outpouring of support or lawyers coming out to help. People did send messages but, in the end, it is your battle to fight. There are people who stood by and there are organisations like *The Caravan* which gave me a job, knowing that I was fighting a court case with another organisation. But in the end, the legal battle is yours to fight. I think this is one of the big lessons that, eventually, to empower journalists we have to create a community, a system and a support structure which makes these battles easier to fight.

In the last five years, did journalist friends come to hearings with you?

I've attended all my hearings on my own with my lawyers. Apart from some close friends who're aware of the case, no organisation has followed what happened to the case – from the time it was filed to now. There hasn't been much interest, which is fine – I don't think this part is important. What is important is that journalists should have the ability to take the legal route, including financial and other help, like getting employment while you're fighting it out...that is the more important part that I'm stressing on.

You're a senior journalist who has worked with *Indian Express* and *Open*. What are some of the issues with the contract system which managements need to recognise are unacceptable?

We exist in an environment where everybody pretends that the WJA doesn't exist. New digital media outlets have opened up – some liberal, some conservative. But none of them seem to embody the spirit of the WJA.

To me, job security for journalism is pre-eminent. You better have a good reason [for retrenchments]. Even if you're retrenching people on economic grounds, you better have your economic plan out there. Take for example, the layoffs at *NDTV* and at *Scroll*. *Tiranga* [TV] has just folded. I'm not even getting into issues of politics because these are supposedly liberal institutes.

How should *NDTV* lay off people? There should be a clear business plan submitted to the requisite authority, detailing why they've run into financial trouble, why and on what basis they need to restructure and the logic on which they're letting go of people. That should be approved and they should act. What happens is ad-hoc randomness. People play favourites. Nobody seems to believe in the principle that it cannot be that there can be arbitrary decisions on why journalists have been let go.

What amendments would you like to see to the Working Journalists Act so that it reflects current media realities?

First of all, it must extend to television and digital [media]. As I said, there was a contract system in place in print. Everybody pretended that this overrode the Act. That was legal fiction. The contract system doesn't override it. When TV was created, it had a contract system and since everybody wrongly believed that the WJA didn't apply to print, [they also believed that] it didn't extend to TV.

Television had a few glorious years of very high salaries, of a five-star culture which created a different class of journalists altogether, separated from the rest of us.

They didn't feel it necessary to live in a journalistic ethos in which job protection and integrity is necessary. They thought that bubble was something that would go on forever, but it burst. They are now facing the worst of the brunt because they never bothered to bring up these questions and issues of security. In digital, we are repeating the same mistakes today and, again, digital journalists are not stepping in to realize the problems.

Even digital organisations, which understand the value of journalistic security, have not created environments where the WJA has been enshrined in spirit. It is still a hire-and-fire culture in the best of places and to me, that goes against the very spirit of the WJA.

In an interview to The Hoot in 2013, Manu Joseph, *Open's* ex-editor said that Sanjiv Goenka, the magazine's proprietor, had spoken to him about his discomfort with you. He added that he had given you a 'broad sense' of it. Do you remember what that was?

I did not think anything had happened till the time my sacking became a reality. Nothing had been communicated to me till then. Manu has also said in the interview that he never told me anything ["Hartosh was never told by me that he should stay away from a line of comment or a story," he said].

If there was any interaction between Sanjiv Goenka and Manu Joseph, it's for either of them to clarify. It is only when I was facing the sacking that Manu said that Sanjiv had been uncomfortable. What Sanjiv was uncomfortable with, I don't know. His father was part of the Rajiv Gandhi Foundation. At one time, he [Sanjiv] disagreed with me over coverage of Rahul Gandhi and wanted me to go meet his father, to learn more about Rahul Gandhi so I could have more reformed views, I assume, about him. He also was close to – as all big industrialists are – Chidambaram.

He was also very, very close to Arun Jaitley. The man who replaced me [as political editor of *Open*] is one of Jaitley's favoured people in journalism. Now, I don't know all or some of these factors played a role [in the sacking]. All I know is that the court judgment upholds the fact that none of this could be grounds for my sacking.

I.A. Answer the following questions in about 150 words each: (2x10=20)

1. Write a news report based on this interview. Give your report a headline.
2. What is your understanding of the Working Journalist's Act? Do you think the 'hire and fire culture' in the media organizations affect the quality of journalism?

II. Write a pitch for a long form piece on Digital Journalism. Use your personal experience of using new media spaces to access news, as a lead for piece you wish to write. Give your article an interesting headline (150-200 words) (10 Marks)