PORTRAYAL OF WOMEN IN MEDIA: A SOCIO LEGAL PERSPECTIVE

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ABSTRACT
All the developed as well as the developing countries are more emphasizing on the need to maintain the dignity and development of women in the society. This is a burning issue for discussions and debates on TV channels or writing columns and articles in News Papers. Today woman as an integral part of society has established as well as proven her abilities and also demanding her stand and standards in our patriarchal society. But the matter of concern is that what role is being played by our fourth pillar of democracy i.e. media to provide dignified place as well as image to the women? Is present day mass media as well as social media has taken any efforts with regard to bringing any change in the mind set up of society for maintenance of dignified life of the women? Every woman have right to live a dignified and reputed life. However women is considered as an integral part of the world but she always struggle to establish their identity and at the same time their perceptions are heavily influenced by mass media while projecting them as an object. Today in the age of advanced technology the main cause behind the women’s low self-esteem is the reflections of women presented in the media and the movies in a degrade manner. The images of females presenting in the media are completely unrealistic. There is no doubt that women in their real life compare themselves to the female images which they watched on television, film, and advertising. At both the conscious as well as subconscious level, these media images of women lower their self-esteem and affect behavior at every age and stage of life. Presentation of gender discrimination in the media is also one of the root causes of violence against women and girls. The UNESCO report of 2009 revealed that it will take another 75 years to achieve the gender equality in the media. The present Article is based on the view point that instead of projecting negative as well as degrading images of women in media and it should provide a balanced picture of her positive contribution to society. Through this paper attempt has also been made to analyse the various provisions of Constitution of India with regard to Constitutional Check on Obscene Presentation of Women by Media.

Keywords: Women, empowerment, media, portrayals, gender, dignity, discrimination, constitution.

INTRODUCTION:
The primeval portrayal of a God ‘Ardha Narishwar’is half female (prakriti) and half male (purusha), thus clearly defining that both man and woman are equal in all aspects of life.¹ How far is this true? Repression of women is a well observed fact, not only restricted to the underdeveloped nations but is equally prevalent in developed countries too. Women in India have stereotypical image living with two contraries, almost concurrently – shakti (power) the primordial cosmic power, the source of power itself and – the powerless, unfortunate with no identity of her own.² Throughout world it is a well known phrase that the hand which rocks the cradle governs the world. But, the harsh reality is that women have been exploited in our society, over centuries. The level of development of women is different in different parts of the country. This probably is one more example of the reality that India is like a snake whose head is in the 21st century and the tail in the 17th century.³ From the years of sati, devdasi system and child marriages, to the recent years – women have undergone a substantial transition, like an avalanche which laid frozen and static for centuries – but is now full of positive energy and moving rapidly. Woman in India has always been regarded as an instrument of exploitation and never be considered as equal to the males. Till date this fact exits to such an extent that a boy child is always preferred in all the situations over the girl child. Discrimination and exploitation of women along with poverty, ignorance and denial of basics of life

aggravate the inequalities that women are forced to face. Gender equality is a prime human right allowing women to live independently with dignity.\textsuperscript{4}

The basic feature for the success of gender equality is the empowerment of women. In order to achieve this, the focus should be on providing more freedom to women, to organise their lives and also to identify and reduce power imbalances. Women’s empowerment is believed to be a dynamic process of individual as well as collective struggle against the forces which suppress and subordinate women. It provides a procedure of reorganisation of all existing resources in the society, be it social, economic, political, intellectual or cultural.\textsuperscript{5} It indicates a change from a state of powerlessness to the state which recognises and strengthens the women to take greater control over their lives.\textsuperscript{6} Women empowerment is to be achieved by insuring that women are productive labour, they have equal right to work and property and right to life. The Indian Constitution in its Preamble, Fundamental Rights, fundamental Duties and Directive Principles enshrine the principle of gender equality. It not only grants equality to women, but also authorises the state to approve procedures of positive discrimination in favour of women.\textsuperscript{7} Though globalisation has clearly led to an exemplar change in women’s role in the society, but even with the introduction of various development measures, the situation is still not in their favour. A series of World Conferences related to women have strengthened social, economical, and political magnitude of gender equality through empowerment of women, internationally as well as nationally. The two calculated objectives of Beijing Platform of Action concerning women and media that aims to promote women empowerment is to increase women involvement in decision-making through media and other technologies of mass communication; and promotion of non-stereotyped portrayal of women in media.\textsuperscript{8} But most of the nations have failed to achieve these objectives. No strict law has enacted to control as well as to regulate the exploration of stereotyped portrayal of women in media. The exposure to media has an important influence on the attitudes, values and behavior of the society. The image of women as portrayed in the media deserves serious consideration because the way the women are presented in the media can be an important factor in shaping the next generation’s attitudes and behavior towards women. The ways in which women are routinely portrayed in mass media have been on continuous focus. The main aspect of this is the stereotyping of women by Media. The reason for concern with stereotyping of women in media is for the reason that the Media has potentially powerful agents of social change. The popular media such as films, television, newspaper and magazines continue to frame woman within a narrow repertoire of type that bear little or no relation how real women live there real lives. Besides this women have always been portrayed by media as embodiment of discipline and self sacrifice to the glory of God and country or where female body were sexual image object of man’s gaze. The truth of this hour is women have become a source of revenue. They have been subjected to great demeaning nature and objectifying them as commodities. Media sends us constant that through objectification, the women enjoy being sexually assaulted when forced and dominated, which in reality seems very unconventional and unrealistic.\textsuperscript{9}

Besides the number of successes made by women in all the aspects of life and acquiring rights from the State and society but at the same time the image of modern women has projected as stereotype in the popular media, where she is compelled to perform and lead a very stereotype life to be termed as a socially accepted, in other words she has to follow a fixed pattern of behavior, social life, etc. where she has to compromise at every stage and every step of life leading to a life of no dignity, low self esteem, and also domestic violence against them. It is also very surprising to find that women are also ready to emulate the projection of women in media they can’t even understand that the standards set by media is impossible to be achieved in real life when it comes to the portrayal of image of women in media. Coming into the pressure of the beauty industry and continuous lobbying by them the media have been projecting an ideal women starting from her physical appearance, complexion, to her social behavior, her relationship with her

\textsuperscript{6} Ibid.
family, to how see meets her social responsibilities etc. In this the ordinary women is lost and it becomes difficult for her to find her own identity. Due to this stereotyping she has to fit herself in her whole life within those parameters fixed for ideal women by the society which always see her as an object having no rights but only duties. The most painful aspect of this is that the modern women who is well educated and professional is also accepting the stereotyping of women in media and trying to accept it. Modern media is portraying women as commodities and sex objects. Presentation of several socio cultural variables such as character role, abuse of women in media has become its every day routine. These types of abuses (such as sati and dowry, slavery, rape, dancing girl) are more likely to be featured in Indian media.

OBJECTIFICATION OF WOMEN IN MEDIA A THREAT TO HER DIGNITY:
The media of present age project an unrealistic and even dangerous standard of feminine beauty that can have a powerful influence on the way women view themselves. While watching these types of images the society forms its attitudes towards them and it pose a serious threat to her dignity. From the perspective of the mass media, thinness is idealized and expected for women to be considered "attractive." Images in advertisements, television, and music usually portray the "ideal woman" as tall, white, and thin, with a "tubular" body. The mass media's depiction of women portrays a standard of beauty that is unrealistic and unattainable for a majority of women in society. Models shown in all forms of popular media are often underweight what is considered healthy body weight, which sends a powerful message that women must sacrifice their health to be considered attractive by societal standards. The negative effects of ultra-thin media images of women have been well documented; research has shown that females who are repeatedly exposed to and internalize the thin ideal are at greater risk to develop body image disturbance and eating pathology. The advent of new technologies such as the internet or social networks has in no way changed this. In addition, violent and degrading or pornographic media products are also negatively affecting women and their participation in society. Programming that reinforces women's traditions roles can be equally limiting. The world-wide trend towards consumerism has created a climate in which advertisements and commercial messages often portray women primarily as consumers and target girls and women of all ages inappropriately. Socio-cultural standards of feminine beauty are presented in almost all forms of popular media, barraging women with images that portray what is considered to be the "ideal body." Such standards of beauty are almost completely unattainable for most women; a majority of the models displayed on television and in advertisements are well below what is considered healthy body weight. Mass media's use of such unrealistic models sends an implicit message that in order for a woman to be considered beautiful, she must be unhealthy. There has been a plethora of research to indicate that women are negatively affected by constant exposure to models that fulfill the unrealistic media ideal of beauty. This unrealistic attitude has created some myths and perceptions in the minds of the society to name some:

Myth 1 Certain product use will result in a happy and fulfilling love life.
Myth 2 Women must be thin.
Myth 3 Women must remain youthful.
Myth 4 Women is submissive and accepts violence.

Therefore it is the moral duty of the media industry to project positive image of women in the media so that they can lead respectful as well as dignified life in the society. In India there are number of laws which impose legal duty upon media industry to protect the dignity of women while projecting various programmes to the public by media especially the Constitution of India which guarantees number of fundamental rights to women. Now under the following I have discussed the various constitutional provisions with regrad to check on obscene representation of women in media.

CONSTITUTIONAL CHECK ON OBSCENE PRESENTATION OF WOMEN BY MEDIA:
The unique position of the Indian women in our Society and the cultural heritage of India has been admitted and acknowledged by all. It is not disputed that the dignity of women has to be preserved and protected. Women personhood, including motherhood, wifehood and childhood under the law has been acknowledged to be imperative. In the Indian polity, all efforts have been made for liberation of women and guarantee to them of their dignity and personality. Mass Media and women have a very close nexus. And this nexus is not limited to India but is an issue concerning the whole world. In this article, I would discuss the various legal checks and bounds governing the media qua the delicate relation of women and media. The most significant day in the history of Media Regulations vis-a-vis women was the 26th of January 1950, the day on which the Constitution was brought

into force. The Constitution of India recognizing the need to protect the interest of women contain provisions which not only act as protector but also ameliorate women’s condition in all spheres of life and accordingly the legislature has enacted several laws, launched various welfare programmes etc.  

Article 19: Right to freedom:

Article 19(1) inter alia, guarantees all citizens the freedom of speech and expression. Though Article 19(1) does not explicitly deals with the freedom of the Press and Media, however the judicial decisions state that the freedom of speech and expression include the freedom of the press and circulation also. Further, these rights are not absolute and are subjected to reasonable restrictions as enshrined under clause (2). Decency, one of the restrictions mentioned under Article 19(2), has been included for restricting speeches and publications which tend to undermine public morals and to ensure that the action must be in conformity with the current standards of behavior. At no time, obscenity has ever been accepted as an act, which does not go against the interest of decency or morality.  

In Ranjit D. Udeshi v. State of Maharashtra, the issue of obscenity and the conflict with freedom of speech and expression has been discussed at length and the court was of the opinion that obscenity is offensive to modesty or decency, and decency and morality are reasonable grounds for restricting the right to freedom of speech and expression of the people as per Article 19(2) of Constitution of India. Country today may not have the same catholic sense of morality and decency, which it had in fifties or sixties, but abhorrence to obscenity, vulgarity and pornography has remained unchanged. In other words, the dignity of woman is constitutionally protected and any media projections which are derogatory to women should be prevented and prohibited. If the media, electronic or print, ever exceed its jurisdiction, the courts come forward to ensure that violation of the Fundamental rights by the media does not go unchecked. It may also be added that the government is allowed to make any policies under these restrictions, which overrides individual and business interests of an individual. These restrictions constitute the basis for other statutory limitations on speech like that contained in the Indian Penal Code (IPC) 1860, the Indecent Representation of Women Act, 1986 and the Cinematograph Act, 1952.

Article 21: Right to Life

Further, Article 21 guarantees protection of life and personal liberty. Right to life as enshrined in this article something more then survival or animal existence. It includes the right to live with human dignity. It is a basic right of a female to be treated with decency and proper dignity. Acts such as rape, sexual harassment or molestation or many such which encourage or promote these activities, are violative of Article 21. In Chandra Rajakumari and Anr. v. Commissioner of Police, Hyderabad and Ors the Hon’ble High Court of Andhra Pradesh held that:

It is also relevant and expedient to hold without any reservation that any act which tend to offend the dignity of a woman to deal with her indecently in the circumstances amounting to indecent representation in any form, they are bound to offend Article 21 of the Constitution of India as right to live includes right to live with dignity and decency and right to live happily. Any violation of the women society in the country in body or mind leading to justifiable unhappy existence is bound to attract Article 21 of the Constitution. The obscene projections of women by media have the effect of demeaning, debasing and degrading women. They also tend to corrupt the viewer and encourage criminal behavior, which endangers the life of women. They hinder the women from fully enjoying their right to life. They deprive them of the respect and dignity.
that they are entitled to and show them in a low light. Hence, are violative of the basic right of the women guaranteed under this article.

**Article 51A: Fundamental Duties:**
The Constitution also addresses certain duties, under Article 51A. This Article specifically levies duty on the citizen to renounce practices that are derogatory to the dignity of women. Therefore any person who does anything which debases women should not be protected by the freedom of expression or profession, trade and business under Article 19, at any rate, the State shall make a law under Article 51A (e) to protect the dignity of women. Therefore, if media tend to practice derogatory to the dignity of woman in any manner, which includes the modesty, should be protected by the constitutional provisions and such type of practices should be constitutionally prohibit.

**CONCLUSION & SUGGESTIONS**
It is concluded that despite the Constitutional articles, legislative provisions, codes, self regulations, and various regulatory bodies, both Print and Electronic Media continue to portray obscene images of women. They focus on sex appeal or physical beauty of women. Therefore it is the responsibility of the media to abide by the constitutional mandate and adopt media ethics while implementing constructive suggestions and guidelines for the emergence of a healthy media industry. As a fourth pillar of democracy media should realize its duty to protect the dignity of women at every cost and it should portrait such type of image of women through various means of mass communication that it shall strengthen and empower the women in all the spheres of their life. So under the following various suggestive measures have been given to maintain the dignity of women in media:

1. The expansion of media education, training, and employment opportunities for women to insure their adequate representation at all organizational levels and in all areas of employment, particularly in traditionally male-dominated areas such as media management and policy making.
2. Continued pressure from women within the industry for better opportunities, particularly in traditionally male-dominated areas, and for the enforcement of existing anti-discrimination laws through policing and litigation.
3. Publicity campaigns sponsored by these organizations to expose discrimination against women in the media, to notify women about their legal rights, and to heighten the public’s awareness of media images which are insulting and demeaning to women.
4. The development of independent feminist media for the dissemination of information which contributes to a positive image of women.
5. Spontaneous as well as organized action on the part of consumers to protest against sex-stereotyped portrayals in mass media via letter-writing campaigns, product boycotts, etc.
6. Introduce the concept of “sexism” into their legislation and condemn it to the same degree as “racism”.
7. Adopt a law on gender equality in the media.
8. Make the ombudsperson responsible for issues relating to gender equality to create direct links between the ombudsperson's office and the population as a whole.

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23 [http://epc.buffalo.edu/authors/andrews/about/quartermain.htm](http://epc.buffalo.edu/authors/andrews/about/quartermain.htm), as browsed on 15th March, 2018.