

RADIO PLEDGE

Raghu Mainali

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Foreword

I had heard that wisdom is power. I had learned that knowledge, too, is power. What I am learning by experience is that information is power, too. Since I am a journalist by profession what I want to doubly admit is that information is indeed power.

Power has the capacity to both create and annihilate. The right use of power leads to epochal changes in society. This can lead to new opportunities and possibilities.

We have horrible historical instances of the abuse of power. The abuse of power often leads to annihilation. This is the reason why the use of power demands accompaniment of all the three elements of consciousness like wisdom, knowledge and skill, and alertness. It demands compliance to certain rules and disciplines when it comes to manage it. One ought to be adept in skill and in ways of doing things. One ought to be seasoned in wisdom and knowledge.

We impart training to cultivate technique and skill. We observe and undertake study to imbibe knowledge. And we put our ethical qualities to right use when it comes to drawing conclusions from every incident around us and thus imbibe wisdom. This book is based on conclusion that ethics are nothing but a series of Moral qualities.

The first chapter has apart from tracing the history of ethics and throwing some light on the concept as such tries to define ethics. The second chapter outlines the efforts surrounding enforcement of ethnics in Nepalese journalism apart from reviewing the implementation them. Apart from defining community radio, the third chapter deals in detail with issues

related to ethics in community mass media and related areas. In the fourth chapter since ethics is not a basic or relative law effort has been made to point out that ethics can undergo changes with time. Fifth chapter tries to incorporate laws which are attracted in the course of information dissemination. Sixth chapter carries differing ethics rendered into Nepali. That will contribute to the task of carrying out comparative analyses. Together with this, a compilation of the ethics enforced in Nepal until now have been carried as annexures.

The field of journalism can be said to have contracted the long illness the moment our professional mindset ceases to change in tune with the changing social contexts. Here facts and conditions may not be wrong but what we must keep in mind at the very outset is the outcome may not be savory if their use and coordination is not desirable. Talking about community means of communication there is no alternative to complete involvement. This however does not mean that community journalists are mere critics and commentators of an incident. One must be able to draw up a strategy of understanding the related issues. His/her role should be more focused on finding a common ground of any crisis than whipping up controversy. A community journalist cannot be an independent analyst of any incident; he can be an independent analyst in the domain of inter-dependence. A community journalist would do well to look for mutual balance of the qualitative order than merely delving into social complications.

Let us revisit an old proverb: My freedom ends there where your nose starts. That incidentally is the minimum point of ethics.

Lastly, it may be noted that I have updated certain sections in the book for English language edition.

Several people have put in their time and sweat before Radio Pledge came by. Rajesh Ghimire, Gham Raj Luitel, Dhatri Subedi, Arjun Dhakal, Gopal Tiwari. Mahesh Nepal and Rinchen Yonjan have contributed in compiling necessary information that went into this book. I am indebted to journalist P Kharel for accepting the responsibility of improving the content of the book with least grudges. Thanks go to writers Ghanshyam Bhusal and Jivnath Khanal for reading a section of the book and extending vital advice. I also thank Badri Paudel who contributed right from the beginning till the end. Thanks also go to journalist Damaru Lal Bhandari for rendering the book into English.

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Raghu Mainali

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ETHICS

MEANING AND REALITY

History

The context of general welfare has always brought into existence the concept of ethics since time immemorial. All religious orders have waxed eloquent on general weal going back to pre-history. Scriptures have outlined their respective laws and by-laws, have stipulated what to do and what not to do after establishing values in society, which outlines what is ethical and what is not ethical. Vedas and Bhagwad Gita in the case of Hindus, Bible in the case of Christians and Koran in the case of Mohammedans have laid out sins and virtuous acts as the basis of the ethics. If we are to compare all the three scriptures than what we find is the selfsame act is both a sin and virtuous act at the same time. For Hindus consuming beef is a heinous act while the same is part of staple food for Mohammedans. This shows how religions have defined sins, virtuous acts and altruism in differing manner and often in arbitrary ways. In the period before the advent of Christ much of what we call ethics was guided along by faith and faith alone. That was perhaps the time when right and wrong were taken as the wish of god: This is right because the god said so. Going by the ethics was a pre-condition to being identified as obedient.

Ved Vyas, Gautam Buddha, Acharya Bisnu Gupta, Paigambar Mohammed and oriental sages like Adi Shankaracharya and occidental philosophers like Socrates, Plato and Aristotle have defined ethics as spiritual issues. They have stressed on welfare in the life after death. The age of Roman empires is considered as the highest point of development in ethical philosophy. Philosophers like Socrates, Plato and Aristotle propounded serious principles on ethical philosophy. Socrates was the first to come up with philosophical perspectives on god, goodness and beauty. He separated logic from natural science. This led to efforts which separated fact from value.

Similarly, he weaned away logic from religion. Socrates brought the probe into right and wrong in the domain of ethics. He made a departure from what others before said about god and its sanctity, saying :God has approved of that thing just because it is something that can be approved. The logic inherent in it approved everything which the scriptures identify as sanctified by god and disapproved everything which has not been sanctified by god. But even then his definition has conceded the immanence of god in ethics.

Hippocrates and Plato who were born in fifth century BC and Bisnu Gupta who was born in Maurya period added new dimension to values. They too followed the existence of established values and Atman in ethics. The ethics of that age was centered on spiritual aspects like knowledge, verities and existence. The ethics used to be centered on inner purity of man or purity of conscience. Father of modern medicine Hippocrates propounded the ethics related to medicine by writing "Medicine," Plato

propounded ethics in politics by writing "Republic" while Oriental scholar Bisnu Gupta outlined economic ethics by writing "Kautilya Arthashastra"

The concept of spiritual ethics put forth by Socrates, Plato, Bisnu Gupta and Aristotle remained in vogue for two thousand years. The modern concept of ethics came about only in the seventeenth century. The modern propounder of ethics has based it on pragmatic aspects than basing it on spiritual considerations.

Philosophers like Thomas Hobbes, David Hume, Jeromy Bentham and John Stuart Mill belong to the club of modern propounder of ethics. Thomas Hobbes has added new dimension to ethics in the seventeenth century. He has identified as peaceful coexistence as the basis of ethics. He laid the foundation for modern ethics by this definition. Hobbes did not agree to the existence of Atman. He looked for ethics within the precinct of the physical world. Hobbes has said in concrete manner that whatever unfolds in this world is the outcome of the physical object. According to him "good" and "bad" is related to the aspirations and dashed desires of the man. Similarly, David Hume, who is another philosopher of the eighteenth century, has defined humanity as the resources of ethics. According to him, a man is good or bad depending on ethical sensitivity he demonstrates.

There are different strands of ethics in modern times. One set of propounder of ethics has linked it with duties while other set of propounder of ethics has linked it with utility before defining the same.

Section of the propounders of ethics has averred that the objective of the ethics should be to look for alternatives than waiting for the outcome of any action undertaken at any point of time. They belong to the group that is identified as upholders of "principles which ought to be resorted to while meeting ones obligation." Questions like "What are the good actions of a man seen while meeting his obligations?" and "What is everyone expected to do while dispensing his/her responsibility? " are the issues which they have underlined.

Jeremy Bentham and John Stuart Mill who propounded the principle of utilitarianism are philosophers of the fertile capitalist age. Capitalism has defined "pluses" as bliss and "minuses" as pain. John Stuart Mill and Jeremy Bentham have adjudged ethics basing their efficacy on end-result under the influence of capitalism. They argued that whatever is undertaken with good outcome as intention are always in tune with ethics.

The feelings of social responsibility hit the mindset only after the end of World War II, which incidentally is the catastrophic massacre of humanity in history. The United Nations Organization (UNO) was founded to institutionalize peace. The factor of social responsibility rattled each and everyone involved in all professions. This incidentally paved way for professional ethics after 1947 which was based on peaceful social setting.

Approach

What is essential to bring peace is knowledge and ethical behavior. Ethical code of conduct, incidentally, happens to be an issue of intense study of ethics. This is linked with each and every sphere of human activity. But this book will deal with issues which confront one in the course of undertaking activities in the field of mass communication and also conflict that erupt driven by personal interest. Conversely, the content will be restricted to how alert one should be in doing one's duty, and professional dilemma thrown by the consequences thereof.

There is always a need for some universal values while accomplishing the tasks so that the same is beneficial to all concerned. Some important contexts will be dealt in this book so that one is able to review the situation one is in, can assess the social impact of the same, can identify the decisions that must be taken then and there while one can also identify the individual and group which will be affected by the decision, to remain alert to professional responsibility, one's belief and faith and to find out belief and faith of other individual and group involved in such a situation before one can evaluate the outcome of one's action and come to a conclusion to deal with such a situation in future. An analysis of such contexts can be expected to introduce journalists with one's ethical standing, something which can affect their competence in spontaneous manner at definite time.

There is no unanimity among pundits of ethics when it comes to define it. But just too many pundits have however suggested study of ethics in unanimous manner. According to them the scope of the study of ethics is nature of social values, and conflict between individuals and level of understanding. There are certain words with us which more or less denote the same connotation and comprise values-perception, morality, law and ethics. Here, let us first of all try to identify such words before finding out distinction between them and their connotation.

What is well known are values and perception, morality and laws vary as the cultures change. For example, Nepalese law has put any union with close relative in the bracket of criminal act by considering it as an incestuous relationship. But there are certain communities in Nepal in which union is possible between cousins. Values and perception and morality too are subject to similar nuances.

But can ethics be different when the cultures are different? This incidentally is the question that will demand us poring over it with tense brow. Given the cultural moorings, Limbus, Tamangs, Rais, Brahmins, Newars and Tharus are different from each others. But ethics applicable in program production cannot and should not be different when a Brahmin, a Limbu or a Tharu works for a radio station. While laws outlines basic activities of man and also outlines punishment in the case of their violation, ethics in

their turn expect ideal behavior from him.

Here what we find after delving deeper into value and perception, morality, law and ethics is value and perception, morality and law are linked with social moorings right from the beginning. These indicate at community induced behaviors of the individuals. Value and perception, morality and laws are made, directed and implemented by society.

But ethics is personal from the very outset. This is linked and associated with behavior of the individual from the very beginning spontaneously. It is created and directed by an individual.

Defining it in the given context, ethics for journalists would mean silent principle of wise behavior of an individual. In other words, ethics are the wisest alerts that stipulate and direct the behavior of an individual (journalist) apart from instilling element of consciousness which is instrumental in differentiating between right and wrong, good and bad and responsibility and irresponsibility. Much like what Prof John Morrel in his book "Imperative of Freedom" has said ethics are directly related to the qualitative performance put in by journalists.

Going by Collins Dictionary of Sociology ethics is such a branch of philosophy which has got to do with what an individual should do to evolve as a morally tall person.

Essentially, ethics for journalists denotes coordination of inviolable and inseparable press freedom and social responsibility. Ethics creates a platform to ensure desirable behavior when dealing with strange circumstances a journalist may encounter in life. Compliance to it means a journalist keeping it all at the back of his mind.

Classification of ethics

No fixed principles have been established in Nepalese journalism. Journalists here have been following the ethics defined by a group of professors of Missouri University of the United States of America (as absolute), free to follow one's will and relative.

Absolute ethics

Those who go by this particular ethics have definite principles. They do not dither from definite principles. The arrangement is more or less like law. For them, if theft is a crime it is a crime for all time.

This type of ethics allows printing the name of the woman who has been raped. It is not concerned by the social stigma the woman may be left to face after the news has been published. For them, the impact of the incident and its consequences is irrelevant. Absolute ethics is the arithmetical conclusion of an incident.

Antinomian ethics

The apologists of this type of ethics deny going by rules of every kind. According to them, there should not be predetermined standard conduct and moral rules. For them, actions and situation are spontaneous and unpredictable. They are not concerned with motive, obligations and consequences. There is no principle that can direct the decision-making process. They have full faith on their ability to express spontaneous reaction on an incident or issue.

Relative/situation ethics

This type of ethics is shaped by situation. Those who abide by this type of ethics know certain maxims and go by them. But they are always sensitive to consequences. Their decisions may sometimes be shaped by value-perception, morality, and laws. They accept that theft is crime. But at the same time they do not deny that theft can be a right thing to do at times. Let us imagine a scenario: Hari, an individual, is going hungry since the last few days and that he may die just in the event he does not get to eat anything. Hari ate something after stealing it. He lives. Here the motive of Hari to steal is restricted to the desire to live. In this context, the relative ethics considers the theft the right thing to do.

Similarly beef is an item of daily consumption for American journalists. But an American journalist, who goes by the relative ethics, will have to accept that slaughtering of cow is a crime in Nepal in the Nepalese context. For the apologists of this ethics man figures in top priority. The circumstances could have thrown up certain alternatives in front of them. The act of picking up the best alternatives for the welfare of the humanity is the ethics for them. Alongside the forces of circumstances, they put to use their intellectual capacity.

Professional code: Comparative analysis

The world which had experienced a painful denigration of humanity went on to imbibe the thoughts related to human rights and social responsibility. They founded the United Nations with a view to avert the repeat ion of inhuman catastrophe.

Individuals in different professions started to organize themselves with a view to achieve the objectives outlined by the UN. This led to the formation of professional associations before issuing professional ethics. Let us conduct a brief discussion about the ethics of certain professions which are directly related to the people. That will clarify a point that ethics is not meant only for journalists.

Physicians

The year 1947 saw formation of the World Medical Association (WMA) with a view to bring doctors from the around the world under one umbrella. The year 1948 saw formulation of the ethics for doctors from around the world.

It took next 16 years before the Helsinki Declaration came up with stipulations which must be acceded to while conducting research on human beings. Prior to this, doctors used to take the professional oath in the name of Hippocrates, considered as the Father of Modern Medicine. Born in the fifth century BC, what is not certain is whether Hippocrates actually wrote down the text of the oath. But it is considered that it goes back to his days while the physicians ever since the first century AD considered what was attributed to Hippocrates as ideal words. The period after the fourth century AD saw arrangement under which physicians are required to take what is called as Hippocratic Oath before practicing medicine.

Nurses

The year 1897 saw establishment of American Nurses Association (ANA). While the need for ethics for nurses to make them sensitive to their profession was felt at that time, the ANA endorsed the ethics after nearly half a century in the year 1950. The International Council of Nursing (ICN) issued a similar international code for nurses in the year 1973. The ethics has outlined the responsibility of the nurses towards their profession, colleagues and patients. Prior to this, nursing as profession was being guided along by ideals attributed to Florence Nightingale.

Lawyers

The lawyers of the world founded International Bar Association (IBA) after the representatives from 34 countries assembled in New York in February 1947. The association was nearly inactive after it was founded. The legal professions issued international ethics for lawyers in the year 1956, which is nearly a decade after the first step.

While poring through the history of legal professionals what one finds is Canons of Legal Ethics has been found to be in force in Great Britain since the seventeenth century.

Journalists

The International Journalists Federation (IJF) issued its ethics in the year 1954 after realizing the need for regulating the activities of journalists. It was taken as an indicator of the professional behavior of the journalists while it was issued.

Evidently, the need for conduct to govern professions that was closely

interlinked with masses was felt in the middle of the twentieth century. These ethics are undergoing periodic and timely review in step with the declarations emanating in the UN, international treaties and protocols. But there has not been consensus on a common international ethics.

There are some differences between professional groups on the definition of ethics. For doctors, nurses and lawyers ethics are determined and directed by professional groups. There is some definite mechanism to enforce the same. To embark on their respective careers, they have to seek necessary permission from organizations directly governing their careers such as bar councils, nursing councils and medical councils. The permit is withdrawn when the ethics is violated. This shows that the ethics are mandatory in their cases.

But there is no such mandatory arrangement governing journalists. The tradition governing journalists is such that they do not have to seek permission from any one to take to journalism since the authority which permits freedom of speech and right to publication also reserves the right to control the same. There is no mechanism to enforce ethics for journalists. This is optional. Organizations like Press Council or Media Councils can only issue appeals from time to time so that the journalists remain alert to go by ethics.

ETHICS

THE NEPALI CONTEXT

Print media

The history of print media goes back by a century in Nepal. Gorkhapatra is its living history. But what is true is initial years of Gorkhapatra were not influenced by journalism. Gorkhapatra, which goes back to the period of Rana Prime Minister Dev Shumshere, used to come out in the form of gazette. What must be printed and what cannot be printed was determined by law while it was mandatory to have the designated authority sign the same if anything was to be printed. (Maniraj-2002)

Nepalese journalism can be said to have really took its steps only after the political changes of 1951. Journalism was one of the many numerous aspirations which took birth with the advent of open society. That was the time when Nepalese journalism entered a state of flux. But the objective of the publications of that time was to pander to the partisan interests. Nepal Journalists Association (NJA) was founded in 1952 after realizing the expediency to protect the interests of the journalists along with the publication of the publications. The organized efforts were entangled with political wrangling and bickering for the next one and half decade. The period ruled out any bid on the part of the NJA to organize journalists on firm footing. The passage of a decade culminated in journalists waking up to the need to organize themselves. Nepalese journalists who were affiliated to different associations came together in 1966 following a conference. This was the first conference. (Grism Bahadur 1994)

The conference endorsed a 22-point ethics for Nepalese journalists. One among three who contributed to the ethics was erstwhile editor of Samaj newspaper, Mani Raj Upadhyay. That was the phase when journalism was ridden with factions. Rather than the newspapers disseminating information to the people, the trend was to downplay information. We thought it essential to issue the ethics to put an end to this kind of anomalies. A perusal of newspapers going back to that period suggests that newspapers were polarized between Indian, Soviet and Chinese camps. The journalism which was divided into factions was also affecting the foreign policy conduct of the country.

Code of Conduct endorsed by Nepal Journalists Association, 1966 (Grisma Bahadur 1994.)

1. Since journalism is the primary vehicle in the dissemination of news and evolution of clean, healthy public opinion, and desired public behavior, journalists must be committed to forge ahead as the guardian and protector of public interest, protectors of world humanity and peace by considering it as an responsibility inhered in their profession.

2. Journalists must in the discharge of their duty respect fundamental, human and social rights and use their peace and capacity in special way for the mutual goodwill and unity among castes, community and region while fighting against violence in the nation.
3. Journalists must take confidence, faith and element of justice as the fundamental duty in their profession while disseminating news and views while also making it a point to refrain from carrying any news in deliberate manner which is either false or which is against public interest, boosts or damages personal interest while also not withholding or spiriting away any news driven by a particular motive doing which can affect public life.
4. One must own up the news and views so published. Just in the event no such responsibility has been shown the same must be clarified.
5. One must respect the faith reposed on oneself while the professional secrecy is also upheld.
6. One must make desired corrections once the news carried proves to be false. The reactions on news should be published with the same degree of priority as the news was given just in the event the reactions has cast impact on the spirit of the news.
7. Differences should not set in bad blood among journalists. Neither should one affect the profession of the other nor raise question mark over the existence of the others as publications or journalists nor raise debate, attack, launch a counter-attack on personal ground by whipping up public issues.
8. Journalists should not allow personal agenda to prevail over professional duty while also not using sacred profession into non-journalist area.
9. It goes dead against the position of a journalist just in the event anyone ends up backing or protesting the publication of news or opinion while chasing selfish interest or hoping for financial or physical incentive of any kind.
10. Compilation and publication of news and facts in honest manner and right to publication and indulging in desired criticism and commentary are those rights which must be always upheld and protected by journalists.
11. It is not becoming to give space to rumors or loose talks surrounding lives of individuals at any level of society if the same does not in any way affect the public events even if they are true.
12. Newspapers must remain impervious to materials which can give impetus to perversion or crime.
13. Since the united and integrated sentiments towards the nation is the right and common objective of the people journalists must center their efforts in that direction while also encouraging the sentiments

- surrounding patriotism and feeling of nationhood.
14. The interests of castes, communities, race, religions and regions must be deemed subservient to the interest of the nation.
 15. The bids coming from any individual or groups aimed at polarizing the nation or disintegrating it must be condemned.
 16. The bid to incite violence to settle the differences between the people must be condemned without any hesitation.
 17. News related to national unity and self-respect, development, nation-building, education, health and news related to culture and national public life must be prioritized.
 18. It is the indivisible duty of the newspaper to evolve the valor of the people, boost their morality and their sentiments of cooperation in sync with the efforts of the state after accepting the fact that press freedom is naturally limited at times of national emergency.
 19. Since it is incumbent on the newspapers to not only protect the national security but also reinforce the same journalists must be alert to the expediency of not violating the secrecy of national security.
 20. Journalists must use wisdom, element of balance, sympathy and element of cooperation as the basis while carrying news related to fundamental social and economic programs of the country.
 21. One must follow gentle and decent language in the dissemination of news while also making it a point to not to use rustic language or rough style while embarking on criticism and counter-criticism.
 22. Attention must be paid to ensure that sensationalism, emotional perversion, sadism and disruptive tendencies do not enter Nepalese journalism, leave alone getting any encouragement.

Nearly a decade before the effort which had come from journalists, erstwhile Prime Minister Dr K I Singh had in 1957 constituted the seven-man Press Commission under the chairmanship of sitting judge Krishna Prasad Chapagain while journalists Gopal Das Shrestha and Ramraj Paudel were its two members. It had come up with an 18-point ethics before presenting the same to His Majesty's Government (Ramraj 1970).

Press Council, which has had already been formed elsewhere in the world to ensure healthy journalism, was established in Nepal in 1970. Press Advisory Committee was instituted in the year 1967 much in tune with the spirit of the Press Council. It was later converted into Press Advisory Council after due changes. The council which was constituted under the chairmanship of Justice Nayan Bahadur Khatri issued a 21-point ethics. The Print & Publication Act, 1975 empowered the Press Council to issue ethics governing press and publication. Under it, the ethics could be issued only after seeking permission from His Majesty's Government. The Press Council issued a 22-point ethics in the year 1975 after securing permission

from His Majesty's Government with the objectives of developing the journalism which is faithful to the partyless Panchayat system, the nation and the monarch. (Nepal Journalists Ethics, 1999). Press and Publication Act, 1982 tried to consolidate the position of Press Council in the wake of the repeated failure to enforce the ethics. Given the provision in the new arrangement, the Press Council was devolved the authority to recommend the His Majesty's Government to both revoke and suspend the press accreditation of a journalist in case of the violation of the ethics. The Press Council once again came up with 11-point ethics in the year 1983. The ethics has incorporated the changes thrown up by the referendum of the year 1980.

The year 1985 had seen journalists trying to come up with another set of ethics. A ten-point ethics signed by editors of daily and 14 weekly newspapers was issued with a view to impart dignity and sense of self-discipline to the profession. The Press Council once again issued Ethics, 1990 following the promulgation of the Constitution of the Kingdom of Nepal, 1990 with a view to safeguard the professional dignity in the changed context. The Press Council Act, 1991 came into force in tune with the spirit of the new constitution. Ethics, 1992 came into force after the one issued in 1991 was further improved on the strength of the Press Council Act, 1991.

The year 1993 saw journalists taking fresh initiative on ethics once again. A conference of Nepal Journalists Association (NJA) convened in Birgunj issued a Declaration after realizing the need for ethics. The declaration came along with a 14-point ethics. The NJA also formed a five-member Ethics Monitoring Committee under the chairmanship of lawyer Basudev Dhungana with a view to implement the same. But there was a need for a different effort in the wake of the inability to impart dignity to the profession of journalism. As a result of it, the year 1998 saw Federation of Nepalese Journalists (Nepal Journalists Association was turned into Federation of Nepalese Journalists) and Press Council issuing a 7-point ethic. The ethics in place however has certain ambiguous and misleading provisions. But while ethics issued in the past used to be centered on print media, the new ethics have addressed both publication and broadcasting media.

The sense of responsibility is essential when it comes to compliance to ethics. Despite plenty of efforts concerning ethical code in Nepal, the attitude and practice shown by journalists has not complied with it. There are simply too many instances of violation of ethics in Nepal. It is quite common to read or hear news stories which fall outside the ethics almost every day. Suresh Acharya, who was at first General Secretary of the Federation of Nepalese Journalists (FNJ) and later its chairman and who had been insisting on joint issuance of ethics by FNJ and Press Council to make it effective, said: "Given their disposition we have very few people

who would make journalists. The number of those who end up working to press others' agenda is big. This has aborted any bid to enforce ethics here. Consequently, the faith on journalism as profession is eroding day by day. This is unfortunate for one and all."

Mani Raj Upadhayay, who has been into journalism for five decades, is of the view that ethics have not gone into force just because the journalists are not clear when it comes to enumerate their objectives. He said: "Our journalism is the one which is scared of government and feudal lords. There is no point in enforcing ethics here."

Broadcasting media

Radio waves and frequencies are public property or object. There is fundamental difference between radio frequency and journalism when looked into it from the viewpoint of ownership. Newspapers thrive on newsprint as medium. It is possible when all the citizens of the country want to publish a newspaper with newsprint as medium. One can buy the medium for newspaper with the money you have. As to how many reams of newsprint you want to buy and how many copies of newspaper you want to print could be an issue of personal concern. The ownership of medium in newspaper publication is personal.

But one cannot buy as many channels/media one may want to when it comes to the broadcasting media. Looked into it from technical viewpoint, there are very few channels available in broadcasting media. A nation can have limited frequencies under the rules spelt out by International Telecommunication Union (ITU) when it comes to beam frequencies through AM band.

Similarly, coming around FM broadcasting, there are 20 frequencies up for grabs in any region ranging from 88 MHz to 108 MHz. What is impossible here is no one can lay claim on broadcasting through all frequencies. The group or individual who has been awarded the broadcasting permit has put an end to the prospects of the others to lay claim on such a permit. This illustrates how the ownership of radio as medium can never be private. This explains why promoters of radio stations should be conscious about the rights of others over frequencies while beaming the frequencies. The responsibility towards the inhabitants of the region should be fulfilled uninterruptedly. What this means is the promoters of radio concede the reality that society is comprised of different castes, groups, languages, religions, communities, cultures and mindset and that their preferences, aspirations, needs and attitudes are different. One must be able to respect them all.

A radio journalist should consider the acts of honoring the law, respecting fundamental human rights, respecting democratic spirit, remaining honest to society, putting freedom of speech and expression to right use,

remaining committed for the welfare of the masses and remaining active for the prosperity of society as the primary responsibility while remaining active for the further improvement of local culture, wisdom, knowledge and skill. Radio broadcasting is not a technical issue; one should not forget that social and moral issues are directly linked it.

The broadcasting agencies of Nepal like Radio Nepal and Nepal Television have not yet enforced anything which might be called as the broadcasting ethics in formal manner. But these organizations have at times specially come up with news policy even if that means merely to keep the things moving along. May 12, 2000 saw Radio Nepal and Nepal Television coming up with a 30-point policy what purported to be a news policy for the first time. The order stipulated in this policy forms the basis when Radio Nepal finalizes the sequence of news stories.

News policy of Radio Nepal and Nepal Television, 2000

It is essential to bring about timely changes in the traditional news structure in the wake of the need to face professional competition while retaining the element of credibility and authority of the media agencies under government. The following policy-driven priorities could be suitable when it comes to disseminate news, news based programs and information from electronic media under His Majesty's Government in a way which upholds and promotes the provision of the people to be informed and gives meaningful expression to the spirit the Constitution of Nepal, 1990.

1. Concepts related to multi-party democracy, constitutional monarchy, and other directive principles enshrined in the constitution shall be the top priority
2. While fixing news priority in the government news organizations priority shall be given to events or importance of its content, its seriousness and general public interest except in the case of the news related to the highly revered institution of the country or personality associated with the same. Going by that issue of priority will comprise:
 - (a) His Majesty the King
 - (b) News priority must be arrived at after keeping the news related to Prime Minister at the top while other news items are given due priority depending on news value.
3. Attention must be paid to the importance attached with the news while event related news should be carried only if it is important from news point of view.
4. His Majesty the King, Prime Minister and news related to political parties nationally recognized must be put on priority.
5. The parliamentary proceedings, the verdict of national importance

coming from Supreme Court, and government decisions should be put on priority.

6. News related to nation, nationalism, national culture and social values and dignity must be prioritized.
7. News which hits the sanctity of the fundamental basis of the constitution, constitutional monarchy, territorial integrity of the nation, and multiparty democracy apart from news that denigrates the dignity of parliament, court and constitutional bodies should be discouraged.
8. Policy guidelines issues by His Majesty's Government, news related to development program and relief provided to the people must be prioritized.
9. Importance should be given to news concerning law and order, good governance and control of corruption while news that creates opinion against Maoist insurgency is duly prioritized.
10. News which incites unwanted excitement should be discouraged. But while giving news that highlight the negative impact of the violence and terror, point should be made to ensure that the same creates opinion against criminals and criminal acts.
11. While reporting terror which might have erupted in any part of the country for some reason or while reporting death following firing in any incident or while reporting loss of property point should be made to carry news received only from the concerned spokesman of His Majesty's Government or other credible sources.
12. Remarks of national importance coming from political parties including the main opposition and their leaders should be carried with priority.
13. News related to the nationally recognized political party must be given proportional importance.
14. News related to non-national political parties must be given due space based on news value.
15. While the news that can consolidate foreign relation in true spirit of non-alignment movement should be prioritized, the news that can go against neighbors especially China and India must be dropped.
16. While carrying international news, priority must be given to SAARC countries and nations which extend economic assistance to Nepal while the news that can affect the diplomatic relations with those countries is dropped.
17. Except news of international, national and public importance, other news generated in conference of any department and news generated in interaction sessions and symposiums should not be given any priority.
18. While carrying news thrown up by convention and seminar point should be made to highlight the achievement and recommendation of the same.

19. While awarding priority order to series of news stories point should be made to award top priority if any news item is expected to contribute to society in a positive way even if it comes from some lowly official.
20. News related to development activities and their achievement must be prioritized.
21. Except news related to regular meetings and interactions between diplomats, special pieces of news related to the same must be prioritized.
22. Space must be given to important decisions taken by parliamentary committees from time to time.
23. Space must be given to creative criticism and comments coming from concerned responsible bodies after enumerating the weaknesses and mistakes of the government.
24. News surrounding national icons and persons nationally known should be carried both when they are honored and when they pass away.
25. News of human interest should be given desired space.
26. Priority should not be given to news related to participation except in the case of the event which involves participation of national leadership in the international conference.
27. Generally speaking priority should not be given to events like book launches, school anniversary functions, blood donation and office review meetings.
28. News which can spread religious discordance and set in bad blood among religions, castes, communities and regions should not be carried.
29. Efforts must be taken to include news which comes in half an hour before in the case of radio and one hour before in the case of television in the next bulletin.
30. Depending on the importance of the news, no news must be aired or carried more than three times.

While commenting on the policy followed in the case of programs, Radio Nepal Program Director, Rajendra Sharma, had the following to say:

When it comes to programs, Radio Nepal airs programs of such a nature that contribute to the task of binding all the Nepalese together keeping in mind the compliance to the constitution and laws of Nepal and also mutual understanding, reconciliation and diversity across nationalities, castes and languages.

Materials which are sexually explicit or materials which undermine or hurt members of any community, religion or independent citizen are not carried at all. Since such items are difficult to be defined there are times when discretion is used. Under a tradition followed at Radio Nepal, programs are aired after a hearing committee vets the programs. Thus, programs assessed as fit alone are aired by Radio Nepal.

CASE

STUDY

Srisha Karki suicide episode



This is how Janastha ran the story

Summary

Janastha weekly on October 9, 2002 carried a controversial news on its first page. It was entitled: Tinsel town, steamy night. The content of the news story was the sexual liaisons of just too many singers, film stars, singers, former ministers, highly placed bureaucrats and captains of industry. The paper had also run a naked picture purportedly that of Shrishia Karki. The main strand of the story was that the actress involved in orgies are "professional procurers" and that they charge anything from 5000 rupees to 10000 rupees for a night of sexual orgy.

Consequence

Given the fact that the paper had ran her naked picture, Shrishia Karki had to bear with undeniable social ignominy as is natural in Nepalese society given its set attitude. She committed suicide a week after the paper hit the stand on October 14, 2002. Naturally her close relatives were on the boil. The tinsel town was astir too. Women rights activists came forth stridently. The entire Nepalese journalism was accused of indulging in yellow journalism. The days that followed saw more news coming out claiming that film producers, former home minister and police are involved in the naked picture

episode involving Shrisha Karki. Demonstrations hit the Kathmandu road bearing the placard demanding action against the culprit. There were demands to curb press freedom. The demonstrations that hit the road hurled wholesale charges at journalism. Nepal Press Council and Federation of Nepalese Journalists issued directives to editor Kishor Shrestha saying that he had violated the ethic of journalism. Editor Shrestha went into hiding. Police raided the office of the paper. His Majesty King Gyanendra issued directives to Prime Minister Lokendra Bahadur Chand to initiate legal action against the culprit.

Analysis

The emergency meeting convened by the Press Council came to the conclusion that Janastha had gone for illegitimate economic benefit by carrying such news even as the same paper had violated the right to privacy by carrying an explicit picture. The decision of the Nepal Press Council is itself a controversial one. While what one can understand after the paper has hit the stand is explicit picture has been carried and right to privacy has been violated. But what has become a mere charge is the paper took illegitimate economic benefit by carrying the news. It was an act of gross irresponsibility on the part of the Nepal Press Council to accuse any editor of such a big crime without any proof. It is unfortunate for the nation when an agency which ought to enforce ethic ended up by becoming biased.

Apologists of unbridled professional ethics deny going by any kind of rule. According to them there are no predetermined rules and moral obligations for journalists. They do not care an iota about motive, compulsion and consequences. This ethics allowed printing the picture of Shrisha Karki. Looked at in this light the conclusion reached by the Nepal Press Council that printing of the picture in question is merely an outcome of the differences in ethics. The context of violation of privacy is however an aspect which cannot be overcome going by any variety of ethics. The right to privacy is the right protected under the constitutional clause. Violation of the same is violation of the law.

Now let us take up the content and presentation of the news story in question. Looked at in this light there are too many lapses in the news. The language is extremely attacking. The writer does not seem honest while compiling and writing the news. No source has been quoted in the news while the investigation has hit merely the surface; facts are missing while effort has been made to substantiate speculation and possibilities in highhanded manner. There is no reaction from those alleged of wrongdoing. The impression is the news is neither balanced nor factual and neither free from prejudice. There are no details about the picture. But editor Kishor Shrestha had after the incident said that one can write and publish things

related to public figures. And he has further argued that prostitution is criminal activity.

Let us discuss the issue further based on his argument. Admittedly, what is true is one can write about public figures. Where was that picture taken? In the Open Air Theatre or in a room which was not only closed but also curtained off? When is an incident deemed to have been made public? And when does the episode of secrecy starts? Under what circumstances was the picture taken? If the picture was given out to someone in good faith, has the same been violated? Was there a permission to print the picture which is a private property? How does the Nepalese law define prostitution? How can that act be a criminal act which has not been banned by law? What is the basis of identifying any woman as a prostitute? Can journalists give a tag of prostitute to a woman? Does it all amounts to defamation?

While exploring answers to these questions, the news item carried by Janastha is against the law and most common principle of journalism.

Ethics are associated with the ideal behavior of an individual. Ethics are followed in any profession to render the same as dignified and respected. Law is a thing which fixes the limit of the basic minimum behavior required of man. No professional or common man should steep any lower than that point. The act which takes place at a point lower than that point is deemed as illegal. For this a man has to face punishment. The news and picture carried by Janastha is not a violation of ethics alone. The act of publishing the news and picture can never fall under ideal definition of the profession. It has crossed the minimum point of decorum. This is why the issue is a legal one. The lesson which it has taught is one cannot violate the law citing professional obligation.

Governing law

Constitution of the Kingdom of Nepal, 1990

Article 12: Prohibitory provision related to right to freedom under section (A) of sub-article 2: Nothing referred to here shall be deemed to mean that no law can be enacted to deter acts that can harm national sovereignty, territorial integrity or good relations between different castes, sub-castes or communities or when it comes to deter acts that add up to contempt of the court, abetment to criminal acts, acts that harm public decorum or cast adverse impact on public morality, including defamation and treasonable acts.

Article 13: Prohibitory provision under Sub-Article 1 related to the right to print and publication: Nothing referred to here shall be deemed to mean that no law can be enacted to deter acts that can harm national sovereignty, territorial integrity or good relations between different castes,

sub-castes or community or when it comes to deter acts that add up to contempt of the court, abetment to criminal acts, acts that harm public decorum or cast adverse impact on public morality, including defamation and treasonable acts.

Article 22: Right to privacy: Physical person, habitat, property, documents and communication of any individual shall be deemed inviolable under privacy laws unless in conditions specified by the law.

Defamation Act, 1959

Clause 3: A person shall be deemed to have defamed an individual if he finds fault with any person through writings, speech, and action or meaningful symbols knowing fully well that such acts will harm the prestige of that individual.

Clause 8: For doing anything with the motive of insulting women: Punishment will be in store if any individual expresses word or gesture of any kind with the motive of insulting a woman in a way that the woman can hear and see that or by showing any object or if any individual infringes on her personal privacy.

ETHICS

COMMUNITY BROADCASTING

Community radio

Community broadcasting is such an activity in which individuals are working with a view to meet common objectives. The relationship among individuals involved in such undertaking is functional while there is mutual friendship and attachment. Their objectives become common given the common geography, cultural and natural conditions. The basic foundation of the life of coexistence is feelings, needs and dominated by element of localness. There is mutual coordination among them; not competition. All are habituated to working in groups.

The concept of division of labor would not carry any meaning if all people in the group had the same qualification, qualities, competence and energy, or power. People are important because they are different from each others. The concept of social division of labor is a kind of specialization. The involvement in community broadcasting is one more aspect of social division of labor.

Traditionally speaking, Nepalese society has been adopting a special mode of communication. The tradition of Katuwal which is still in vogue in some parts of Nepal is a cogent example in this context. Under this tradition which is an act of verbal paging by Katuwal in the hills and by Chaparasi (Gorait) in tarai, it is a medium by which villagers are informed about assemblies, village meetings, epidemics, harvesting and Dashain celebration with the stipulated person shouting out necessary information from a point in village. It would be suitable to identify community radio as the modern avatar of the same.

In comparison to the tradition of Katuwal, the reach of the community radio is diverse and wide. There is novelty surrounding medium, listeners, contents, and resources. This is why the community radio should be put to special use when it comes to make possible those infinite opportunities which are quite close to the heart of the local residents but far away from the viewpoint of reach.

The community radio stations are found to revisit the issues confronting the local people every day from up close. There are three kinds of contents for any community and individual and that comprise international, national and local. Community needs all the three kinds of information, messages and education. International contents comprise science and technology, environment, human rights, and gender equality. Likewise, politics, territorial integrity, citizenship, development, economic development and policy related issues are national issues that interest community. Local issues differ from place to place, though. The residents of tarai may not need any lowdown on how to farm apples, but their high land counterparts in Humla, Manang and Mustang it is a

must. But the remedy how to save standing rice crop from locusts is an issue of interest for the residents of tarai.

Community radio is instrumental when it comes to add new knowledge to the existing body of knowledge by turning into principles the experience of the people. The knowledge that is based on practical experience is more valuable than purely scriptural knowledge. The community radio can throw up practical as well as live insight into environment for the benefit of the illiterate section of people. It can give a new turn to the education system restricted within bureaucratic environment, and second hand bookish knowledge.

People associated with community broadcasting should be against any kind of technology mystification and professionalisation which is to say that they must be against any bid to evolve technology as mystifying and the task of community broadcasting as a job. What must be imbibed is the act of unfolding the technology should be with a view to assist man and not merely for the sake of unfolding it. The conclusion so reached will free person from bogey related to technology, and the confusion that it is inaccessible. The act of freeing journalism from professionalisation sends a message to common person that his involvement in community broadcasting is not as an employee but as a responsible member of society. The relationship among people involved in community radio should not reflect competition but coordination and mutual cooperation.

Community radio is also known to contribute in important way when it comes to instill cultural coexistence through a period when changing time sets in transitional phase.

Features of community radio

1. **Functional system:** Community radio remains active in chasing the dream which is closest to the heart of the local residents but far afar from the view point of their reach. The organizations as these have far less bureaucratic hassles. There is free and informal air inside the organization. All are in the know about the objectives of the organization. Since the leadership is group-centered there is open discussion and respect for each other. The thinking is positive and decision-making process creative. All are found working together with high morale and with satisfied consciousness. They are result-oriented rather than work-oriented. The network of community radio remains in place for all time as inseparable network with people's participation as its hallmark. Community radio is confronted with the challenge of change. It talks about localization in the face of the globalization bandwagon which is rolling on. Which means it is about remaining alert while glamour of change is undermining the culture. Other dimension is there is a need to evolve discriminatory

behavior borne out of traditional mores along scientific and modern lines. Therefore it is the quintessential element of the community radio whereby it follows progressive thought processes after rising above from status quo and accepting the localness with pride.

2. **Human interaction:** The relation between broadcaster and listener is functional, independent, friendly, and practical. The basis of this relationship is local feeling of equality. Lifestyle, status and tradition followed by both are similar. This kind of relationship stimulates and develops compassion, love, empathy and cooperation. It establishes human contact among local people while exchanging feelings too. One individual becomes alert to the feelings of the other individual. That brings about emotional unity. This shows how community radio remains active in ensuring social security and social consensus.
3. **Collective objective:** Community radio has ownership in non-governmental organization, cooperatives, trusts, foundations and schools all of which are active in social work. Community radio stations are not vehicles of business which are active to make profit. It is the local people who invest time, labor and money. Much like other social objects, community radio, too, should invariably have interest in activities of common and public interest. Public and community feelings that can contribute to society as a whole in important ways are the very soul of community radio. The feeling of "we" is dominant in it all. The collective objectives of society and citizen to achieve cultural, social, educational, economic, religious, moral, political, public and personal objectives is the objective of community radio as well.
4. **Social control:** Community radio is active in fulfilling special interests, needs and common interests of society. The relations between community radio and other organizations are based on unity of purpose, coexistence and cooperation. There is a kind of regime in every society which is shaped by family, near and dear ones, caste, neighbors, traditional norms, public opinion and legislations. Community broadcasters are tied down by relations under this kind of regime. One falls in the bracket of unruly and antisocial individual or organization the moment one gets out of it. One is boycotted by society.
5. **Physical proximity:** Looked at from the perspective of community broadcasting, community denotes a group of people who are spread around a definite geographical area. The physical and psychological condition of broadcasters and listeners are much the same. There is a feeling of oneness and pride vis-à-vis the locality just because one has stayed around and mixed with people for many years. There is proximity among people. These are the reasons why there are different kinds of institutional and social relations among people. Their needs are basic and mutual relations permanent.

Difference between community radio and other radios

Basis of Comparison	Government Radio	Community Radio	Commercial Radio	National Public Radio
Approach	Bureaucratic	Participatory	Market driven	Top down
Ownership	Government	Collective	Private	Public
Audience	Passive	Active/Participant	Carefree	Conscious Spectator
Responsibility	Towards Rulers	Towards society	Towards Owners	Towards Citizen
Style	Formal	Natural/informal	Artificial	Creative
Goal	Propaganda	Collective Welfare	Profit	Public Welfare

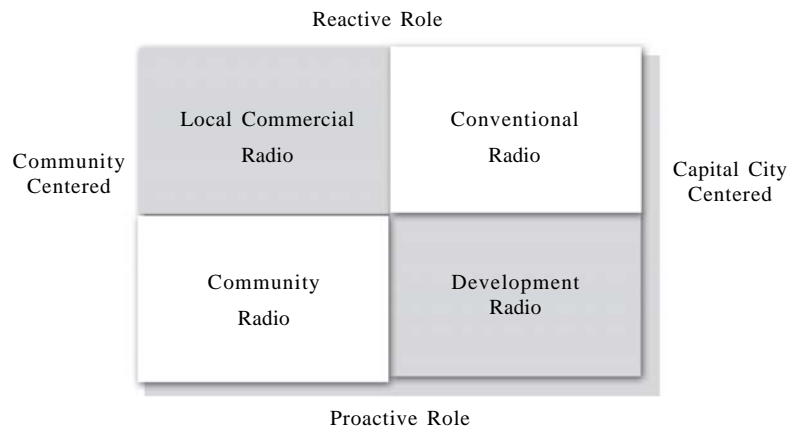
Positioning of community radio

The primary task of community radios is to put an end to the unbalanced and one-way flow of information dissemination established by traditional system of communication. Hence community radio broadcasters can alter the status quo by treating every event as local, but by reporting about only those events which have local linkage. That is to say that information system should be evolved into something which is not only "center to periphery" but which is "periphery to center and periphery to periphery". The community radios must make departure from the tradition of reporting activities of the power centers and embark on decentralization of voice, symbol, character, activities, issues, attitude and culture. One must be able to base the news, events or any other materials aired on the perspective and concept of the local people. Element of localness is the original mantra of community radios.

The role of the community radios is to transform the social, cultural and economic values while the role of the community broadcaster is to develop the personality of an individual. It is essential to instill element of open and scientific frame of mind, critical thinking and tendency to be informed if one expects to boost good virtues in man. Add to it the need to instill knowledge and skills like ability to present, coordinating action, establishment of solidarity, and social integration.

Yet another role is to work to achieve targets like social justice and equality apart from gaining respect and ensuring development of individual, community and language groups. New and special dimension of communication comprise joining the process aimed at restoration of peace, working for an inclusive society, to give voice to the minority and backward communities, guaranteeing gender equality apart from reinforcing each and

every aspect of life of the local people while also becoming active for good governance and transparency in public life, among others. Community radio is a most vibrant and broader ideological sphere of civil society. It has to be also looked into as a homogeneous and harmonized cultural center. A community radio must be always take stand in favor of objectivity, rationality and just society. Briefly saying, a community radio should always be society-centered and proactive. In other words, community communication should be the fuel for society. Looked at in this light, community radio can be positioned as depicted in the graphics below.



Positioning Map

Ownership and sustainability

Community radio stations have been running under the ownership of non-profit making organizations in the history of community radio going back to six decades until now. Non-governmental organizations (NGOs) local governments, educational institutions, trusts, cooperatives and foundations have been running the community radio. In Europe and America trusts, foundations and cooperative agencies are found running community radios. Municipal bodies and schools are found to be involved in community broadcasting in the Philippines in large number.

Going by general definition, 80 community radio stations operating in Nepal as of 2008 after the first community radio was founded in 1997, can be put in the bracket of community radios. In Nepal there are three kinds of organizations such as non-governmental organizations, cooperative and local governments involved in community broadcasting. Radio Sagarmatha

Ownership models	Features
NGO Model	<ul style="list-style-type: none"> ● Proxy ownership of community; ● Project- oriented and donor- driven; ● Limited scope and objective; ● Is tinged by bureaucratic process; ● No exit policy governing ownership.
Cooperative Model	<ul style="list-style-type: none"> ● Greater sense of ownership; ● Higher level of community participation; ● Locally generated fund; ● High level of volunteerism; ● Deep-rooted in community.
Local government Model	<ul style="list-style-type: none"> ● Politically influenced; ● Limited community participation; ● Limited community ownership; ● Steeped in bureaucratic process; ● Transitional leadership.

(Kathmandu) and Radio Swargadwari in Dang are run by NGO. Radio Lumbini (Rupandehi) and Himchuli FM (Kaski) are run by a cooperative organization. Metro FM (Kathmandu) and Radio Madanpokhara (Palpa) are run by local government.

On the basis of organisational pattern Nepali community radios can be classified into three models: NGO (Non-governmental organisation) model, cooperative model and local government model. Their respective features have been tabulated above.

On the basis of an observation of the nature of membership, numbers and governance system from the perspective of community participation in radio, Nepali community radios can be classified into three models: passive model, active model and democratic model. Their respective features have been tabulated below.

Often, community radios the world over are found to be depending on the same kind of source when it comes to arranging the founding and operational cost. Grant received from donors, donations coming from individuals and organizations, regular membership fees, sponsorships and advertisement revenue makes part of the income for community radios. Many community radio stations have also been found to be producing special programs among listeners to

Participation Models	Features
Passive Mode	<ul style="list-style-type: none"> ● Higher number of paid staffs; ● Trained and professional human resources; ● Technically superior content; ● Professionals determine community priorities; ● Professionals involved in production & broadcast of program for community; ● Least involvement of community in policy formulation.
Active Model	<ul style="list-style-type: none"> ● Nominated leadership; ● Mixture of amateur and professional human resources; ● Mixture of good and average quality of content; ● Comparatively high level of community participation in content production and broadcasting.
Democratic	<ul style="list-style-type: none"> ● Clearly laid out norms and values of Model ownership, participation, governance, financing and management; ● Community is faithful to the leadership of the station and vice versa; ● Reciprocal relationship with community; ● An open-ended & functional network for participation; ● Owned by no one used by all. ● Elected leadership

consolidate the fund. The continual condition in the case of community radio is: minimize the expenditure. Programs and information can be exchanged among community radios stationed far afar. It can cut the cost entailed.

A community radio is in fact a community organization. The original nature of community organization is permanency and self-dependence. Those involved in community radio should adopt different strategies to evolve community radio as sustainable and self-dependent. There are social capital, human capital, physical capital and financial capital in society. A community radio can achieve sustainability only in the event of the right mobilization of capitals of all the four varieties.

Let us forge ahead by picking up one context. If the temples, way side

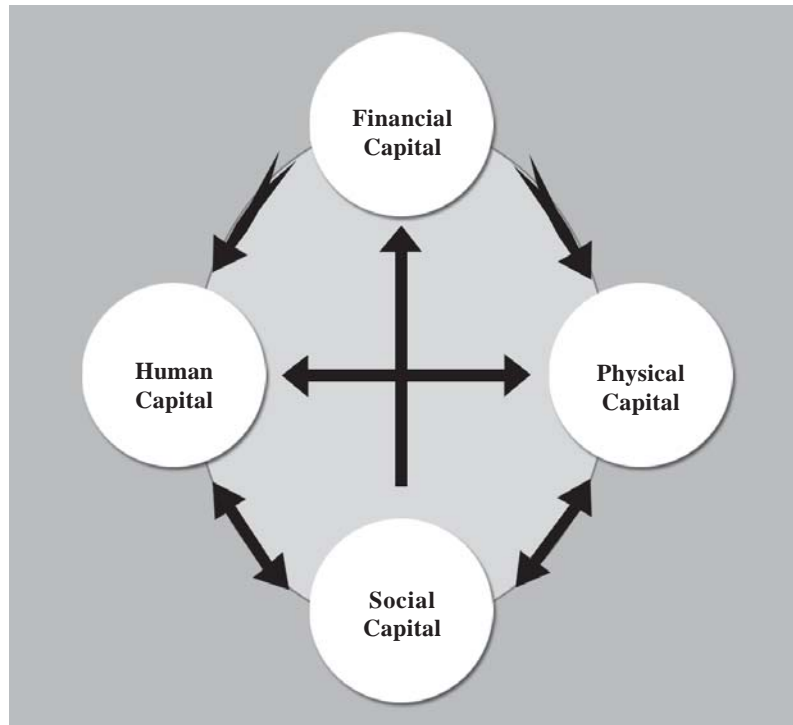
temples, monasteries found in Kathmandu were converted into money the same would add up to billions of rupees. But these items of heritage were created by forefathers who had not seen a rupee note. Now we not only talk in term of thousands and thousands of rupees but also carry out transaction too just as the government presents annual budget running into billions of rupees while we wait for grant from foreign donors when it comes to preserve these structures. Why at all? The simple answer is: We have failed to make right use of capitals present in our society.

It is essential to ponder for a moment as to how our ancestors who had not seen a one rupee note had produced so much. That was the time when people had trust on each other. One and all used to be ready whenever anyone suggested something. Nature had given timber, boulders, clay, and water. Those who had the trick of the trade and skill fell trees, quarried stones, and worked on them. Those who were strong ferried timber, boulders, and mixed the clay in water. This was the process our ancestors followed before leaving these heritage structures behind. The trust on each others was social capital. Trees, clay and boulders were physical capital. The knowledge, wisdom and skill which man had been human capital. The capital cost of which is calculated in billions of rupees was created by the use of three capitals.

We have lost faith in each other along with the changing time and situation. We have ignored the wisdom, knowledge and skill accumulated in society. We have failed to make right use of natural resources. Things that are basic resources to create financial capital. We are monotonously chasing financial capital without mobilizing these capitals. Consequently, corruption, black marketing and smuggling are on the rise. This is pushing the nation towards moral and physical disaster.

When it comes to ensure sustainability of community radio the thing which is widely debated is financial capital. It is not possible to procure financial capital looked for in impervious manner. This explains why community radio stations are in financial crisis. Community radio stations have degenerated into mere projects. This is the reason why the sustainability of community radio is not an issue of sustainability of the project or organization. Therefore what is essential is mobilization of all the four varieties of capitals must be taken into account while drawing the strategy for the community radio stations.

Community broadcasters have radio and audio equipment with them. Conversely, they have the medium. This is physical capital. Community broadcasters have trained human resources which is human capital. The trust of the people in the respective area should be won over by making the right use of the physical and human capital. One must be able to mobilize the social capital. Under this someone or the other will be ready to work voluntarily for the community radio. The community of volunteers will be ready with the consciousness to be active in becoming a partner in decision-making, in producing programs, in launching membership drive or when it

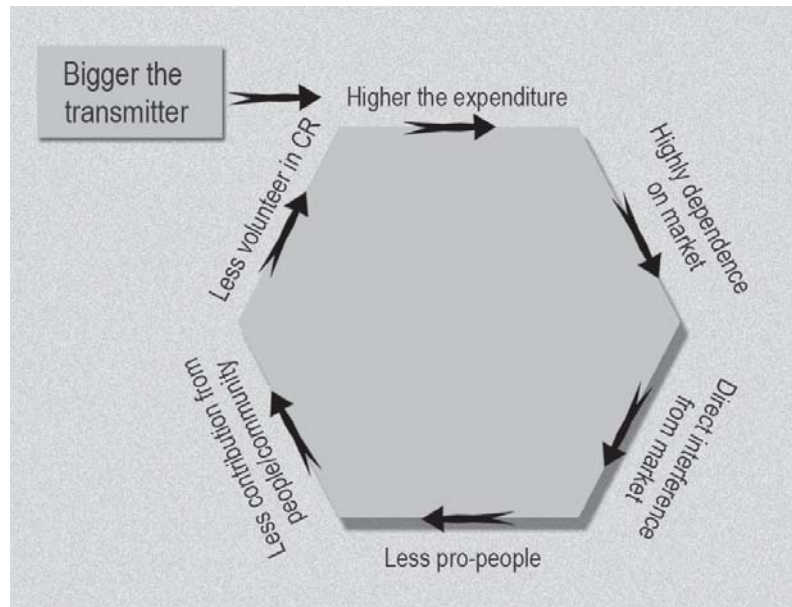


Cycle of Sustainability

comes to raising advertisements with full realization of responsibility. This kind of effort can push forth community radio as a continual process rather than a periodic project.

Practical findings of sustainability

Findings culled from the decade-long experience indicate that operational cost of community radios in Nepal has differed from radio to radio, depending on their broadcast capacity. The credo being bigger the radio stations, higher the fixed expenditures and corresponding dependence on traditional market advertisements for required resources. This has tended to attract interference from those quarters which can least be expected to foster the cause of community radios and keep their spirit alive. This has dampened the spirit which goes with community broadcasting. Hence it is not surprising to see that bigger community radios have witnessed declining involvement of volunteers. This has resulted in bloated payrolls. Add to it electricity bill, license fee, maintenance cost all of



Relationship between bigger transmitter and expenditure

which steadily push the operational cost upwards. The monthly expenditure of the radio station with a 500-watt transmitter is two times higher than the corresponding expenditure of the radio station with a 100-watt transmitter. Similarly, the monthly expenditure of a radio with a 1000-watt transmitter is more than three times than that of a radio with a 100-watt transmitter. This shows that switching over to powerful transmitters and sophisticated technology does not always pay off. The lesson learned here is less engineered (techno-savvy), more sustainable.

To stretch the case further, bigger community radio stations are highly likely to face mounting expenditures, resulting in the compromise of their values and spirit in the stampede for resources. This kind of compromise can be expected to gradually erode residual capacity to sustain while at the same time also belittle the spirit of volunteerism before the payroll amount starts getting bigger and bigger, thus adding to the operational cost. Since all this adds up to the list of challenges challenging the sustainability of community radio, the scenario leads to next step which involves concerned community radio to reorganize along commercial line. That, in turn, drives away loyal and committed body of listeners who finally look for their own alternative means of mass communication. That, incidentally, is the death of community radio. What follows is the graphic representation of the argument which goes "bigger the transmitter, higher the expenditures."

Concept of ethics

Going by the definition of journalism in vogue, generally speaking the relationship between journalist and society is deemed to be built on the art of the disseminating information. But the role of community broadcasters is much more different than this. He is at first a social animal. He is the first participating engineer in the campaign aimed at changing society. Community broadcaster is involved in definite community and society. He must face the impact of each and every incident which takes place in society. He has to imbibe the art of community journalism with the mission to turn the potential adverse impact confronting society towards the right direction. This means a community based journalist cannot be a spectator, a critic and commentator while an event is taking place under any circumstances. He must be able to draw up a strategy on the issue confronting him. His responsibility is not to whip up mutual controversy but to identify common ground for consensus. A community journalist cannot be an independent analyst of an incident; he can be a free person advocating inter-dependence. A community journalist should be looking to explore mutual equilibrium from qualitative point of view rather than from merely quantitative point of view while exploring social complexities.

One more thing is that traditional journalism has been adopting the policy of neutrality when confronting controversial issues. The governing policy of neutral journalism stresses that a journalist must not take sides on controversial issues. Just because of this absolute nature of policy, modern day journalism is down with intellectual paralysis. Community journalist should not fall victim to intellectual paralysis. It is always good to initiate debate, discussion and differences into controversial issues or incidents without criticizing anyone or taking sides so that one can facilitate the process of right decisions on realities of life.

It is not enough for a community journalist to remain a close witness, spectator or eye-witness. He must involve himself in societal mainstream. One must know the society one is living in closely. He must work for its progress and prosperity. The necessities of day to day life must be identified. The social relations must be defined and expanded.

The national census 2001 has publicized the statistics that as many as 91 languages are spoken in Nepal. This suggests that Nepal is an inter-cultural society. The behavior which must be acquired or decisions taken while negotiating through the complexities of an inter-cultural dialogue can be different.

A community radio must run on the investment and participation of the community. Money must be raised from among listeners before conducting useful chat on radio in a way that benefits them. Point must be made to facilitate that they share their experience with each other. Looked at from this

perspective, the ethics followed by the latter day journalism that a journalist must be neutral, independent, and playing the role of an observer while not reaping any economic and other benefit with news and means of dissemination as a means to it sound meaningless. The stability of community radio depends on cooperation from community. This explains why there is a tradition of defining community radio as a radio run by community for the community.

If one were to take to community journalism, one will have to take quite a different course than the traditional one. For this a community journalist will have to rise above the profession before taking to a totally new thought system or so to say. One will have to establish definite values and standard to face possible moral and practical issues while forging ahead in the new context. Community radio is such a community which now carries a modern responsibility of both leading and giving a new leadership on its shoulders. Since a community journalist has to always work in a given social structure he should be having special social capabilities inherent in him. We shall in the chapter ahead arrive at definite moral characteristics while prioritizing pragmatic ethics rather than dwelling on theoretical aspect.

Ethics: Issues

(A) Right to information

An easy access to the activities related to the conduct of the affairs of the state is the very soul of a democratic system. People are sovereign under a democratic system. Since they are busy in their own tasks they cannot involve themselves actively in every activity of the state. It is the reason why they entrust the responsibility of conducting the affairs of the state to their representatives. The representatives in question are not suppose to rule over the people; rather they have to meet their responsibilities. The right to know whether they are fulfilling their responsibilities and right to know each and everything they are doing is inherent in the people. This incidentally is right to information.

The Constitution of Nepal, 1990 has made clear provision concerning right to information. Going by that each and every citizen shall have the right to seek information concerning issues of public importance and get it. The Constitution of Nepal has established the right to information as a fundamental right of the citizens. Notwithstanding such a provision, there has been no law related to the right to information so far.

Easy access of the people must be ensured in every activity of the government mechanism if the objective is to implement the concept of both responsible government and good governance. The use of the right to information is a must in this connection. This is the reason why the right to information is considered as an important precondition to the affairs of the state by countries which have democratic system in place. More than 40 countries of the world have complied with it by having independent legislation on right to information. In the US, Right to Information Act, 1966 (along with amendments) has considered the act of disseminating government documents for public information as the government responsibility. In Sweden, the right to information has been guaranteed by classifying certain information under the constitution, while all the activities of the government can be made public.

The right to information is considered as the basis of the freedom of expression which is essential for human personality development. Information has special importance attached to it when it comes to bring out the truth, when ensuring participation in decision making, when it comes to take the right decision and when paving the way for positive changes (Keshav Prasad Upadhyay 2002). The guarantee concerning right to information is a must since healthy opinion vis-à-vis the government performance is possible only with realistic information into government

activities even as there are less chance of the government activities heading towards wrong direction as long as there is healthy public opinion (Kashiraj 2001). The Constitution of Nepal, 1990 has guaranteed the right to speech and expression, right to press and publication and right to information as the fundamental rights to every citizen. It is a right thing to do when all the three rights combined together are identified as freedom of information (Harihar Dahal 2002).

In what is an issue of concern, we have no culture of information dissemination. It is essential to be active to turn the administrative procedure evolved amidst a culture of keeping the activities as secret as favorable to the culture of right to information. There has been some legal exercise following similar activism. The Supreme Court has propounded some landmark principles related to the right to information in the recent past. The Supreme Court has in the verdict issued Purenra Aryal versus Election Commission (EC) case held that the access to right to information should be unhindered and unrestricted when it comes to implement the democratic system. The Supreme Court has issued eight-point directives to establish the right to information of the citizen while passing a verdict on a case Gopal Siwakoti versus Ministry of Finance. The directives issued in the name of His Majesty's Government are of importance until there is a law in place.

Eight-point directives

1. Applicant can ask for the list of documents available on the concerned issue from the government.
2. The applicant can ask to go through the concerned document within seven days if the government complies with the request.
3. The government shall intimate the applicant along with the time, date and place within three days if the applicant so demands
4. Once the applicant finishes going through the documents he can take down notes or if there is need for it he can have the same copied by making a request in front of the stipulated official.
5. Just in case there is no word on the issue while giving the copies the same can be done by charging realistic copying charges before attesting the same as well
6. The government should inform the applicant within three days just in case there is a situation whereby it cannot give full or partial access to the list nor have the same copied for the applicant
7. Just in case an applicant is not satisfied with the way demand has been denied or with the reason cited for denial the applicant can move Supreme Court within seven days after intimated about it
8. While taking action on the plea received the same shall be as determined by the governing rule of the Supreme Court

The directive is a milestone on the issue of right to information. Even so there is a need to define the right to information in the right way. Unless there is a clear procedure outlining the responsibility of the person who should give the information and the process which the applicant must go through and situation in which such information cannot be given mere fact that the right to information has been enshrined in the constitution does not appear to make that easy in Nepal.

Law professionals have been defining the right to information as an absolute right. Hence there is a need to give definite direction to the right to information in a country where the law has not been defined as yet. The right to information cannot be uncontrolled or absolute in nature. There are no instances of uncontrolled or absolute right to information from any part of the world. The information given or sought by remaining bound by definite boundaries alone can be instrumental in contributing to the development of the democratic process (Keshav Prasad Upadhyay 2002).

(B) Responsibility of Sender/discloser

We do not have a system which may be giving information even without anyone asking for it. Journalism is the only vehicle which imparts meaning to the people's right to information in a regime where information is not given until someone asks for or looks for it. This is the reason why the process should be free from any encumbrances. But it is important for those enjoying freedom to realize the value of it. That is why it is important for journalists to draw line indicating how far freedom travels and where anarchy starts before getting down to work.

Being active journalists, the community radio journalists are invested with the responsibility of taking decisions or taking action related to right to information of other people. Besides this, they should be involved with successive governments which can have differing views on the resolution of contradiction while also working with policy makers, experts and thinkers. Information of various kinds has to be purveyed to the members of the different religions, communities and faiths. Professional knowledge and skill have to be evolved on higher level so that one can come to the resolution of the new contradictions overtaking the area of work which is thrown up by turn of events surrounding our society. To this extent, community journalists have the capacity to decide what kind of information is needed and what kind of information is not needed for others. Since they have to take decisions on behalf of others, community journalists have to shoulder definite moral responsibility.

Community broadcasters cannot absolve themselves from greater responsibility by saying that their job is to merely disseminate information. Why a particular event or issue had been picked up or why the same was

picked up for broadcast are issues which are linked with authority to select information. This indicates at the fact that authority to take decision on information is vested on journalists.

Journalism loses credibility just in the event there are ethical lapses. What exactly comprises violation of ethics and how to remove such anomalies is something which has not yet become an issue among us. This is the reason why Nepalese journalism is confronting just too many ethic related complications. That is being taken up in the ensuing section.

Committed journalism : Nepalese journalism has time and again disrupted, rattled and bothered readers, listeners and viewers. Scholars are of the view that committed journalism disregards responsibility. Professor of journalism at Missouri University, USA, Edmund B Lambeth, in his book *Committed Journalism* says: The instances of journalists fleeing and means of communication coming up with new definitions meeting their needs has become the permanent feature of latter day journalism. A committed journalist confesses the tasks carried out by him. But we journalists plainly say: I was under compulsion to do that. The remark is an exhibition of weakness and professional irresponsibility.

Fairness : The main problem associated with Nepalese journalism is inability to present the subject matter in fair and balanced manner. We have not only failed to ensure infallibility, credibility and fair journalism; there are occasions when we end up being biased. The scholars of journalism have said that matters of publication and broadcasting must be like glass windows that allow rays of the sun to penetrate deep within. Listeners and readers get the correct picture of the world only in the event the broadcasting and printing material are of this order.

Wrong representation : There are simply too many instances whereby too many presenters or broadcasters have ended up giving wrong representation of the material or a thought expressed by a person. Behavior like turning ideological answer to an ideological question of an interview into a material as if shaped by event and broadcasting the same, producing apocryphal stories, producing report without going to the scene of action and presenting the same as field report and broadcasting, including one's own reactions attributing the same to some fictitious name are issues which attract ethics in plain and simple way.

Cash as enticement : The relationship between editorial department and marketing department in Nepalese radio and newspaper offices is riddled with crises. Many events have become fit for publication and broadcasting just on the strength of the advertisements awarded. This explains why the thin line dividing program and commercials has grown all too thin in recent years. Playing an advertisement in a way which is all too confusing, with the program and instances of the presenter talking about certain product

himself are clear examples of it.

Public life: Journalism should expose any act of highhandedness coming from public figures in the wake of the belief that the same throws up hardship for society. This is a big truth. But what should not be forgotten under the circumstances is journalist himself is a public figure. He is part and parcel of the public every now and then. What this means is the wrong act emanating from journalists also throws up hardship for the people. This is the reason why we have to scrutinize whether the item which we are broadcasting can throw up problems for someone or the other. No act of any journalist should end up encroaching on the private domain of any one whatsoever. Society suffers if that happens.

Journalists should draw up line separating public and private life. Public figures occupy special place in society, but what is true is we must respect their right to lead their private life. Let us moot an issue for further debate here. A certain minister is a subject of our discussion. We have to differentiate between his private and public engagements.

- Scene One: It is Saturday. The minister drives towards a lodge in Godavari with a woman who is not his relative.
- Scene Two: Minister is involved in a drinking binge at 8 pm in the evening along with his guard. His official car is waiting outside with a national flag fluttering away.
- Scene Three: Minister sets off on vacation in private car dressed in national dress with someone in tow.

Scene first and second has minister going by his official status. Riding the official car and taking the guard along is the amenity extended by the state. On the occasion the minister has gone by his official status never mind the public holiday or day off. The situation cannot be conceded as his private activity. But the third scene is little different. He has not made use of any amenities extended to the minister. And he is on leave. This situation should be conceded as his private life. Seen in this light, there are three elements which outline the case for personal privacy:

Public interest : Any act that affects public interest does not fall in the domain of the private affairs.

Personal behavior : Just in case behavior of any person is of criminal type or anti-social the same cannot be claimed to be a private affair.

Place : Just in case a man makes love to his wife inside his home the same cannot be an issue of public concern. But the same act cannot be conceded as a personal affair if he makes love with his wife in a public place. This shows that things committed in public place cannot be issues of private concern at all.

Contradiction : There are times when your friendship, relationship, political or any other kind of involvement militates with journalistic interests. Can a journalist who is a press advisor of any company expected to expose the fraud being committed on consumers by his company? Can you downplay the news filed by the board member of your radio which he might have done after taking part in the rally? Your son-in-law is a highly placed officer, he has indulged in corruption and facts have spilled down. Can you carry that? There can be simply numerous such instances, which do not gel with the ethic of journalism leading to a professional dilemma of its own kind for you. Journalists must present themselves as journalists in situation as these and not as colleagues.

Deep throat : Nepalese journalism has seen good use and abuse of the anonymous sources. There are certain **sources** in journalism which have neither shape nor form. Such formless sources in journalism comprise observers, responsible authority, eye-witnesses, commentator, source, expert, and intellectual and so on. The continual use of such sources which the producer and reporter never know can whittle away the credibility of the radio stations. It all casts negative impact on listeners.

The law allows journalists to the right to protect their sources. This however does not mean one can do whatever one feels like to do. There must be a definite proof whenever we are broadcasting anything. Apocryphal stories should not go. The right to keep the source as secret has got to do with the right to deny disclosing the source of the news since the practice is to ask how and from where the news was unearthed while the news is about to be broadcast. What should not be forgotten is the broadcasters have to submit the proof backing the news story in the event it proves to be a controversial one.

Gift : Gift makes man prejudicial. He accepts gift and unwittingly ends up backing the cause of the one who has given him a gift. It is a human weakness. A newly opened helicopter operator can offer free flight to the Himalayan region or any development agency can do that to ensure publicity. The one who offers gifts or sponsors visits expects good coverage of the events associated with him. Issues like these raise some ethical questions in front of journalists. Could these events be newsy had he not come in contact with the sponsor? Could you have given as much importance to the event had your own organization deputed you to file a report on the issue at hand? Should the listeners listen to the balderdash coming from you just because you have hit a sponsor or you have received a gift? Are you adhering to the ethics of journalism or not?

Sitting on the news : Journalists should not hold news in anticipation of goodies or amenities. For example, Nepal Bureau of Standards and Metrology publicizes the test conducted on certain brand of edible oil saying that the

same is harmful to public health. The company producing that brand of oil can come up with offer of placing advertisement if the news is dropped. It is against the ethics to suppress the news under such circumstances. However it would not be good to carry news under circumstances when a producer might have removed goods from the market after learning that the products have proved to be of inferior quality. The act of carrying news under such circumstances damages the credibility of the company in question while throwing up windfall gains for others in the field. One of the responsibilities of the journalists is not to disrupt public efforts and investment. Your responsibility would have been to alert the consumers had the company not removed the inferior goods from the market.

Using material : We have to make use of materials used up earlier in the course of a broadcast. The issue of how to use the researches and articles or views used by others is also an issue related to the ethics. How should a documentary producer interpret the copyright law when using the piece of music in a documentary? How to broadcast material broadcast earlier while not leaving the listeners confused? Pondering over these issues, the act of broadcasting materials without attributing the source of the research and other materials is violation of the ethic (see chapter V which deals with ethics and related laws). However copyright law does not apply in the case of any idea, religion, news, procedure, concept, principle, court verdict, administrative decision, folk song and folk story, proverbs and ordinary statistics. But it is not a right to read another's presentation verbatim even without reading out the name of the writer.

Public effort : Collaborative, cooperative and public efforts must be looked into positive light. The latter day Nepalese journalism is after public efforts lock, stock and barrel. The situation has cropped up just because journalists have come around to be used by businessmen dangling personal profit. Examples can be national flag carrier and government aided schools. Mass media has tended to attack government-run schools and the national flag carrier only after the businessmen opened schools and airlines. The weaknesses, corruption and abuse of authority attributed to officials of the public corporations makes good news stories. But the act of endangering the public effort by creating mistrust towards public effort while also bringing down the morale of the employees working with the state run corporations is an unfortunate development.

Broadcast time : Ethic goes into force when it comes to decide which news items goes when and so on and so forth. It is not a morally fit thing to air condom commercial at day break. Carrying such advertisement at so early on in the day can push up the sexual drive in youth, leading to instances of rape while the same can cast adverse impact on the psyche of the young population even as the same can be uncomfortable thing to happen in society. This explains why the timings of the commercials have to be

appropriate.

Rape and HIV : Rape and people infected with HIV virus can be extremely sensitive from the view point of ethic. Woman who has been raped and someone who has contracted HIV virus are both victims. The victims could be deemed to be in for additional ignominy even if their stories are carried with best of intentions. The ethics come under dilemma under these circumstances. These are the times when both life and death is at stake. One can see love and hatred at their best. The cooperation and slight from family, neighbors and society becomes the main issue. How to report these personal and painful incidents? How far should we be faithful to an individual? How to treat the issue in the right light? There can be simply too many numbers of questions on the issue. We have to take any decision after taking all the precautions.

Scope of Ethics

What is universal is law gets hold of the poor than that of the rich and powerful. Conversely, what is also true is powerful class and group rules over the law. Journalists, doctors, lawyers and financial auditors fall in the group of powerful class. This explains why the law generally steers clear of their sphere of activities. The ethics are needed to curb such anarchy. What follows next is the analysis of the social, institutional, personal and linguistic ethics for journalists.

(A) Social code

The principle of social responsibility was propounded in journalism soon after the end of World War II. Going by the principle of social responsibility, journalist are not only supposed to disseminate diverse thoughts but are also supposed to analyze and define the same. There is no law in this connection so that you can achieve the task; you have to depend on your level of consciousness and wisdom when it comes to single out what is right and what is a responsible act. This shows how journalists should shoulder as much social responsibility as possible.

Nature of program

- To produce and broadcast program that reflect responsibility towards listeners.
- Truth must be respected at all times.
- To impart an element of variety to the programs knowing that the interests of the listeners are diverse
- To produce programs which reflect the skill and aspirations of the listeners, programs that ensure exchange of mutual experience and programs that enhance their participation
- To inculcate positive thinking and views among listeners.

News

- News must be based on truth and free from prejudices; the same must be real and fair.
- Writing and editing the news should not confound listeners or should not cast wrong influence.
- All aspects of the controversial issue of public interest should carefully looked into and taken care of.
- Editorial comments and news must be read out without confounding the listeners.

- Mistakes committed in the course of broadcasting must be conceded instantly and corrected accordingly.
- Caste, religion and nationality and public status of the person related to the events must be revealed only when revealing the same is highly in context.
- News should not be sensationalized.
- News must include opinion and reaction.

Children

The program targeted at children must be based on social perceptions. Since children are new entrant to society at large they have no idea as to what is wrong or what is right or what is necessary for them and what is not necessary for them. This is the reason why they need education, right guidance. They must be inspired towards social tendency, interests and behavior. They must be alerted about rights and responsibility. Social values, perception, moral and legal standards should be introduced to them.

Children are attracted towards issues which are presented to them after simplifying them. This often leads them into dangerous situation in which they can lose their lives. They are left confused in search of the impossible things. This is the reason why programs should not be based on the following:

- Contents which can harm mental, physical and character-building of the children;
- Contents which entail exploitation of children, attachment and sensitivity which are evident in the under-development of knowledge and wisdom;
- Contents which inspire going to new and strange places and involvement in dangerous activities;
- Content which portrays children as despicable and weak.
- Contents which incite sensitivity and experience of children such as heinous acts and murder and,
- Contents which can inspire children towards consumption of products and items which can harm their health and attract them towards bad habits like smoking, and intoxicating items.

Youth

Since young men and women are highly sensitive they are prone to physical and mental dangers. Programs targeted at them should be such that they protect them from such dangers. They need right advice so that they can differentiate between right and wrong, can argue and can compile facts. Since they are part of population which has picked up some knowledge but has not yet gained maturity broadcasters would do well to produce

programs which alert them towards their social responsibility and help them build their future.

Community agenda

- Maximum space must be given to the wishes and aspirations of the people where the radio station is located.
- Stay committed to the overall interest of the community.
- Disseminate the pride and identity of the community.
- Promote and improve local wisdom, knowledge and skill.

Sick/disabled

- Blindness and physical disability should not be defined as the worst form of disability.
- Putting a curb on the broadcast of material which slights or insults them.
- Never portray them as social liability.

Human rights

- Never air messages which undermine humanity.
- Never insult the pride of man or group.
- Never interfere with the personal life of people.
- Never broadcast material which boost activities like human trafficking or flesh trade.
- Never behave in discriminative manner based on cast, religion, gender, age and nationality.
- Never violate natural right of the man to live.

Law and public agency

- Respect legal provisions.
- Never interfere in the enforcement of the law.
- Never stigmatize or insult public agency which has been protected by law.
- Be sensitive towards issues which are related to foreign affairs of the country.
- Never attack the sensitivities and experience of the people emanating on nationalism and casteist issues.
- Never undertake to do anything which affect cases that are sub judice.
- Never spread distrust

Family and society

- Respect family life.
- Never undertake to do anything which spreads hatred towards wedding, veneration of the ancestors or activities which can invite social tension.

- Never undertake to do activities which add insult to social structure, morality and character.
- Respect common social exercises, tradition and aspiration.

Education and culture

- Improve cultural exercises through education in tune with time.
- Improve, promote and conserve cultural heritage.
- Spread knowledge and skill related to day to day life.
- Help establish social understanding and coordination.
- Keep in mind the broader development of the country while disseminating social and school related programs.
- Develop the mental and creative area of the people.

Religion

- Respect the religious faith and independence of all communities to have their own perspective on the issues involved.
- Do not broadcast material which cast aspersion at any religion or community.
- Religious traditions and rituals are not something which can be tested on the scale of right and wrong. Hence they must be accepted as something which are related to faith of the people.
- Do not disseminate material doing which add up to proselytization.
- While airing religious program, make a point to disseminate only those which strike spiritual rapport and encourage humanity.

Violence/ terror

- Stand against violence and terror no matter what the objective of it may be.
- Keep the description of the violence and terror to the minimum.
- Be sensitive to the maximum when the terror and violence may be targeted against women, disabled, minority and children.
- Never present the events related to violence and terror in as a matter of pride.
- Discourage inhuman physical and mental activities like murder, torture and attack.

Crime

- Do not portray crime in positive light.
- Do not identify criminals as brave men.
- Do not disseminate news identifying an alleged criminal as criminal until the court holds him guilty.
- Do not portray gambling, card playing, drug-peddling and consumption

as attractive options.

- Do not go into great detail while describing criminal acts like kidnapping

Sex

- Do not wax eloquent on sexual activities and objects in the name of sex education.
- Contents used in sex related story should not embarrass listeners or excite them.
- Presenters should not demonstrate salacious tendency.

Award

- Capacity and skill of the competitors must be rigorously scrutinized when picking up award winners.
- Do not hand out objects which can affect public health while giving an award.
- Prize money should not be such that it affects the lifestyle of society at that point of time.
- Prize money should not be bigger than the amount spent on the program. Just in case the prize money is bigger, than the same can be much like encouraging the people to gamble than produce a standard program.
- Make sure you publicise time, selection process, prize and the way it will be declared just in case such competitive program involves participation of the listeners.

Secrecy

- Concede that there are certain strategies which a nation must keep as top secret.
- Never publicise the foreign policy adopted for national security and strategies adopted to raid the hideout of the criminal even if you know it for the time being.
- A nation can keep as top secret issues of military importance. Hence respect its right to never reveal the same.

Politics

- A broadcaster should not be involved in active party politics.
- Look into the political parties in impartial manner, never be partial to any one party.
- Refrain from disseminating material which may help any candidate during election.
- Categorically say what kind of tools were used and how many respondents were asked questions when disseminating contents of

the survey conducted for electoral purposes.

- Identify the responsible and official source when dealing with political and economic issues and reactions attracted by the same.
- Do not analyze the confusions thrown up by the practical weaknesses of any political parties or their leaders as the weaknesses of the political ideology or the political system.

Public health

- Be clear on the scientific aspect of the content when presenting program on beauty and health tips.
- Presenters must encourage chronic patients to go for necessary and pro tem treatment.
- While running a program on beauty presenters must also take care to cite the side effects of the materials which figure in the program.
- Never use words which are difficult to understand.
- To alert the listeners on the disastrous consequences of consuming medicine without prescription from a doctor.
- To discourage use of medicines and vitamins which render the public health as expensive, harmful and not very useful.
- Issue appeals after appeals so that health workers and common people use the medicine wisely.

(B) Institutional code

Unity of purpose

Radio program is a collective effort. It is essential to have the contents ready just before the broadcasting time. Activities like research, editing, recording and presentation requires people with differing skills putting in their efforts in perfect unity. It is essential that each and every one respects, believes in and cooperates with the other to the same degree while at the same time retaining the spirit of mutual cooperation while stressing on mutual discussion and communication. The role of each and every one should be equally meritorious. The culture of boss and assistant, owner and servants renders the unity of purpose as fraught with problems. Unity of purpose comes under worst situation when colleagues are slighted based on caste and gender while discouraging them and dominating them.

Punctuality

Timings are made public in advance when it comes to broadcast program on radio. A stipulated program has to be produced before the broadcast time as inserted in program grid. Broadcasting is disrupted in

the event this is not followed, leaving the only option of airing something different than initially announced. This kind of situation is not good when it comes to retain the credibility of the radio. Journalists working with radio must be highly faithful to time since each and every minute is important.

Authority

Management is needed to run an organization in a desired way. Organization and management draw up work procedure of the organization, direct and implement it. Doing it requires definite mechanism. There are departments and responsibilities linked to positions. The work, responsibilities and rights of the person are different going by this mechanism. Departmental ties have to be struck despite being the members of the selfsame team. It is the responsibility of each and every journalist and employee to make the procedure, rules and action plans put together by the management.

Goodwill

Each and every producer and presenter must consider themselves as representing the concerned radio while producing and presenting the programs. Minor weaknesses shown by a presenter or producer can erode the goodwill of the radio station as a whole. This is the reason why due respect must be reserved for individuals, officials and organizations which have to be contacted in the course of compiling reports and editing and recording them. Their jurisdiction has to be respected. Listeners have to be in the center of everything else and have to be respected by all means. No reactions should be twisted just because that can be done given the technological edge. The language used should not be obsequious or discriminatory. Language used should not reflect sympathy towards any particular person but should be such that it reflects respect towards all.

Secrecy

There may be competitors of the radio station you work for. Each and every radio stations work to a strategy aimed at beating the competitors. One is likely to be in the know about advertising strategy adopted by ones radio that is drawn up after discussion among all. Such strategies must be kept as secrets in the interest of the radio station.

Studio premises

Unauthorized armed people should not be allowed to enter the premises of the studio neither should anyone make noise. No employee and producer should come to the studio under the influence of alcohol. While entertaining

guests or children in the premises, volunteers of employees should accompany them. Equipment should be kept neat and clean given their sensitivity. Food should not be allowed inside the studio. Equipment must be nicely stored away after use. Equipment from studio should not be taken out. Equipment must be handled by stipulated expert.

(C) Personal code

Radio is one of such media in which images cannot be seen. Listeners store away definite image of the program you present and that of your personality depending on the effectiveness and maturity of the program you carry. The scenes in question are synopsis of your behavior, style and honesty. You are either respected or honored depending on the same. Just in case such an impression is not left behind in personal life through interaction, company and dealing it is not only the journalist who suffers from lost credibility but also the concerned radio station as well. This explains why one should behave in a gentle manner in society at large so that the radio is free from stigma and doubts. Journalists should shape their social and public behavior accordingly. You should not involve yourself in issues deemed amoral by society. Your behavior in day to day and private life should be equally emulating.

(D) Linguistic code

Language

Essentially, language has five functions and that comprises transferring traditional wisdom, knowledge, skill, sentiments and thoughts, and creation of opportunity and possibilities, giving expression to culture and ensuring feeling of self-pride. While selecting language meant for broadcast a radio broadcasters should see to it that the same is true to the local use. Languages are cultural heritages.

Going by the statistics thrown up by decennial census of 2001, there are 91 languages in Nepal. This means there is a local language wherever our radio station may be based. The local languages are loaded with cultural expressions and identity of the definite local communities. Within any definite language group there is quintessential knowledge, wisdom and skill. Community radio should give space to programs produced in local language as part of responsibility to perpetuate traditional knowledge and wisdom, conservation of skill and to give a boost to the linguistic pride and local identity. But the duration of such programs should be fixed since the listeners comprise members of other language groups as well and can be expected to be suffering from ennui and boredom.

English language is for us something which links opportunities and possibilities even as it contributes to the career development of an individual.

English language is a passport to a broader world of economic, social, political, cultural and vocational exchange. This is the reason why we must give some space to the English language keeping in mind the composition of listeners.

Just as English language is not meant only for the usage of Americans and British people, Nepali language does not belong to the Khas community alone. It is a language which has been playing the historic role of lingua franca of the Nepalese people. This explains why there is importance attached to Nepalese language broadcasts.

But there is a need to look into the use of Nepali language given the trend. Radio broadcasters have to admit that there has been some communal and casteist highhandedness in the use of Nepali language. Any language which aspires to be the lingua franca should be able to shed casteist expression which comes on its own. This is the reason why linguistic characteristic of a particular caste and group must be differentiated while using Nepali language as the language of communication. Broadcast languages should not give expression to the element of highhandedness inherent in them; one should be able to conduct a parallel dialogue by incorporating all the communities.

Nepali, as a language in the tradition of linguistic coordination, reflects dominance of gender, class and caste. Here are some proverbs which shed light on the linguistic tradition: Never mind the delay as long as it is the son, a macho can take ten wives, a daughter dead is a daughter married into wealth, never tell truth to a woman and a lie to the employer and a low caste man does not rebel and does not survive if he rebels. The list is long. The casteist nature imbibed by Nepali language is based on social stratification. Which means dialogue in Nepali language is guided by with whom you are communicating. Then there is a regal for almost every verb. The broadcasting language must avoid such an aspect of the language apart from also dropping the so called "hybrid" words. No one should be undermined in a program; there should not be any discrimination between people. Language and the way it is used should not be centered on expressing sympathy; it is all about giving the selfsame experience to one and all.

Journalists should not use the language as a medium to back or oppose any language or cultural group. All the languages and dialects must be respected. One should be able to make use of the language when it comes to bring to light good things associated with any particular community.

New perspective

Policy governing the language of a country cannot be evolved in seclusion with the policy governing economic development. This explains why community broadcasters should bring about new perspective in language use. Knowledge

of language used in national and international level boosts career prospects and possibilities. While it is essential for each and every community to know its language, to be proud about one's language and cultural expressions, it is equally important to be clear about the standard form of the language of medium. The reason being language is inseparable part of social behavior.

Language used by radio is narrative. Community broadcasters need not waste too much time with grammarians who are bound to argue based on the nearly a century old rules of grammar. The scope of language usage should be expanded. Radio journalists should imbibe a fact that language should be contemporaneous, lively, progressive and versatile.

Bengali Nobel laureate Ravindra Nath Tagore has said that the completeness of grammar is the death of the language. He could not be more correct. The language which is complete from the perspective of grammar is Sanskrit. Grammar could not save Sanskrit language. This explains why looking into language from technical perspective is not enough. Being a traditionalist in the usage of language does not serve any purpose. New words into the language must be accepted. Journalists should be open to the idea of using a word from foreign language. Community radio journalists should be able to work to produce suitable linguistic atmosphere in society. A suitable atmosphere alone can culminate in the development of a language. Had society declined to switch over to new words we would still be using old world vocabulary going back to the time of Bhanu Bhakta Acharya. Just in case we choose to be strict in the use of language we cannot be expected to wear the national dress. Our national dress is *daura*, *suruwal*, coat and the given cap. Looking into the issue from the view point of language *daura*, *suruwal* and coat were never the Nepali words. But they ended up recognized. Looked at in this light, we must be flexible in the use of language. But this does not at all mean that a Nepali language program should have broadcaster using words like "Daddy" or "Mummy" instead of the right words from Nepali language. Community broadcasters would do well to play with the language by restricting their use of vocabulary within coat and *daura suruwal*, while parents, to refer to the latest example, are best referred to in Nepali language.

Broadcast language should be creative; not guided or of full of cliché. Creative language can impart novelty to subject matter, presentation and sentence structure. Creative language reflects personal identity and behavior. Letters addressed to one's relatives and friends and letters written for official purpose can be cited as examples. Letters written for offices are guided and full of cliché.

Languages have their quintessential elements and identity. One must be able to find it and accept it. We are now writing sentences which put into English mean "we drink water". This is an instance of deflection in the use of words. The sentences like this are literal Nepali rendition of Hindi or English sentences. The use is not true to the structure of Nepali language. Nepali

language uses the Nepali language equivalent of "eat" when referring to consuming something. Yet it is not the equivalent of "eat" per se. English language has verbs like "eating", "drinking" and "smoking". Nepali linguist Dr Madhav Prasad Pokharel says: The right word to use instead of "to eat" in the given context "to consume". One has but no option to use "to eat" even when referring to cigarette (smoking), water (drinking) and eating (rice.) Other languages which have the same provision are Bengali, Maithili, Oriya and Assamese. Water and cigarette are eaten in these languages, too, or so to say.

Colloquial language

Colloquial language is indivisible part of social interaction. It is distinct from written tongue in its basic features. There could be distinction between the self-same written and spoken expressions. In spoken lingo the speaker does not depend solely on the element of language when it comes to send the message across. Apart from stress, rhyme, tone, pitch, pause, speed and pace, and intonation speaker could be taking recourse to non-linguistic elements like gesticulations, pose and gestures while expressing himself.

In colloquial languages a speaker is free to choose words depending on his sentiments and views. He or she could switch over to gestures, pose, stare or intention depending on the context. He could also express himself by not tampering with the sentence structure in any way yet passing on the sense in question tags or exclamatory sentences. That brings about variation in meaning too.

The language that is used in radio broadcasting is a spoken one or colloquial. Words that are used in written language are also used. One should refrain from using words like "as below", "as above", "as cited" "as follows", "aforementioned" "that", "like this". "as mentioned", and "material presented" on radio. Spoken language does have structural inconsistency which is excusable from the view point of decent use of language.

Spoken language is influenced by different local, class and linguistic features to a large extent. There could be plenty of lingual and style-induced features even with the same mother language. Which are different from the limits of the decent and standard use of the language. One should not end up making the presentation mechanical and thus something beyond the understanding of the local residents by following standard use of language and linguistic parameters. While the distinction between spoken languages and mother languages under the same language family language are similar, the distinction is different when it is the person belonging to different language family who is the speaker. There appear three types of distinctions when analyzing the Nepali language for such distinctions. They are based on vocabulary, pronunciation and grammar.

It is a controversial and complex task to stipulate a uniform

pronunciation in a nation where the pronunciation of the capital city is an arbitrary affair. Linguists claim that language changes with every 20 km. Nepali language has simply too many local forms and sub-forms. There is a zonal and local influence on Nepali language. Just in the event we take the district of Rupandehi, for example, there is no uniformity of accent there. One can come across people talking in five different accents. These accents are different from the national parameters of Nepali language. A question which arises here is what accent should be deemed as the right one. The local radio stations do not need to go by the parameter followed in the capital. Community radios must go by the zonal accent. One should look for beauty of the language in its diversity. Attention must be paid to the need to evolve the language along pleasing line.

Use of words

Political terms : One should refrain from using terms like revisionist, centrist, extremist, illiberal, authoritarian, former Panchas, regressive and progressive when referring to political parties. Identifying the party suffices. One should not literally translate the content when taking news from foreign news agencies. The best thing to do is to take the facts and events cutting down all adjectives. While carrying news and analyses attributing the same to the foreign news agency it is good to make sure that it does not militate with the foreign policy. For example, the Associated Press is found to be identifying the Bharatiya Janata Party as the Hindu fundamentalist party. That is their style. The BJP is not a Hindu fundamentalist party in Nepalese view. It is a powerful party of its neighbor. Similarly, how to go about when carrying news about Kashmir? Should we say "Indian administered Kashmir", or "Indian occupied Kashmir" or "Indian ruled Kashmir? Again should we say "Chinese administered Tibet" or "Chinese ruled Tibet" when carrying news about Tibet ? These are the issues which are decided by the foreign policy of the country.

Numbers and statistics : One should not be excited about using numbers or statistics. Big numbers are not followed by listeners. Generally one must use the numbers by rounding them off. For example, it is always good to round off Rs. 4,85,711 as about five hundred thousand. Similarly, 15.7 percent can be rounded off to say about 16 percent. We tend to use words while referring to figures. It is always good to use words in such cases.

Linguistic distinction: It is possible that a word can carry so many different meaning in different language regions. There could be more than one language speakers in the broadcast area of our community radio stations. Any word which can be used comfortably in any one language could be a taboo for listeners of the other language programs. For example, Nepali language term for one kind of stomach element can be a taboo for Newari

speakers. Similarly, a Nepali language term for "diamond" will not evoke any embarrassment for Nepali language speakers, but the same is a taboo among Limbu language speakers. Similarly, words from spoken language too carry different connotation. This explains why radio broadcasters must pay attention when it comes to avoid the use of such words in the course of broadcasting.

Tense: Radio demands use of present tense. Generally, radio announcers in Nepal are found to say: You will get to hear news bulletin, radio magazine and songs during the course of today's broadcast. This is not the right way. The use of future tense "you will get to hear" is against both practical ways and grammar. Whenever we have to go anywhere we say: I will be going to Kathmandu next week. Here, nowhere it is used "I will go." Similarly, grammar says one must use present tense when referring to planned activity. The style which has been in vogue in radio broadcasting is neither pleasing to the ears nor does it concur with rules of grammar and practical use. Future is indefinite in nature. Radio presentation can be given fresh and contemporary outlook by the use of present tense. It is always good to put presentation in present tense even if the event is a day old. For example, consider for a while that Prime Minister Girija Prasad Koirala while addressing a program in the capital on the previous day had announced that he would be resigning from his post once the crises overtaking the nation sort out. This has to be written for radio broadcast: Prime Minister Girija Prasad Koirala while speaking at a program yesterday morning said: I will resign from the post once the crises dogging the nation peter off.

Affirmative sentence : Listeners are likely to be discouraged in the event of overuse of negative sentences. Sentence ending with "has not happened", "has not been done", "does not know" and "it should not have happened that way" tend to affect the morale of the listeners. To avoid just this, script for radio must be written in affirmative sentences with the desired connotation. Sentences of this nature are called affirmative sentences. For example, "Nepalese farmers are not informed about modern agricultural practices" is a negative sentence. It can be deemed to have undermined the competence of the farmers. Let us rephrase the sentence in question without altering the basic connotation: A lot has to be done before the Nepalese farmers know about modern agricultural practices.

Use of terms

Speech has to be polite, sweet and clear. One has to refrain from using adjectives while referring to disability, mental disability, class, caste, profession and disability that comes with age. Use of words which are may be in general could amount to insult, slander and abuse when used while

referring to the individual in that category. It has to be well understood by radio broadcasters. Social motive, gesticulations while speaking, style and tendency can degenerate the words as "naked", or so to say. Use of "naked" words renders the speech as of low taste. Broadcasters must refrain from the use of such words.

- Naked words: Prostitute, streetwalker, molly, male prostitute, lame, blind, one-eyed, squint eyed, untouchable, impotent, mad and rustic.
- One should use words to identify profession of any person by using words that reveal their caste.

Code for script writers

- Use Nepali words from among foreign words.
- Institutionalize right linguistic culture.
- Pay attention to linguistic creativity among listeners.
- Imbibe the local and class related linguistic features of spoken languages.
- Be careful to avoid turning the presentation of the standard language in pursuit of linguistic correctness.
- Take note of the fact that organizational inconsistency of conversational language is excusable.
- Grasp the distinction between written and spoken language.
- Look for correct use of language in the experience of practical use of language rather than what grammar says.
- There are simply too many dialect-based and style-based distinction even among speakers of the same language speakers. Make it a point to take it for granted that the same is not an inconsistency associated with that language.
- Make it a point to always remember that language is progressive and unstable.
- Words that reflect ego associated with any caste or class should not be used.
- Language should be the vehicle of empathy and not sympathy.
- Follow the fundamental nature of the language.
- Pay attention to the need to evolve language as palatable and speedy.

Discriminatory terms

Words originate in very many different ways. While words in Nepali language which is close to "masculinity," "valor" and "power" were created following successes recorded by someone or the other words which are close to phrases like "stubbornness" and "case of hen doing the speaking" are words that fall in the bracket of suppressive and discriminatory words. Never mind how the words originated along masculine and feminine class

there are many words which have acquired equal degree of acceptance. But there are still many words which smack of fresh class and gender biases.

Broadcasters should not use words which have fresh class-based smell. But there is a need for consensus among linguists of all languages, gender and caste when it comes to adjudge the use of words which reflect equal respect to all. Rishi Ram Bhusal, who is both an accomplished journalist and writer, says: There is no need to embark on a debate on racist tendencies overcoming the language. Language could feel loss of weight when words which have over time metamorphosed from their original connotation are struck out from use. It is the reason that they must be retained. But use of words which smack of suppressive and discriminatory tendencies could still add to mere hypocrisy.

Nepali Proverbs tinged with taboo

- One must heed advice tendered even by a Gharti
- An advice does not know who a Gharti might be.
- Lazy woman and lazy fish land up in trouble
- A case of blind man counting trains.
- Man without confidence and wife without saving habits make perfect disaster.
- None bothers when a pariah becomes a king after one dies.
- Loose woman bestirs the world.
- Never blame youth when your daughter is out-going.
- Daughter-in-law is hated when she gives birth to girl.
- A shrew walking shakes seven earths.
- Poor have no caste and witches have no village.
- It's today daughter-in-law and tomorrow mother-in-law.
- Cuckoo is smarter than crow but a Khatri is smarter than all.
- Noblemen give birth to a donkey.
- Disabled can't help when robbers are at work in the country of the one-eyed.
- A blacksmith encounters eighteen obstacles in wedding.
- One should fear a dark priest and fair pariah.
- Advice from Khas is as good as stabbing.
- Khas have teeth under the armpit.
- Magars keep away from the Khas wedding.
- Don't feel happy when someone else is cooking.
- Tailors and blacksmiths ask for salt.
- Tailors' spit and Brahmins mouth are hallmark of purity.
- Tailors have broken button.
- Tailor who has lost his needle cuts a pathetic picture.
- Horses and sons go after lentils.
- Don't depend on a coward, don't party at a widow's.
- A father cannot be enemy just as a Newar cannot be a friend.

- A Newar is good at talking while a Thakse is good at beating.
- A priest cannot be made happy just as sun does not rise in the west.
- A woman looking for husband is always in fashion.
- A fruit diet for a blacksmith who does not fast.
- Barren woman does not know labor pain.
- A Brahmin is always a narrow-minded person.
- A Brahmin loses property for the price of a billy goat.
- Cold catches up with Brahmin while eating and with Chhetri while bathing.
- A Brahmin does not know the taste of mushroom.
- Why should a tailor move astir when rice is cooking elsewhere.
- Prostitute has no home, dishonest has no believers.
- Wealth gone to prostitute and forest grazed by buffalo doesn't grow back.
- Witch has big eyes, robber has big voice.
- A case of Pandeys quarrelling at Bhandari's wedding.
- One can join Budhathoki's wedding party if one has nowhere to go.
- Rice is spoiled by starch and home by widow.
- Bhote has brain that competes with sheep.
- A dead man from tarai can fleece a living man from the hills.
- A macho has ten wives.
- A village was swept away while fishermen sat talking.
- Master has no whey while servants want curd.
- A Muslim can run only up to the mosque.
- A widow's son sleeps with legs high up.
- A widow sees happy time fleeting while orphans wait for happy times coming.
- Why should a widow look for beautiful things.
- A widow looking for beads.
- It is no use joining family reunion of the blacksmith while not running royal errands.
- A woman who deserves kicks does not listen to words.
- The family deity of cobblers is never satisfied with tidbits.
- Cobbler's curse does not kill a bull.
- Master is right, servant is wrong.
- Chhetris are impoverished by indulgence and Newars by feasting.
- A Brahmin will always go where curd is.
- A Brahmin is lost among the sweets.
- A Brahmin will not mind staying among bananas.
- A sansaysi should not expect anything while staying with a yogi.
- A village infested with businessmen and son spoiled by father never improve.
- A daughter dead is abuses averted.
- A daughter dead is daughter married into wealth.

- Son is better raised in cities and daughter in nook and corner.
- To be born as a daughter is to pay back karma.
- Women's hands are never free just as goat's mouth is never at rest.
- Household dominated by daughter and forest grazed by sheep are barren.
- Winning over a woman and soaking the flour does not take long.
- Just as a goat cannot be content in plains a woman can never be happy.
- Even the god does not know what a woman has in her mind.
- A Limbu has his brain on his knee.
- A dog belonging to a washerman does not belong anywhere.
- Better to have one-eyed uncle than none.
- One must limp in the country of the lame.

Ethic : Some queries

1. Wife of a leading member of the movement for social emancipation has been hospitalized after she was beaten up by her own husband in critical condition. The leader in question has been arrested by the police. You landed this news. Knowing that the news is about to go on air, four leaders of the social emancipation movement land in your radio station. They requested to drop the news pleading that the image of their leader would be maligned if the news goes on air. They also said that if you carry the news all four of us will commit suicide. What would you do in this situation?
2. A school which has been securing position in the first ten successful examinees since the last four years has alleged that there has been discrepancy in the SLC results. The school in question has also produced some proof substantiating the claim. Knowing that the news is about to be carried, Controller of Examination at Sanothimi approaches you claiming that the allegations were baseless and that carrying such a news would erode the faith of the student community on the examination making a request to drop the same. They also come up with a proposal saying they were busy now and that you were welcome to their office where they will show you the answer copies of the students. What would you do in this situation?
3. The nation is in the grip of an epidemic. One thousand people have lost their lives to the epidemic while the instances of people dying has not stopped. Health workers have accused the government of complacency towards the need to make arrangement for emergency health service. You thought of interviewing the health minister after the allegations became public. Initially the minister declined. The minister denied an interview despite repeated requests but later agreed on conditions. Conditions were that the questions will have to be in written form and should be made available in advance while prior permission will have to be sought before the same is published. What would you do ?

What is for sure is no permit is revoked just in the event a journalist violates the professional ethics. This however does not mean that the journalists can do anything they like. While there is no one who can stop you from writing you will be however deemed to have professionally died a death if the readers do not believe in what you have written.

ETHICS

AND LATTER YEARS

We have recorded tremendous success in the field of technology and democracy on the threshold of the twenty-first century. Democracy has enhanced interest and responsibility in human and civic rights. Along with the right, it has brought human responsibility to the fore. Similarly, new inventions in the field of science and technology have brought the human efforts at an unimaginable crossroad. The changes which have taken place in society have cast direct impact on human inter-relationship. The changes which have set in with time in physical, biological, technological and cultural fields have brought about fundamental changes in the faith, thought and thinking processes.

Changing social trends

Gradual changes overtaking the societal pattern are a natural phenomenon. Recent years have seen immense change in too many aspects of society including social values and perception. Unbelievable changes have caught up with the needs and interests of the individuals. Social perspectives have changed. What was incompatible ten years ago is perfectly moral proposition today. People are now permissive on sex. Members of the fairer sex who were behind veil are now wearing mini skirt. Abortion has been legalized, with foeticide no longer a crime. Habits and lifestyle of the people have changed as have the traditions. There was a time when people used to discuss the right of the rulers; but changing time is witnessing discussion on the right of the citizens. There has been immense change in the social structure, form and the way the people work. This is establishing new personal value system.

Along with the change in the entire scheme of things, change overtakes the mental, behavioral, social, economic, moral, political, economic and cultural system of society.

Let us review the scenario taking the speed at which social development of women is happening as an example. Women had access to education in Vedic age. In Atharva Veda woman has been identified as the empress of the household. The status of women was high then. Women came around to be prevented from studying at the end of the pre-historic age. Gradually their status started becoming pathetic and ponderable. Freedom enjoyed by women was restricted and sphere of activity limited. The Middle Age was much harsh on them. Their status became more precarious. Widow re-marriage was banned while child marriage and tradition of sati was firmly introduced. Polygamy was characterized as an issue of prestige for men. Woman was left to live the life of a slave for man. The present age is dedicated to social reform movement. Human rights, civic rights, casteist and liberation movement and gender parity have all seen abundance of political awareness.

Talking about it in Nepalese perspective traditions like dowry, veil and child marriage have received a dent. Women are now increasingly getting to own property. Sexual intercourse against the wish of the woman is now being defined as rape even if she may be the wife. Their jurisdiction is expanding out from the kitchen.

Similarly, changes have swept financial regime too. People have learned new lessons from the conflict between feudalism, capitalism and socialism. There are demands for parity in distribution. Work and exploitation have been defined. Liberalism and privatization has replaced state control on economy. Demands have come for participation in each and every activity of the state. And relations surrounding production have changed.

People are coming to believe that one falls sick due to biological disorders and not due to divine curse. People are increasingly refraining from seeking divine blessing for better health and thus visiting hospitals and clinics. Food, dress, cosmetics and means of entertainment apart from gender, caste, class and color are facing changes too.

Contemporaneously, technology is playing an important role in bringing society closer. Technology has brought about fundamental changes in realities surrounding man, faith, and understanding. Apart from new possibilities thrown up by scientific inventions plenty of opportunities have come up. Technology has come to the rescue whenever it comes to manage certain things in effective manner. Technology has come to the aid when it comes to achieve a lot with minimum of human and financial cost.

But along with the expansion of technology there are now possibilities of dangers and abuses of technology. Now one can morph pictures the way one wants. Now one can so edit anyone's remark in such a way that one can broadcast altogether different material while the voice may remain unchanged. For example you had recorded a sentence in which was Ram saying "I had not said this." Just in the event the recordist has ulterior motives he can so tamper with the recording that he can delete "not" in the sentence and achieve the objective since the technology comes to the aid. The end result "I had said it" comes right from Ram's lips. This, of course, is not the case.

The technological development has rendered the task of announcing the death of a person as a controversial proposition. Hi-tech equipment can keep the blood circulation and breathing process of a terminally dead person as normal. This was the reason why the news concerning the death of Late Prime minister Manmohan Adhikari became controversial. Newspapers had ended up trading charges and counter-charges depending on the faith they upheld.

Just because journalism is the organized process of social and human communication, it should be able to address each and every change overtaking society. Current age is the age that marks the end of traditional social life and harbinger of the modern ways of life. Which has brought in

tremors in social, cultural and traditional ways of thinking apart from heralding the far-reaching responsibility for the rulers in its wake. The pace of the world has undergone a change along with the pace of the time. Vedic Age gave way to Scriptural Age, Scriptural Age gave way to Historic Age, Historic Age gave way to Middle Age while the Middle Age gave way to the Modern Age.

Briefly, while the past has been changed by present, the present will be changed by future. Human relationship is undergoing change. Faith, habits, thought process and diurnal activities of individuals are changing. The structure, shape and organization of society has been changing. Political system and means of production have undergone changes. The role of an individual, caste and group has changed.

Finally what we have to imbibe is journalism is not merely a technical question; there're moral and social questions attached to it. The technical aspect goes missing when we carry out a public evaluation. Verdict on social standing and success is passed at the cost of morals and behavior. This incidentally explains why we must improve our behavior and make them ideal, respected and exemplary with time. The conclusion arrived here has pointed towards a new context in ethics. Professional perspectives must change while society changes. It is not enough when we merely understand ethic in inanimate manner or so to say.

Resource allocation

There was time until recently when older members of society used to be ignored saying they were unproductive in nature. This ruled out any natural investment on them. Businessmen used to put in lot of money in sports and entertainment. State used to pour in money into war. There was negligible investment on women and children. There used to be not much interest when it comes to meet basic needs of the people like education and health. Investment was poured into areas which yielded productivity. Means of communication used to invest money, time and space when it comes to activities like politics, entertainment and sex.

Now things have changed so much that a feeling whereby human life should be treated with respect has caught the attention regardless of whether one is old or unproductive. This is the reason why the spending has started coming in for the benefit of the old people, children, women and middle aged in tune with the need.

Talking about health sector, budget is being spent in the treatment of long-term illnesses apart from emergency treatment. This is the reason why specialized and high quality treatment units are coming up in Intensive Care Unity (ICU) and Coronary Care Unity (CCU). Talking about economic sector spending has gone up in distribution and management apart from production. Spending on women and children has been boosted.

Changing professional values

Along with the development of journalism, a lot of changes are taking place surrounding its principles and role. When journalism took root four hundred years ago, it had bureaucratic touch involving disseminating issues generated at the top level to the level below it. That was the time when the government wielded control over it through permit and censorship. Journalism was a vehicle which took the government policy and program to the people while it worked in the interest of the rulers. This is the reason why the values governing journalism in the bygone era was called authoritarian.

This principle ruled over journalism just under three centuries. With the advent of the nineteenth century a lot of changes had taken place in political, economic and spiritual fields. These changes instilled corresponding changes in the field of journalism. Journalism was then seen as a friend in tow in search of truth. It was brought out of the government control. Journalism was now guided along by the liberal principle. But apologists of journalism guided along by liberal principle were centered on reaping profit and attracting advertisers. They did not identify themselves with listeners and readers. For them readers and listeners were mere consumers. Press was subjected to the whims and fancies of the minority faster set of people.

The end of the World War II saw journalism redefined. Looked at from that perspective freedom to write is subject to the fulfillment of certain obligations towards society. According to the principle of social responsibility, disseminating different views and news is not enough by itself. What was identified as the social responsibility of journalism was presenting and analyzing the views and events responsibly.

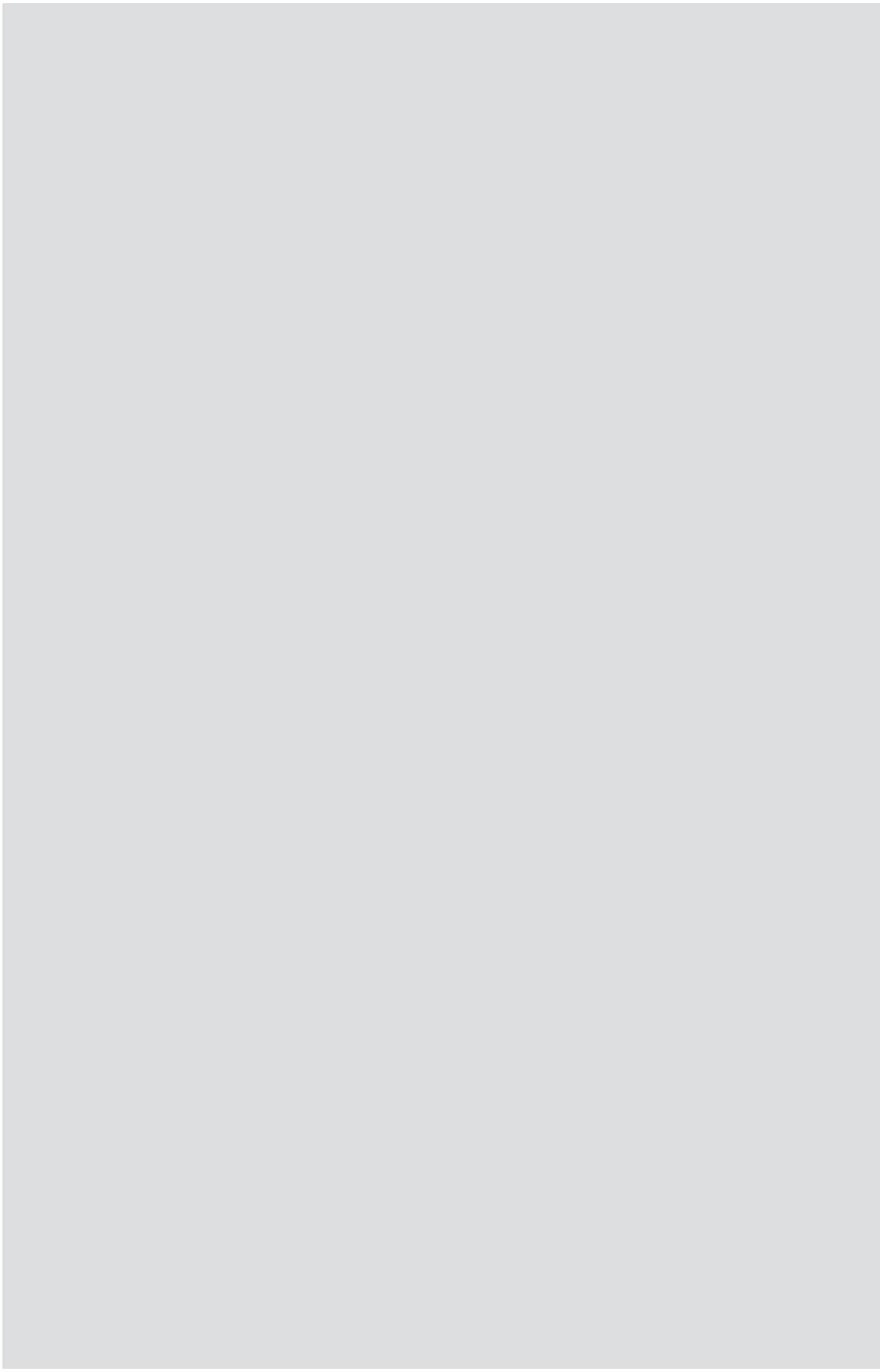
Meanwhile journalism also saw advent of socialist principle of journalism. Karl Marx and Friedrich Engel, both of whom propounded the philosophy of Communism, stressed that journalism must be put to use in social development and progress. Later Soviet Russia saw this kind of journalism put into practice. Under this the main mission inherent in journalism was to back the party and socialist system while also extending the same.

The principle of participatory democratic journalism was propounded when the media run by private sector players showed commercial tendencies while the public sector media demonstrated highly centralized and bureaucratic tendency. Going by this principle of journalism the interests, excitement and needs of listeners and readers have to be addressed.

The field of journalism saw new voices being raised while the world inched towards the fag end of the twentieth century. Journalists from Asia and Africa raised a loud voice against journalists in developed nations who had been portraying the developing countries in negative light. Based on

the principle of development journalism, it showed and stressed how positive issues too can be issues of journalistic interests. It brought within the periphery of journalism parity and disparity heralded by fast paced economic development.

Hence there have been qualitative changes in the domain of journalism apart from quantitative ones. There is no need to depend on one source of information following invention of technology and competition. We are passing through time when each and every community is coming forward to be involved in making use of means of communication. Community radio is one of its forms. Along with divergent use of technology and journalism, changes have overtaken the responsibilities in the field of journalism over time.



ETHICS

AND LEGAL CONTEXT

Right of the citizens

Civic rights are the rights of every citizen. This incidentally is the reason why the United Nations Organization (UNO) had issued the Universal Declaration of Human Rights in 1948. Nepal too has adopted the same. Apart from it, each and every nation put together set of laws which uphold right of the citizens.

Our country has made provision of civic rights as fundamental rights in the constitution. There is Citizens' Right Act, 1955. The act in question has protected the rights outlined below.

1. Rights related to freedom of speech

- a) Right to speech and publication
- b) Right to peaceful assembly
- c) Right to organize
- d) Right to movement across the length and breadth of the country
- e) Right to settle and marry from any part of the country
- f) Right to earn property, enjoy the same and sell
- g) Right to join any profession, avocation, industry and trade

2. Rights related to religion

- a) Right to found religions and fiduciary organization and operate the same
- b) Right to do what one thinks is fit for one's religious and social needs
- c) Right to earn assets, own them and use them

3. Right to property

Unless determined by the law property cannot be expropriated.

4. Right to the place of residence

Unless determined by the governing law no one can enter the residence of any person in forcible manner.

5. Personal freedom

Unless determined by governing law, every person shall have the freedom of person and life.

Universal Declaration of Human Rights

On December 10, 1948 the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights the full text of which appears in the following pages. Following this historic act the Assembly called upon all member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, therefore the general assembly proclaims this UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights

and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 7

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defense.
- (2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

- (1) Everyone has the right to a nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one may be compelled to belong to an association.

Article 21

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22

Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-

operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23

- (1) Everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25

- (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, and housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.
- (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

- (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
- (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
- (3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29

- (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.
- (2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.
- (3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30

Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Right to secrecy

Right to secrecy is a constitutional right in Nepal. Article 22 of the constitution has protected the right to secrecy as the fundamental right. The provision which has constitutional status runs as under: Right of any citizen to life, habitat, property, document, communication or information shall be inviolable unless determined by the governing law.

There is no separate law concerning right to secrecy and which may be reflecting the constitutional spirit. Issues which have found place in different acts in different context are being taken as legal arrangement concerning right to secrecy. The eight provisions which have found place in the Proof Act, 1974 from among legal arrangement which have found place in different acts have protected the right to secrecy in professional sphere. Similarly, Telecommunication Act, 1994 and Post Office Act, 1964 have provision on right to secrecy. While Document Act, 1982 has been already enforced, the same has not gone into implementation.

Proof Act, 1974

Proof Act, 1974 has envisioned 8 provisions governing right to professional secrecy from article 40 to 46.

1. Mother, father, daughter, husband or wife will not be coerced to give evidence against any accused.
2. No man or wife will be coerced to reveal things which were said while they were still in wedlock
3. There will be no coercion for revealing things done in the capacity of a judge
4. Unpublished government documents shall not be revealed.
5. Government employee shall not be coerced to reveal official matter.
6. Police shall not be coerced to reveal the informant who tipped off in a crime.
7. Law professionals shall not reveal the information coming from his client.
8. No legal advisor shall be coerced to reveal what he discussed with his client.

Telecommunication Act, 1974

The provision in the Telecommunication Act, 1996 has a provision whereby His Majesty's Government can put a stop on the flow on information using discretionary powers and as demanded by national security under the state of emergency. Under clause 19 (b) the government can tape or

have the person who transmits any news identified or give orders to stop such news in the light of a particular issue, individual or community. Apart from this particular type of situation the right to privacy shall remain inviolable under Article 22 of the constitution.

Civil Code, 1963

Clause 172 of Civil Code governing functioning of courts has stipulated procedure governing the task of compiling evidence in the course of investigating a crime which can even involve raid.

Precedent

The Supreme Court has defined right to secrecy in great detail while passing verdict on the landmark Annapurna Rana case. The right to secrecy is violated when one is physically examined against one's wish. Worse, one is prevented from enjoying rights given under Article 22 when it is the private part of a woman like vagina which is examined. Since the right of an individual to maintain secrecy over private parts has been guaranteed by the constitution as inviolable right it would be deemed as violation of the right to secrecy if an individual is subjected to forceful examination of private parts. (Ne KA Pa 2055 Issue 8 Page 476)

Declaration

Nordic conference is yet another achievement in the annals of the right to secrecy. The Nordic conference held in 1967 has come to the conclusion that the acts like interfering in the private and domestic life, attacking an individual's physical and mental independence, attacking the dignity of an individual, disseminating wrong things about an individual, revealing facts which are not only out of context but also throw up hardship for an individual, keeping an eye on an individual, to stalk individual, to interfere in correspondence, to abuse the private means of communication of an individual, exposing secrets secured on good faith and related acts as going against the rights to secrecy.

Copyright

The laws enacted to enforce copyright are concerned with how to protect something which has come from the intellect of any individual. It honors writers and artists while just too many countries have enacted laws so that they can protect the original work coming from them. Copyright Act, 2002 has been enacted in Nepal for the first time. The context of Copyright Act, 2002 is complex to cope with for radio broadcasters. It is not very easy to say as to at what time the law comes into play.

Purview of Copyright Act, 2002

The Copyright Act, 2002 has incorporated the creative world in a comprehensive manner.

- **Literary field:** Books, pamphlets, articles and dissertations
- **Performing art:** Drama, opera, puppetry and so on.
- **Music:** Musical composition with or without voice
- Audio-visual
- Architectural design
- Drawing, painting, sculptor, woodwork, lithography and other creation of architecture
- Photo based creation
- Experimental art
- Quotes, roadmap, planning, creation related to geography, topography and scientific articles
- Computer programs

What is open to use without violating Copyright Act, 2002

- **Quote:** There is certain exception in the Copyright Act, 2002. One can quote from a published work without any permission ensuring that doing it does not in any way affect the financial rights of the writer and copyright holder when the objective may be good. While quoting in this way source and book must be cited.
- Any work can be reproduced and rebroadcast without any permission whatsoever provided the objective is to inform the general public and source and writer duly cited:
 - o Articles printed in any newspaper or news magazine which may be a religious or political write up can be both printed in any newspaper and re-broadcast by any radio.

- o To reproduce with a view to inform the public on the latest incident or to confirm any incident
 - o To reproduce section of any news story appearing in any regular publication or section of reportage related to court hearing or content reported with a view to disseminate latest information.
- **Audio visual:** Interviews, testimony and speeches can be repeatedly quoted.
 - **Review:** One can carry section of book reviewed without permission.
 - **Abstract:** One can take an abstract of the book without permission.
 - **Coincidental use:** Just in the event there happened to be songs and visuals coming from someone there where some action is taking place the same can be used by radio and television without seeking any copyright permission.
 - Just in the event a concerned radio station has provision to pay out royalty charges there is no need to seek any permission before playing any records.
 - A broadcasting organization will be entitled to broadcast any material again and again just in the event the permission has been sought once.
 - One can adjust one's broadcasts.
 - One can reproduce the adapted material.

Slander and libel

Libel and slander denote acts targeted at others with a view to malign the prestige. An individual has full right to protect one's prestige. No one has the right to harm the prestige of an individual in unauthorized manner. This explains why Nepalese laws have put slander and libel under both civil and criminal acts depending on the nature. While civil cases end in compensation criminal cases lead to both compensation and punishment. Slander and Libel Act, 1959 has been enacted in Nepal with a view to protect the prestige and dignity of the people. The act has defined circumstances which are deemed to add up to slander and libel as the case may be.

Libel and slander law is attracted when

1. An individual is charged of wrong-doing or when anything is published or broadcast knowing fully well that the same has been done with the ulterior motive or knowing very well that the same will damage the image, or if there is enough ground to substantiate this,
2. Just in the event a dead person is charged of something and had it been so that he would have felt bad about it had he been alive or just in the event his family and his close relatives feel bad about what has been said about an individual.
3. Allegation hurled in round about manner or in sarcasm
4. Just in the event someone's character is deliberately assassinated or if someone is wrongly accused with ulterior motive or if such things are disseminated.

Libel and slander are not attracted when

- An individual has to speak out the truth in the greater interest of the general public.
- Some remark has come related to the character demonstrated by a civil servant while dispensing his official duty or when something has been subtly said about it with good intention.
- Something has been said subtly about links of an individual with public issue with good intention.
- A real report has been published about what is going on in the court of law.
- A view has been subtly expressed in good faith about merits and demerits of a settled court case or character of the person who may be the defendants, plaintiff, witness or heir.

- A view has been expressed in good faith on issue coming from any person based on its merits and demerits or views expressed subtly about such a person and his character.
- When someone's character must have been tarnished while speaking in public interest in good faith.
- When alerting members of the general public in good faith against a certain individual.

The responsibility of proving that whatever has been published and broadcast was done in the public interest will be that of the publishing and broadcasting agency.

Contempt of court

Remarks made or things done with a view to have an impact on sub judge matter or in the process of justice delivery are deemed as contempt of court. The court can take recourse to contempt of court proceedings against constitutional bodies like the government, from parliament to publications and from broadcasting agency to common people.

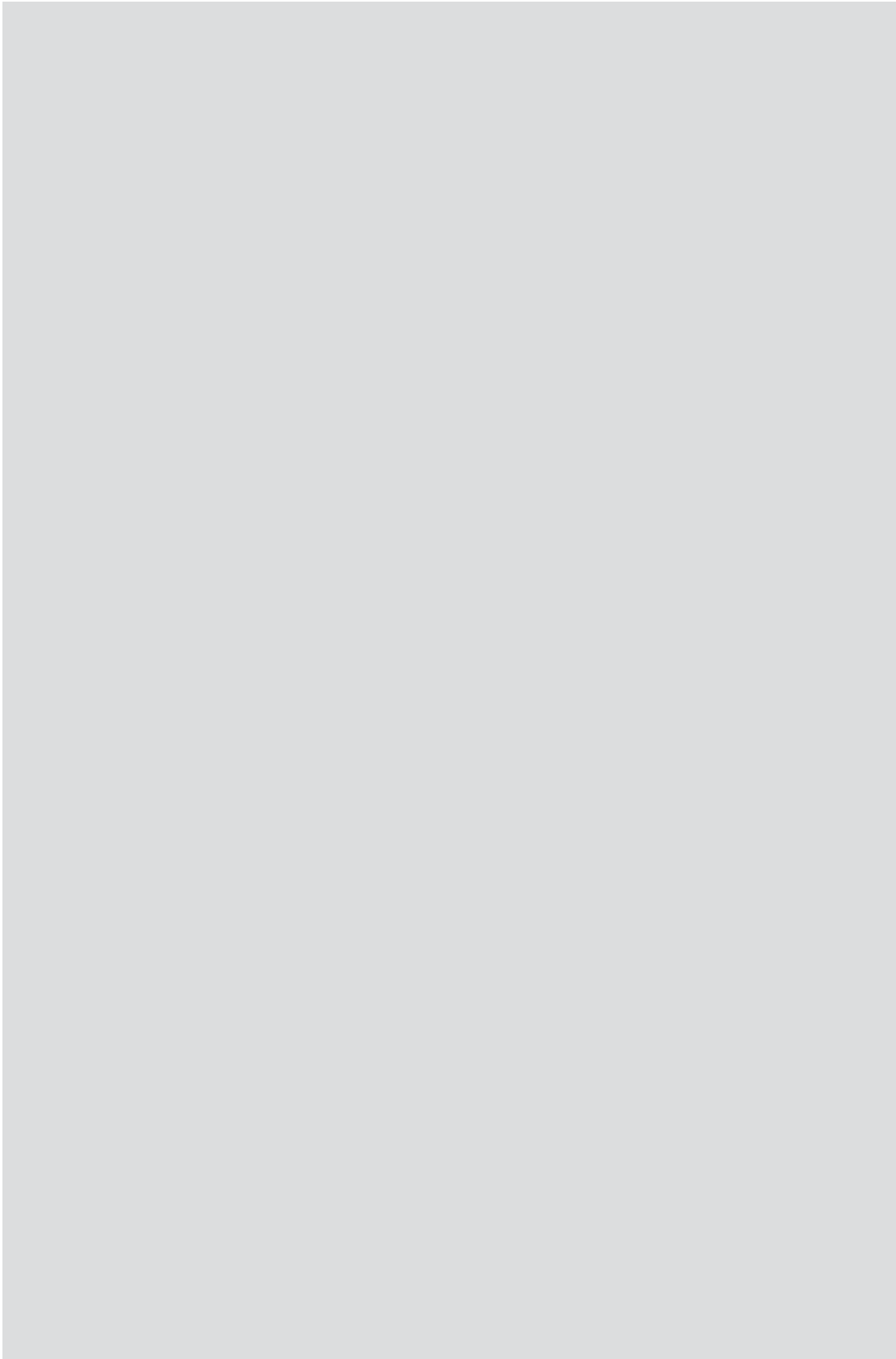
Court enjoys unlimited right related to contempt of court. There cannot be any debate even in parliament about issues which are sub judge with the court. What is also not allowed is the debate into sub judge issues through publication and broadcasting with the motive of raking up differences of opinion. The Supreme Court has in this connection established a case of Harihar Birahi vs Supreme Court as a precedent. Saptahik Bimarsha had run a cartoon depicting a monkey with coconut in hand insinuating at the case related to the Tanakpur treaty. The Supreme Court had held that the cartoon was tantamount to contempt of court while passing a verdict which had specified 7 day imprisonment just in the event editor did not apologies in the stipulated manner.

Going by Clause 18 of Judicial Administration Act, 1991 and Clause 7 of Supreme Court Act,1991 anyone found in the contempt of court is liable to one year imprisonment and fine upto Rs.10,000, or both.

Generally speaking, the sensitive phase of any case is deemed to be active when the case is in the process of hearing. In majority of the criminal cases sensitive phase is deemed to have begun with the arrest of the accused. Similarly, in civil cases it is deemed to have been on while the hearing gets underway.

Conditions for contempt of court

- Materials produced to have an impact on case which may be sub judge comprise the following:
 1. Publishing and broadcasting interview of eyewitness when the hearing is underway.
 2. Publishing and broadcasting views and facts which can affect the case in collusion with eyewitnesses.
 3. Publishing and broadcasting materials which can influence eye-witness, plaintiff, defendant, judges and lawyers involved.
 4. Filing report saying issues forgotten by the presiding judge.
 5. Publishing and broadcasting material anticipating the likely consequences of the case once the verdict comes.
- Just in the event material which is linked with activities and recent verdict of the court and which can affect the dignity of the court is published.
- Publishing materials which can adversely affect the faith of the masses on the court.
- Publishing materials which can affect the implementation of the court verdict.



ETHICS

VARIES

Nepal

Code of Conduct for Journalists, 1999

Journalists should refrain from indulging in the following acts

1. Journalists should present themselves in independent and honest manner while standing in favor of truth and justice in the course of dissemination of news and views. One should not indulge in any kind of misdeeds.
2. Since Kingdom of Nepal is multi-lingual, multi-religious and with multiple communities that forms "common garden of the Nepalese people" no journalists should publish or broadcast any news which may directly or indirectly go against this feeling.
3. Reality or spirit behind the news should not be twisted neither should the advertisement material presented as news.
4. Journalists should not publish or broadcast material which can lead to character assassination or violation of the right to privacy.
5. Journalists should not reveal source of news.
6. Journalism should not be used to fulfill personal interest. One should not work with the motive of raking in illegitimate financial benefits turning the news as a medium.
7. Materials in the form of news and views and which affect social structure and professional dignity and are in themselves bordering on perversion should not be published or broadcast.

Declaration of the Code of Conduct for Journalists

Adopted by the Second World Congress of the International Federation of Journalists at Bordeaux in April 1954 and amended by the 18th IFJ World Congress in Helsingör in June 1986.

This international Declaration is proclaimed as a standard of professional conduct for journalists engaged in gathering, transmitting, disseminating and commenting on news and information in describing events.

1. Respect for truth and for the right of the public to truth is the first duty of the journalist.
2. In pursuance of this duty, the journalist shall at all times defend the principles of freedom in the honest collection and publication of news, and of the right of fair comment and criticism.
3. The journalist shall report only in accordance with facts of which he/she knows the origin. The journalist shall not suppress essential information or falsify documents.
4. The journalist shall use only fair methods to obtain news, photographs and documents.
5. The journalist shall do the utmost to rectify any published information which is found to be harmfully inaccurate.
6. The journalist shall observe professional secrecy regarding the source of information obtained in confidence.
7. The journalist shall be aware of the danger of discrimination being furthered by the media, and shall do the utmost to avoid facilitating such discrimination based on, among other things, race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
8. The journalist shall regard as grave professional offences the following:
 - plagiarism;
 - malicious misrepresentation;
 - calumny, slander, libel, unfounded accusations;
 - the acceptance of a bribe in any form in consideration of either publication or suppression.
9. Journalists worthy of the name shall deem it their duty to observe faithfully the principles stated above. Within the general law of each country the journalist shall recognize in professional matters the jurisdiction of colleagues only, to the exclusion of every kind of interference by governments or others.

Denmark Press Council

THE NATIONAL CODE OF CONDUCT

A legal code adopted by the Danish Parliament with the acceptance of the national union of journalists in 1992.

Fundamental points of view

The safeguarding of the freedom of speech in Denmark is closely connected with the free access of the press to collect information and news and to publish them as correctly as possible. The free comment is part of the exercise of the freedom of speech. In attending to these tasks the press recognizes that the individual citizen is entitled to respect for his personal integrity and the sanctity of his private life and the need for protection against unjustified violations.

Breach of good press practice comprises the withholding of rightful publication of information of essential importance to the public and compliance towards outsiders if this compliance can lead to doubts as to the freedom and independence of the mass media. It is also considered to be breach of good press practice if tasks that are in conflict with these rules are placed upon a journalist.

A journalist ought not to be placed on tasks that are contrary to his conscience or convictions.

The rules comprise all editorial materials (text and picture) published in the written periodical press, in radio, television and remaining mass media.

The rules also comprise advertisements and publicity in the written periodical press, in radio, in television and remaining mass media. The rules also comprise advertisements and publicity in the written periodical press and the rest of the mass media to the extent, where no special rules have been established.

The rules comprise persons mentioned and depicted, including deceased persons and also corporations and similar associations.

The Content of The Code

A. Correct Information

1. It is the duty of the press to bring correct and prompt information. As far as possible it should be controlled whether the information is correct.

2. The sources of news should be treated critically, in particular when such statements may be colored by personal interest or tortuous intention.
3. Information which may be prejudicial or insulting to somebody or detract from other persons' opinion of the person concerned shall be very closely checked.
4. Attacks and replies should, in cases in which doing so is reasonable, be published consecutively and in the same way.
5. It shall be made clear what is factual information and what are comments.
6. Headlines and intermediate headlines shall as regards form and substance be substantiated by the article or publication in question. The same rule shall apply to the so-called contents bills.
7. Incorrect information shall be corrected on the editor's own initiative if and as soon as knowledge of errors of importance in the published information is received. The correction shall be given such as a form that the readers are given an easy possibility of noticing the correction.

B. Conduct Contrary to Good Press Practice

1. Information which may violate the sanctity of private life shall be avoided unless an obvious interest requires press coverage. The individual man is entitled to protection of his personal reputation.
2. Suicides or attempted suicides should not be mentioned unless an obvious public interest requires or justifies press coverage, and in such a case the mention should be as considerate as possible.
3. Victims of crimes or accidents should be paid the greatest possible regard. The same rule applies to witnesses and the relatives of the persons concerned. Collection and reproduction of pictorial material shall be made in a considerate and tactful way.
4. There should be kept a clear dividing line between advertising and editorial text. Text and pictures occasioned by direct or indirect mercantile interests should be brought only if a clear journalistic criterion calls for publication.
5. Other people's confidence must not be abused. Special regard should be paid to persons who cannot be expected to realize the effects of their statements. Other people's feelings, ignorance, or failing self-control should not be abused.

C. Court Reporting

1. The general ethical rules for journalists mentioned under A and B should also apply to court reporting.
2. The rules for court reporting shall also apply to the preparatory steps of

a lawsuit or a trial, including the preparation of criminal bases by the police and the prosecution.

3. Court reporting should be objective. At any stage of the preparation of lawsuits and trials and during the hearing by the court, the journalists should aim at a qualitatively equal representation of the points of view of the parties - in criminal cases the points of view of the counsel for the prosecution and the counsel for the defense, respectively. A mention of a criminal case should be followed up by an account of the end of the case, whether this takes place in the form of a withdrawal of the charge, acquittal, or conviction.
4. The mention of persons' family history, occupation, race, nationality, creed, or membership of organizations should be avoided unless this has something directly to do with the case.
5. As long as a criminal case has not been finally decided or the charge has not been withdrawn, no information must be published which may obstruct the clearing up of the case, nor must pronouncements to the effect that a suspect or an accused is guilty be published. When a criminal case is mentioned, it shall clearly appear from the report whether the suspect / accused have declared himself guilty or not guilty.
6. To the widest possible extent a clear objective line shall be followed in deciding which cases shall be mentioned and in which cases the names of the persons involved shall be mentioned. A suspect or an accused's names or other identification should be omitted if no public interest calls for the publication of the name.
7. Caution should be exercised in publishing statements to the effect that the police have been informed about a crime committed by a person mentioned by name. Such information should as a rule not be published, until the information to the police has resulted in the intervention of the police or the prosecution. This rule shall not apply. However, if the conduct which the police have been informed about is beforehand known in wide circles or is of considerable public interest or it on the existing basis it must be assumed that the information to the police is solidly substantiated.
8. A suspect, accused, or convicted person shall be spared from having attention called to an earlier conviction if it is without importance in relation to the facts which he is suspected of, charged with, or convicted of. In connection with other news, the earlier criminal cases against a named person should, as a rule, not be mentioned.

National Union of Journalism

Code of Conduct

The NUJ's Code of Conduct has set out the main principles of British and Irish journalism since 1936. It is part of the rules and all journalists joining the union must sign that they will strive to adhere to it.

Members of the National Union of Journalists are expected to abide by the following professional principles:

A journalist

1. At all times upholds and defends the principle of media freedom, the right of freedom of expression and the right of the public to be informed.
2. Strives to ensure that information disseminated is honestly conveyed, accurate and fair.
3. Does her/his utmost to correct harmful inaccuracies.
4. Differentiates between fact and opinion.
5. Obtains material by honest, straightforward and open means, with the exception of investigations that are both overwhelmingly in the public interest and which involve evidence that cannot be obtained by straightforward means.
6. Does nothing to intrude into anybody's private life, grief or distress unless justified by overriding consideration of the public interest.
7. Protects the identity of sources who supply information in confidence and material gathered in the course of her/his work.
8. Resists, threats or any other inducements to influence, distort or suppress information.
9. Takes no unfair personal advantage of information gained in the course of her/his duties before the information is public knowledge.
10. Produces no material likely to lead to hatred or discrimination on the grounds of a person's age, gender, race, color, creed, legal status, disability, marital status, or sexual orientation.
11. Does not by way of statement, voice or appearance endorse by advertisement any commercial product or service save for the promotion of her/his own work or of the medium by which she/he is employed.
12. Avoids plagiarism.

The NUJ believes a journalist has the right to refuse an assignment or be identified as the author of editorial that would break the letter or spirit of the code. The NUJ will fully support any journalist disciplined for asserting her/his right to act according to the code.

The Radio-Television News Directors Association

Code of Ethics and Professional Conduct

The Radio-Television News Directors Association, wishing to foster the highest professional standards of electronic journalism, promote public understanding of and confidence in electronic journalism, and strengthen principles of journalistic freedom to gather and disseminate information, establishes this Code of Ethics and Professional Conduct.

PREAMBLE : Professional electronic journalists should operate as trustees of the public, seek the truth, report it fairly and with integrity and independence, and stand accountable for their actions.

PUBLIC TRUST : Professional electronic journalists should recognize that their first obligation is to the public.

Professional electronic journalists should

- Understand that any commitment other than service to the public undermines trust and credibility.
- Recognize that service in the public interest creates an obligation to reflect the diversity of the community and guard against oversimplification of issues or events.
- Provide a full range of information to enable the public to make enlightened decisions.
- Fight to ensure that the public's business is conducted in public.

TRUTH: Professional electronic journalists should pursue truth aggressively and present the news accurately, in context, and as completely as possible.

Professional electronic journalists should

- Continuously seek the truth.
- Resist distortions that obscure the importance of events.
- Clearly disclose the origin of information and label all material provided by outsiders.

Professional electronic journalists should not

- Report anything known to be false.
- Manipulate images or sounds in any way that is misleading.
- Plagiarize.
- Present images or sounds that are reenacted without informing the public.

FAIRNESS : Professional electronic journalists should present the news fairly and impartially, placing primary value on significance and relevance.

Professional electronic journalists should

- Treat all subjects of news coverage with respect and dignity, showing particular compassion to victims of crime or tragedy.
- Exercise special care when children are involved in a story and give children greater privacy protection than adults.
- Seek to understand the diversity of their community and inform the public without bias or stereotype.
- Present a diversity of expressions, opinions, and ideas in context.
- Present analytical reporting based on professional perspective, not personal bias.
- Respect the right to a fair trial.

INTEGRITY: Professional electronic journalists should present the news with integrity and decency, avoiding real or perceived conflicts of interest, and respect the dignity and intelligence of the audience as well as the subjects of news.

Professional electronic journalists should

- Identify sources whenever possible. Confidential sources should be used only when it is clearly in the public interest to gather or convey important information or when a person providing information might be harmed. Journalists should keep all commitments to protect a confidential source.
- Clearly label opinion and commentary.
- Guard against extended coverage of events or individuals that fails to significantly advance a story, place the event in context, or add to the public knowledge.
- Refrain from contacting participants in violent situations while the situation is in progress.
- Use technological tools with skill and thoughtfulness, avoiding techniques that skew facts, distort reality, or sensationalize events.

- Use surreptitious newsgathering techniques, including hidden cameras or microphones, only if there is no other way to obtain stories of significant public importance and only if the technique is explained to the audience.
- Disseminate the private transmissions of other news organizations only with permission.

Professional electronic journalists should not

- Pay news sources that have a vested interest in a story.
- Accept gifts, favors, or compensation from those who might seek to influence coverage.
- Engage in activities that may compromise their integrity or independence.

INDEPENDENCE : Professional electronic journalists should defend the independence of all journalists from those seeking influence or control over news content.

Professional electronic journalists should

- Gather and report news without fear or favor, and vigorously resist undue influence from any outside forces, including advertisers, sources, story subjects, powerful individuals, and special interest groups.
- Resist those who would seek to buy or politically influence news content or who would seek to intimidate those who gather and disseminate the news.
- Determine news content solely through editorial judgment and not as the result of outside influence.
- Resist any self-interest or peer pressure that might erode journalistic duty and service to the public.
- Recognize that sponsorship of the news will not be used in any way to determine, restrict, or manipulate content.
- Refuse to allow the interests of ownership or management to influence news judgment and content inappropriately.
- Defend the rights of the free press for all journalists, recognizing that any professional or government licensing of journalists is a violation of that freedom.

ACCOUNTABILITY : Professional electronic journalists should recognize that they are accountable for their actions to the public, the profession, and themselves.

Professional electronic journalists should

- Actively encourage adherence to these standards by all journalists and their employers.
- Respond to public concerns. Investigate complaints and correct errors promptly and with as much prominence as the original report.
- Explain journalistic processes to the public, especially when practices spark questions or controversy.
- Recognize that professional electronic journalists are duty-bound to conduct themselves ethically.
- Refrain from ordering or encouraging courses of action that would force employees to commit an unethical act.
- Carefully listen to employees who raise ethical objections and create environments in which such objections and discussions are encouraged.
- Seek support for and provide opportunities to train employees in ethical decision-making.

In meeting its responsibility to the profession of electronic journalism, RTNDA has created this code to identify important issues, to serve as a guide for its members, to facilitate self-scrutiny, and to shape future debate.

Adopted at RTNDA 2000 in Minneapolis September 14, 2000.

United States Of America

American Society of Newspaper Editors

Statement of Principles

ASNE's Statement of Principles was originally adopted in 1922 as the "Canons of Journalism." The document was revised and renamed "Statement of Principles" in 1975.

PREAMBLE

The First Amendment, protecting freedom of expression from abridgment by any law, guarantees to the people through their press a constitutional right, and thereby places on newspaper people a particular responsibility. Thus journalism demands of its practitioners not only industry and knowledge but also the pursuit of a standard of integrity proportionate to the journalist's singular obligation. To this end the American Society of Newspaper Editors sets forth this Statement of Principles as a standard encouraging the highest ethical and professional performance.

ARTICLE I

Responsibility : The primary purpose of gathering and distributing news and opinion is to serve the general welfare by informing the people and enabling them to make judgments on the issues of the time. Newspapermen and women who abuse the power of their professional role for selfish motives or unworthy purposes are faithless to that public trust. The American press was made free not just to inform or just to serve as a forum for debate but also to bring an independent scrutiny to bear on the forces of power in the society, including the conduct of official power at all levels of government.

ARTICLE II

Freedom of the Press : Freedom of the press belongs to the people. It must be defended against encroachment or assault from any quarter, public or private. Journalists must be constantly alert to see that the public's business is conducted in public. They must be vigilant against all who would exploit the press for selfish purposes.

ARTICLE III

Independence : Journalists must avoid impropriety and the appearance of

impropriety as well as any conflict of interest or the appearance of conflict. They should neither accept anything nor pursue any activity that might compromise or seem to compromise their integrity.

ARTICLE IV

Truth and accuracy and good faith with the reader is the foundation of good journalism. Every effort must be made to assure that the news content is accurate, free from bias and in context, and that all sides are presented fairly. Editorials, analytical articles and commentary should be held to the same standards of accuracy with respect to facts as news reports. Significant errors of fact, as well as errors of omission, should be corrected promptly and prominently.

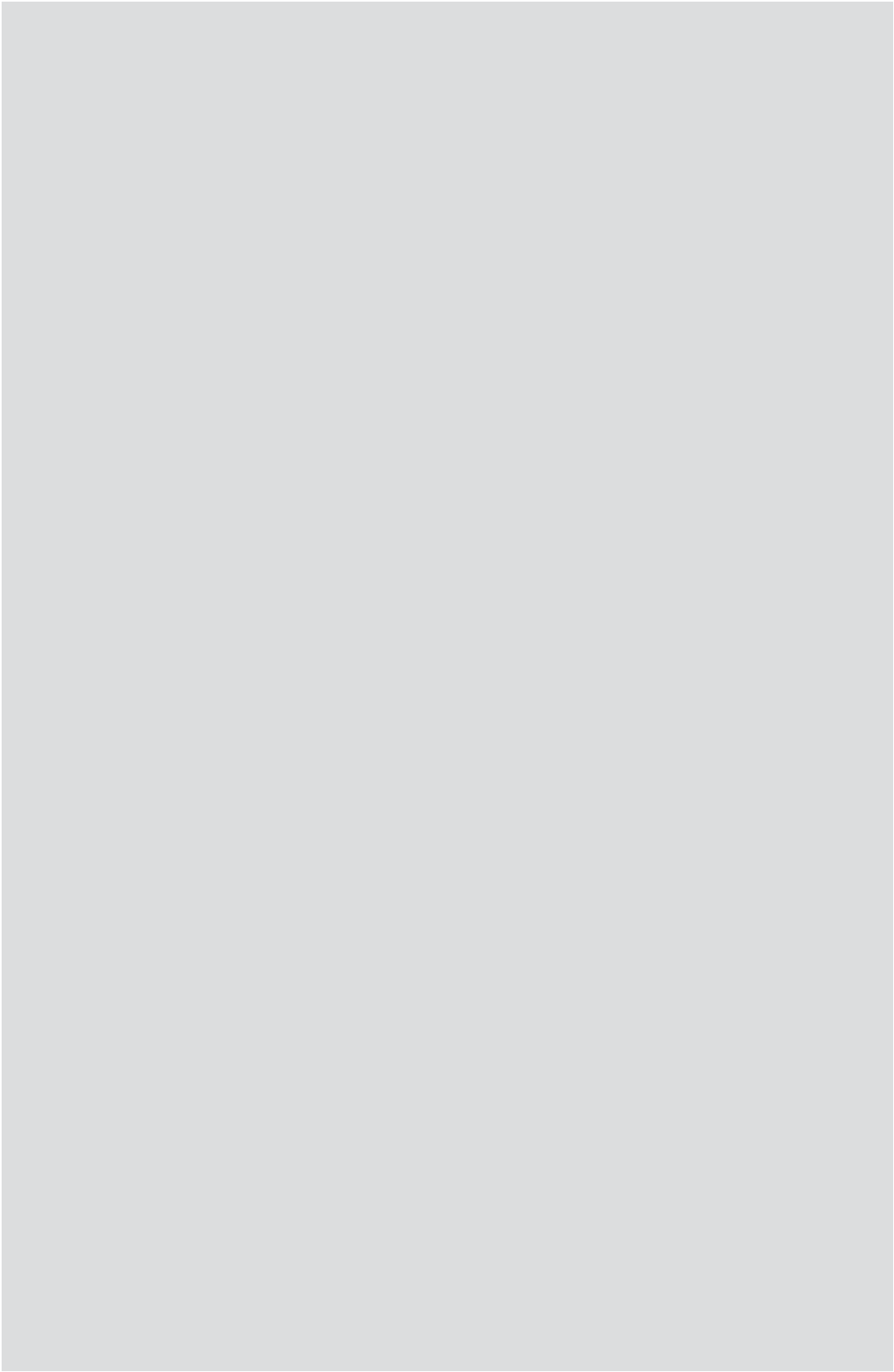
ARTICLE V

Impartiality : To be impartial does not require the press to be unquestioning or to refrain from editorial expression. Sound practice, however, demands a clear distinction for the reader between news reports and opinion. Articles that contain opinion or personal interpretation should be clearly identified.

ARTICLE VI

Fair Play : Journalists should respect the rights of people involved in the news, observe the common standards of decency and stand accountable to the public for the fairness and accuracy of their news reports. Persons publicly accused should be given the earliest opportunity to respond. Pledges of confidentiality to news sources must be honored at all costs, and therefore should not be given lightly. Unless there is clear and pressing need to maintain confidences, sources of information should be identified.

These principles are intended to preserve, protect and strengthen the bond of trust and respect between American journalists and the American people, a bond that is essential to sustain the grant of freedom entrusted to both by the nation's founders.



ANNEXES

Some Rules Governing Journalists As Prepared By Press Council, 1959

1. It is the important duty of the Nepalese journalists to forget the personal and partisan interest with national interest uppermost in the mind while making it sure that the same does not come under any threat while upholding/telling others to uphold the national sentiments.
2. Since His Majesty the King and family are above public criticism being part of the holy institution apart from being the symbol of national unity journalists should not rake up any kind of controversy or criticism targeted at the Shah family.
3. Journalists should be working hard in a special way. While fulfilling one's responsibility journalists must respect fundamental human and social rights respecting others prestige while also they live up to the truth and honesty in the course of expressing their views in newspapers.
4. Press (newspapers and magazines) is the primary vehicle when it comes to create public opinion. This is the reason why the people who are involved in this field should at all times consider that each and every task around them is associated with public interest and that they must remain alert at all times and also refrain from doing things which poisons life in society.
5. Journalists must be careful when it comes to publish or broadcast materials like news and editorial comments which have got to do with boosting communal sympathy, those which can add to religious bitterness and those which encourage terror, unrest and violence.
6. Journalists must avail the right to news collection and publishing and also right to criticize in unhindered manner but they have to take special care that the news and editorial comments are based on facts and figures.
7. Journalists must also take care that they are not presenting as news by twisting the tale something which is not news at all. Readers must not be deliberately confused.
8. Journalists should consider it as sin just in the event they publish news which is known to be false or not believed to be true.
9. Rather point should be made to mention that the news is not something which is independently confirmed so that no one is left in a confusing situation.
10. One must send out an erratum just in the event the news carried by one turns out to be baseless as soon as it is learned. Moreover point should be made to carry the correction to the news items which comes from

the concerned section of the readers giving as much importance as it was given when carried for the first time.

11. Journalists should make it a point to make sure that they do not let their personal interest prevail while working in the sacred profession of journalism.
12. Journalists must keep distance from detestable activities like carrying fictitious news which have no basis with a view to create sensation, incite jealousy, envy, enmity or with a view to implant seed for quarrel.
13. Journalists must try to attract faith, confidence, respect and dignity from the people towards them and their profession and retain it.
14. One must be honest when it comes to publish news one may have come across with someone reposing faith on one while also respecting the right to privacy of others.
15. It does not suit journalists to carry something which has got to do with the personal lives of any individual out of spite with the motive of slandering and accusing someone.
16. It is a detestable act on the part of any journalist to indulge in intimidation, issuing threats and drawing benefits by indulging in questionable means on the strength of the tremendous publicity one can organize.
17. It is the special responsibility of the journalists to stop advertisements which entails explicit sexual message, eroticism, those that adversely affect public morality and those that incite one to violence in their publications while also prevailing on others to follow suit.
18. Rules governing this issue will be drawn up by Press Council from time to time.

Code of Conduct for Journalists , 1969 Issued By Press Advisory Council

1. Since journalism is the primary vehicle to facilitate exchange of information and news and views apart from creating healthy and clean public opinion and behavior which suits the Panchayat polity, journalists must be committed to forge ahead as the defender of peace while taking task of winning over the faith of the people as a serious responsibility of the journalists.
2. Journalists must in the course of fulfilling their responsibility try to use their capability in bringing about mutual goodwill and unity among different castes, communities and region while respecting human rights and social justice even as they demonstrate their capability against violent and undesirable social behavior.
3. Journalists must shoulder the social role of publishing informative, educative and entertaining material of the healthy kind after considering faith, honesty, truth, fairness and justice as the very basis of one's profession.
4. One must uphold the faith reposed on one while maintaining the secrecy of the news source and professional secrecy.
5. Once the journalist comes to know that the news published is unfounded he must correct the news or the commentary based on the same himself.
6. Journalists must always protect and endorse rights related to honest collection of news and facts and principles governing desired criticism and commentary.
7. It is not a presentable thing to give space and time to rumors and follow issues from private lives of individual wherever they may be in the societal ladder and what should not also be given any space are the issues and events from the private lives of people which may be true in the life of any individual whatsoever.
8. Newspapers and broadcasting agencies must remain impervious to materials which foster licentiousness and crime.
9. Since the integral nation is the objective of the people of the country, journalists should target their efforts at just this while encouraging devotion to monarchy, patriotism and feeling of nationhood.
10. Interests of any caste, community, creed and region must be second only to the interests of the nation.
11. Efforts coming from any individual or group aimed at spreading unhealthy things among the people while also polarizing them and

- efforts aimed at disintegrating the nation must discouraged.
12. Efforts aimed at encouraging people to resort to violence to sort out their differences must be discouraged without any hesitation.
 13. News related to national integrity and honor, national development and nation building, education, health, culture and issues of public interest must be prioritized.
 14. It is the indivisible duty of the media to turn the public opinion, morality and feeling of cooperation in favor of the state during national crises knowing fully well that press freedom stands curtailed through such a phase.
 15. Since the media is responsible for extending added contribution when it comes to keeping the national security intact newspapers must be careful in ensuring that secrecy surrounding security is not violated in any way.
 16. Journalists must while disseminating news and views related to fundamental social and economic programs and policy of the nation must base their evaluation on wisdom, a need to strike the balance, sympathy, and feeling of camaraderie.
 17. While publishing news and views point should be made to stick to desirable language while at the same not resorting to undesirable style while embarking on criticism and counter-criticism as far as possible.
 18. Point should be made to ensure that it does not lead to incitement and perversion while reporting news related to sex and crime.
 19. Journalists should not allow personal interest to have adverse impact on professional obligations neither should the journalists drag the profession out of its jurisdiction to meet personal interests.
 20. It is condemnable for journalists just in case one demands financial or any kind of physical assistance or encouragement to meet selfish interest from just about anyone as part of the objective to either have any news or views published or protesting the same.
 21. There should not be ill-will among journalists emanating from personal differences. It is not a desirable thing for a journalist to come up with publications which affect each others profession neither it is good to raise questions about the existence of the other as a journalist nor it is desirable for a journalist to invite attack and counter-attack or initiate public debate into issues which are private in nature for purely personal reasons.

Press and Publication Code of Conduct, 1974 As Issued by Press Council

1. It will be the responsibility of the journalists to disseminate news, lead articles, editorials and commentary with the objective of boosting devotion and faith towards the Crown while also shedding light on the dignity and majesty of the institution of monarchy through newspapers.
2. Journalists should be always prepared to disseminate news about national development programs aimed at creation of society free from exploitation through the party-less Panchayat system under the active and progressive leadership of His Majesty the King.
3. Journalists must be ready to disseminate news surrounding the principles propounded by the central committee of the "Return to the Village Campaign," the analyses arrived by it, and its programs.
4. Materials in the form of news or commentary should not be disseminated if that can affect the relationship with friendly nations against the non-aligned foreign policy adopted by the nation.
5. One has to be cautious that one does not end up coming up with a guide into the activities when it comes to alert the people about the activities of the anti-national and undesirable elements.
6. News, write ups and editorials must be written on the royal address while supporting the activities announced by the government for public good apart from also reporting each and every national level activity.
7. Journalists must be committed to evolve newspapers and magazines as clean and healthy just as the Panchayat system of the country through news, information and exchange of opinion apart from the creation and development of healthy public opinion and behavior.
8. The act of publishing materials proscribed for publication by His Majesty's Government and by others as well and which has been brought to light for the sake of information only shall be deemed to be as a moral crime.
9. While criticizing His Majesty's Government or activities of any other agency the same should be done only after taking account of the rationale and materials based on facts. There should not be efforts at sensationalizing the same.
10. One should refrain from criticizing activities of others without any proof either out of envy or just because one's interests have not been served and someone is abetting in that or one is being enticed into it.
11. Once one knows that the news published was wrong and baseless

based on verifiable facts journalists must come up with correction of the news and commentary through the publications.

12. Maximum news must be disseminated after reporting national campaigns and programs related to social, historical, cultural and economic development of the nation.
13. While fulfilling one's responsibility by publishing news point should be made to publish news which encourages goodwill, unity, peace and mutual goodwill among different castes, communities and regions while fully respecting human rights, general good and social justice.
14. Language used should be gentle while publishing news and opinion.
15. News based on rumors should not be given space in the newspapers neither should the newspapers carry rumors and argument which can affect anyone's life.
16. One should refrain from publishing news (including advertisement) associated with immoral behavior and crime in a way that may encourage the same.
17. Journalists should not seek bribe or fall into any temptation on the strength of one's right to publish or not publish a story. One should refrain from spreading words about anyone or put pressure on any one for selfish interests against the professional character of a journalist.
18. One should refrain from publishing news items which can spread violent feelings and tendency or that which glorify rebellion or disrupt peace.
19. There should not be ill-will among journalists emanating from personal reasons. Neither should journalists raise questions about the veracity of each others identity nor should they embark on attacking and counter-attacking others or bring into debate issues which may have nothing to do with public interest.
20. Journalists must respect the faith reposed on them by remaining honest to one's profession to the hilt while also upholding the professional secrecy.
21. Journalists must work in such a way which boosts cooperation, morality and valor through times when the nation might have been hit by natural disaster while also backing the steps taken by the system in place.

Code of Conduct, 1983 As Issued By Press Council

1. While presenting news there should not be any comment or personal views of the reporter on the main part of the news.
2. One cannot publish news that is unbelievable and baseless and which adds up to over-blown account of personal allegations with vested interests.
3. Apart from ensuring that the news is a realistic account, news and criticism and criticism of criticism should be free from any biases while the publication is protected from any kind of pressure.
4. While selecting news stories and editing them point should be made that one does not end up favoring the views opposed to the constitution of the land and the principle adopted by the nation.
5. No one can publish baseless news which can affect any particular community neither can one pass any comment which can set in enmity among communities.
6. As far as anyone is not in public life one cannot make private issues of citizens as an issue of media interests.
7. No one can accuse anyone of wrongdoing until the court comes up with its verdict whenever there is criminal case against anyone.
8. While publishing news in the course of availing right to freedom of publication editor must make it a point to carry the comment from whoever might have been criticized in the news items.
9. Journalists must acquire simple behavior while upholding and perpetuating their professional honesty while not harboring any kind of physical, narrow-minded and corrupt views.
10. Apart from extending special cooperation to individuals or institutions in the course of news collection, no one should strike a deal on whether or not to publish the news except items secured "off the record."
11. Journalists must make it a point to give credit to other publications in question just in case they pick up materials from them with a view to publish in their publication.

Code of conduct issued by the conference of journalists in 1985

Editors of 14 daily and weekly newspapers published from Kathmandu had on July 10, 1985 issued a code of conduct at the end of a conference. The journalists who signed the code of conduct were Mani Raj Upadhyay, Madan Mani Dixit, Manindra Raj Shrestha, Chandra Lal Jha, Gopal Siwakoti, Shakti Lamsal, Indra Kant Mishra, Govind Biyogi, Krishna Sundar Malla, Hiranya Lal Shrestha, Krishna Prasad Siwakoti, Padam Thakurathi and Govind Pradhan.

1. Nepali press considers it must have freedom to work and independence of thought with a view to boost the greater interests of society by creating enlightened public opinion in the country. While fulfilling one's primary responsibility of respecting the highest ideals of press freedom Nepalese press is committed to the view that it must not come up with incontinent and explosive expression.
2. Nepalese press shall forge ahead in such a manner whereby it maintains politeness in language and purity of character while directing its activities in voluntary manner which can evolve it as a prestigious mechanism of society while also ensuring personal dignity and honor of the Nepalese people.
3. While Nepalese press which fulfills the basic task of informing society expects to be given **numerical** guarantee apart from security, it shall in no way use the same in attacking societal values, judgment, and what it considers to be good while also not attacking those who are defenseless and at the same time shall not use the same to meet extra-press interest which may be against the universally recognized interest of the press.
4. While the Nepalese press reaffirms commitment to uphold the dignity of the Nepalese constitution and governing laws it is equally adamant that the senseless use of such laws should not be in any way motivated at harassing the press and intimidating it while it may be doing its duty of informing the people.
5. Nepalese press is alert on the fact that there should be excellent relation between press and ruling establishment and press and society and we are equally conscious that this realization should guide the criticism which comes from the press. We are of the view that the controversy which breaks in on and off surrounding press should be used up to boost the consciousness level of society before there is happy dialogue.

6. These expressions are part of the first step which comes spontaneously following self-realization with a view to make oneself more responsible and accountable. We intend to seek respect, honor and security from society after evolving ourselves along dignified line.

Code of Conduct for Journalist, 2000 As Issued By Press Council

1. Journalism is a profession which is accountable to entire humanity. This is the reason why the journalists involved in this profession have to dedicate themselves to human values, democratic norms and general public welfare including the nation.
2. Apart from sticking to truth, faith and honesty in the course of publishing news and opinion journalists must evolve justice and independence as the fundamental identity of their profession.
3. News which can set in schism, enmity and violence among different castes, creed, religious group and community should not be given any space.
4. Just in the event one comes to know that the news has led to inadvertent loss to any individual or just in the event the same turns out to be baseless with undeniable reaction coming in journalists must consider it as their responsibility to publish necessary correction in the desired column.
5. Professional secrecy must be maintained especially when it comes to protect the source of news.
6. Journalism should not be abused to meet personal interests. It is a serious moral crime to seek financial or other benefits by making news as the basis for the same.
7. News and comment of fictitious nature and which add up to character assassination or inference into the private life of any individual and family should not be published.
8. One should not work with ulterior motive and in a way which can affect the credibility of any organization or agency to meet personal interests.
9. One should not give space to sexually explicit and undignified language and material in one's publications. One should be alert that one does not end up whipping up excitement and perversion and at the same time does not end up adding pain to the victim when reporting news related to crime and rape.
10. The personal relations among journalists should be based on professional ground. It shall be deemed as against professional ethics when one embarks on slandering other publications.

Code of Conduct for Journalist, 1992 As Issued By Press Council

1. Journalism is a profession which is accountable to entire humanity. This is the reason why the journalists involved in this profession have to dedicate themselves to human values, democratic norms and general public welfare including the nation.
2. Apart from sticking to truth, faith and honesty in the course of publishing news and opinion journalists must evolve justice and independence as the fundamental identity of their profession.
3. News which can set in schism, enmity and violence among different castes, creed, religious group and community should not be given any space.
4. Just in the event one comes to know that the news has led to inadvertent loss to any individual or just in the event the same turns out to be baseless with undeniable reaction coming in journalists must consider it as their responsibility to publish necessary correction in the desired column.
5. Professional secrecy must be maintained especially when it comes to protect the source of news.
6. Journalism should not be abused to meet personal interests. It is a serious moral crime to seek financial or other benefits by making news as the basis for the same.
7. News and comment of fictitious nature and which add up to character assassination or inference into the private life of any individual and family should not be published.
8. One should not work with ulterior motive and in a way which can affect the credibility of any organization or agency to meet personal interests.
9. One should not give space to sexually explicit and undignified language and material in one's publications. One should be alert that one does not end up whipping up excitement and perversion and at the same time does not end up adding pain to the victim when reporting news related to crime and rape.
10. The personal relations among journalists should be based on professional ground. It shall be deemed as against professional ethics when one embarks on slandering other publications.

Code of Conduct for Journalists, 1993 As Issued Federation of Nepalese Journalists

1. One should be always ready and active to ensure the use, continued use and protection of indivisible rights as envisioned in Article 16 of the Constitution of the Kingdom of Nepal, 1990.
2. Journalists working in the field of journalism must dedicate themselves to human values, democratic norms while remaining dedicated to nation and general public welfare.
3. Journalists must in the task of publishing and broadcasting news and views must evolve veracity, faith, honesty, alacrity, justice and impartiality as the basis of their profession.
4. One should not disseminate confusion among readers by giving a twist to the news and presenting advertisement materials as news.
5. Journalists must not reveal the secret source of news which has been published and broadcast by them.
6. One should not encourage or give space to news material of personal nature which tends to malign the identity of the citizen of the country especially women and sensitive section of society like children and those who are caught in the trap of poverty owing to inequality and destitution.
7. News and comment of fictitious nature and which add up to character assassination or inference into the private life of any individual and family should not be published.
8. Just because sex, violence tends to attract attraction easily, one should not make use of such materials to reap commercial benefits. One should not give space to undignified, mean and erotic materials. One should be alert that one does not end up whipping up excitement and perversion and at the same time does not end up adding pain to the victim when reporting news related to crime and rape.
9. News which can set in schism, enmity and violence among different castes, creeds, religious groups and communities should not be given any space. Journalists should not in any way end up doing anything which can adversely affect the belief that Nepal is a common garden of all Nepalese by dint of being a multi-lingual, a multi-caste and multi-religious country.
10. Since it is a criminal act to turn news as a medium to reap economic and other benefits one should not put any individual or organization in any kind of loss by harboring ulterior motive against any individual or agency.

11. Just in the event one comes to know that the news has led to inadvertent loss to any individual or just in the event the same turns out to be baseless with undeniable reaction coming in journalists must consider it as their responsibility to publish necessary correction in the desired column.
12. Since it has come to light that news itself is turning out to be the source of weakness rather than the effective nature of news evolving as the moral strength one comes across petty and big time crimes apart from efforts to destabilize peace and stability. While publishing these kinds of incidents as news point should be made to ensure that doing so does not encourage criminal mentality.
13. The fundamental right awarded by the constitution by guaranteeing the freedom of expression should not be used against independence and dignity of the nation and against democratic norms in any way.
14. The discourse over opinion should be healthy. Journalists should not in any way attack one another. It will be deemed against the professional ethics if any journalist ends up slandering other publications. The personal relation among journalists should be of the professional order.

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Interaction

Khagendra Shangraula, wrtier

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Krishna Prasad Parajuli, Grammarian

Dahal Yagyanidhi, critic

Govind Neupane, Writer

Dr Chaitanya Mishra, Sociologist

Ghanshyam Bhusal, social analyst

Rishi Ram Bhusal, university teacher.

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