

An Analysis in Media Ethics and Self Privacy Boundary by Using Fuzzy Logic

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Abstract - In this paper, how far the media can enter the privacy of one's life. Do the media have any rule or law to handle the public or private life of people? The fuzzy model is used to find out this relation. How far can the media especially journalism in our study can enter the privacy of one's life either one is a public figure or an ordinary person.

Keywords: Journalism, ethics, Fuzzy relational equation and MAX – MIN Composition

I. JOURNALISM AND ETHICS

Can they co-exist?

Both the image and the essence of journalism are hard to pin down because each appears to contain contradictory strands. By "image" I mean the way in which journalism is generally regarded by the public. By 'essence' I mean the reality that lies behind the image. It is well known that journalism has a poor image with the public. They do not regard it highly. They are suspicious of Journalists and the way they practice their trade. Journalists are regarded in much the same way as politicians, as disreputable, untrustworthy and dishonest, pushing a personal or sectional interest rather than the facts of the case. If people are told that the essence of journalism is truth-telling, they will react with some skepticism or derision. If they are told that the practice of journalism is founded on ethical principles they will either laugh or, if they are prepared to take the matter seriously, point out that the typical tabloid story is trivial, scurrilous or invented.

But all this is contradicted by another image of journalism, illustrated by the most extraordinary event of the British General Election of May 1997. This was the election of Martin Bell as Member of Parliament for the Tafton constituency. Until about a month before the election, Mr. Bell was a television journalist- a respected journalist, let it be said – working for the BBC, reporting from the war-torn zones of the world with immediacy and an integrity that made a considerable impact. To cut a long story short, Mr. Bell stood as an anti-corruption candidate against Neil Hamilton, the previous MP for the constituency, who was alleged to have been involved in financial dealings ethically incompatible with the status of a Member of Parliament. When Mr. Hamilton refused to stand down and was re-nominated by his party, the candidates of the other major parties withdrew to give Mr. Bell a clear run, and he was elected as an Independent with some ease.

This was an unusual situation. It is unusual for non-party candidates to be elected to the House of Commons. It is even more unusual for major parties to stand aside to assist a non-party candidate. But what was most unusual was that this non-party candidate, standing on a platform of public and political

honesty, was a journalist, a member of a profession usually mistrusted as much as politicians themselves. But here was the public, or at least that part of it represented by the electors of Tafton, putting their trust in Mr. Bell as the right person to stand up against political corruption, or any suspicion of it.

II. NEED FOR LIMITATIONS ON FREEDOM OF THE PRESS

2.1 Need for Limitations

If press is such a useful or rather an indispensable instrument for information and exchange of views and opinions in a modern democracy, the question at once arises, - why should there be any need for regulating or controlling this freedom by law? The reason is obvious: If no guarantee of individual right can be absolute, so is the freedom of the Press – it must be reconciled with the collective interests of the society, otherwise known as the 'public interest'. The need for balancing these two competing interests has been pithily expressed by the eminent English Judge, Lord Denning in the court of Appeal:

"The freedom of the press is extolled as one of the great bulwarks of liberty. It is entrenched in the constitutions of the world. But it is often misunderstood...it does not mean that the press is free to ruin a reputation or to break a confidence or to pollute the course of justice or to do anything that is unlawful....."

It means that there is to be no censorship. No restraint should be placed on the press as to what they should publish: Not by a licensing system. Not by executive direction. Nor by court injunction. It means that the press is to be free from what Blackstone calls 'previous restraint' or what our friends in the United States Call 'prior restraint'. The press is not to be restrained in advance from publishing whatever it thinks right to publish...."

It can publish whatever it chooses to publish. But it does so at its own risk. Afterwards, after the publication, if the press has done anything unlawful they can be dealt with by the courts. If they should offend by interfering with the course of justice they can be punished in proceedings for contempt of court. If they should damage the reputation of innocent people they may be made liable in damages..."

It should be pointed out that when there is a conflict between the public interest behind a free press and some other competing interest, it is for the Courts to strike the balance between the two interests.

In India, the court's role in balancing the two competing public interests is reserved in the Constitution itself, by the expression 'reasonable restrictions' in Cls. (2)-(6) of Art.19. "Art 19(1). It is settled law that the right to freedom of speech and

expression. So, it includes the liberty of the Press.”Quite recently a significant ordinance, commonly called POTO(Prevention of Terrorism Ordinance,2001), was promulgated to provide stringent measures and punishment, if a person receiving or in possession of information, which he knows or believes to be of material assistance:

- 1) In preventing the Commission of a Terrorist Act;
- 2) In securing the apprehension, prosecution or conviction of any other person for the offence involving the commission, preparation or instigation of such an act; fails without reasonable cause that information, as soon as reasonably practicable, to the police.

2.2 Ambit of Freedom of Press: Matters of Public Interest

1. Since the foundation of the demand for freedom of the Press in a Democracy as well as its limitations under various regulatory laws is ‘public interest’ in the free publication of news and views in which the public should be interested as a part of their political education and for the vindication of their rights, it is essential, at the outset, to ascertain the tests to determine whether the publication of a particular matter would be called for in the ‘public interest’.
2. Without being exhaustive, it may be broadly asserted that the following would constitute matters of ‘public interest’:
 - a. The exercise of governmental functions, statutory powers and duties.
 - b. Any transaction which is carried on by a person or persons for the public benefit, as distinguished from private profit, e.g. charitable institutions.
 - c. Discharge of public functions, e.g. transport, hospital, health services or the official conduct of a public official.
 - d. Judicial proceedings, excepting those which the Court would be entitled to hear in camera because they relate to private affairs or the countervailing public interests of decency, morality or safety of the State, matters which require secrecy, e.g., trade secrets.
 - e. Detection or investigation of crimes, so long as it does not come to court, and does not constitute and interference with the ordinary course of justice.
 - f. Purity of food, drugs.
 - g. Financial affairs of companies in which the public have interest.

2.3 Liability for Abuse of Freedom of the Press

1. Any civilized society where individual rights are declared and enforced, whether by ordinary law or by the Constitution, the right implies a duty not to abuse that right; for, the right being guaranteed to all citizens alike, it would be hollow to others unless one individual respects the similar rights of others or acts within the bounds of his own right, and does not affect the other rights of other individuals.
 2. This limitation, arising out of the ‘due recognition and respect for the rights and freedoms of others’ is expressly laid down in Art 29(3) of the Universal Declaration of Human Rights,1948.
 3. “Free communication of thoughts and ideas is one of the most precious rights of man”, in the same way every citizen was “subject to responsibility for abuse of this liberty in cases contemplated by law”.
- A. The guarantee of freedom of speech and of the press was intended to ensure that changes in the government may be effected by peaceful means. The state has the right to interfere

if this freedom is abused by inciting people to resort to violence.

B. Freedom of speech or of the Press was not intended to be an ‘unbridled licence’ or uncontrolled licence’ to do anything inimical to the ‘public welfare’ the concept of which is wider than the prevention of subversion of the government by violence. The state is accordingly, entitled to punish those who abuse this freedom by utterances ‘tending to corrupt public morals, incitement to crime, or disturb the public peace..... Endangering the foundations of organized government and threatening its overthrow by unlawful means’, or utterances causing ‘private injury’.

C. No less imperative is the need to protect another person’s reputation from an unbridled license to publish whatever a man may please, without any responsibility, regarding another person. The damage caused by libel (i.e, written defamation) is irreparable, and its viciousness can only be expressed in the picturesque language in an early American case.

2.4 Classification of the Limitations

1. In India, a journalist, a printer, publisher or proprietor of newspaper or an author has to take care that he does not violate any of the restrictions which have been imposed on the freedom of the Press by a number of statutes, founded on different aspects of the need for social or public control.
2. Some of these statutes, again have a constitutional foundation, e.g. those which have been passed to enforce the grounds of restrictions envisaged by CL (2) or (6) of Art 19; while others are general laws applicable to the public, including the Press.
3. Besides statutory limitations, there are certain limitations which are founded on English common law, are all still unmodified, e.g. those founded on the common law of torts, such as the civil wrongs of defamation, breach of confidence, invasion of privacy and the like.
4. Some of the limitations, again, are founded on reasons of State or public policy, such as ‘official secrets, while others are founded on private rights, such as copyright.

2.5 Prior Restraint and Subsequent Punishment

The limitations or restrictions so far imposed on the Press in India may be classified under two broad heads, according to the time when the restriction or sanction operates. The anticipatory measures are *regulatory* in nature while the post-publication sanctions are *Penal*.

2.5.1.Prior Restraints

Since, ‘prior restraint’ , in contradistinction with ‘Subsequent punishment’, means any kind of interference or control exercised by the State over the freedom of the Press at any stage prior to publication of the alleged offending material, the expression ‘prior restraint’ would comprehend different kinds of restraint.

ILicensing: Of these kinds of restraint, the earliest and historical form is licensing.

II Censorship: “Further publication” of a journal or of matter of a specified kind would be barred without “advance approval of an executive official”.

III Prohibition of prejudicial publication: The matter cannot be published even with anybody's approval.

IV Blacklisting: An administrative authority compiles a list of objectionable publications, e.g. on the ground of obscenity, and then warns the publishers that unless they 'co-operate', legal action may be taken in respect of these listed publications.

V Security for good behavior from persons disseminating offending publications

VI Prohibition of entry into specified area: To prevent a breach of the peace, S.144 of the Criminal Procedure Code, 1973, empowers a specified Magistrate to issue a temporary prohibitory order against a Press to abstain from publishing any prejudicial matter, such as a matter inciting a communal riot, without previous scrutiny by the Magistrate. This power would include the power to prohibit the entry of a prejudicial publication within an area.

VII Registration: A law may simply require that a Press can function only after it is registered with a specified authority, after making certain declarations, as under the Press and Registration of Books Act, 1867, In India.

VIII Demand and forfeiture of security: Seditious, obscene, inciting violence and the like.

IX Control over the supply of paper: The price of printing paper.

X Control over sources of information or news agencies

XII Control over supply of Government advertisements

2.5.2 Post - Publication Restraint

1. These are various legal provisions which create offences and provide for punishment of a person who commits such offence by printing, publishing or circulating an objectionable matter which is prohibited by the law:

- a. Sedition
- b. Promoting class hatred
- c. Obscenity
- d. Injuring religious feelings
- e. Defamation
- f. Public mischief i.e., incitement to mutiny, to commit offence against the State or against public tranquility or against any other class or community.
- g. Contempt (Disrespect) of Court.
- h. Injurious advertisements, Drugs & Magic Remedies
- i. Publication of official secrets
- j. Harmful Publications

- 2. Forfeiture (fine) of printed or published copies
- 3. Depriving specified newspapers of Government advertisements
- 4. Books and Newspapers, failure to deliver copies to Public libraries.
- 5. Class hatred.
- 6. Conspiracy: A journalist or publisher may be held liable for conspiracy to cheat, if he enters into an agreement to infringe a person's copyright, causing loss to him.

7. Defamation: The making or publication of any imputation against a person, with the intention to harm him or with reason to believe that it will harm him, is an offence punishable under S.499. I.P.C.

8. Particulars of printing, etc, omission to mention (to print the names of printer and publisher).

9. Prize competitions: Apart from defined competition like puzzle, then it is punishable.

10. Prizchits, Money circulation Schemes

11. Public mischief: publish or circulate any statement, rumor or report.

12. Privacy as a limitation on freedom of the Press

It is assumed that the State may legitimately prohibit the publication of news which intrudes upon the privacy of private individuals, without any public interest being involved in the disclosure. It would, thus, be permissible for a State to make it unlawful to use "for advertising purposes, or for the purposes of trade, the name, portrait or picture of any living person without having first obtained the written consent of such person". But, it would not be punishable if the person photographed was a 'public figure'. But it would not be constitutional for the State to penalize the Press for having published accurate information from judicial records which are open to public inspection, even though such publication mentions the name of the victim of a rape, which was available from such records. There cannot be any right of privacy when the news is available from public sources and judicial records of proceedings which were not held in camera and which are open to public inspection.

P	R	y ₁	y ₂
x ₁		0.1	0
x ₂		0.8	1
x ₃		0.3	0.6

2.6 Confidentiality as a Ground of Limitation

A person, who receives some information from another, in Confidence, shall not misuse such confidential information to the detriment of the person who had confided that information to him. The Sanction against a wrongful disclosure of confidential information is an action for breach of confidence, in which damages and injunction may be awarded in proper cases. "It is in the public interest that confidence should be respected."

III. THEORETICAL FOUNDATIONS

3.1 Fuzzy Set Theory and Fuzzy Relational Equations

Fuzzy set theory or fuzzy logic has become important because of their flexible nature. Fuzzy sets or fuzzy logic is not actually fuzzy, however they are more precise. Fuzzy logic is a precise logi of imprecision and approximate reasoning. Thus fuzzy sets are sets whose elements have degrees of membership. The formal definition of a fuzzy set is as follows: Let E be any set and let x belongs to E , then A is contained in E , that's fuzzy subset A of E is a set of ordered pairs $\{(x, \mu_A(x))\}$ for all x belongs to E , where $\mu_A(x)$ is the membership characteristic function, takes its values in a totally ordered set M and which

indicates the degree or level of membership. M is usually the interval $[0,1]$ and is called the membership set.

3.2 Fuzzy Relations

A fuzzy relation can be exhibited between any two sets. A fuzzy relation in $E_1 \times E_2$ is written as xRY for x belongs to E_1 , y belongs to E_2 . Let P be the product of n -sets i.e., $E_1 \times E_2 \times \dots \times E_n$ and M be its membership set. A fuzzy n -ary relation is a fuzzy subset of P taking its values in M .

Example

Let $E_1 = \{x_1, x_2, x_3\}, E_2 = \{y_1, y_2\}, M = [0,1]$.

3.3 Fuzzy Relational Equations in Journalism and Ethics

All human activities are subject to human bias and human error, so do human decisions. Science is not immune from this law. Our knowledge advances due to effort of science. With a goal of maximizing our advancement and minimizing error, we make lot of efforts. But the proof in science is always a burden to the person who proposes a hypothesis. So in this work we have shown that how can the media be analyzed using fuzzy relational equations. Using this we can find out boundary of media and self-privacy. We have tried to solve this using fuzzy.

IV. BASIC NOTATIONS

4.1 The Notion Of Fuzzy Relational Equations Based Upon The Max Min:

Composition was first investigated by Sanchez. He studied conditions and theoretical methods to resolve fuzzy relations on fuzzy sets defined as mappings from sets to $[0,1]$. Some theorems for existence and determination of solutions of certain basic fuzzy relation equations were given by him. However the solution obtained by him is only the greatest element (or the maximum solution) derived from the max-min(or min-max) composition of fuzzy relations. Since then many researchers have been trying to explore the problem and develop solution procedures. Max-min composition is commonly used when a system requires conservative solutions in the sense that the goodness of one value cannot compensate the badness of another value. In reality there are situations that allow compensability among the values of a solution vector.

In such cases the min operator is not the best choice for the intersection of fuzzy sets, but max-product composition, is preferred since it can yield better or at least equivalent result.

4.2 Fuzzy Relational Equations

1. A fuzzy relation in $E_1 \times E_2 \times \dots$ will be written as xRY . For x belongs to E_1 , y belongs to E_2 .
2. Let P be the product of n sets ($E_1 \times E_2 \times \dots \times E_n$) and M its membership function.

A fuzzy n -ary relation is a fuzzy subset of P taking its values in M .

MAX – MIN Composition

Let P is contained in $X \times Y$ and Q is contained in $Y \times Z$. Let x belongs to X , y belongs to Y , z belongs to Z .

Define MAX – MIN composition of P and Q denoted by $P \circ Q = R$.

$$\mu P \circ Q (x, z) = \text{MAX} [\text{MIN} (\mu P(x, y), \mu Q (y, z))]$$

	P	Y ₁	Y ₂	Y ₃	Y ₄	Y ₅
X ₁	0.1	0.3	0	1	0.7	
X ₂	0.3	0.5	0	0.2	1	
X ₃	0.8	0	1	0.4	0.3	

Let $(x, z) = (x_1, z_1)$
 $\text{MIN} [\mu P(x_1, y_1), \mu Q (y_1, z_1)]$
 $= \text{MIN} (0.1, 0.9)$
 $= 0.1$
 $\text{MIN} [\mu P(x_1, y_2), \mu Q (y_2, z_1)]$
 $= \text{MIN} (0.3, 0.2)$
 $= 0.2$
 $\text{MIN} [\mu P(x_1, y_3), \mu Q (y_3, z_1)]$
 $= \text{MIN} (0, 0.8)$
 $= 0$
 $\text{MIN} [\mu P(x_1, y_4), \mu Q (y_4, z_1)]$
 $= \text{MIN} (1, 0.4)$
 $= 0.4$
 $\text{MIN} [\mu P(x_1, y_5), \mu Q (y_5, z_1)]$
 $= \text{MIN} (0.7, 0)$
 $= 0$
 $\text{MAX} [\text{MIN} \mu P(x_1, y_1), \mu Q (y_1, z_1)]$
 $= \text{MAX} [0.1, 0.2, 0, 0.4, 0]$
 $= 0.4$

Continuing in this way,

R	z ₁	z ₂	z ₃	z ₄
X ₁	0.4	0.7	0.3	0.7
X ₂	0.3	1	0.5	0.8
X ₃	0.8	0.3	0.7	1

We study the law of the media and problem of self-privacy using Fuzzy Relational Equations.

The following attributes are taken as the main point for study:

- C₁ – Sedition.
- C₂ –Class hatred.
- C₃ –Defamation.
- C₄–Public mischief.
- C₅ –Privacy.

We have taken these five heads C₁, C₂, C₃, C₄, C₅ related to the privacy of one’s life as the rows of the fuzzy relational matrix.

Q	z ₁	z ₂	z ₃	z ₄
y ₁	0.9	0	0.3	0.4
y ₂	0.2	1	0.8	0
y ₃	0.8	0	0.7	1
y ₄	0.4	0.2	0.3	0
y ₅	0	1	0	0.8

The main attributes/ heads A₁, A₂, A₃, A₄ related to law of the media.

- A₁ –Freedom of speech.
- A₂ – Public Interest.
- A₃–Financial Affairs of companies in which the public have Interest.
- A₄–Discharge of public functions.

Using these heads related to law of the media along columns the fuzzy relational equations are formed using the expert's opinions:

The following are the limit sets using the previous issues:

- $C_1 \leq 0.5$ Sedition.
- $C_2 \leq 0.5$ Class hatred
- $C_3 \leq 0.5$ Defamation
- $C_4 \leq 0.4$ Public mischief
- $C_5 \leq 0.5$ Privacy.
- $A_1 \leq 0.6$ Freedom of speech
- $A_2 \leq 0.5$ Public Interest
- $A_3 \leq 0.6$ Financial Affairs of companies in which the public have Interest

$A_4 \leq 0.5$ Discharge of public functions

The opinion of the first expert who was affected by media and his opinion is transformed into the Fuzzy Relational Equation.

By considering the law of the media, suppose the media gives the values for Q .

P	A ₁	A ₂	A ₃	A ₄
C ₁	0.8	0.6	0.6	0.5
C ₂	0.8	0.8	0.5	0.6
C ₃	0.4	0.8	0.7	0.7
C ₄	0.8	0.6	0.6	0.8
C ₅	0.2	0.2	0.6	0.5

Q ^T	0.8	0.5	0.6	0.5
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Where Q^T is, Now P and Q are known in the fuzzy relational equation $P \circ Q = R$.

R
0.8
0.8
0.6
0.8
0.6

We get,

Q
0.8
0.5
0.6
0.5

R ^T	0.8	0.8	0.6	0.8	0.6
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In the Fuzzy relational equation $P \circ Q = R$.

P Corresponds to the Weightages of the expert, Q is law of the media experts and R is the calculated or the resultant giving the status of the public affected by media.

For R the attributes are given if $R \geq 0.5$ then we say that the public is affected by media in several ways given above in C₁,C₂,C₃,C₄,C₅.

V. CONCLUSIONS

The following conclusions are derived from the calculation we got from using the fuzzy relational equation: Most of the times

public are affected by defamation because, once the image is spoiled. They cannot get back. Even though public is not interest in certain issues, Media gives more importance like industrial journalism and because of this reason privacy is affected. Even though media is giving news, most of the times they concentrate on giving seducing pages or videos or false news because of industrial journalism. We see that one's privacy is affected when media wants to get more fame, money, power by publishing the subject. So we see that virtue in journalism is the boundary of media ethics and self – privacy.

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