

Influence Of Social Media And Digital Technology On Media Trials: Managing Fairness And Justice In The Digital Age

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How to cite this article: Sornalakshmi R.R, Murugan Ramu, Asha Sundaram, (2024) Influence Of Social Media And Digital Technology On Media Trials: Managing Fairness And Justice In The Digital Age. *Library Progress International*, 44(3), 15507-15516

ABSTRACT

This paper aims at studying the impact of the media trial in social platforms on the Indian judiciary. The current trend of media on reporting cases commonly known as “Trial by media” has witnessed the sensation of self-manifested stories, half-baked truth resulting in the violation of the right of individuals, resulting in media reporting transforming into a media circus. In India, media trials have assumed significance. There have been several cases where the media had taken the case into their own hands and declared judgement against an accused contrary to fair trials in court. An empirical research is done with a sample size of 200. The sample frame is Chennai, Tamil Nadu. The main aim of the study is to find out the impact of media trial on Indian judiciary. The independent variables are age, gender, marital status, educational qualification and occupation. The dependent variables are the awareness of media trials, its effect on judges, and independence of judiciary, contempt of court and implications of media trial on judiciary. The advent of social media and digital technology has revolutionized the dissemination of information, significantly impacting the dynamics of media trials. This study explores the dual-edged influence of these technologies on justice and fairness within the judicial process. While social media platforms enable real-time public discourse and democratize access to information, they also risk undermining the presumption of innocence by fostering widespread prejudice. This research critically examines how digital narratives shape public opinion, potentially influencing judicial outcomes and compromising fairness. The statistical tools used in the study are graphical representation and correlation analysis. The media trial has a negative impact on the judiciary. The media trial has a subconscious effect on the judge's decision. The findings underscore the need for regulatory measures that uphold the integrity of legal proceedings in the digital age, ensuring that the pursuit of justice remains untainted by external pressures.

KEYWORDS: Media trial, Indian judiciary, Effects, Independence judiciary, Judgement.

INTRODUCTION

Media is very essential for democracy. It serves the purpose of ‘gatekeeper’ and a ‘watchdog’ of the society. The media acts as a multifaceted institution with multiple activities. It takes the message simultaneously from all the parties involved and builds the opinion on an issue, which definitely threatens the establishment from violating rights with the growth of the number of news channels and in increasing popularity of “breaking news.” Electronic Media has come to play a major role in stirring public opinion and consciousness. Public advocacy outside the court through a well-established mechanism like lobbying, negotiations and mobilisation of public opinion has been effectively undertaken by the media. Freedom of media is the flexibility of individuals to be educated on on-going issues. Unlike the U.S. Constitution, Article 19(1)(a) does not expressly mention the liberty of the press i.e. freedom to print and to publish what one pleases without prior permission.

The current trend of media on reporting cases commonly known as “Trial by media” has witnessed the sensation of self-manifested stories, half-baked truth resulting in the violation of the rights of individuals, resulting in media reporting

transforming into a media circus. It is often seen that media houses are acting as “public court” and are starting to interfere with the proceedings of the court which completely overlooks the vital gap between an “accused” and a “convict” keeping at stake the golden principles of “presumption of innocence until proven guilty” and “guilt beyond a reasonable doubt”. “Freedom of Speech and Expression” is provided through various processes; however, this right is not completely unrestricted and as already mentioned certain “reasonable restrictions” can be imposed. Like the need for maintaining and preserving “freedom of speech and expression” in a democracy. It is also important to put some restrictions on that freedom for the purpose of maintaining the social order.

In India, media trials have assumed significance. There have been several cases where the media had taken the case into their own hands and declared judgement against an accused contrary to fair trials in court. There have been quite infamous cases as well that outraged the public and impacted the Judiciary such as The Jessica Lal case, 2010, where the media rejoiced over their efforts in bringing justice to Jessica Lal and the trial court had acquitted the accused of all the charges. The Priyadarshini Mattoo case, 2006 where a law student was raped and murdered, and the judgment of this case was suspected to have been influenced by Media Trial. The Bijal Joshi rape case and Nitish Katara murder case gave credits to media where the accused would have gone unpunished if media would not have intervened. But on the other side, the media also pinpointed innocent people in the Malegaon blast and Maria Susairaj case ignoring the importance of accuracy.

Media trial in Digital Age

In the contemporary digital age, the intersection of social media, digital technology, and media trials has profoundly reshaped the landscape of justice and fairness. Media trials, traditionally defined as high-profile cases extensively covered by the media, have evolved significantly with the advent of social media and digital technology. What was once predominantly the domain of traditional media outlets has now expanded to include instantaneous and widespread coverage on platforms like Twitter, Facebook, and YouTube. The immediacy and reach of digital platforms allow trial proceedings, evidence, and opinions to be disseminated globally in real-time, shaping public perception and potentially influencing judicial processes.

LITERATURE REVIEW:

A K Mittal (2016) focuses on the history of freedom of press and the trial by the media and its impact on the judicial trial. It further discusses the need for a regulatory measure to stop the media trials. The 200th report by the Law Commission of India on Trial by Media discusses the Human Rights Convention, the Madrid Principles, The Constitution of India and the Contempt of Court Act; it also states how the publications in the media are affecting the judges’ decisions.

Arunav Talukdar (2018) focuses on all the aspects of media trial, freedom of speech and expression and freedom of press in India. Starting from the role of media in a democratic country like India and its status in the country and then the misuse by the trial by the media. It further discusses the impact of trial by the media on the public minds of the Judges as well as the administration of justice in the country.

Anil Kumar (2021), discusses the freedom of press and how this freedom was included under the Constitution of India. Thereafter, the situation of media trials in India is also explained and how these trials are violating the rights of the accused as well as the victims of any case.

OBJECTIVES OF THE STUDY

1. To study the consequence of trial by media and its impact on Indian judiciary.
2. To analyse the legal implications of media trials in these digital platforms.

STATEMENT OF THE PROBLEM

The advent of social media and digital technology has transformed the landscape of media coverage, particularly in the context of high-profile legal cases. Traditionally, media trials were primarily conducted through print and broadcast outlets, with journalists shaping public perceptions of guilt or innocence. However, in the digital age, platforms like Twitter, Facebook, and Instagram, along with blogs and online forums, have democratized content creation and dissemination. This shift has led to a more immediate, widespread, and often unregulated influence on public opinion, which can compromise the fairness of legal proceedings. The problem lies in the fact that social media allows for the rapid spread of information often without verification which can result in the public forming biased opinions before a court trial even begins. This phenomenon, commonly referred to as “trial by media,” can place undue pressure on the judicial process, potentially leading to miscarriages of justice. Jurors, judges, and even legal professionals are not immune to the pervasive influence of social media narratives, which can subtly or overtly sway their decisions.

METHODOLOGY

The type of research adopted here is empirical research. A total of 202 samples have been collected. The samples have been collected through a random sampling method. The sample frame taken here is through online, in and around Chennai,

Tamil Nadu. The independent variables are age, gender, marital status, educational qualification and occupation. The dependent variables are the awareness of media trials, its effect on judges, and independence of judiciary, contempt of court and implications of media trial on judiciary. The statistical tools used in the study are graphical representation and correlation analysis.

Research Design

There are various research techniques that can be employed to conduct research studies. Qualitative and quantitative approaches are sometimes not adequate to offer a comprehensive examination of a phenomenon. The mixed-methods design was appropriate because it suits a comprehensive examination of the influence of media trials on court determinations.

Research Questions

1. Is there a positive correlation between court verdicts and media trials in India?
2. What is the effect of media trials on the Indian criminal justice system?

Hypothesis

Ho: There is no positive correlation between court verdicts and media trials in India and media trials do not affect the Indian criminal justice system.

H1: There is a positive correlation between court verdicts and media trials in India and trials interfere with the provision of justice in the Indian criminal justice system.

ANALYSIS:

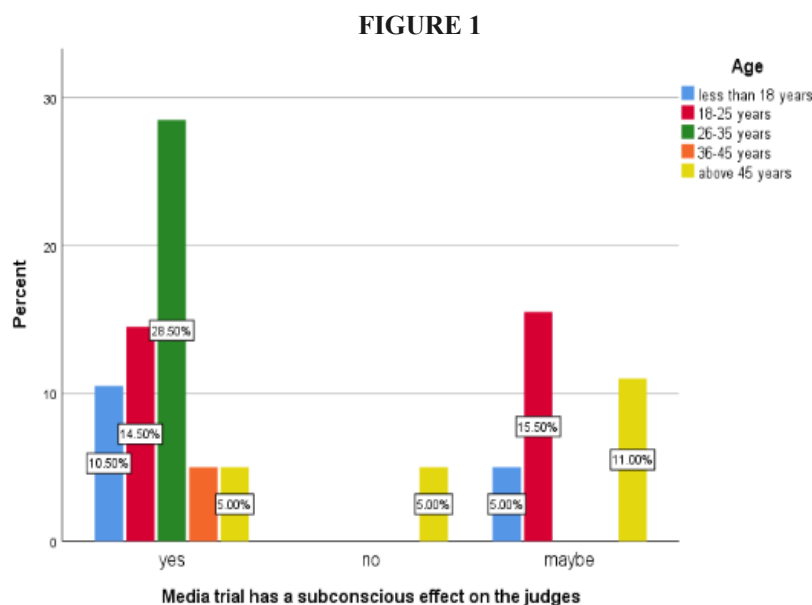
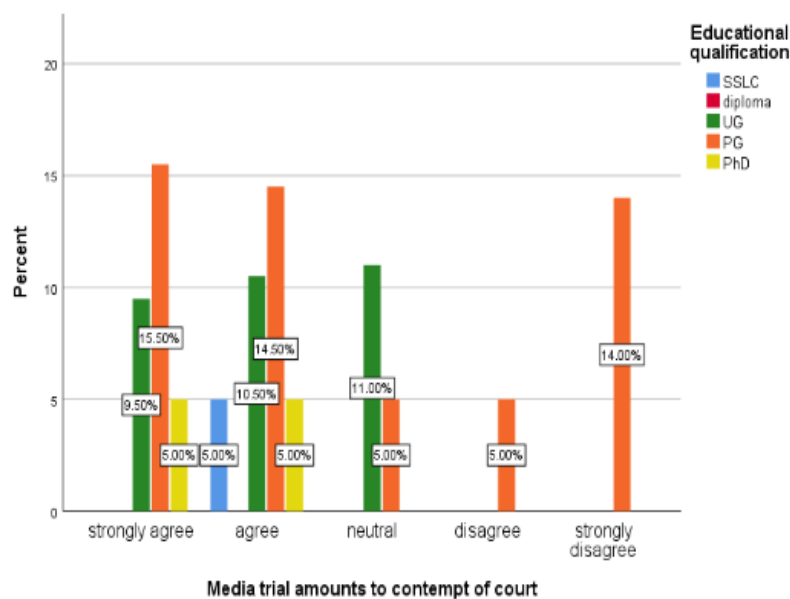


Figure 1 shows the age distribution of the respondents and their opinion on the subconscious effect of media trial on judges.

FIGURE 2



LEGEND:

Figure 2 shows the educational qualification of the respondents and their opinion on media trials amounting to contempt of court.

FIGURE 3

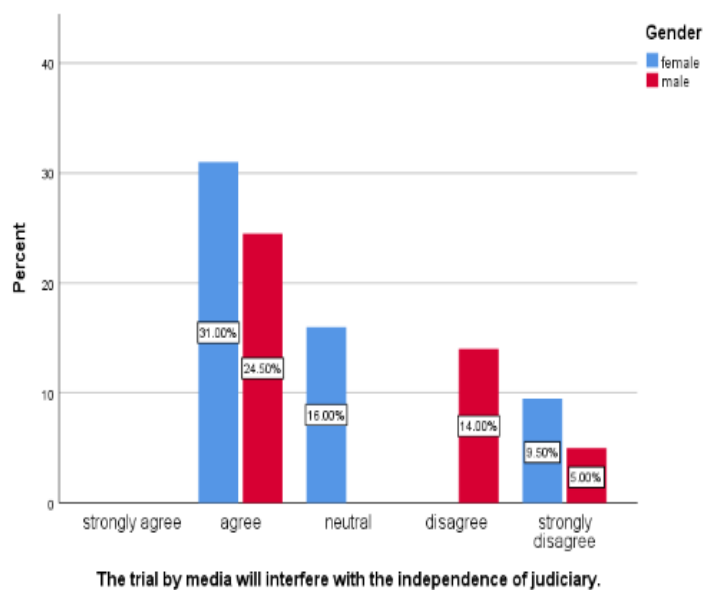


Figure 3 shows the gender distribution of the respondents and their opinion on the interference of media trials on independence of judiciary.

FIGURE 4

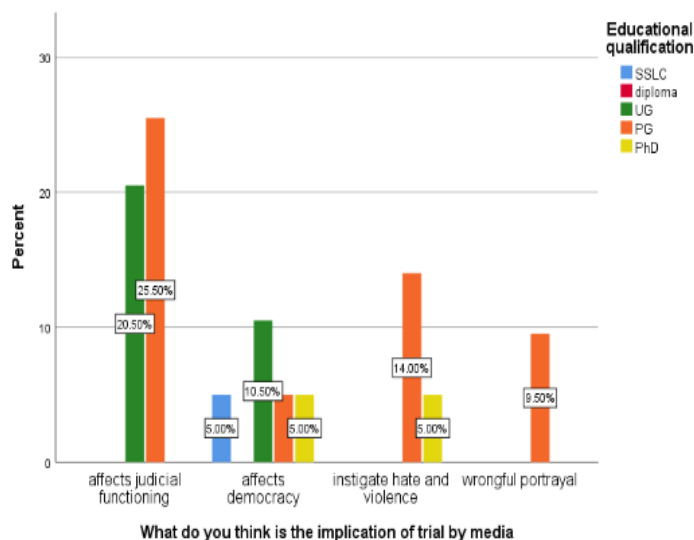


Figure 4 shows the educational qualification of the respondents and their opinion on the implication of media trial.

Figure 5 The Trial by Media will interfere with the Independence of Judiciary

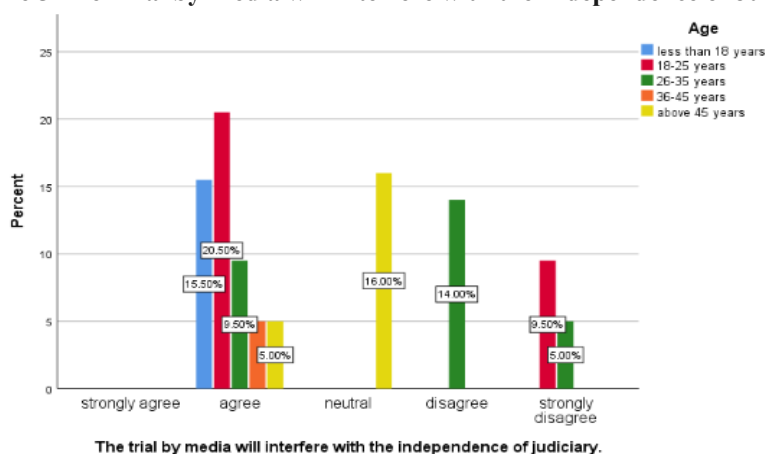


Figure 5 shows the age distribution of the respondents and their opinion on the interference of media trials on independence of judiciary.

FIGURE 6

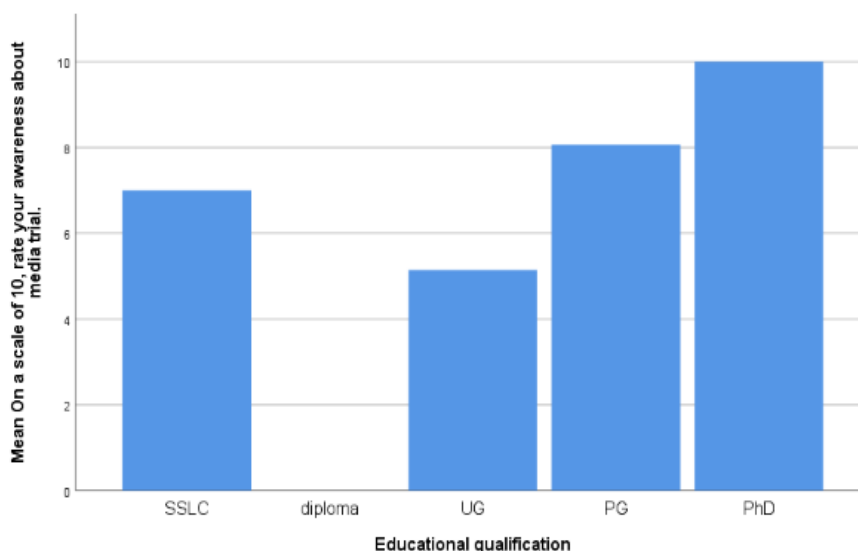


Figure 6 shows the educational qualification of the respondents and their level of awareness about media trial.

TABLE 1

Null Hypothesis: There is no significant relationship between the educational qualification of the respondents and their opinion on the subconscious effect of media trial on judges.

Alternate Hypothesis: There is a significant relationship between the educational qualification of the respondents and their opinion on the subconscious effect of media trial on judges.

Correlations

		Educational qualification	Media trial has a subconscious effect on the judges
Educational qualification	Pearson Correlation	1	-.350**
	Sig. (2-tailed)		.000
	N	200	200
Media trial has a subconscious effect on the judges	Pearson Correlation	-.350**	1
	Sig. (2-tailed)	.000	
	N	200	200

** . Correlation is significant at the 0.01 level (2-tailed).

LEGEND:

Table 1 shows the relationship between the educational qualification of the respondents and their opinion on the subconscious effect of media trial on judges.

TABLE 2

Null Hypothesis: There is no significant relationship between the educational qualification of the respondents and their opinion on media trials amounting to contempt of court..

Alternate Hypothesis: There is a significant relationship between the educational qualification of the respondents and their opinion on media trials amounting to contempt of court.

Correlations

		Educational qualification	Media trial amounts to contempt of court
Educational qualification	Pearson Correlation	1	.063
	Sig. (2-tailed)		.375
	N	200	200
Media trial amounts to contempt of court	Pearson Correlation	.063	1
	Sig. (2-tailed)	.375	
	N	200	200

LEGEND:

Table 2 shows the relationship between the educational qualification of the respondents and their opinion on media trials amounting to contempt of court.

TABLE 3

Null Hypothesis: There is no significant relationship between the educational qualification of the respondents and their opinion on interference of media trials on independence of judiciary.

Alternate Hypothesis: There is a significant relationship between the educational qualification of the respondents and their opinion on interference of media trials on independence of judiciary.

Correlations

		Educational qualification	The trial by media will interfere with the independence of judiciary.
Educational qualification	Pearson Correlation	1	-.031
	Sig. (2-tailed)		.660
	N	200	200
The trial by media will interfere with the independence of judiciary.	Pearson Correlation	-.031	1
	Sig. (2-tailed)	.660	
	N	200	200

Table 3 shows the relationship between the educational qualification of the respondents and their opinion on interference of media trials on independence of judiciary.

TABLE 4

Null Hypothesis: There is no significant relationship between the educational qualification of the respondents and their opinion on the implication of media trial.

Alternate Hypothesis: There is a significant relationship between the educational qualification of the respondents and their opinion on the implication of media trial.

Correlations

		Educational qualification	What do you think is the implication of trial by media
Educational qualification	Pearson Correlation	1	.262**
	Sig. (2-tailed)		.000
	N	200	200
What do you think is the implication of trial by media	Pearson Correlation	.262**	1
	Sig. (2-tailed)	.000	
	N	200	200

** . Correlation is significant at the 0.01 level (2-tailed).

Table 4 shows the relationship between the educational qualification of the respondents and their opinion on the implication of media trial.

RESULTS:

In figure 1, most of the respondents of the age 18-25 years (28.50%) have agreed that media trial has a subconscious effect on judges. In figure 2, most of the PG respondents (15.50%) agreed that media trial amounts to contempt of court. In figure 3, most of the female respondents (31%) agreed that media trials will interfere with the independence of the judiciary. In figure 4, most of the PG respondents (25.50%) felt that media trials affect judicial functioning. In figure 5, most of the respondents belonging to the age group 18-25 years(20.50%) agreed that media trials will interfere with the independence of the judiciary. In figure 6, on a scale of 10 an average score of 4 was given by the respondents showing the lack of awareness on media trials. In table 1, the correlation coefficient is less than 1 showing that there is a negative correlation and it is weakly correlated. In table 2, the correlation coefficient is less than 1 showing that there is a positive correlation and it is weakly correlated. In table 3, the correlation coefficient is less than 1 showing that there is a negative correlation and it is weakly correlated. In table 4, the correlation coefficient is less than 1 showing that there is a positive correlation and it is weakly correlated.

DISCUSSION:

Most of the respondents of the age 18-25 years have agreed that media trials have a subconscious effect on judges. Trial by media can have an effect on the subconscious psyche of a judge trying the particular case. In P C Sen (In Re), the SC clearly stated that “an action which tends to influence a jury can also influence a judge.” Moreover, this can be attributed to the classic case of K M Nanavati where the media had sensationalised the story and portrayed the accused as the victim instead. This narrative had a lot of influence on the jury members which led them to decide in the favour of the accused. Thus, media trials do have an impact on the functioning of the adjudicatory authority and can be held guilty of colouring the opinion of a judge in the sensationalized matter (**Figure 1**). Most of the PG respondents agreed that a media trial amounts to contempt of court. Section 2 defines civil and criminal contempt of court. Clause (c) of the said Act specifically mentions the guidelines for publication i.e. publications that scandalize, prejudice, or interfere with the judicial proceedings or administration of justice will amount to contempt of the court. Section 3, 4, 5 further clarifies and gives additional guidelines that can be interpreted to differentiate between a fair publication and a prejudicial publication (**Figure 2**). Most of the female respondents (31%) agreed that media trials will interfere with the independence of the judiciary. in MP Lohia Vs. State of West Bengal, that the SC observed that biased material published by the media paints the accused in a bad light without appreciating the efforts of the court in deciding the matter critically, analysing all documents submitted by both parties; it certainly interferes with the course of administration of justice. Further, the court cautioned the press against indulging in a trial of their own when the matter is sub juice. The digital platform being accessible to everyone and having an enormous reach among the public by interfering in the judicial process will not only tamper the opinion of the public but also the independence of judiciary. (**Figure 3**). Most of the PG respondents (25.50%) felt that media trials affect judicial functioning. Media trials exert a profound influence on judicial functioning, significantly impacting various aspects of the legal process, from pre-trial proceedings to the final verdict. This phenomenon refers to the extensive and often sensationalized coverage of high-profile cases by media outlets, both traditional and digital. Understanding how media trials affect judicial functioning requires examining their implications on procedural fairness, public perception, and the broader administration of justice. (**Figure 4**). Most of the respondents belonging to the age group 18-25 years(20.50%) agreed that media trials will interfere with the independence of the judiciary. In the case of Sidhartha Vashist @ Manu Sharma Vs. State (NCT of Delhi) the SC took into account the danger of serious risk of prejudice if the media exercises unregulated freedom. Moreover, the freedom of speech under Article 19(1) must be carefully and cautiously used, so as to prevent any hindrance or interference with the administration of

justice; which may lead to undesirable results in matters sub judice before the courts. Social media effects on Media trials profoundly affect judicial functioning by influencing procedural fairness, shaping public perception, and presenting challenges to legal professionals and institutions. While Social media and digital platform coverage plays a crucial role in promoting transparency and accountability, its potential to distort legal processes underscores the importance of balancing media freedoms with the principles of fair and impartial justice.(Figure 5). On a scale of 10 an average score of 4 was given by the respondents showing the lack of awareness on media trials. Trial by media is a phrase popular in the late 20th century and early 21st century to describe the impact of television and newspaper coverage on a person's reputation by creating a widespread perception of guilt or innocence before, or after, a verdict in a court of law. In recent times there have been numerous instances in which the media has conducted the trial of an accused and has passed the verdict even before the court passes its judgement (Figure 6). The correlation coefficient is less than 1 showing that there is a negative correlation and it is weakly correlated. There is a significant relationship between the educational qualification of the respondents and their opinion on the subconscious effect of media trial on judges. Thus the alternate hypothesis is accepted (Table 1). The correlation coefficient is less than 1 showing that there is a positive correlation and it is weakly correlated. There is a significant relationship between the educational qualification of the respondents and their opinion on media trials amounting to contempt of court. Thus the alternate hypothesis is accepted (Table 2). The correlation coefficient is less than 1 showing that there is a negative correlation and it is weakly correlated. There is a significant relationship between the educational qualification of the respondents and their opinion on interference of media trials on independence of judiciary. Thus the alternate hypothesis is accepted (Table 3). The correlation coefficient is less than 1 showing that there is a positive correlation and it is weakly correlated. There is a significant relationship between the educational qualification of the respondents and their opinion on the implication of media trials. Thus the alternate hypothesis is accepted (Table 4).

LIMITATIONS

The study was carried out in Chennai limits and the results cannot be generalized to the rest of the population. The sample is not balanced as regards gender, because it was incidental, which means that our interpretation of this variable is limited.

CONCLUSION

From the above analysis it can be concluded that the media trial has a negative impact on the judiciary. The media trial has a subconscious effect on the judge's decision. The media also hampers the independence of the judiciary and affects judicial functioning. Media should only engage in acts of journalism and not act as a special agency for the court. Though the media acts as a watchdog and brings us a platform where the people can know about the things happening in a society, it is important to know that this has only led to the whole of the world being biased against one community or a single person. Media should understand that its role is to raise issues which the public is facing. Media can be a voice for those who can't speak for themselves. Media should not deliver judgement because in India we have a judiciary for this purpose. Media should maintain its code of laws and ethics, social responsibility and credibility by not interfering in the matters of court so early. Social media platforms serve as catalysts for public discourse, enabling unprecedented levels of engagement and interaction regarding legal cases. This phenomenon amplifies both the positive and negative aspects of media trials:

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