

STOP PRESS:

ON BLANKET GAG ORDER AGAINST THE MEDIA

Courts must avoid omnibus orders against publication without actual risk of prejudice

A blanket gag order against the media is often fraught with serious consequences for both free speech and the citizen's right to receive information. Orders by different courts, restraining the media from reporting on particular cases or programmes from being telecast, have drawn attention this week to questions of prior restraint, media freedom and the right of people facing investigation to a fair trial. A quite unusual and legally questionable decision has been the interim order of the Andhra Pradesh High Court imposing a ban on the media, and even social media, from mentioning anything in relation to an FIR filed by the police against a former Advocate General of the State and others. It is unusual in the sense that there appears to be no material to justify such censorship other than an allegation by the petitioner that it is a "foisted" case. It is also accompanied by an order staying the investigation itself. It is indeed open to a High Court to grant a stay on investigation in extraordinary cases. When political vendetta is alleged against the government of the day, that too by someone who had served a previous regime as a law officer, the need for media coverage and public scrutiny is all the greater. How the petitioner would benefit from the complete absence of any reportage is unclear. It prevents legitimate comment even to the effect that there is no substance in the allegations.

Injunctions against publication can either be an order to prevent possible defamation or invasion of privacy, or one aimed at protecting the fairness of a trial or investigation. The Supreme Court did hold in *Sahara vs. SEBI* (2012) that the Court can grant preventive relief on a balancing of the right to free trial and a free press. However, it favoured such temporary restraint on publication "only in cases of real and substantial risk of prejudice" to the administration of justice or a fair trial. Meanwhile, the Supreme Court, on the same day, passed a more important interim order stopping the telecast of the remaining episodes of a series on Sudarshan News on entirely different grounds. Holding that the programme — four episodes were aired — was nothing but vilification of Muslims, the Court found it necessary to interdict the telecast of more episodes. The Court seems to have made a distinction between freedom of expression and propagation of hate. In recent years, there have been quite a few instances, especially in Karnataka, of omnibus interim injunctions against all media houses obtained by some people solely to prevent any news reporting about themselves. While claiming to be defamed by one publication, they sue all media outlets and obtain open-ended stay on publications, including those that are hardly interested in writing about them. As a matter of principle, courts ought to avoid omnibus orders against publication. Such orders are often to the detriment of the right to know.

Meanings of Difficult Words:

- ❖ **blanket** (adjective) – overall, total, complete, extensive, outright, widespread.
- ❖ **gag order** (noun) – gagging order; it is an order, typically a legal order by a court or government, restricting information or comment from being made public or passed onto any unauthorized third party.
- ❖ **restrain** (verb) – control, restrict, limit.
- ❖ **prejudice** (noun) – bias, discrimination, partiality, intolerance, bigotry.
- ❖ **omnibus** (adjective) – the Latin word literally meaning "for all"; consisting several parts/items.
- ❖ **often** (adverb) – frequently, repeatedly, many times.
- ❖ **indeed** (adverb) – in fact, actually.

- ❖ **fraught with** (adjective) – full of, filled with, loaded with.
- ❖ **consequence** (noun) – result, outcome, effect; ramification, repercussion.
- ❖ **draw attention to** (phrase) – emphasize, highlight, underscore; focus on.
- ❖ **restraint** (noun) – control, restriction, limitation.
- ❖ **trial** (noun) – court case, lawsuit, hearing, inquiry.
- ❖ **interim** (adjective) – provisional, transitional, temporary.
- ❖ **interim order** (noun) – a temporary court order.
- ❖ **in relation to** (phrase) – with respect to, regarding, relevant to.
- ❖ **first information report (FIR)** (noun) – a written document prepared by the police when they receive information about the commission (committing) of a cognizable offence. (cognizable offence – arrest without warrant); (cognizable – able to be apprehended).
- ❖ **material** (adjective) – relevant, applicable, pertinent; significant, important.
- ❖ **ensorship** (noun) – the suppression of speech, public communication, or other information, on the basis that such material is considered objectionable, harmful, sensitive, or inconvenient.
- ❖ **allegation** (noun) – charge, accusation, indictment.
- ❖ **petitioner** (noun) – supplicant, pleader, applicant, claimant.
- ❖ **foisted** (adjective) – forced, imposed (something fake as genuine); faked, forged, falsified, misrepresented.
- ❖ **accompany** (verb) – occur with, be present with, coincide with, coexist with.
- ❖ **extraordinary** (adjective) – rare, unusual, uncommon.
- ❖ **vendetta** (noun) – prolonged feud/bitterness; revenge, vengeance.
- ❖ **allege** (verb) – claim, assert, accuse, charge.
- ❖ **regime** (noun) – government.
- ❖ **scrutiny** (noun) – examination, inspection, investigation.
- ❖ **reportage** (noun) – the act of reporting news.
- ❖ **legitimate** (adjective) – valid, reasonable, reliable.
- ❖ **comment** (noun) – remark, opinion.
- ❖ **to the effect that** (phrase) – used to provide the basic meaning of what has been said or written.
- ❖ **substance** (noun) – significant subject, important matter/content, valid message.
- ❖ **injunction** (noun) – judicial order, ruling, directive, warning (that compels a party to do or refrain from specific acts).
- ❖ **defamation** (noun) – character assassination, libel, misrepresentation, scandal mongering, malicious gossip.
- ❖ **invasion** (noun) – violation, infringement, breach.
- ❖ **fairness** (noun) – impartiality, justness, neutrality, equal treatment.
- ❖ **hold** (verb) – rule, decide.
- ❖ **preventive relief** (noun) – According to Section 37, the Specific Relief Act, 1963 defines that preventive relief is granted at the discretion of the court by injunction, temporary or perpetual (permanent).
- ❖ **favour** (verb) – support, back, endorse, advocate, espouse.
- ❖ **substantial** (adjective) – considerable, significant.
- ❖ **ground** (noun) – reason, factor, basis, rationale, premise.
- ❖ **air** (verb) – broadcast, transmit, show, telecast, disseminate.
- ❖ **vilification** (noun) – condemnation, criticism/censure, character assassination, defamation.
- ❖ **interdict** (verb) – ban, block, stop.
- ❖ **distinction** (noun) – difference, contrast, dissimilarity, variance.
- ❖ **propagation** (noun) – spreading and promoting an idea/theory.
- ❖ **of the day** (phrase) – existing at a particular period of time.

- ❖ **solely** (adverb) – only, simply, merely.
- ❖ **defame** (verb) – discredit, tarnish, insult.
- ❖ **sue** (verb) – take legal action against, take to court, file a lawsuit.
- ❖ **outlet** (noun) – a firm that broadcasts /publishes journalism.
- ❖ **ought to** (modal verb) – must, should.
- ❖ **open-ended** (adjective) – permanent, perpetual, everlasting, continuing, constant, fixed.
- ❖ **hardly** (adverb) – barely, only just, narrowly, slightly.
- ❖ **detriment** (noun) – disadvantage, impairment, loss, prejudice.

NEW ORDER IN WEST ASIA: ON ABRAHAM ACCORDS

Accords between Arab States and Israel can't bring peace without solving the Palestine issue

The so-called Abraham Accords, signed in the White House on Tuesday by the UAE, Bahrain and Israel, under U.S. President Donald Trump's mediation, clearly mark a new beginning in the relations between the Sunni-ruled Gulf kingdoms and the Jewish state. Under the agreement, the UAE and Bahrain would normalise ties with Israel, heralding better economic, political and security engagement. More Arab countries are expected to follow suit, say U.S. and Israeli officials. The agreements have the backing of Saudi Arabia, arguably the most influential Arab power and a close ally of the UAE and Bahrain. The ailing, octogenarian ruler of the Kingdom, Salman bin Abdulaziz, is treading cautiously for now, but Riyadh has opened its airspace for commercial flights between the UAE and Israel. The accords, the first between Israel and Arab countries since the 1994 Jordan-Israel peace treaty, also offer a rare diplomatic win to Mr. Trump, whose other foreign policy bets, be it Iran or North Korea, were either disastrous or stagnant. With less than 50 days to go before his re-election bid, he has called the agreements "the new dawn of a new Middle East".

Though of historical and geopolitical significance, it is too early to say whether the accords will have any meaningful impact on West Asia's myriad conflicts. Unlike Egypt and Jordan, which signed peace treaties with Israel in 1979 and 1994, respectively, the Gulf countries are not frontline states in the Arab-Israeli conflict. They had established backroom contacts with Israel years ago; what is happening now is their normalisation. Second, the agreements leave the Palestinian question largely unaddressed. With Arab countries signing diplomatic agreements with Israel bilaterally, the Arab collective support for the Palestinian movement for nationhood, which has been the basis of the 2002 Arab Peace Initiative, is crumbling. But it does not mean that the Palestinian question would fade away. The vacuum left by the retreat of the Arab powers from the Israel-Palestine conflict is being filled by the non-Arab Muslim powers — Iran, Turkey and their allies. The geopolitical sands may be shifting but the core issue concerning Israel is unresolved. Three, the UAE-Bahrain agreements are in fact endorsing the region's emerging order. With the U.S. in retreat and Turkey and Iran pursuing more aggressive foreign policies, there is a three-way contest taking shape, in which Sunni-ruled Arab kingdoms, all American allies, are realigning their geopolitical interests with Israel. The Abraham Accords are likely to sharpen this contest. If Mr. Trump and the signatories to the accords want to bring peace here as they have claimed, they should address the more structural issues, which include the unresolved question of Palestine.

Meanings of Difficult Words:

- ❖ **new (world) order** (noun) – the arrangement of power and authority that provides the system for the conduct of diplomacy and world politics in relation to the entire world.
- ❖ **accord** (noun) – agreement, pact, treaty.
- ❖ **mediation** (noun) – conciliation, arbitration, intervention/negotiation.
- ❖ **Abraham accord** (noun) – it is a treaty of peace, diplomatic relations and full normalization between the United Arab Emirates and the State of Israel. It is signed in the White House on Tuesday (15th Sep, 2020) by the UAE, Bahrain and Israel, under U.S. President Donald Trump's mediation.

- ❖ **mark** (verb) – indicate, represent, signify, signalize.
- ❖ **Sunni** (adjective) – relating to Sunni branch/sect of Islam.
- ❖ **Jewish state** (noun) – the State of Israel.
- ❖ **normalise** (verb) – to have a friendly relationship again after a war or disagreement.
- ❖ **ties** (noun) – bond, association, relationship.
- ❖ **herald** (verb) – signal, indicate, foretell.
- ❖ **engagement** (noun) – participation, taking part, involvement.
- ❖ **follow suit** (phrase) – emulate, follow, take as a model.
- ❖ **backing** (noun) – support, assistance, cooperation, approval, sanction.
- ❖ **arguably** (adverb) – possibly, conceivably, maybe, potentially.
- ❖ **influential** (adjective) – important, significant, prominent.
- ❖ **ally** (noun) – associate, confederate, partner, supporter.
- ❖ **ailing** (adjective) – ill, unwell, not well, sick, in bad/poor health.
- ❖ **octogenarian** (adjective) – a person who is between 80 and 89 years old.
- ❖ **tread** (verb) – step, stride, walk/go.
- ❖ **diplomatic** (adjective) – (delicate & sensitive) consular, foreign-policy, political.
- ❖ **bet** (noun) – plan, course of action; prediction, forecast.
- ❖ **stagnant** (adjective) – inactive, sluggish, slow-moving/static.
- ❖ **dawn** (noun) – beginning, start, starting point, development.
- ❖ **geopolitical** (adjective) – relating to the study of the geographical factors (a country's position on the earth, size, climate, and natural resources & etc.,) in world politics and inter-state relations.
- ❖ **myriad** (adjective) – a great number, countless, various.
- ❖ **backroom** (adjective) – secret.
- ❖ **frontline** (noun as modifier) – vanguard, firing line, battlefield, combat zone.
- ❖ **normalisation** (noun) – the process of bringing something (relationship, ties) back to a normal condition after a war or disagreement.
- ❖ **unaddressed** (adjective) – unnoticed, not considered, not dealt with, not tackled.
- ❖ **bilaterally** (adverb) – between two countries involved.
- ❖ **collective** (adjective) – combined, united /joint, cooperative (by all people as a group).
- ❖ **nationhood** (noun) – the fact of being a nation.
- ❖ **Arab Peace Initiative (API)** (noun) – The API aims to achieve a comprehensive peace in the Middle East. Arab countries, led by Saudi Arabia, are offering to normalize relations with Israel in return for a full withdrawal to the pre-1967-war borders and a fair solution for the Palestinians.
- ❖ **crumble** (verb) – disintegrate, collapse, break down, fragment.
- ❖ **fade away** (phrasal verb) – diminish, disappear, decline, dwindle.
- ❖ **vacuum** (noun) – gap, space, absence, lack/deficiency of something.
- ❖ **retreat** (noun) – withdrawal, pulling back, back down.
- ❖ **shifting sands** (phrase) – used in refer something that is constantly changing, especially unexpectedly.
- ❖ **in fact** (phrase) – actually, indeed, undeniably.
- ❖ **endorse** (verb) – uphold, support, ratify, approve, justify.
- ❖ **pursue** (verb) – engage in, conduct, follow.
- ❖ **aggressive** (adjective) – hostile, belligerent, bellicose, hawkish, combative.
- ❖ **take shape** (phrase) – become clear/definite, become tangible, fall into place.
- ❖ **realign with** (verb) – change/alter one's opinion with respect/reference to something.
- ❖ **likely** (adverb) – probably, presumably, no doubt.
- ❖ **sharpen** (verb) – increase, escalate, intensify.
- ❖ **signatory** (noun) – the person who signed an official document/agreement.
- ❖ **address** (verb) – tackle, deal with, attend to, try to sort out.
- ❖ **structural** (adjective) – basic, radical, elementary.