

**"MEDIA AND REPRESENTATION: NAVIGATING BIAS IN A DIGITAL ERA IN THE GLOBAL CONTEXT"**

**Vidhya Shetty, Dr.RohiniHonap**, Faculty, Law Department, Tilak Maharashtra Vidyapeeth, Pune-

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**Abstract:**

The creation, consumption, and dissemination of knowledge have all changed in the digital age, but bias in media portrayal has also become more prevalent. Information spreads more quickly and easily thanks to social media platforms and 24-hour news cycles, but it is frequently tainted by misinformation, selective reporting, and biased narratives. The impact of media portrayal in the digital age on public perception, stereotype reinforcement, and society views is examined in this article. It highlights the effects on marginalised groups while critically analysing how algorithms, audience segmentation, and media ownership contribute to bias. Strategies for encouraging varied and balanced representation in digital media are also covered in the conversation, with a focus on the importance of media literacy and ethical journalism. Society may strive towards a more fair and inclusive media environment that truly represents the range of experiences around the world by overcoming these obstacles.

**Introduction**

The media is crucial in determining cultural narratives, affecting social norms, and forming public opinion in the digital age. With the introduction of social media platforms, the internet, and the democratisation of content creation, media power has increased dramatically. But there are serious drawbacks to this quick change as well, especially when it comes to bias, false information, and deception. The distorted presentation of news or information in favour of or against specific groups, ideas, or individuals is known as media bias, and it has the power to skew public debate and reinforce negative stereotypes.

Legal frameworks have developed to control the media, making sure that the need to protect people from harm caused by biased or deceptive information is balanced with the right to free speech. The legal facets of media representation and bias in the digital era, such as free speech, defamation, disinformation, and media regulation, will be covered in this article. Additionally, it will look at how laws and regulations are changing to meet the particular difficulties presented by digital platforms.

The problem of bias has gained prominence in the constantly changing world of digital media, with profound effects on the representation of people and communities. Understanding the intricate interactions between algorithms, platforms, and the ability to reinforce or exacerbate pre-existing biases is becoming increasingly important as technology innovations continue to influence how we access and consume information (Selena & Kenney, 2019).<sup>1</sup>

According to the review of literature, media diversity has long been a major issue in journalism and communication studies, but the emergence of digital tools and platforms has presented this area with both new opportunities and concerns (Löecherbach et al., 2020)<sup>2</sup>. Although digital media has the ability to democratise access to information, empirical data suggests that polarisation results from the majority of content consumption being concentrated on a small number of powerful players. Concerns regarding "filter bubbles," "echo chambers," and the fragmentation of public discourse

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<sup>1</sup>Selena, S., & Kenney, M. (2019, August 2). Algorithms, Platforms, and Ethnic Bias: A Diagnostic Model. RELX Group (Netherlands). [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3431468](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3431468)

<sup>2</sup>Löecherbach, F., Moeller, J., Trilling, D., & Atteveltdt, W V. (2020, May 27). The Unified Framework of Media Diversity: A Systematic Literature Review. Taylor & Francis, 8(5), 605-642. <https://doi.org/10.1080/21670811.2020.1764374>

have been raised in relation to the possible drawbacks of algorithms and personalised recommendations that favour some viewpoints over others (Horowitz & Napoli, 2014).<sup>3</sup>

According to the EU High Level Group on Media Freedom and Pluralism, expanding filtering tools may increase the likelihood that people would only receive news about topics they are interested in and that align with their viewpoint, which might be detrimental to democracy. (Helberger et al., 2016)<sup>4</sup>.

However, it is also acknowledged that digital tools could be effective tools for standardisation and objectivity that can lessen pre-existing bias. Discussions in the popular and scholarly press have brought attention to the ways that digital tools, although they seem impartial and objective, may really serve to perpetuate or even strengthen existing racial injustices.

Researchers have developed models and frameworks to comprehend the possible position of ethnic prejudice in the "value chain" of digital media systems in order to address these issues. Furthermore, the concept of "Diversity 2.0" has emerged, advocating for a more collaborative method of evaluating media systems and recognising the necessity of reevaluating the intricate idea of diversity and its implementation in the digital age. (Selena & Kenney, 2019).<sup>5</sup>

### **The Role of Media in Representation**

The media is a very powerful medium for public representation of both individuals and groups. Media representation should ideally be inclusive, diverse, and representative of the range of identities and experiences in society. But both historically and currently, the media frequently reinforces prejudices based on a variety of factors, including race, gender, and socio economic status.

#### **The Biased Lens: Examining Media Representation and Its Impact**

Media holds immense power in shaping public perceptions and narratives, serving as a powerful tool for representation. While the media is meant to reflect the diverse experiences and identities within society, it often perpetuates biased representations, reinforcing harmful stereotypes based on race, gender, socioeconomic status, and other factors (Hamid et al., 2021)<sup>6</sup>. This paper aims to investigate the role of media in creating and perpetuating biased representations, and the consequences of such biases on individuals and communities.

In the past, the media has been criticised for failing to represent different social groups with inclusivity and diversity. For a long time, feminist media researchers have maintained that media representations mirror and uphold social norms, frequently promoting stereotypes and the exclusion of marginalised groups. (Feminist media studies, 1994)<sup>7</sup> This is especially problematic because public views and beliefs are greatly influenced by the media. Biased media portrayal has a profound effect

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<sup>3</sup>Horowitz, M A., & Napoli, P M. (2014, December 1). Diversity 2.0: A framework for audience participation in assessing media systems. *Intellect*, 5(3), 309-326. [https://doi.org/10.1386/iscc.5.3.309\\_1](https://doi.org/10.1386/iscc.5.3.309_1)

<sup>4</sup>Helberger, N., Karppinen, K., & D'Acunतो, L. (2016, December 28). Exposure diversity as a design principle for recommender systems. *Routledge*, 21(2), 191-207. <https://doi.org/10.1080/1369118x.2016.1271900>

<sup>5</sup>Selena, S., & Kenney, M. (2019, October 24). Algorithms, platforms, and ethnic bias. *Association for Computing Machinery*, 62(11), 37-39. <https://doi.org/10.1145/3318157>

<sup>6</sup>Hamid, M A., Basid, A., & Aulia, I N. (2021, October 20). The reconstruction of Arab women role in media: a critical discourse analysis. *Springer Science+Business Media*, 11(1). <https://doi.org/10.1007/s13278-021-00809-0>

<sup>7</sup>Feminist media studies. (1994, November 1). *Association of College and Research Libraries*, 32(03), 32-1608. <https://doi.org/10.5860/choice.32-1608>

since it can influence how people and communities are viewed and handled. These biases may be amplified in the digital age since social media platforms and algorithms select material according to user preferences, which may create echo chambers that strengthen preconceived notions. Furthermore, there is little to no control over the dissemination of damaging or biased narratives by both professional and amateur content producers.

The legal control of media representation is a complicated matter because it requires striking a balance between the need to protect people and organisations from damaging or deceptive portrayals and the rights to free speech and the press. Although laws regulating media content differ from one country to another, they generally aim to safeguard freedom of expression while preventing hate speech, defamation, and other negative consequences of biased depiction.

### **Free Speech and Its Limits in the Digital Era**

The freedom of expression principle is one of the most important legal frameworks controlling media coverage. Enshrined in national constitutions like the First Amendment of the U.S. Constitution and international legal documents like the International Covenant on Civil and Political Rights (ICCPR) and Article 19 of the Universal Declaration of Human Rights (UDHR) and the Indian Constitution the right to free speech protects people and media outlets from excessive state censorship. A fundamental tenet of democratic society, the right to free speech and expression is protected by both national and international constitutions (Plessis, 2014)<sup>8</sup>. This right permits the free flow of information and the interchange of ideas by protecting people and media outlets from excessive official censorship (Howie, 2017)<sup>9</sup>

Nonetheless, governments frequently have to strike a balance between the right to free expression and other conflicting rights and interests (Al-Kindi, 2019)<sup>10</sup>. Traditionally, courts have emphasised the First Amendment's "government shall make no law" clause rather than the "freedom of speech" clause. (Kim, 2017)<sup>11</sup> As a result, the right is now interpreted more narrowly, with some speech categories—like inciting violence or defamation being expressly forbidden. (Cohen, 2008)<sup>12</sup>

This right is not unqualified, though. Free speech must be weighed against other community objectives, like preserving public order and preventing injury to individuals, as acknowledged by legal systems worldwide. Laws that restrict speech that is hateful, libellous, or incites violence are frequently used to achieve this balance in the context of media portrayal.

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<sup>8</sup>Plessis, P D. (2014, November 1). Freedom of Speech – Should Speech that Causes Harm be Free ? An International and South African Perspective. Mediterranean Center of Social and Educational Research. <https://doi.org/10.5901/mjss.2014.v5n23p1363>

<sup>9</sup>Howie, E. (2017, November 10). Protecting the human right to freedom of expression in international law. Taylor & Francis, 20(1), 12-15. <https://doi.org/10.1080/17549507.2018.1392612>

<sup>10</sup>Al-Kindi, A K. (2019, July 8). Press Freedom and Corruption in the GCC: Are There Better Future Horizons? An Analytical-Critical Study. IntechOpen. <https://doi.org/10.5772/intechopen.86603>

<sup>11</sup>Kim, K. (2017, September 28). The Court, FCC and Internet Policy: Partly With South Korea. RELX Group (Netherlands). [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3046113](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3046113)

<sup>12</sup>Cohen, H. (2008, December 11). Freedom of Speech and Press: Exceptions to the First Amendment. <http://flyvapnet.com/Files/FreedomOfSpeechAndPressExceptionsToTheFirstAmendment.pdf>

**Defamation laws**

Defamation laws are one of the main legal tools used to combat inaccurate or biased media coverage. Defamation is when someone or an organization's reputation is damaged by the publication of a false statement. Defamation can be classified as either slander (spoken defamation) or libel (written defamation) in the majority of jurisdictions.

Defamation has taken on new dimensions in the digital era. Compared to the pre-digital era, defamatory words can spread significantly more broadly thanks to the global platform provided by social media platforms, blogs, and online news sources. Defamation lawsuits against both media firms and people have increased as a result of this.

However, striking a balance between the protection of one's reputation and the right to free speech is a challenge in defamation law. In defamation proceedings, for instance, public personalities frequently face a higher burden of proof because they are anticipated to be more closely watched by the public. *New York Times Co. v. Sullivan* (1964)<sup>13</sup>, a seminal case in the United States, established the "actual malice" standard for defamation claims involving public figures. This means that the plaintiff must demonstrate that the defamatory statement was made with reckless disregard for the truth or with knowledge of its falsity.

Courts must address jurisdictional issues and the worldwide reach of online expression in the digital sphere. For example, a defamatory social media message may be accessed by users across several nations, creating difficult legal issues over which nation's defamation laws should be applied. Additionally, online platforms frequently claim that they should not be held accountable for libellous content provided by their users by using intermediary liability protections (Shivi, 2016).<sup>14</sup>

**Hate Speech and Media Regulation**

Another significant legal framework that addresses the negative effects of biased media coverage is hate speech legislation. Speech that incites violence, animosity, or discrimination against people or groups on the basis of traits like race, religion, ethnicity, gender, or sexual orientation is referred to as hate speech.

Although hate speech is illegal in many nations, there is a great deal of variations in the definition and application of these prohibitions. For instance, in nations like Germany and the United Kingdom, hate speech is more rigorously regulated by laws that forbid speeches which is likely to provoke hatred or violence. The United States, on the other hand, takes a more lenient stance, with hate speech being protected by the First Amendment unless it specifically calls for violence.

In the digital age, controlling hate speech poses new difficulties. Social media companies have been criticised for permitting hate speech to spread, frequently with dire repercussions in the real world. Platforms such as Facebook, for example, have been linked to the dissemination of hate speech that incited ethnic bloodshed in nations like Myanmar. Governments and civil society organisations have responded by urging stricter laws to make platforms responsible for the information they carry.

Numerous jurisdictions have put in place legal frameworks requiring social media platforms to remove harmful information, including hate speech. Platforms that do not take swift action to delete unlawful information, including hate speech, face fines under Germany's Network Enforcement Act (NetzDG). However, critics argue that such laws can lead to over-censorship, as platforms may remove legitimate speech in order to avoid liability. (Catherine O'Regan and Stefan Theil, 2020)<sup>15</sup>

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<sup>13</sup>376 U.S. 254 (1964)

<sup>14</sup>Shivi (Summer Issue 2016), DEFAMATION LAWS AND JUDICIAL INTERVENTION: A CRITICAL STUDY, <https://ili.ac.in/pdf/paper10.pdf>

<sup>15</sup>Catherine O'Regan and Stefan Theil (2020 February) Hate speech regulation on social media: An intractable contemporary challenge <https://researchoutreach.org/articles/hate-speech-regulation-social-media-intractable-contemporary-challenge/>

**Media Ownership and Its Influence on Representation**

One of the main concerns when discussing bias in media representation is the concentration of media ownership. The majority of media outlets in many nations are controlled by a small number of businesses, raising questions about the range of perspectives that the public is exposed to. Because media owners may sway the information created to suit their political, financial, or social objectives, this ownership concentration may lead to media bias. (Forcha&Ngange, 2022)<sup>16</sup>

The issue of media ownership concentration is intricate and multifaceted, and it has a big impact on the range of opinions that the public is exposed to. The majority of media outlets in many nations are controlled by a small number of firms, raising questions about how much the content created represents the owners' social, political, and financial interests. Because owners may use their power to shape the material to suit their own goals, this ownership concentration may lead to media bias. (Bahamonde et al., 2018)<sup>17</sup>

Numerous studies have examined the relationship between media ownership concentration and media bias. According to studies, highly concentrated ownership can improve governance efficiency, but it can also make minority shareholders feel more susceptible to rights revocation or expropriation, which discourages them from making investments. However, the degree and direction of bias can be influenced by rivalry among media outlets; some research indicates that competition may have a slight impact on the attitudes and actions of the public. (Puglisi & Snyder, 2015)<sup>18</sup>

The goals of the legal frameworks controlling media ownership are to avoid monopolies and guarantee the preservation of media diversity. For instance, the Federal Communications Commission (FCC) in the United States enforces regulations that restrict the number of media outlets that one company can own in a given market. Other nations have similar laws, such the UK, where the Communications Act of 2003 aims to encourage media plurality. However, the emergence of digital media is posing a threat to these established regulatory systems. Facebook, Google, Twitter, and other online platforms have taken centre stage in the media landscape and frequently dominate how news and information are disseminated to sizable portions of the populace. These platforms don't create content in the conventional sense, but users are influenced by their algorithms, which raises questions about algorithmic bias and the corporations' impact on public opinion. Because digital platforms' algorithms can reinforce pre-existing biases, the problem of algorithmic bias in media representation is especially troubling. Studies have demonstrated, for instance, that social media algorithms frequently favour sensationalist or divisive content, which can amplify narratives that are untrue or biased. Furthermore, because algorithms often mirror the biases in the data they are trained on, marginalised groups are frequently under-represented in algorithmically curated content.<sup>19</sup>

**Misinformation, Disinformation, and Legal Remedies**

One of the biggest problems of the digital age is the proliferation of false and misleading information. Disinformation is the purposeful production and distribution of false information with

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<sup>16</sup>Forcha, D E., &Ngange, K L. (2022, January 1). Beyond Public and Private Ownership: Analysis of Media Ownership Patterns in Cameroon and Implications on Journalists' Professional Aptitude. *Scientific Research Publishing*, 10(03), 307-335. <https://doi.org/10.4236/ajc.2022.103019>

<sup>17</sup>Bahamonde, J., Bollen, J., Elejalde, E., Ferres, L., & Poblete, B. (2018, June 6). Power structure in Chilean news media. *Public Library of Science*, 13(6), e0197150-e0197150. <https://doi.org/10.1371/journal.pone.0197150>

<sup>18</sup>Puglisi, R., & Snyder, J M. (2015, January 1). *Empirical Studies of Media Bias*. Elsevier BV, 647-667. <https://doi.org/10.1016/b978-0-444-63685-0.00015-2>

<sup>19</sup>Ibid

the intention of misleading, whereas misinformation is defined as inaccurate or misleading information disseminated without malice. In the digital age, the spread of false information and disinformation has become a serious problem that impacts societies all over the world and cuts across national borders. The current digital environment is common with misinformation, which is described as the broadcast of inaccurate or misleading information without malevolent intent, and disinformation, which is the intentional production and distribution of inaccurate information to deceive. (Fard & Lingeswaran, 2020)<sup>20</sup>.

One of the most important global problems that need attention is the quick dissemination of false information online. (Lowry et al., 1951)<sup>21</sup>. According to studies, a sizable portion of social media users have both been the targets and the spreaders of false information, with over 67% of users admitting to spreading false information. The issue has been made worse by the ease and speed with which malevolent actors can now reach big audiences thanks to modern technology, which was formerly practically unthinkable. (Trattner et al., 2021)<sup>22</sup>

Disinformation and misinformation can also have detrimental effects on public debate, especially when it comes to topics like social justice, public health, and elections. For instance, during the COVID-19 pandemic, false information regarding the virus, vaccinations, and public health precautions proliferated, causing widespread confusion and, in certain situations, physical harm. Laws designed to counteract disinformation and misinformation are constantly changing. The most severe instances of misinformation are addressed by the defamation, fraud, and public order laws that are now in place in many nations. For instance, defamation lawsuits can be used to contest false statements made about people or organisations that harm someone's reputation, and laws against misleading advertising are frequently used to combat misinformation in a business setting.

Nonetheless, there is a growing understanding that in order to handle the particular difficulties presented by digital disinformation, new legal mechanisms are necessary. Laws that specifically address online disinformation have been introduced in some places. For example, the Protection against internet Falsehoods and Manipulation Act (POFMA) in Singapore gives the government the authority to require internet sites that are disseminating inaccurate information to alter their content. In a similar vein, the Digital Services Act (DSA), which was put into effect by the European Union, attempts to regulate digital platforms more strictly in order to control and lessen the dissemination of misinformation. These frameworks show how online platforms are increasingly being held responsible for the information they spread. But striking a balance between regulation and free speech is still difficult since rules that are too restrictive run the risk of silencing acceptable discourse.

## Conclusion

In conclusion, while the digital era has revolutionised the dissemination and consumption of knowledge, it has also increased media bias, influencing public opinion and strengthening

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<sup>20</sup>Fard, A E., & Lingeswaran, S. (2020, April 20). Misinformation Battle Revisited: Counter Strategies from Clinics to Artificial Intelligence. <https://doi.org/10.1145/3366424.3384373>

<sup>21</sup>Lowry, O H., Rosebrough, N., Farr, A., & RANDALL, R J. (1951, November 1). PROTEIN MEASUREMENT WITH THE FOLIN PHENOL REAGENT. Elsevier BV, 193(1), 265-275. [https://doi.org/10.1016/s0021-9258\(19\)52451-6](https://doi.org/10.1016/s0021-9258(19)52451-6)

<sup>22</sup>Trattner, C., Jannach, D., Motta, E., Meijer, I C., Diakopoulos, N., Elahi, M., Opdahl, A L., Tessem, B., Borch, N., Fjeld, M., Øvrelid, L., Smedt, K D., & Moe, H. (2021, December 20). Responsible media technology and AI: challenges and research directions. Springer Nature, 2(4), 585-594. <https://doi.org/10.1007/s43681-021-00126-4>

stereotypes. Biased narratives are greatly influenced by social media platforms, algorithms, and concentrated media ownership, which frequently impact marginalised populations. Promoting media literacy and ethical journalism is essential to addressing these problems. Encouraging balanced and diverse representation in the media can aid in combating selective reporting and disinformation, enabling a more comprehensive and accurate depiction of experiences around the world. Society should strive towards a more equitable and inclusive media landscape by identifying and resolving the systemic factors that fuel media bias. This strategy can assist in making sure that the media promotes diversity and the truth rather than spreading damaging or polarising narratives.