

Rehabilitating the Prisoners -An analysis of the facilitating Role of Indian Media

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Position of Prisoners in the Society: Prisoners are that abandoned section of our society which we shove into barriers of walls for their acts of crime and hatred. This abandoned section of the society comprises persons who are undertrial prisoners or convicts for offences punishable by the laws of the country. The theory of punishment that the Indian prison reforms have adhered to is the “*reformatory theory*” which entails prisons to be correctional homes. These correctional homes aim to facilitate the release of prisoners as better persons in the society than their criminal selves that they had been, when they were sent to the prisons. The reformation aimed at in the prisons can be of little significance if it is not followed by the rehabilitation of the released prisoners in the society. Rehabilitation here entails not only being given the opportunity to work and earn a living, but to be recognized and accepted by the society as law-abiding citizens. This requires a change in mind-set, and the clearing of the cobwebs of stigma attached to a prisoner, which can be no better facilitated than by the Indian media. The Indian media can play an enormous role in rehabilitating the prisoners into the society, in order to further the aim of the reformatory scheme of the Indian prisons. This can be done by the media by generating awareness, creating sensitization and raising the human rights question in the mind of the Indian masses, thereby facilitating the reintegration of these corrected prisoners into the society.

Reformatory theory of Punishment and the human rights of prisoners: Offences entail punishments of various kinds. There are various theories of punishments which have existed in the society, namely: deterrent theory of punishment, retributive theory of punishment, preventive theory of punishment, expiatory theory of punishment and reformatory theory of punishment. Indian Courts have over the period of time espoused the concept of the reformatory theory of punishment. Reformatory theory of punishment sees the humane purpose of punishment in reforming the criminal and recognizing him/her as a person with human rights and thereby giving him/her the opportunity to go back to the society with dignity and rights. The reformatory approach aims towards bringing about a positive change in the offenders, to transform them into law abiding citizens who can be rehabilitated back into the society as good human beings. The Supreme Court has time and again stated that prisoners like all the other persons have the right to be treated with dignity. The right to be treated with dignity entails

with it the various facets of the right to life guaranteed under Article 21 of the Indian Constitution. The cause of rehabilitation of prisoners has been taken up by the Supreme Court of India on multiple occasions and it has emphasized upon the universal recognition of these rights even for inmates of prison, for a life with human dignity.

The role that the Indian media can play in rehabilitating prisoners into the society: We believe what we see and listen what is told to us. Human beings in general are a gullible species having an aptitude for knowing what is new. Bygones are forgotten, the present is delved into and the future contemplated upon. This is where the media steps in as major player. The term 'media' is the plural of the term 'medium' which forms the source of information to the society about the world. Media plays a vital role in sculpting the public opinion, of inculcating perceptions and generating viewpoints. The media therefore, has a very influential role in the society. The independence of media is an important concern altogether. The financial and power backing of a media house becomes relevant in the discourse of its 'independence'. Irrespective of its political affinity or aloofness, as the case may be, media can play a very positive role in influencing the society, in sensitizing its people about important issues and in clearing cobwebs of biased and archaic notions. Rehabilitation of the reformed prisoners is possible in the true sense if the members of the society are accepting towards the released prisoners. Rather than considering them as tainted neighbours, the society needs to look at them as reformed and better human beings to whom the society owes giving of a second chance. In this background the role of the media in moulding people's opinions pertaining to prisoners is of great importance. Awareness programmes and sensitization of various parts of the society can be not facilitated by any agency without the positive and active role of the media. Awareness and sensitization can be through discussions in newsrooms, making of documentaries, conducting of lectures and awareness campaigns in the print media, television, internet and the radio. Examples of work of media which dealt with the reforms in Indian prisons and rehabilitation of inmates are:

- An award-winning documentary on Tihar Jail and Vipassana, titled "*Doing Time Doing Vipassana*";
- "*Days and Nights in an Indian Jail*", another film on the story of a few inmates in the Tihar Jail which was shot over a period of one year;
- "*Do Aakhen Barah Haath*", a 1957 film by V Shantaram, was another piece of work that compelled the viewers to rethink how to perceive prisoners and treat them;

- “*Beauty Behind Bars*”, a documentary on the life after prison for women in India, which portrays the journey towards rehabilitation of the released women prisoners;
- “*Born Behind Bars*”, is another such documentary which elaborates upon the very sensitive concern pertaining to lives of children born in prisons.

The rehabilitative process initiated by the prisons can fulfil its aim if these trained and reformed prisoners who are now back into the society are accepted with faith and not the blemishes of their past. The Indian media can help in fulfilling the aim envisaged by the reformatory theory of punishment and thereby can play a very vital and pivotal role in rehabilitating prisoners. Disseminating information of life in prisons, the reformation of the prisoners and their spirit and zeal to become good human beings can be done through vide telecast of documentaries on the Indian jails. It is difficult for the anger against the perpetrator of crime to be whipped away through magic, but the virtue of forgiveness and the significance of a second chance to be a better human being can save the life of the released prisoners. The reformatory theory of punishment espoused by the criminology trends in the country can fulfil the purposes if the same are followed by rehabilitation of the reformed released prisoners into the society by giving them a second chance to earn their living and to earn back their position and respect. The media can play the role of a vital catalyst in the fulfilment of this aim and therefore has immense significance in protecting the human rights of prisoners in India.

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