

# MEDIA IN AFRICA



Twenty years after the  
*Windhoek Declaration*  
on press freedom

*Edited by Guy Berger*

Published by



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Published by the Media Institute of Southern Africa (MISA)  
Private Bag 13386  
Tel: +264 61 232 975  
Website: <http://www.misa.org>

Layout & Cover design: Clara Mupopiwa  
Editor: Guy Berger  
Sub-editing and proofing: Elizabeth Barratt

Repro and Printing: Paarl Printers, Cape Town  
Printing Sponsor: Media24

ISBN 9780868104744

*The views expressed by independent contributors are not  
necessarily those of MISA.*

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# Preface



By Esmaré Weideman

*Esmaré Weideman is CEO of Media24, and was previously editor-in-chief of Media24's flagship weekly news magazines, Huisgenoot, You and Drum.*

Media24 not only deems it an honour and an opportunity to sponsor this important publication. We see it as our duty.

We are part of the Naspers group, Africa's largest media company, recently rated the 10th largest global media enterprise.

Though successfully doing business in more than 50 countries all over the world, we are deeply rooted in Africa. In 2015, four years from now when the centenary of the oldest newspaper in our group will be celebrated, Naspers/Media24 will have been in Africa for 100 years. We intend being here for much longer. Progress in Africa and the role of the free media therein is in our DNA.

Media24 is indeed proud to be associated with the 20th celebration of the milestone event that is the Windhoek Declaration. The Declaration was originally issued as a continental clarion call for media freedom in Africa, but has since grown into a lodestar for media freedom all over the world.

We believe the Windhoek Declaration and what it strived to achieve,

played a major role in the progress that has been achieved in Africa in the last 20 years. More African countries today can be described as constitutional democracies than two decades ago when the Declaration was adopted. The old adage that democracies don't go to war against each other, has a media freedom element that pertains particularly to our continent: African countries where the media is free, prosper and develop.

Take the case of Mali, which is rated by international agencies as being the African country with the highest degree of media freedom. Mali became a democracy with a free press one year after the adoption of the Windhoek Declaration. Today, it is considered a well-established African democracy – in no small measure because it has studiously respected and maintained media freedom.

Substantial progress in the field of media freedom has been achieved in Africa in the past 20 years. Yet much remains to be done. Less than five African countries today appear in the "totally free" category of global press freedom indexes. More and more African countries are descending into the "partly free" category, interestingly enough, among them, South Africa and Namibia. Unfortunately, the "unfree" category is rather densely populated by African countries.

So, we have our work cut out for us. The energies of civil society, business, media companies, trade unions, the churches – and Africans from all walks of life – need to be harnessed into a continental effort to enhance and protect the institution of the free media in Africa.

Our progress as a continent demands this from us.

# Foreword



By Janis Karklins

*Janis Karklins is Assistant Director-General of Communication and Information of UNESCO. He was previously the Latvian Ambassador to France, Andorra, Monaco and UNESCO. He was as well the Permanent Representative of Latvia to the United Nations in Geneva. He has held several elected posts in the World Intellectual Property Organisation and also in the leadership of the World Summit on the Information Society.*

UNESCO warmly welcomes this publication as we commemorate the 20th anniversary of the adoption of the Windhoek Declaration on Press Freedom, Promoting an Independent and Pluralistic African Press, a landmark document that set the stage for the developments taking place in the African media sector since then. UNESCO therefore congratulates the Media Institute of Southern Africa (MISA) for bringing together such an impressive group of experts to present us with an overview of the past two decades and share their assessments on the status of press freedom in Africa. The Windhoek Declaration was agreed upon by African journalists at a seminar sponsored by UNESCO, the UNDP and UNDP, held from 29 April to 3 May 1991. It was later endorsed by UNESCO's General Conference. The main assertion of the Windhoek Declaration is that a free, independent, plural and diverse press is a fundamental human right essential to democracy and development. The Declaration's content finds its basis in article 9 of the African Charter on Human

and Peoples' rights (Banjul Charter), which provides for the right to freedom of expression and opinion as well as the right to receive information. This provision is also in accordance with article 19 of the Universal Declaration on Human Rights, which enshrines media and press freedom; as well as with article 19 of the International Covenant on Civil and Political Rights, which contemplates the right to seek, receive and impart information and ideas within the restrictions provided by law for the protection of legitimate interests which are truly necessary.

The importance of the Windhoek Declaration's legacy cannot be sufficiently stressed. For the first time, journalists were strongly assured that their plight was being heard within the UN system; the Declaration marking an unprecedented international commitment to address their needs as directly expressed by them. It was indeed in its spirit that several regional instruments were adopted following the Windhoek Declaration, aimed at strengthening the principles foreseen in that document and recognising the role of the media as a vehicle for strengthening dialogue, mutual understanding and reconciliation. On the basis of these regional instruments and their recommendations, several African countries have adopted principles pertaining to the Windhoek Declaration and the regional instruments into their national constitutions and through other more specific legal provisions and regulations.

In practice, however, freedom of the press is not yet fully secured in Africa. Thus a critical examination of its current status, the progress and setbacks that have taken place



in the past 20 years was called for, and this publication is an excellent response to such need. As emerges from the analyses you will find in the following pages, positive developments in the region were accompanied by a lack of progress in enabling press freedom in some countries.

*“African media still suffers indirect restrictions related to administrative procedures, punitive taxation and unfairly distributed advertisement.”*

The recent resolution on Freedom of Expression and Protection of Journalists adopted in November 2010 by the NGO Forum in Banjul, The Gambia, expresses the concern for the lack of full press freedom in parts of Africa. It reiterates other remaining challenges, including the continued existence of repressive legal provisions limiting the flow of information, as well as the enactment of new emergency and terrorism laws. Political interference in the media is an issue of concern, as are the pressures that journalists face to disclose their sources of information along with harassment, censorship, threats, illegal detentions and the increased number of killings of media professionals and related personnel – the perpetrators of these crimes largely going unpunished. African media still suffers indirect restrictions related to administrative procedures, punitive taxation and unfairly distributed advertisement. Where there is a lack of independence of the judici-

ary this negatively impacts on freedom of expression and the rights of media professionals. Furthermore, there is an important need to improve journalists' professional and ethical standards, as well as their basic education. Also pending is a need to ensure a more widespread reach of news and information and communication technologies.

On a positive note, there is no doubt that both press freedom and media pluralism have expanded in Africa since the adoption of the Windhoek Declaration. Over the years, media outlets multiplied in many countries as the media sector was liberalised. The number of community and privately owned media grew, along with initiatives to transform state broadcasters into independent public service broadcasters. Accompanying this evolution, and taking into account that the Windhoek Declaration was focused on print media, renewed discussions took place on the occasion of its 10th anniversary in 2001, which resulted in the adoption of the African Charter on Broadcasting.

As we now commemorate the passing of another decade since the Windhoek Declaration's signing, we must necessarily take stock of further changes that have occurred in the African media landscape. By way of example, one may point to the expanded use of electronic platforms and cell phones in Africa, which are increasingly being utilised for information production, dissemination and sharing by different actors, although this has yet to characterise the majority of the population. Also promising are the growing efforts by national, regional and international actors to promote freedom of information legislation in Africa and to demonstrate their strong commitment to counter threats of regress where advances had been made.

The Windhoek Declaration was adopted on 3 May 1991, a date we still recall annually to celebrate World Press Freedom Day. The date makes us look back to Africa. It was there that the Windhoek Declaration was agreed upon; forever leaving an indelible imprint that goes beyond the region, given the universality of its principles. As we read the following pieces produced by authors from diverse backgrounds with first-hand experience of the issues, let us celebrate what has been achieved in these past two decades and evaluate what still needs to be done in Africa. The continent is in fact one of the two global priorities within UNESCO's Medium-Term Strategy for 2008-2013 and, as in 1991, our organisation is ready to stand up to the challenge of assisting efforts by member states and civil society to overcome the remaining barriers to press freedom. This is in light of the impact that press freedom has on every other human right, on civil society's informed engagement in public affairs and on the quest for the attainment of sustainable development, democratic governance and peace.



# This is MISA



By Kaitira Kandjii

*Kaitira Kandjii is Regional Director, Media Institute for Southern Africa (MISA). He joined the organisation as an Information Officer in 2000, having formerly worked in media, government and academia.*

Since its formal initiation in 1992, the Media Institute of Southern Africa (MISA) can aver quite a number of achievements accomplished through its involvement in the region.

As a non-governmental organisation with members in 11 of the SADC countries, the organisation focuses on the need to promote free, independent and pluralistic media, as envisaged in the 1991 Windhoek Declaration. Through email alerts and our annual publication "So this is democracy?", MISA has consistently monitored and reported on media freedom violations over the years.

Over the period, there has also been progress in ensuring that media freedom and the protection of the rights of media houses and journalists are achieved. As a result, some dictatorial governments have been prevented from infringing the rights of journalists to publish information freely and impartially. This has been achieved through the campaigning against legislation that perpetuates an environment where the media cannot function independently. The situation, how-

ever, remains problematic in countries such as Zimbabwe, Swaziland and Angola where the powers-that-be ensure that democracy remains a myth.

*“As a result, some dictatorial governments have been prevented from infringing the rights of journalists to publish information freely and impartially.”*

Furthermore, just as criminal defamation remains on the books in many SADC countries, there is also the criminalisation of 'insult' to the head of state whose office is 'protected' by national law. The use of these laws stops a country from achieving true democracy. Nevertheless, MISA has pressed on undiscouraged and has also managed to offer financial aid to journalists facing such legal predicaments.

MISA has also supported media practitioners in distress as a result of arrests, and it has given backing to media houses in litigation or being shut down. This is through its Legal Defense Fund (LDF) established in 1996. The MISA National Chapters in Botswana, Malawi, Zambia and Zimbabwe have since established national LDFs, modelled on the regional Legal Defense Fund. Other National Chapters like Lesotho, Mozambique and Tanzania are in the process of establishing their funds, based on their needs.

In addition, MISA has managed to contribute to the improvement of media standards through excellence in journalism, through media awards and selective training programmes, like election reporting, based on the assessed needs of media practitioners. In 2011, we initiated the prestigious annual John Oliver Manyara Lecture – named after the late Zimbabwean judge who worked tirelessly for press freedom in Southern Africa. The lecture this year was delivered by the respected Botswana intellectual, Prof Bojosi Otlhogile.

MISA has also been able to promote and achieve the establishment of self-regulation mechanisms as the preferred option to statutory councils favoured by governments.

In the “Open the Waves” campaign, MISA has done a lot to contribute to the body of advocacy materials on broadcasting. The organisation has been very influential in the implementation of the African Charter on Broadcasting (ACB), adopted in Windhoek in 2001. Along with the 1991 Windhoek Declaration, the ACB's provisions have been incorporated in the document agreed by the African Commission of Human and Peoples' Rights (ACHPR) in 2002, titled the “Declaration on Freedom of Expression in Africa”.

MISA remains involved with campaigns for broadcasting diversity and editorial independence, and for the transformation of state broadcasters into genuine public service broadcasters. Some success can be claimed in Zambia where MISA helped to bring into existence the Independent Broadcasting Authority and the amendment of the Zambia National Broadcasting Corporation Act.

This success resulted in a legal footing being established for the transformation of the country's national

broadcaster into a public service one, although much still needs to be done in implementing the spirit of these laws. The overall achievement, however, has encouraged other MISA National Chapters to engage their legislatures over transformation of their national broadcasters in terms of the ACHPR declaration. The Access to Information campaign that is now on the map is a key tool to enhance transparency and citizen participation in government, judicial and legislative issues. In this activity, MISA aspires to work together with all concurring organisations and individuals to continue nurturing democracy and human rights in Africa.



# OVERVIEW

*Overview*



# Overview: Media in Africa 20 Years on, Our Past, Present, and Future



By Guy Berger

*Guy Berger is Director-designate for Freedom of Expression and Access to Information at UNESCO. He served as head of the School of Journalism and Media Studies at Rhodes University from 1994-2010. He is co-editor with Elizabeth Barratt of "50 years of African Journalism" which is available at [www.highwayafrica.com](http://www.highwayafrica.com). His research is online at <http://guyberger.ru.ac.za>*

*Picture: Prof Guy Berger with Archbishop Desmond Tutu in July 2010 ahead of the Nobel Prize winner signing the Declaration of Table Mountain against insult laws in Africa (see <http://www.wanifra.org/microsites/declaration-of-table-mountain>). Photo by Tim Anger.*

## 1. Introduction

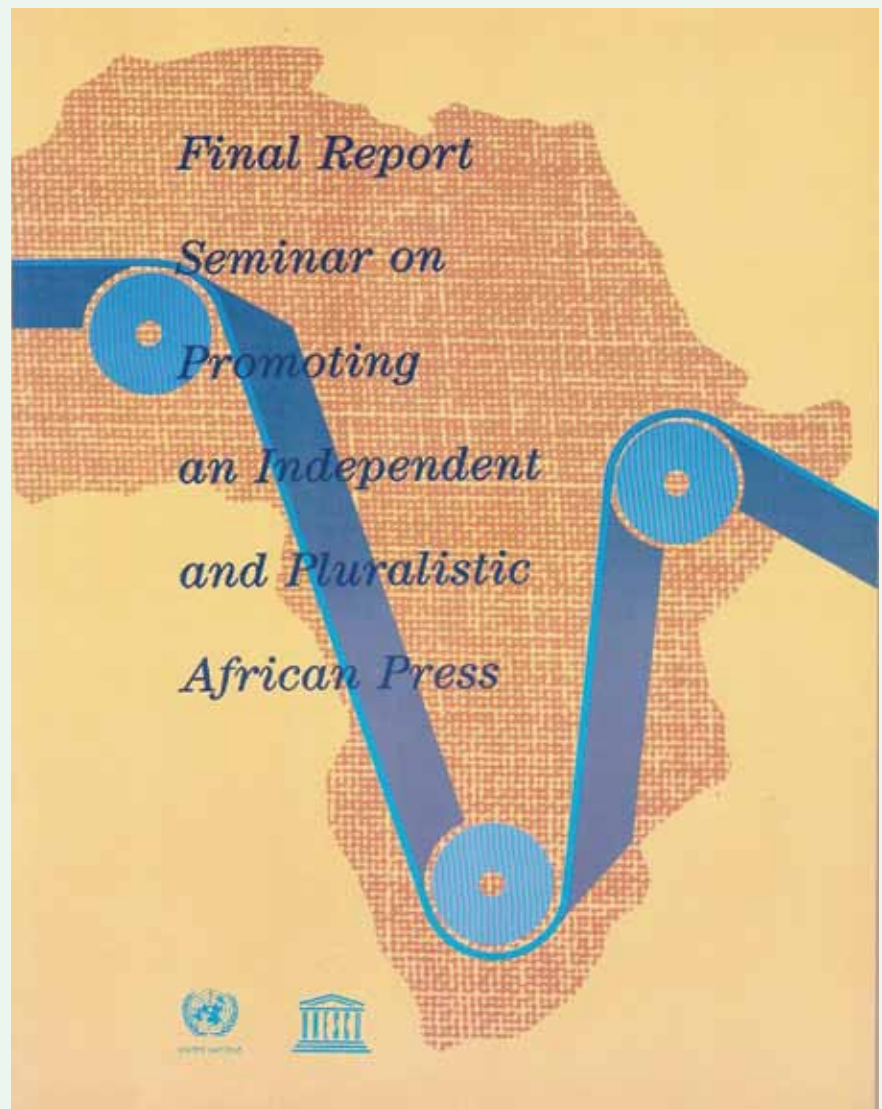
To assess the 1991 Windhoek Declaration in terms of African media history requires recognising that this seminal document came from the hearts of journalists. Generally around the world, but in Sub-Saharan Africa especially, journalism is bound up with idealism. This is notwithstanding the many persuasions and pressures that can lead its practitioners to fall short of the ideal. The desire to strive for the best applies to even the most constrained journalists, who – when they set aside any self-rationalisations – would invariably prefer to do the right thing journalistically. To this end, they hunger to be free of distorting controls by government officials, politician owners or unscrupulous bosses. This idealistic motivation includes even the most underpaid reporter on a private outlet who persistently supplements his or her erratic income with bribes. It is also something which supercedes most

other senses of identity that an African journalist may have, at least in terms of aspirations. It is central to the appeal of being a true journalist who works as a professional to serve the noble cause of circulating information in the public interest. It is this idealism that underpins the power of the Windhoek Declaration. The journalists who drew up the Declaration set up a beacon that illuminates the goal of conveying stories for honourable reasons, rather than for the narrow pursuit of power, wealth or religious orientation. It is this objective that sustains most African journalists in the face of daily challenges to compromise and is often upheld at great personal cost. More than 100 journalists in the region have paid the ultimate price since 1990, and many others have endured other serious hardships. The idealism that powers their work is not a Western concern, even if it is shared in much of the West. Instead, it is a universal driver of why people choose to become journalists in the first place. It transcends various national or continental journalisms (in the plural) – i.e. various cultural forms and traditions of journalism. Although the record of some African media is serving as an instrument of power, disinformation and even hatred, the news workers in these outlets tend to operate with either a sense of shame or a disavowal of their identity as journalists. In contrast, legitimate journalism – even when partisan – retains an ethical conscience that respects the values of truth-telling and public interest, and subscribes to the need for all key interests to be represented fairly in the public sphere.



What then have been the prospects for coming closer to the Windhoek Declaration's ideal of untarnished journalism in the past 20 years? The answer to this involves pinpointing what the limits have been, and what kinds of journalism have developed in relation to them. Two vantage points can be taken on this matter. On the one hand, for observers like Francis Nyamnjoh writing in 2005, there has been no real improvement in most of the continent. In his view, the "mediascape in Africa in the age of intensified globalization speaks more of continuity than change and more of exclusion than inclusion".<sup>1</sup> In a similar vein, analyst CW Ogbondah wrote in 2002: "There is as much continuity as there is change in the current political situation in Africa."<sup>2</sup> From such perspectives, instead of positive change building incrementally over the years, there has been a continuity of journalism being corrupted by state controls, business imperatives and the weaknesses of practitioners themselves. In addition, there is still ongoing self-censorship as well as sensationalised presentations of reality, and there is also journalism that has inflamed violent conflict.

A different, less fatalistic and more optimistic view, points to unprecedented pluralism over the period, even if there is not a utopia of diversity and quality of journalism. It highlights the journalism heroes and heroines who have exposed social ills without fear or favour, and it recognises media that promoted peaceful resolutions of conflict. In this camp, writers like Charles C Okigbo and Festus Eribo wrote in 2004: "On the whole, most people in Africa were better off in 2001 than a decade earlier – albeit modestly – and most of them enjoyed the benefits of a freer – albeit not necessarily free – press."<sup>3</sup> In the analysis provided later in this



report, the trends over the whole two decades since the Windhoek Declaration tend to confirm this assessment, even though the immediate past decade has not sustained the initial progress. Overall, despite the fact is that the glass may still be seen as half-full or half-empty, it certainly contains a lot more liquid than was the case before 1991. Of course a mere Declaration cannot be held to have been the primary cause of these partial improvements. And yet it would also be a grave distortion if a media history ignored the contribution that Windhoek did make. This achievement was, in effect, to set standards for the

optimum conditions of African journalism, and to help change realities so as to move more in line with these standards.

Looking ahead with the inspiration of the Windhoek Declaration, over the next 20 years mass communications capacity will spread rapidly beyond the institutions of the mass media. As discussed in the conclusion of this review, the vista is one of greater choice for media consumers and greater participation by non-media people and institutions who believe they have stories to tell and points to make in the public arena. Pressures will grow for more transparency in the state, business and the mass media itself. In this

future, amidst all the information put into circulation, the idealistic nature of journalism will be of even greater relevance than it has been. But there will still be many battles to wage and to support, including new ones relating to the Internet platform. Drawing on the legacy of the Windhoek Declaration, however, it should be possible to further create the conditions that are conducive to the contribution of fully fledged journalism to Africa.

## 2. Where it all began

In 1991, the Internet was almost unheard of in Africa. Very few people on the continent knew about cellphones, let alone had heard a range of ringtones interrupting a gathering. Back then, Nelson Mandela had not even been a year out of prison, and FW de Klerk was still the president of South Africa. No one at the time envisaged quite how badly Zimbabwe could turn out, let alone how Tunisian resistance would have a domino effect even beyond the African continent. Rwanda in 1991 was just another African state. Twenty years ago, it was not a case of African election results being violently disputed as has happened in Kenya and Cote D'Ivoire in recent years – elections were few and far between. And in that distant past, outlets for ethical journalism were but a dream. Most Africans were not just blighted by underdevelopment, but also severely malnourished in terms of quality information. It was the wider social context that set both possibilities and parameters in the pre-Windhoek era. Prior to 1991, media development in most African countries was almost everywhere subjected to the whims of self-interested elites who had captured power for personal gain, using combinations of force and nationalism to do so. Journalism

operated within (and often against) such difficult confines. Many post-colonial African states had freed themselves from foreign rule in the 1960s only to evolve in the 1970s into systems where an authoritarian ruler controlled every key institution of power – including parliament, the security and civil services, the electoral machinery, and often even the judiciary as well. In this context, it would have been highly unusual if not just the state-owned media, but also the privately-owned media (where it existed) could somehow have been exempt. Through coercion

or co-option, most media served these corrupted systems. As is well known, the instruments deployed against journalism in particular included the self-same laws and institutions that the erstwhile colonial authorities had used for their political domination. By the mid-1980s, the lack of will and/or ways for these stagnant regimes to deliver a viable development project had produced a political impasse. This was intensified by the failure of structural adjustment programs imposed by international agencies,

**THE NAMIBIAN**  
TUESDAY APRIL 30 1991 \$

# Changing Africa's press

**TOM MINNEY**

**ETHIOPIAN, Indonesian, journalists and supporters are discussing ways to change the face of Africa's press in Windhoek this week.**

Prime Minister Hage Geingob yesterday opened a conference sponsored by the United Nations Centre for Human Rights in Windhoek to discuss the role of the press in promoting democratic development in Africa. The conference will attract journalists and publishers from countries as diverse as Algeria, Cameroon, Kenya and South Africa to compare their experiences with the way they are trying to set up what they regard as being able to run their newspapers privately.

Among the speakers, Prime Minister Hage Geingob said: "The subject of freedom of the press is close to my heart" and said the Government is in fact now taking steps to liberalise the press.

"There will be information

**One editor's story**

...committee on its nature as unique able to judge for themselves, and that the media should be withheld from them because they would not know what it is all about."

Geingob added that journalists' unions are vital in promoting press freedom, both to make sure journalists are not under the pressure of "poverty and indignity" and to show them as professional and not as victims of a particular crisis.

Freedom of the press and democratic stability are two sides of the same coin, commented Jan Nouwen of the International Federation of Newspaper Publishers, saying that only a free press can be a true partner in development.

He said that the press and publishing industry in Africa should be able to set its own agenda and not be controlled by the state. "There is no paper to print news, and if there is, it is often of a quality that is not acceptable to the public," he said.



**ALL eyes and ears** were turned to speakers' boxes in an opening speech. From left, Prime Minister Hage Geingob who opened the media forum, UN Deputy Director General Claude Gaudin and Jan Nouwen, President of the International Federation of Newspaper Publishers.

## The press in a young democracy, PM speaks

At his opening speech Prime Minister Hage Geingob said that the media is a key element in the development of a young democracy. He said that the media should be able to set its own agenda and not be controlled by the state. "There is no paper to print news, and if there is, it is often of a quality that is not acceptable to the public," he said.

Geingob added that journalists' unions are vital in promoting press freedom, both to make sure journalists are not under the pressure of "poverty and indignity" and to show them as professional and not as victims of a particular crisis.

## Unesco conference schedule for today

11:00 Hours  
11:30 papers presented: "The challenges and opportunities in Africa" by Mr. Claude Gaudin (Director General, UNESCO); "The role of the press in Africa" by Mr. Hage Geingob (Prime Minister, South Africa); "The role of the press in Africa" by Mr. Jan Nouwen (President, International Federation of Newspaper Publishers); "The role of the press in Africa" by Mr. ...

**'Help debate the issues...'**

The secretary of the Namibian National Debatting League (NNDL), Gerry Hill, has appealed to the Government and NGOs to provide it with financial assistance.

This would enable the League to reach all Namibia's secondary schools, Hill said.

Hill said yesterday that during a debating competition in Swakopmund, financial constraints affected the League's ability to operate effectively.

He pointed out that Namibia had been forced to improve its debating skills to encourage confidence and self-esteem among young people.

At last weekend's competition, teams were the League's trophy after debating Swakopmund.

**PLEASE NOTE THAT THE NAMIBIAN WILL NOT APPEAR TOMORROW. OUR NEXT PAPER WILL BE ON THURSDAY.**



and the results were an increase in popular dissatisfaction, including even amongst elite factions who were not accommodated within the ruling bloc. At the same time, the Cold War came to an end, suddenly reducing international stakes in propping up regimes that had been friendly to one side or the other. Many Africans protesting for change took extra courage from the overthrow of discredited political and economic models in Eastern Europe. The pre-1991 context, in short, was ripe for change, even in tough-nut apartheid South Africa. The form and timing of change would be uneven around the continent, with elections and their consequences differing between countries. But in most cases the 1990s saw, at least initially, a qualitative change away from the previous period of powerful and centralised authoritarianism. Africa's second wave of democracy had arrived, and with generally positive implications for journalism in the short-term.

Around this time, the influential international body UNESCO emerged from Cold War paralysis to develop a new communications agenda that stressed both freedom of expression and media development, thereby securing broad-based support from previously opposed international interests. It was under these auspices that the winds of change bustled into Windhoek in early May 1991. Intentionally coinciding with the symbolism of the recently liberated Namibia, UNESCO's Alain Modoux convened a conference on the role of a free, independent and pluralistic press in Africa's new democratisation. The prestige of the event even managed to persuade the Cameroonian government to free a jailed journalist in order to attend. As the period was one in which broadcasters were firmly part

of government structures, it was logical that the attendees and the focus of this watershed event would be linked to the private press. It was these journalists who produced a focused statement that would become well known around Africa and beyond. Although their declaration speaks of "press freedom", the clearly intended import is not limited to newspaper freedom, but designates "media freedom" more widely and "journalistic freedom" in particular. Windhoek was no ordinary talkshop. Its momentum was such that the Media Institute of Southern Africa (MISA) was formed a year later (see [www.misa.org](http://www.misa.org)). This organisation was a custom-built vehicle to advocate for the vision of the Windhoek Declaration. MISA went on to build chapters across the Southern African Development Community region, and the NGO continues to serve as a public alarm service about press freedom violations in southern Africa. The energy unleashed by Windhoek also fed into the ethos in which the International Freedom of Expression Exchange was founded in 1992 as a worldwide coalition of free speech and free media advocates (see <http://ifex.org/>). Meanwhile, UNESCO was on a roll, initiating similar or extended declarations in other regions of the world: Alma Alta (Kazakhstan), Santiago (Chile), Sana'a (Yemen) and Sofia (Bulgaria). At the same time, painstaking lobbying produced the successful adoption of the Windhoek Declaration by the United Nations General Assembly in 1993, and by UNESCO's own General Assembly in 1995. The result was an enduring gift from Africa to the globe, delivered by UNESCO. The contribution that all this made to humanity was the securing of international recognition of World Press Freedom Day, which today is observed every 3 May on the anniversary of the historic

deliberations. It is a profound recognition of the importance of cherishing journalism.

The dynamics of the Windhoek Declaration ranged far and wide in other ways as well. The values underpinning the statement influenced the drafting of the media freedom clauses in the new South African constitution, and they also helped persuade numerous authorities to open up space for print media in many countries. Donors were enthused and support was mobilised for media law reform, skills training, and general sustainability. All over Africa, scores of new publishers were both permitted and inspired to launch newspapers.<sup>4</sup> In Gabon, after a multi-party system was accepted, more than 200 papers were registered within a few months. The lifting of restrictions on publishing had a similar effect in the then-Zaire, where from 1990 to 1995, 638 press titles were registered. Nearby, the lifting of the lid in Cameroon saw 1300 papers registered in 2000, even though barely 30 sustained a degree of publication. Amongst the continuing success stories from that period have been the weekly papers *The Namibian* (founded in 1985) and *The Post* (launched in Zambia in 1991), which became thriving dailies notwithstanding the many obstacles (including printing and advertising bans) strewn in their paths by the authorities in their respective countries.

As one might have expected, however, Windhoek's aspirations did not materialise in many countries, and nor did they always remain in place where some progress had been made. In many instances, the second democratic wave was short-lived. New predatory and kleptocratic regimes replaced ousted ones, often exploiting ethnic or regional identities to secure and

maintain their power. Even today, a scan of headlines on websites like the International News Safety Institute (<http://www.newssafety.org>) or the Center for the Protection of Journalists ([www.cpj.org](http://www.cpj.org)) shows just how much the abuse of power by these authorities continues and how it constitutes a primary obstacle to free and independent journalism.

But the early years after Windhoek were still a period of optimism that came to be further fuelled by the notion of the African Renaissance and the New Partnership for African Development. It was not surprising therefore that in 1997, analyst Tendayi S Kumbula wrote: "Press freedom is making a comeback in Zimbabwe".<sup>5</sup> As we now know all too well, the repression in that country worsened with increased intimidation, violence and bannings. The architect in much this was cabinet minister Jonathan Moyo – a man who in 1992 had blasted the docility of the government-controlled media as "sometimes takes on disgusting proportions" in propagandising for President Robert Mugabe.<sup>6</sup> Elsewhere, many other newly elected governments also retained, and even intensified, media controls, and there were infamous remarks like that of then Malawian President Bakili Muluzi who spoke ominously of dealing with "watchdogs that display symptoms of rabies". Despite the Windhoek Declaration, in Cameroon more than 100 journalists were sent to prison between 1990 and 2003, while in the Democratic Republic of the Congo (DRC), 160 journalists were jailed between 1997 and 2001 in repression after the seizure of power by Laurent-Désiré Kabila.<sup>7</sup> In some cases, conditions even worsened. A study by Marie-Soleil Frère details how, in six central

African countries, elections and liberalisation of the media in the 1990s, were followed by an explosion of violent conflict where journalism became part of the polarisation and hatred. In Burundi, for example, "the papers became weapons of war" and those fragments of the media that tried to stay neutral were severely pressured to take sides.<sup>8</sup> Nevertheless, such clouds in the African sky were not sufficient to overshadow the sunlight spreading elsewhere on the continent, and the momentum of Windhoek persisted. Ten years after the original conference, the Southern African Development Community (SADC) adopted the Culture, Sport and Information Protocol. This explicitly adopted the media freedom aspects of the Windhoek Declaration, although it also took an ambiguous position on the issue of statutory registration of journalists in the region. In the same year of 2001, under MISA-auspices, a new generation of media activists put the focus onto radio and TV, with the development of the African Charter on Broadcasting. This specific attention to broadcasting at "Windhoek+10" had been encouraged in the original Windhoek Declaration, and it reflected two developments: (i) escalating calls for an end to governmental abuse of state-owned stations, and (ii) the liberalisation of the airwaves to allow non-state players to set up their own stations. There was a potential danger to liberalisation such as had happened in Rwanda in 1994 where the private-owned Radio Télévision Libre des Mille Collines (RTLM) had played an extreme part in the genocide. However, that role had also been able to emerge without effective regulatory constraints, and within a context where 48 journalists (including 25 Hutu journalists) had

been murdered by the end of July 1994. It is noteworthy, too, the state-owned Radio Rwanda had initially played a moderating role in the build-up to the genocide. In contrast to RTLM, Burundi's private stations had promoted peace in that divided country, while UN Radio Okapi had also played a positive role in promoting understanding in the DRC.<sup>9</sup> As a measure that the 2001 Charter was spot on, it is today only extremely retrograde states like Eritrea, Zimbabwe and Algeria that retain a state monopoly in broadcasting. However, while the African Charter on Broadcasting recognised that democracy needed to transform state-owned radio and TV stations away from being mouthpieces of governments and towards becoming impartial public service broadcasters, this – along with independent regulation of broadcasting – still remains a huge challenge across the African continent.

The broadcasting Charter, along with the original Windhoek Declaration, also had further effects, in particular helping to shape the 2002 Declaration on Principles of Freedom of Expression. This important document was agreed by the African Union's Commission on Human and People's Rights, and it continues to serve as a benchmark for best practice media environments in Africa. In it, the key conditions for media freedom are spelled out, and there is elaboration on independent broadcast regulation and press self-regulation (as distinct from governmental regulation).

Today, 20 years on, and with some progress made as regards print and broadcast journalism, a third area is coming into focus for taking the Windhoek idealism yet further. This is the right to information, something that is

critical to journalism as well as to citizens and groups striving for transparency and openness. It is essential to good governance, accountable international relations, honest business practices and environmental concerns, amongst others. The earlier demands in Windhoek were that the state should permit the right to free expression through the press and subsequently broadcasting, and these issues understandably dominated the flavour of the two decades after 1991. Today, the other side of the coin is for the state to not just stay out of unwarranted control of information in society, but to also open up its own information resources for public inspection and control. That requires governments practice transparency and also proactively empower citizens to access public information, such as by using (and promoting the spread of) Information and Communications Technologies (ICTs). The schema above lays out how Windhoek prompted the evolution of African standards appropriate to the ideal of journalism. It also points us to investigating in more depth how actual practice compares to these standards over the past 20 years. Accordingly, this brings us to an assessment of progress since 1991 in the conditions for African journalism, including the wider environment of free expression and media freedom. Also relevant is an assessment of the state of access to information. The verdict, as elaborated below, is that there have been major improvements in regard to the vision for a free print media, partial progress in broadcasting, but still a lot of work needed in regard to the right to information. Warning lights need to flash, however, in relation to a general retrogressive trend in the past decade. The terrain for journalism is still far from

optimum, and new issues are also arising in relation to the spread of the Internet. All of this is explored below.

### 3. What we're looking at:

Windhoek 1991 set out several ideal standards for African journalism to flourish, and these can be grouped into in four broad categories. They are: the context, capital, capacity and knowledge needed for African journalism to contribute fully to democracy and development on the continent.

#### Contextual standards – political, legal, social:

- a) **A society should have free and diverse media institutions:** As a standard, there should be the establishment, maintenance and fostering of an independent, pluralistic and free press. This aspiration was further elaborated in the Declaration: (i) independence was from governmental, political or economic control; (ii) freedom was from government control of materials and infrastructure essential for production and dissemination; (iii) pluralism was specified as being an end to monopolies and ensuring, instead, the widest range of media outlets and opinions.
- b) **There should be professional and economic freedoms:** This standard requires freedom for jailed and exiled journalists; an end to repression against individual journalists; and the lifting of restrictions (eg. on newsprint and licensing systems) that constrain the opportunity to publish and to circulate media within and across national borders.



*Tanzania: What's new in Zanzibar? A buyer is spoilt for choice as he scans the plurality of titles available in Stone Town, in 2008. (Photo by Alessio Rinella, <http://www.flickr.com/photos/rinhello/>)*

#### Capital:

- a) **There should be support:** Windhoek urged direct donor funding for non-governmental publications, with the limitation that any external support for state-owned media should be only "where authorities guarantee a constitutional and effective freedom of information and expression and the independence of the press".
- b) **Collaboration is needed:** The standard to be striven for here is cooperation between publishers within Africa, and between publishers of the North and South, and support for the creation of regional African press enterprises.

### Capacity of personnel:

- a) **Media groups should be organised:** This refers to the establishment of independent, representative associations of journalists, and associations of editors and publishers.
- b) **There should be training:** for both journalists and media managers.
- c) **Ethics are part of the picture:** There should be development and promotion of non-governmental regulations and codes of ethics in each country "in order to defend more effectively the profession and ensure its credibility".

### Knowledge:

- a) Research is required: This would be into the state of press freedom in African countries, into economic barriers, and into the feasibility of establishing an independent press aid foundation.

It can immediately be seen how progress on any one of these ideal standards was, and is, dependent ultimately on success in all the others. As a holistic vision, the Windhoek Declaration requires all components to be in place in order for journalism to be really pumping. For example, it is not possible to envisage a meaningful code of ethics being developed, or an effective self-regulatory system being put in place, without journalists also having the legal freedom to make ethical choices. Similarly, media freedom is also a prerequisite for pluralism. As a third example, one simply cannot imagine having collaboration in Africa without having vibrant associations in industry, and without some support being made available for this (at least initially). Finally, if all of these elements are to perform optimally, they need to be informed by knowledge and hence there needs to be research.

It should be noted, however, that

while achieving each aspect of the Windhoek Declaration is essential to the other, progress on one does not inevitably guarantee the progress of another. To illustrate this, one can acknowledge that while media freedom is essential for ethical journalism, on its own it does not automatically generate this outcome. That said, though, without media freedom in politics and law, very little else can happen. In this regard, if there is one fundamental condition in the Windhoek Declaration, it is media freedom. To study this key aspect of African performance, it is possible to draw on frameworks that are somewhat more narrowly focused than the Windhoek Declaration – such as that of Reporters Sans Frontiers, the Committee to Protect Journalists and Freedom House (see below). The point of such a focus is that the most important ingredient since Windhoek has been, and for a long time will continue to be, the quality of contextual freedom for journalism. This central pillar does not construct the entire house as envisaged by Windhoek, but the dwelling depends on it being in place if the other components have a chance of being assembled.

Even taking all the Windhoek Declaration points, it is also clear that the document never set out to cover the entirety of media issues. Its principles of independence, plurality, diversity, sustainability and pan-Africanism are also very relevant to broadcasting and Internet media, even though these matters also raise issues of their own. However, Windhoek's particular focus has also been enriched by several other (later) frameworks which have taken further the task of highlighting, to use the words of the Declaration, what it takes for the media to be "essential to the development and maintenance of democracy

in a nation, and for economic development". Prominent amongst such subsequent frameworks are the following: (i) the African Media Development Initiative, (ii) the Media Sustainability Index by the International Research and Exchange Center (IREX), (iii) UNESCO's "Media Development Indicators" and (iv) the African Media Barometer of the Friedrich Ebert Stiftung and MISA, which is based upon the Declaration on Principles of Freedom of Expression in Africa. These frameworks all highlight Windhoek's central concerns, while adding other aspects as well. Accordingly, other standards beyond Windhoek (although linked to it) can be included in an assessment of conditions for the optimum role of journalism in Africa:

#### Adding to Context standards:

- Freedom of information dispensations
- Independent regulation of broadcasting, and reform of state-owned media

#### Adding to Capital standards:

- Access and use of modern media technology for both inputs and outputs of journalism
- Media service for marginalised groups and languages

#### Adding to Capacity standards:

- Importance of editorial independence from owners and outside influences.
- Existence of media support groups
- Self-regulation and complaints systems for the public
- Local content production and topic-based expertise
- Participation in news and media discourse by people outside the media industry

#### Adding to Knowledge standards:

- Development of news- and media- literacy amongst both audiences and public officials.

From some points of view, not even this expanded horizon is enough to get a complete handle on key



matters. Some people could, for instance, suggest explicit focus on gender across all indicators; others might propose attention to the image of Africa. For the purposes of this report, these themes will be touched on where they permeate the issues raised. Other critics could oppose the separation of some categories. It is true that there is a cross-cutting character of many of the aggregated standards. One example is that the right of access to information is not just an aspect of political-legal-social context, but is also about practical access which includes capacity, technology and knowledge. However, for the purposes of exposition in assessing how far Africa has come since Windhoek, and where we still need to go, this report keeps a focus on the four broad concerns of Context, Capital, Capacity and Knowledge. At the same time, it also strives to be responsive to the kinds of criticisms that could be made of this analytical framework.

Although it might be obvious, it bears mentioning that what follows should not be taken to constitute sweeping generalisations about African journalism as a whole. African countries differ enormously, and not least in terms of Francophone and Anglophone colonial legacies and in terms of the forms of governance in them. It is also important to be mindful that where an average is calculated, it is often significantly brought down by horror cases in 2010 like Eritrea (17 jailed journalists), Ethiopia (4 jailed journalists), Equatorial Guinea and Zimbabwe, even if these offenders are, in the bigger picture, just four countries out of the total.<sup>10</sup> The reader should therefore read the material below mainly as providing illustrations of the kinds of gains and the types of problems that can be identified over the 20 years since the Windhoek Declaration. Further,



*Maputo: In January 2003, two of the men accused of assassinating Mozambican journalist Carlos Cardoso have their handcuffs removed at the murder trial in which the then- President Chissano's son was implicated. (Photo: Joao Silva/ PictureNET Africa)*

much of the data and the cases cited are indicative, rather than statistically definitive.

With these caveats, the ensuing chapters delve into the question of how African journalism has fared since 1991 in the key areas of context, capital, capacity and knowledge.

#### **4. Context – political, legal, social:**

As per the original Windhoek Declaration, it is important in this section to examine whether Africa exhibits a context that meets the standards of political and economic freedoms for media and journalism. In addition, we can add the points raised in the other frameworks post-Windhoek: freedom of information; independent regulation of broadcasting and reform of state-owned media.

##### **4.1 Political context:**

According to Francis Nyamnjoh, there is a danger that theories from the North are used to underpin the norms of what media in Africa should look like. "This is why African media often does poorly on global indices of press freedom, for instance, because freedom is measured in a particular way."<sup>11</sup> A somewhat similar sentiment was echoed in 2007 by then CEO of the South African Broadcasting Corporation, Dali Mpofo, who criticised journalism that was "foreign, frigid, and feelingless". He argued that it should instead be based on "African values" with privacy and dignity taking preference over the right to free speech. For Nyamnjoh, "we should be much more careful in negotiating and arriving at the ethics and values that we think we can afford to impose on African media."<sup>12</sup> Such views suggest that Africa should be judged by a different and indeed lower standard of free speech than the West. Overlooked, however, is the way that public interest anywhere can often justify occasions

when free speech (and by extension media freedom) can – and should – take legitimate precedence over other rights. At any rate, and notwithstanding their reservations, neither Nyamnjoh nor Mpofu would surely want to see African countries condoned for rights violations like killings, jailings and intimidation of journalists, or politically-driven closures of media outlets. These kinds of extreme indicators can be universally accepted as evidence of a context that is not conducive to journalism. Notably, such violence is also reflected prominently within Western indices such as those of Reporters without Borders<sup>13</sup> and Freedom House. For example, Reporters without Borders says that it gives major attention to: “every kind of violation directly affecting journalists (such as murders, imprisonment, physical attacks and threats) and news media (censorship, confiscation of newspaper issues, searches and harassment).”<sup>14</sup> (There is further discussion of Freedom House’s scoring matrix in the concluding section of this report). We can also note that paying attention to these kinds of gross violations of press freedom is also in line with the formal position of the African Union, as contained in the Declaration of Principles of Freedom of Expression in Africa as adopted by the body’s Commission on Human and Peoples’ Rights. So how has Africa fared in these respects?

Figures from the Committee to Protect Journalists ([www.cpj.org](http://www.cpj.org)) provide a count of 102 journalists killed in Africa from October 1992 to September 2010, with the highest annual counts being in war-torn countries.

Journalists killed in Africa		
1992	1	
1993	8	Mainly Somalia
1994	25	Mainly Rwanda
1995	2	
1996	1	
1997	1	
1998	8	
1999	13	Mainly Sierra Leone
2000	4	
2001	0	
2002	0	
2003	2	
2004	1	
2005	3	
2006	1	
2007	10	Mainly Somalia
2008	2	
2009	11	Mainly Somalia
2010	9	Somalia, Nigeria, Angola

In 2005, the UK’s Department for International Development (DfID) classified 25 African states as fragile, and it is no surprise that journalism in fragile states is also fragile.<sup>15</sup> Yet some of the worst cases of killings have also been in more stable countries. For instance, the assassins of Deyda Hydera in The Gambia in 2004 and Norbert Zongo in Burkina Faso in 1988 have never had to face the consequences. In the case of the murder of Metical’s editor Carlos Cardosa in Mozambique in 2000, there was not impunity, but “the criminals had not only killed a top economic editor, but also a publication ...”<sup>16</sup>

Other brutal extra-legal measures against journalists include harassment and detention, verbal intimidation, beatings, arson, court cases, imprisonment, arbitrary confiscation, seizures and sabotage, and actual closure of media outlets. In the very year of the Windhoek Declaration, 1991, 91 African journalists

were incarcerated, 46 prosecuted, and 19 publications banned – and this data set is only for 30 countries, because strife in countries such as Chad, Somalia and Togo made it impossible to get information there.<sup>17</sup> At least since then, there has been a comparative improvement. For 2010, there were 28 journalists in jail (including 17 in Eritrea, 4 in Ethiopia, 3 in Sudan, and 1 each in Burundi, the Gambia, Egypt and Tunisia).<sup>18</sup> The murders that year were as follows: 2 in Nigeria, 2 in Angola, 2 in Somali, 1 in Rwanda, 1 in Cameroon, and 1 in Uganda, totalling nine.<sup>19</sup>

However, while fewer journalists are jailed today, closures of media houses still occur regularly. In 2010 alone, a newspaper and a radio station were each suspended for two months by the High Council on Freedom of Communication in the DRC, while Tanzania suspended a publication for three months. Rwanda’s Media High Council barred

two publications for six months on charges of insulting the head of state and provoking insubordination in the army. Other repressive actions have arisen in relation to new media. SMS was banned during food riots in Mozambique in 2010. Prior to this, the Ethiopian Government had banned SMS for two years after the contested elections in 2005. This year, the besieged regimes in Tunisia and Egypt cut off the Internet altogether for a number of days. Subsequently, Zimbabwe has arrested activists for watching DVD news clips of the north African protests as well as a citizen who posted a message on Facebook that the demonstrators' unity of purpose was worth emulating. Uganda in 2010 adopted the Interception of Communications Act, giving the state sweeping powers to tap phones and monitor e-mails. These measures show that basic information rights are still not sufficiently respected in a number of countries.

Despite Windhoek, those in power also sometimes use belligerent language that shows little regard for due legal process. In 2010, the brother of the Swazi king warned: "Journalists who continue to write bad things about the country will die." In 2008, Ezekiel Mutua in his position as Kenya's top civil servant for information and communication assumed he had the legal power to disband the Media Council of Kenya: "If the MCK cannot work in tandem with its parent ministry, then... I will have compelling reason to deregister the Wararu team and appoint a team that will cultivate a much more professional, lawful and symbolic relationship with the ministry".<sup>20</sup> Two years earlier, Kenya's Internal Security Minister George Ogola threatened the press: "If you rattle a snake, be prepared to be bitten". In concrete context,

such remarks have a chilling effect. According to Gerard Loughran writing of The Nation group's limp assessment of electoral rigging in Kenya in 1998: "It was an extraordinarily supine and uncharacteristic response to a flagrant abuse of the democratic process. Where in the past The Nation had taken pole position in defence of wananchi's rights, now it was leaving the battle to lawyers and churchmen."<sup>21</sup> As Loughran points out, this was at a time of threats and intimidation all over. Nevertheless, it is also observed that journalists on occasion acquiesce too readily. According to the then-editor of the ruling party's paper Kenya Times, Philip Ochieng: "The Nation got into problems partly by not arguing". He believed that it could have challenged and persuaded the government at the time. Killings, jailings and wartalk are extreme cases, even though sadly they are still not altogether uncommon two decades since Windhoek. The happier fact is that they are not the rule, and that is partly due to how democratisation in many countries has entailed some improvements in the conditions for journalism. In 2000, 42 of 48 countries in sub-Saharan Africa had held multi-party elections, according to the World Bank.<sup>22</sup>

This explains why most African governments nowadays refrain from the worst abuses and proclaim respect for press freedom, even when they do not really mean it. Generally a negative environment for journalism is a function of contestation around power that lacks legitimacy, whether the right to rule is won through military coup, civil war, revolution or even election. Thus although improvements in the media environment generally result from elections, there is no inevitability about this. As researcher

Tom Rhodes notes, the experiences of the DRC, The Gambia, and Ethiopia should serve as a warning that staging an election is in itself no guarantee of democracy or of the development of media freedom.<sup>23</sup> For instance, in Djibouti, allowing multi-party elections led not to the establishment of free and independent media, but rather to a stand-off between government and opposition media.<sup>24</sup> In Ethiopia in 2010, the prelude to the elections saw journalists being intimidated and imprisoned, foreign broadcasters being jammed, and websites being blocked.

Elections have also not necessarily changed undemocratic patterns of governance. Ogbondah describes "a neo-patrimonialist regime" as one "in which the ruler personalizes the government and the regime and, in an uninstitutionalised but erratically pervasive way, penetrates the state and society at large". He contends that African elections in the 1990s did not end neo-patrimonialism. "The old leaders have either continued or the new leaders voted into power have adopted a similar behavior as their predecessors, thereby confirming the pervasiveness of these values in the political elite."<sup>25</sup> In this context, the new rulers have felt no shame in resorting to the same tactics as their post-independence predecessors in seeking to control critical journalism – deploying very crude tools if need be. That there is still a way to go is underlined by Misa director Kaitira Kandjii who in 2010 stated: "While we have made strides since the Windhoek Declaration in 1991, the last five years have witnessed a steady deterioration of media freedom, reminiscent of Africa's one-party state era of the 70's and early 80s, characterised by the suppression of the basic fundamental rights of



freedom of expression, assembly and human dignity." He added: "The southern Africa envisaged in the Windhoek Declaration of 1991 is a far cry from the arrests, beatings, torture and detention of journalists and the general repression of media freedom that are characteristic in the region today."<sup>26</sup>

Even when politics are more secure, political contestation can still play a part in threatening journalism. In South Africa, the country's 16<sup>th</sup> year of democracy saw increasing rhetoric and threats by ruling party politicians and severe mistreatment of journalists by police. The Protection of Information Bill provided for up to 25 years prison for disclosing classified information. Even Benin, long admired for a progressive environment for journalism, saw a march by six media organisations in 2011 in protest against what the organisers called "the barbarity of security forces" against journalists.<sup>27</sup> In this overall context, besides for this focus on direct repression, it remains important to look at how the legal dispensation for press freedom has evolved in sub-Saharan Africa over the past 20 years, and whether it has come closer to the freedoms Windhoek called for.

## **4.2 Legal context**

### **4.2.1 Constitutionality and the rule of law**

A constitutional guarantee of free speech and freedom of expression is a starting point for the ideal conditions for journalism envisaged in 1991. A study of 10 African countries for UNESCO in 2007 found that eight had constitutions with media freedom clauses,<sup>28</sup> and these were largely introduced in the post-Windhoek period. In South Africa, the constitution has proved to be an important check on government desires to control broadcasting,

and the ruling party has accepted that this basic law could be used to block its desire for a parliamentary-appointed "Media Appeals Tribunal" to overrule the newspapers' self-regulatory system. A progressive constitution has also been important in countries like Mozambique where there are even strong provisions laid down protecting journalists' right to keep their sources confidential. However, constitutions also often have had clawback provisions included in them. Probably most notable here is Swaziland where the 2005 constitution enshrines press freedom but also provides that the King may waive rights at his discretion.<sup>29</sup>

The constitutional dispensation for media freedom can also be analysed at the formal level and at the implementation level. For instance, The Gambia has constitutional guarantees of free speech, but despite these, freedom of expression and of the press "are the most violated rights in the country."<sup>30</sup> In addition, as Ogbondah states, "The tendency for constitutional paragraphs to remain contradictory and ambiguous allows the political leadership to find justification for interferences aimed at limiting the freedom of the media."<sup>31</sup> Another common problem is that constitutions are not consistently translated into laws – this is particularly evident in regard to the right of information.<sup>32</sup>

In some cases, constitutionally-valid laws have been passed, but vague provisions allow governments to circumvent the intended spirit. For instance, Zambia broadcast laws passed in 2002 have yet to see the full light of day, not least because the government was determined to interpret the law to allow it retain final powers of appointment. A recent troubling case is Chad which in 2010 introduced prison sentences for journalists and suspensions

of media outlets found guilty of inciting racial or ethnic hatred, but on the basis of very vague definitions of incitement in the law.

On the positive side, a culture of law-governed actions has grown over the past two decades. Accordingly, the courts have played an increasingly important role in shaping the context for free and independent journalism. But they have sometimes upheld defective laws or interpreted reasonable laws in a highly conservative manner. For instance, since 2005, Lesotho, South Africa, Swaziland and Zimbabwe have all seen controversial rulings against the media, including fines and injunctions against publication.<sup>33</sup> For Ethiopia, exiled editor Mesfin Negash says: "when it comes to freedom of speech, the legal apparatus is basically an appendage of the executive."<sup>34</sup> In one of the most disgraceful cases, in 2010 a Zambian magistrate dished out not just a four-month jail sentence, but made this a hard labour term. His target was Fred M'membe, editor of *The Post*, who was found guilty of contempt of court for publishing a column by a US-based Zambian law professor. However, courts have also sometimes supported freedom of expression and press freedom. In 2010, Uganda's Constitutional Court declared the criminal seditious statute to be unconstitutional. There have been instances, though, where some problems do not even get to court because laws are selectively applied. For instance, Rwanda's press law of 1991 as well as its inherited penal code clearly outlawed appeals to ethnic hatred. However, in 1994 impunity was allowed to RTLM broadcasters whose poison helped to instigate the genocide.<sup>35</sup>

#### 4.2.2 Criminal defamation

A major obstacle to journalism over the past 20 years has been laws that make defamation a criminal (as opposed to a civil) matter, and insult laws banning criticism of government officials. These provisions are often hangovers from colonialism, although the former colonial power Britain itself eventually scrapped these in England and Wales in 2009. The archaic nature of such provisions is evident in places like Botswana and Zambia where there is still language in the law that prohibits defamation of "foreign princes". Lest this is seen as a merely quaint throw-back, Libyan despot Muammar Qaddafi has used exactly this provision in Ugandan law against that country's Red Pepper newspaper.<sup>36</sup>

It is in infamously problematic states like The Gambia that insult laws are applied extensively, for example with six journalists recently being jailed for criticising the country's despot Yahya Jammeh for his comments about murdered editor Deyda Hydera. In a similarly repressive state, Swaziland's parliament passed standing orders in 2007 to make it mandatory for journalists to be fined for offending parliament or MPs.<sup>37</sup> However, other less-reactionary countries are not exempt from using such tactics. In the DRC and Nigeria, journalists have been charged for stories about presidential health problems. A Kenyan journalist spent eight months in prison after a conviction for criminal defamation in 2009. Last year, Gabon jailed a reporter for three months on charges of criminal defamation. In Cameroon another journalist was released in 2010 after serving 20 months on charges of publishing "false news" and in 2011, an editor was convicted of criminal defamation, given a six-month suspended prison sentence and a fine, and had his newspaper indefinitely

suspended. In Uganda, there have been prosecutions for cartoons, while even in South Africa, cartoonist Zapiro has faced numerous (civil) defamation charges from the seemingly thin-skinned president, Jacob Zuma.

More heartening is that by 2005, criminal defamation was in use against journalists in only 5 of 17 countries surveyed by the Africa Media Development Initiative: Cameroon, Mozambique, Sierra Leone, Somalia and Zimbabwe.<sup>38</sup> Limited progress can be seen in Cote D'Ivoire introducing a new press law in 2004 that retained insult laws, but at least scrapped imprisonment as a penalty for press offenses.<sup>39</sup> This is a country where there were 20 cases for insult of the president of the republic or a foreign head of state between 1992-1994.<sup>40</sup> A similar slight improvement occurred in Guinea in 2010. Chad and Niger last year decriminalised defamation, following belatedly in the footsteps of Ghana which did so in 2001. Another positive development against insult laws in the past decade is the Declaration of Table Mountain adopted in 2007, and endorsed by Archbishop Desmond Tutu in 2010 ([www.declaration.org](http://www.declaration.org)). This is a campaign by the World Association of Newspapers and is evidence of the North-South solidarity recommended in the Windhoek Declaration. Despite such trends, new laws in Burundi and Rwanda missed opportunities in 2003 and 2009 respectively to scrap these kinds of provisions, and instead explicitly retained them. Meanwhile, Angola in 2010 passed a law that bans speech that insults the president, the state, or official institutions, and provides for up to two years jail for offenders.

#### 4.2.3 Licensing journalists and media

Journalists and media houses are still subjected to registration (and hence potential de-registration) in places like Zimbabwe, Cameroon, Equatorial Guinea and even Botswana. This is a restriction that is increasingly illogical in terms of the spread of the Internet, although it does allow for governments to undertake selective prosecutions. But registration is a cumbersome instrument, which may be why it is not enforced in Uganda where journalists are supposed to be registered or face a fine or three months jail. This has not stopped Rwanda, however, from introducing a recent "licensing" requirement that all practicing journalists must have an educational qualification if they wish to continue practicing. However, compulsory registration of journalists seems overall to have little enduring traction in the post-1991 era. The African Media Development Initiative study of 17 countries revealed that 14 of these at the time did not require compulsory registration for journalists.<sup>41</sup> Recently, Nigerian journalists won a case on the unconstitutionality of the Nigerian Press Council which had enforced registration of journalists, and could impose penalties for noncompliance. The right to practice journalism, as distinct from a privilege to do so, appears to be increasingly recognised around Africa.

#### 4.2.4 Broadcasting law

Matching the spirit of the Windhoek+10 and the African Charter on Broadcasting, many African countries have now passed laws allowing for liberalisation and deregulation of broadcasting. Although these are not always ideal, and not always fairly implemented, they led to a flourishing of commercial, community and religious radio stations, as

well as TV in many (mainly urban) areas. In 2008, for example, the DRC had 41 radio stations and 51 TV stations in Kinshasa alone. There were 381 radio stations and between 81 and 93 TV channels in total in the country.<sup>42</sup> In Benin, there were 73 radio stations in 2006/7. Uganda now has over 120, and Mali 200.<sup>43</sup> In some countries, religious media outlets have been the main or sole area of non-state media development since 2000.<sup>44</sup> There have also been periods of great public debate through live outside broadcasts, as in the Ugandan ebimeeza radio programmes until government stopped them. Today, private broadcasters are almost everywhere, barring Eritrea and Zimbabwe.

One enduring issue, however, is that state-broadcasters tend to retain a monopoly on national broadcast signals in almost every country. This has seen an absurd situation in Zambia, where a Lusaka-based channel was initially forbidden from making its content available to other parts of the country via a satellite network owned by another company. Another ongoing area of concern is that provisions and legal dispensations for community media are lacking in many countries: for instance, this was so in approximately a third of the 17 countries surveyed by the African Media Development Initiative.<sup>45</sup> Independent regulation and licensing of broadcasting is another dimension in short supply. In most countries, the Ministry of Information still directly or indirectly dictates who can receive a licence. Unbelievably, Zambia has dragged its feet for nearly a decade in implementing legislation to set up an Independent Broadcasting Authority. However, South Africa has a communications regulator that is constitutionally-enshrined as being independent, even though there are

continual battles over the balance of power between it, government and industry interests. Generally, regulators are also weak and under-resourced, and especially feeble as regards state-owned broadcasters. In Congo Brazzaville, a lack of regulation has seen a near chaotic flourishing of radio stations run by unchecked rival political interests. Likewise, though Togo has 96 radio stations, "with a few exceptions, the media have become mouthpieces for political parties."<sup>46</sup> Despite these problems, it would seem that at least the days of direct government favouritism in licensing are numbered, and many decisions are at least mediated by a separate regulatory body even if its independence and impact is not at optimum level.

Another issue for the role of broadcast journalism is the matter of ensuring the neutrality of state-owned media. Only a few countries (eg. the DRC) have laws on this, and even fewer (like Ghana) also have institutions to promote this (see below). During elections, neutrality is an especially critical issue, and it is at such times that most abuse occurs. African countries where state-owned broadcasters perform politically as independent public service broadcasters can probably be counted on the fingers of one hand. In 10 of the 17 states researched by the African Media Development Initiative, there were no regulatory obligations for state broadcasters to fulfill a public service remit.<sup>47</sup> And in Rwanda, a decade after the genocide, a report noted that state-owned broadcasting carried not a single report on the political opposition in coverage of the anniversary.<sup>48</sup> Even in South Africa, which was thought to have a "bullet-proof" system of independence for the state-owned SABC, has experienced problems. The broadcaster was wracked for division for

two years after interference by the ruling party in the appointment of the board in 2007, which intervention even served to undermine its own members of parliament as regards the choice of board members. Elsewhere, Radio-Television Senegal and the government-run daily newspaper *Le Soleil* obey the president's direct orders.<sup>49</sup> However, Ghana's National Media Commission, set up in terms of a constitutional mandate to insulate the state-owned media from governmental control, operates autonomously and serves as a model for other countries to consider.

#### **4.3 Social context:**

Windhoek spoke of journalism that was independent of governmental and political control, and in state-owned media this is not only a legal issue: it also applies to the culture and practice of employees in these institutions. An example worth looking at in detail here is Zambia's ZNBC's which has a legal mandate as a public broadcaster and is therefore supposed to provide impartial editorial content.<sup>50</sup> The broadcaster also proclaims a commitment to the highest ethical standards of broadcasting and to balanced and diverse news content. But although a 2002 law foreshadowed a new and representative board of ZNBC directors, the previous system of Ministerial appointees has simply continued. In this context, the culture of editorial interference in the news has been extensive.

During 2008 at least, ZNBC reporters were told to avoid stories that dented the image of government leaders, and yet damaging stories involving opposition leaders were aired. As a result, ZNBC staffers stopped pursuing stories that they knew would not be broadcast. Even in the 2006 elections, opposition parties were covered only inasmuch

as they made points that were not anti-government, or points that would have to wait for a government reaction if they were ever to make the airwaves. Many staffers believed that ZNBC was a "government institution" and that it followed that government officials received the upper hand in the news. Significantly, the newsroom had no proper guidelines and policies, which lacuna was seen by some of the news workers as a deliberate ploy to enable manipulation to take place. Further, some staffers were seen as being ruling party political cadres who want a story to be changed, claiming to have been called by the president. Said one staffer: "It is just people here fighting for favours from the ruling regimes."

A similarly difficult culture has been identified in Ethiopia's state-owned media. There, the abolition of open censorship in the law in 1992 and 1995 led to greater reliance on control through self-censorship.<sup>51</sup> The practice is particularly effective on sensitive issues such as election coverage and foreign policy. It works through unwritten rules enforced by editors, and it involves both active withholding of some information and avoidance of collecting other information.<sup>52</sup> Some of the staffers who implement it say their hands are tied, thereby shifting responsibility to the media institution. There is also the frequent justification that the audience know that the state-owned media represents the government's view.<sup>53</sup> This kind of culture is a barrier to independent journalism, even where there is a change of government.

Another case is Lesotho's state-owned newspaper, *Lentsoe la Basotho/Lesotho Today*.<sup>54</sup> Here, news workers negotiate different kinds of journalistic identities (avoiding the watchdog one, but at least striving towards that of being a neutral

or impartial forum). They try to harmonise this kind of journalistic identity with the identities of being a civil servant and a government employee, and they do all this in the absence of editorial independence. One journalist at *Lentsoe* has stated: "We add salt there and there to ensure that the government is always protected". Some news workers attempt to cover opposition parties knowing that the story could be published if they obtain government comment and run that as the major angle of the story. Other news workers rationalise the same technique as being in the interests of not publishing half a story: "It does not make sense to rely on second-hand information when with just a little patience we can get the whole story from the horse's mouth." When government is the newsmaker, however, opposition views are not sought out. The result is that the *Lentsoe's* news workers tend see themselves primarily as government information disseminators, rather than as journalists. While they sometimes seek to uphold professional journalistic obligations towards truth and fairness, there is also an unwritten code that they do not bite the hand that feeds them. These cultures are very hard to change. Yet, as state-owned media faces increasing competition, the pressure will increase for these entities to solicit audience share by becoming more journalistic in their news practices. Pluralism à la Windhoek will pressure state-owned media to include some real journalism or lose audience share and influence regarding news. In this context, state-employed news workers who wish to act as journalists will no longer have to do so by subterfuge and circumvention, and even their colleagues may catch the spirit of independent role fulfilment.

#### 4.4 Freedom of information

This standard is a critical part of the context for free and independent journalism, but it is also one which has been severely handicapped at both the legal and cultural level during the 20 years since Windhoek. Only six African countries have relevant legislation (Nigeria, South Africa, Uganda, Angola, Ethiopia and Liberia), and even they still exhibit a culture of centralised and tight-fisted control of public information with little use of ICT to make information available. While governments are quick to complain about private media publicising rumours, they overlook that this problem is often a function of their failure to make information available comprehensively and timeously. Such was the case when there was a Nelson Mandela health scare in South Africa in early 2011. In general, officials are forbidden from giving information to the media, and even written questions to designated spokespersons are often ignored. In Uganda, many journalists experience delays of up to a year when requesting access to government records supposedly covered by the law.<sup>55</sup> A recent example has been the difficulty of getting hold of the profit-sharing agreements between the government and oil companies working in Uganda. The private sector takes its cue from government foot-dragging. Thus journalists trying to cover the extractive industry find that businesses are generally tight with information.<sup>56</sup>

South African media had to go to court to get access to a contract between their government and FIFA, but even access to uncontroversial information remains a problem. As has been pointed out by Marie Soleil Frère, especially regimes where leaders have military backgrounds, such as central Africa, where power was won and maintained by force

and intimidation, appear to find it hard to change their outlook to embrace open styles of information management.

Generally speaking, the environment for access to information is better than it was in 1991. But gains have been very limited. In 2006, laws governing access to information were still pending in three of 17 countries (Ghana, Kenya and Zambia), but nothing had materialised by 2011.<sup>57</sup> And yet neither journalism nor transparency can easily flourish in an environment where public information is withheld.

#### **4.5 Pan-African context**

Unfortunately, progress at a pan-African contextual level has yet to be achieved across a range of fronts, even though it is arguable that this realm is vital for promoting contexts conducive for journalism at individual country levels. The African Union does not have an instrument to enforce standards for free speech and media freedom. As noted, a valuable indirect spin-off of Windhoek has been the African Union's Declaration of Principles of Freedom of Expression. However, this is not a binding document on African states. Also, the African Peer Review Mechanism has ignored the condition of media freedom as a measure of good governance. Very few election benchmarks in use have given due weight to the importance of media freedom and independence in terms of whether a poll is deemed to be free and fair. The African Court of Justice has not yet heard a case dealing with media issues, in part because of the way it limits who may bring cases to it. On the other hand, the Economic Community of West Africa (ECOWAS) court has played a valuable role in holding the regime in The Gambia to account for the torture of journalist Musa Saydykhan.

One pan-African initiative that seemed particularly ominous for contextual freedom was a proposal by the European Union and the African Union for a continent-wide media observatory, dominated by state personnel, which would enforce a media code of conduct across all countries. Opposition from many journalists and media support groups put paid to it.

Overall, the Pan-African context is slightly improved since 1991, but it still has a long way to go.

The character of politics, law and social culture as discussed above covers probably the central shapers of the journalism within any given African country. But there are also other institutional connections and controls which play a part – in particular, ownership, economics and business models. As discussed in the next section, these forces can be profitably assessed in terms of Windhoek's standards.

## **5. Capital: paying for the pipers**

It will be recalled that the Windhoek Declaration called for funding for non-governmental publications, and it stated that state-owned media should only be supported if they existed in a context of freedom and independence. The Declaration also advocated a standard of cross-country collaboration. To this can be added technology and services for the marginalised. Not a great deal of progress has been made in these areas.

### **5.1 State ownership**

As outlined in the section above, a major form of press control across Africa remains governmental ownership and control within the sector. As Louise Bourgault noted in 1995: "Government ownership makes it all too easy to slip into the famil-

iar and comfortable pattern of self-censorship, with the eye of the journalist on job security and possibly an eventual professional promotion".<sup>58</sup> The hopes that new governments would change the situation with regard to state-owned media were soon dimmed. In Zambia, the Movement for Multi-Party Democracy (MMD) pledged to privatise the Times of Zambia and the Daily Mail before coming to power in 1992, but soon reneged once in office. A 2002 law setting out a public service character for the ZNBC has been implemented in only one key regard: the introduction of TV licence fees. By 2008, this source of funding was the second largest revenue stream at 20 percent, after commercial revenue (mainly advertising) at 70 percent.<sup>59</sup> Although ZNBC is still not a public service broadcaster, the public now has to pay for it directly. Not content with holding onto state-owned media, some African governments have also demonstrated predatory designs on private media. Back in 1976, Kenya's president Jomo Kenyatta tried to get his nephew appointed as chair of the board of The Nation group.<sup>60</sup> Such controlling strategy is not dead: in 2005, it was revealed that the Zimbabwean government had clandestinely bought the controlling shares in three private newspapers.<sup>61</sup>

### **5.2 Unfair competition and advertising power**

The problem is not just that the abuse of state-owned assets for narrow political purposes violates democratic principles. The continued capture of these entities by governments can make it hard for private sector entrants to compete. This is especially in cases where state support, such as partisan advertising and favoured access to reporters, are biased towards state-owned sector media. In the 1980s, The Nation had to pay 30% import





*Journalists at work, interviewing Sombo Izetta Wesley, President of the Liberia Football Association (LFA), on November 4, 2009. Wesley became the first female president of the LFA in 2003, which also made her the first woman in the world to head a football federation for FIFA. Photo by Ahmed Jallanzo, Africa Media Online*

duty on newsprint, while the Kenya Times did not have to.<sup>62</sup> This kind of situation is happily no longer widely prevalent post-Windhoek. However, in Botswana, one result of state enterprise competition has been the collapse of Tswana-language paper Mokgosi, which could not survive in the face of government pouring resources into the state-owned Daily News.<sup>63</sup>

According to Bourgault: "Press freedom in Africa will flower only if new sources of finance can be harnessed in a new economic

order, i.e., if the management of capital can be wrested away from the all-controlling powers of centralized government on the one hand and from foreign-dominated government or from multinational sources on the other."<sup>64</sup> Her remark resonates particularly with the power that governments and corporations have through advertising. In the post-1991 history of The Nation, government advertising and tenders have often gone to the state-owned Kenya Times, even though at one point the cost of doing so meant the ads reaching 1000 readers for

78 cents vs 7 cents.<sup>65</sup> In Ghana more recently, state-owned media are reported to receive the bulk of advertising support from the public sector.<sup>66</sup> Some states have gone as far as abusing public resources in order to punish critical papers. In 1989, when The Nation was banned from reporting the Kenyan parliament, a number of parastatals and local governments cancelled their advertising. In 2006, Kenyan police stormed the offices of The Standard newspaper and government followed up by withdrawing advertising. In like vein, state advertising in Namibia, Botswana, Malawi, Lesotho and South Africa has been misused as a retaliatory tool against critical coverage in certain newspapers.<sup>67</sup> Corporations have also sometimes been bullies, even of major media houses. At one point Bata Shoes withdrew ads from The Nation because the paper reported a strike at its factory. Kenya Canners cancelled a label-printing contract after it was reported how the company gained a monopoly of the pineapple market. Firestone stopped its adverts in the group after reports about the difficulties of getting foreign exchange and spare parts.<sup>68</sup> Fast forward to today, and it is evident that much African media steers clear of criticising cellphone companies, given their extensive advertising. On the other hand, in Uganda "it is almost commonplace that every advertiser expects some coverage"<sup>69</sup> However, an even bigger problem is when economies are too weak to have advertising. The significance of this is evident in Frère's analysis of the DRC: "In a context where there is virtually no advertising and the little that exists is given according to political sympathies, and where the population is too poor to buy a newspaper that costs as much as several meals, only those media

that have a sponsor (political or funding agency) survive."<sup>70</sup> One journalist has vividly put it: "Only the politicians have the means to support the press. If we are neutral, we don't get any money and we die."<sup>71</sup> And when there is war and conflict, the impoverishment that results can also be deadly from a media business point of view.

### **5.3 Business imperatives and access to finance**

The Windhoek Declaration has not managed to change the economic problems discussed above. It also has not ameliorated other business challenges. Distribution problems are not always as immense as in Kenya in 1960, where on The Nation's Mombasa run, "one van was charged by a rhino, and on two successive nights vehicles ran into herds of elephants". It was also a time when "one driver was swept five miles downstream in a flood..." But the costs of navigating poor road infrastructure around the continent are still huge. The challenge of selling adverts for private media has also not changed since the early days of The Nation, where the advertising manager recalled: "The job wasn't just tough, it was overwhelming."<sup>72</sup>

An area insufficiently addressed in the original Windhoek Declaration concerns the need for well-established and nationally-networked advertising and marketing agencies, and related research data. These are essential if private media are to serve as a market place that not only attracts audiences for editorial content, but also successfully links specific buyers and specific sellers through commercialised information. Progress here has been almost non-existent in many African countries, and the resulting dampening effect on advertising has a negative impact on the financial bottom line of many media houses.

However, the Windhoek Declaration did encourage donor support for independent African media, and this has seen injections of finance in many countries. These contributions have mainly been to private media (including community media) from Western donors. Sometimes in violation of Windhoek's concerns about funding state-owned media in unfree environments, China has recently become a supplier of aid in these instances. In conflict zones like the DRC, donor support for UN-associated radio like Radio Okapi in the DRC has been important. But there is a particular question about who will control and fund this credible station when international underwriting stops. More broadly, numerous media ventures have collapsed when external subsidies come to an end. As indicated earlier, however, some private media houses like The Namibian have been able to convert foreign funding into vibrant businesses. Likewise in Zambia, The Post newspaper has been able to grow beyond publishing to set up parallel enterprises in printing, courier services and internet provision.

Yet, capital for media businesses – one of the key concerns in the Windhoek Declaration – remains scarce. Private media – even like The Nation – take even up to a decade to reach profitability and invariably face severe cash flow problems in their early years.<sup>73</sup> In Cameroon, for example, print journalists have sometimes gone unpaid for up to 10 months at a time.<sup>74</sup> In South Africa and East Africa, the strength of entrenched corporate media houses also makes it difficult for new competitors to emerge.

Hopes were high with the founding of the Media Development and Diversity Agency in South Africa, and the creation of a sub-regional

facility called the Southern African Media Development Fund. These entities have played valuable roles, albeit on a small scale. In Francophone countries, a degree of state support has been forthcoming for private media, although as in Senegal the specific allocations have been controversial. In the DRC, a donation of \$1 million to the private press was selectively distributed,<sup>75</sup> and the same pattern was repeated in Congo, over a donation of \$600 000.<sup>76</sup> Cameroon has had similar experiences.<sup>77</sup> The 2005 Blair Commission for Africa gave renewed impetus to Windhoek's calls for an independent finance facility specifically for African media, and the resulting African Media Initiative has been pushing this agenda forward, although by early 2011 no concrete fund had yet emerged. The reality of tight financing for media is also related to the political precariousness of investing in this business sector in many countries.

For government-controlled media, a vicious circle exists: state subsidy has been drying up and so the institutions that are supposed to prioritise public service end up giving preference to content where the primary motivation is to bring in advertising and sponsorship to pay their bills. As a result, costly or small audience programming – such as rural news and minority language provision – falls by the wayside, to the detriment of the public. Weak commercial media also mean poor investment in human resources. In Lesotho, media operate from hand-to-mouth on such shoestring budgets that none hire staff with the requisite educational and professional qualifications to understand the dynamics around the Lesotho Highlands Water Project which is central to the country's economy.<sup>78</sup>



#### 5.4 *Tabloid success*

One area where there has been business progress in African media in the past decade has been the rise of tabloid newspapers. In 2008, some 15 percent of 182 newspapers in 10 African countries were said to be tabloids, characterised by sensationalised stories and superstitious incidents being reported as fact.<sup>79</sup> The success of tabloids in South Africa, Zimbabwe, Botswana, Senegal, Nigeria, Uganda and Tanzania, amongst other countries, is in some ways an indictment of the mainstream press which has tended to be for and about elites. Talk radio stations have also thrived, often opening up local advertising markets which could not be economically catered for by state-owned national broadcasters. A study of three African countries has found that most tabloid readers still got their news from TV, and that they regarded the tabloids as light entertainment and escapism.<sup>80</sup> Notwithstanding these issues, the tabloid phenomenon is undeniably a media success story. There are, however, question marks over whether tabloidism is equally a success for ethical journalism (see below).

#### 5.5 *Sustainability, collaboration and technology*

Given the political drivers of many media enterprises, especially newspapers in relation to elections, it is not surprising that only few endure. When power objectives are won or lost, such media ventures lose their rationale as a means to a political end. But another factor in all this has been the dependence of many private initiatives on a single champion, and the lack of a wider institutional base of shareholders who could otherwise raise an enterprise's sustainability above dependence on a particular person. In 2000, it was observed that you

could not talk about newspaper companies in the Central African Republic – papers there consisted of one person who did everything.<sup>81</sup> The point here is that in terms of Windhoek's standard of pluralism, media outlets need to be sustained to be able to play a more autonomous role, and for this a stronger business basis is required.

Another point falling under "capital" as an enabling factor for journalism concerns cooperation between publishers and the creation of regional African press enterprises. A once thriving news exchange amongst publications in the SADC countries fizzled in the 1990s. Vibrant content exchanges in broadcasting have never really gotten off the ground. At the same time, businesses like The Nation group have successfully developed operations across several states, while South Africa's MultiChoice successfully provides satellite TV in numerous African countries. MultiChoice has also accumulated a wealth of African-originated video content, with the prospect of more indigenous material being made available to audiences around the continent. In central Africa, the radio station "Africa No. 1" based in Libreville has covered many large cities in Francophone Africa. Kenyan entrepreneur Salim Amin launched Africa 24 Media in 2005 as a pan-African video content agency ([www.a24media.com](http://www.a24media.com)). These initial steps represent some positive progress since 1991 when all that existed back then was the propagandistic Pan African News Agency. The Southern Times, a joint venture by state-owned newspapers in Zimbabwe and Namibia focusing on southern African pro-government news, continues the propaganda angle of PANA on a smaller scale.

As regards media technology, it is clear that great strides have

been made in using ICT to enrich the inputs into African media, to broaden the reach (especially to the diaspora), and to interact with audiences. The prospects for smart cellphones to increasingly serve as viable media platforms are strong, although barely utilised as such to date. There is thus much room ahead for increased exploitation of new communications technologies, for example in regard to social media in Africa. A key standard for African journalism going forward will be how effectively it can harness ICT.

## 6. Capacity of personnel

The Windhoek Declaration's standards here are organisation, training and ethics. To these can be added the existence of media support groups, self-regulatory and complaints systems, and participation by outsiders in media discourse.

### 6.1 *Achievements*

When they are allowed to do their work unhindered, most African journalists do an impressive job of informing their publics. The work of the best is recognised on a continental basis by competitions such as the CNN-MultiChoice awards and the Highway Africa awards. A perusal of the winning entries shows many quality journalists making optimum use of the post-Windhoek freedoms to produce outstanding contributions. Notwithstanding these achievements, the view of analyst Nyamnjoh is that African journalists are victims, and not least of Western culture and a very narrow view of democracy. Furthermore, for him: "In most of Africa the threats to a free, open and participatory media system and society are as much from repressive governments as from the interests of rich nations, international financial institutions and communications



*Television cameraman captures historic moments during Kenya's promulgation of the New Constitution at Uhuru Park on 27th August 2010. Photo Felix Masi, Africa Media Online*

multinationals<sup>82</sup>. He further generalises that "in most countries, journalists are ordinarily perceived as mouthpieces for competing political pressure groups". These views are, however, open to challenge. Most African journalists are certainly not passive dupes of an inappropriate professional ideology, nor are the bulk of them mindless puppets of ulterior political forces. They are active creators and reinforcers of various traditions and diverse influences. Most subscribe to the core universal ideals of journalism, and they are generally sensitive to African situational issues such as the need to promote development.<sup>83</sup> On the other hand, Nyamnjoh is correct to criticise simplistic assumptions that the press necessarily works in the direction of liberal democracy if it is free of governmental control.<sup>84</sup> What makes a difference is the consciousness, power and expertise of the practitioners themselves in terms of whether and how they attempt to actualise journalistic idealism. At minimum, where media people are organised and united, they can better resist pressures from state, business or belligerents, as is evident in the cases of South

Africa's editors, Burundi's private radio stations, and the written press in Chad.<sup>85</sup> For journalism to be really strong, its custodians need to be proactive in earning the confidence of the public, and they need to be well organised to develop, promote and defend their craft.

### **6.2 Organisational capacity**

Associations representing journalists, editors and publishers have emerged around Africa since 1991, with noticeable successes and shortfalls. There has been relative success by The African Editors' Forum, although some regional components such as the Southern African Editors' Forum have become defunct. A network of owners and executives is crystallising in the annual African Media Leaders Conference (arranged by the Sol Plaatje Media Leadership Institute and the Konrad Adenauer Stiftung), and the annual African Media Leaders Forum (convened by the Africa Media Initiative). The Southern African Broadcasting Association (SABA) has managed to hold annual conferences for many years in an effort to promote public service concepts, despite the political and economic

constraints of their national broadcast members. The continental body, the African Union of Broadcasters, is weak, but it has played a role in negotiating with FIFA on affordable broadcast rights for the 2010 World Cup for African broadcasters. In the year 2011, the Highway Africa conference, which is focussed on professional empowerment, will mark its 15<sup>th</sup> anniversary as the world's largest annual meeting of African journalists. Its sister gathering of bloggers, the Digital Citizens Indaba, will mark its 5<sup>th</sup> anniversary.

In South Africa, the SA National Editors' Forum already mentioned above has been a bulwark of engaging with the government and blocking restrictions. But aside from the West African Journalists' Association (formed in 1986 as an umbrella for organisations in ECOWAS), networks of journalists elsewhere on the continent remain weak. They often play a role more akin to a pressure group than having a firm base in their constituency. While the significance of this work is not to be underestimated, the challenge for a group like the Federation of African

Journalists is that its strength relies on component organisations sinking more substantive roots in the newsrooms. Many countries lack labour legislation that would assist in this task, and it is also often nigh impossible to bridge the divides between those working in government-controlled media and those outside of it, particularly in politicised and polarised cases like Zambia and Zimbabwe. Journalists working for state-owned media are often employed as civil servants, which further complicates the organisational project. Another hurdle is weak media economics where very many African journalists are forced to freelance as individuals, and as a result are not often gathered together in a newsroom collective. In the Congo, over the last decade there were barely any paid employees in the privately-owned press, while even those in the state-media faced permanent delays in salary payments.<sup>86</sup> Meantime, fulltime employees have little bargaining power, and payments for journalists compare poorly to other professionals.<sup>87</sup> The common consequence is to make journalists more vulnerable to taking bribes.<sup>88</sup> Over 20 years, it still remains the case that journalists' capacity to assert at least basic editorial independence against owners, advertisers, sources or powerful social groups is far from strong. There is a long history, dating back to colonial times, of media being seen in an instrumentalist manner by governments, owners or political movements. For this reason, while a pluralism of many "tools" serving as channels for vested interests is better than a monopoly, it is not as good as having journalists with capacity to maintain autonomy and be shielded by editorial independence that is guided only by ethics. Editorial independence, vital as it is, is too seldom codified, with

one interesting exception being in the SABC's Editorial Policies.

Taking stock overall, if one were to ask if there has been progress since Windhoek in the organisational capacity of African journalists as a constituency, the answer would have to be in the affirmative – even if a lot more still needs to be achieved.

### **6.3 Ethical capacity**

#### **6.3.1 How ethics are practised across the mediascape**

Journalism ethics as signalled in the Windhoek Declaration make up a realm in which capacity increases have happened since 1991, but insufficiently. In most state-owned media, journalistic ethics continue to be subordinated so as to favour the government of the day. In private-owned media, especially those outlets that take on an oppositional role or which specialise in tabloid sensationalism, many ethical problems persist. Included in the list of ills are the bribes taken by journalists. This widespread problem is known variously as brown envelope, coupage, soli, gratu, gumbo, camorra and plugging. It has corrupted journalistic content through reporters electing to take underhand payments from sources who seek "below the line" media play. This is especially serious in regard to elections coverage. As stated by Nigerian journalist Lanre Idowu, the effect is that "media access remains largely determined by the size of the candidates' purse and not the richness of their ideas."<sup>89</sup> Another consequence is that there is little incentive, let alone moral high-ground, to cover corruption in the state or business if it is also a feature in the media.

Already in 1996, Panos's Diana Senghor wrote that the new pluralism for private media had produced a perverse effect with

some ethical practices arising that threatened democratisation.<sup>90</sup> In her estimation, a decline in the number of papers in some West African countries had less to do with government sanctions, than public rejection of unethical journalism. Ethical violations, she proposed, could be examined in four dimensions: (i) their character, (ii) which media they occurred in, (iii) their victims, and (iv) the prescriptions for correction. She listed the principles as being most compromised as: social responsibility, truthfulness, respect for human rights, and professional integrity. Private media were most to blame for libel, but all sectors had media that were overly partisan to the point of being unfair. The victims, she wrote, were largely the political elite – something that can discredit democracy more broadly. These points remain broadly relevant in 2011. However, one should be wary of going as far as academic Francis Kasoma once did. He noted that even the little freedom of the press which many independent newspapers were enjoying in 1997 could be drastically curtailed if they continued to flout basic ethics. As a cautionary note, his point is correct. But he went on to add: "When this happens, the irresponsible independent press will be as much to blame as the governments taking the draconian measures to stop irresponsible journalism."<sup>91</sup> Kasoma missed the point that governments that respect freedom of expression are required to tolerate a range of unethical speech (within democratically reasonable law), and further that journalistic speech is enjoined to be ethical purely on a voluntary basis inasmuch as it claims to be a form of speech that is "other-regarding" rather than merely "self-regarding".<sup>92</sup>

### 6.3.2 Ethics and populism

Analyst Herman Wasserman has noted that democratisation in Africa changed the media environment not only in terms of media regulation, but also as regards professional norms.<sup>93</sup> He points to the flourishing of tabloid journalism which was formerly a taboo genre. This new practice of journalism for many African countries has provided a form of "media citizenship" for people who are otherwise marginalised in mainstream discourse, and its success is also partly a sign of readers having lost an interest in politics as something that will change their lives. However, these media are also often accused of fabrication, stereotyping, and denigratory imaging of Africans. Interestingly, while the Windhoek Declaration saw ethical journalism as essential to building audience credibility, some of the tabloids, despite their questionable ethics, have been able to secure high reader trust through their populist tone and style (as Wasserman shows). This highlights that ethical practice should not be reduced to an expedient means towards the end of survival, but rather regarded as a good in itself. Ethics is what constitutes journalism as a communications practice for the higher public interest, which is something quite distinct from serving the interests of particular publics as the tabloids like to do. Talk radio in Africa has also been a relatively new form of journalistic discourse, often merging private issues with public ones, and involving the audience in the making of meaning. Again, there are ethical issues here – such as in Kenya 2008, when hosts of several radio call-in shows were ill-equipped to deal with participants espousing hate speech. A similar issue occurred in the 2008 xenophobic violence in South Africa

when moderators confronted hate speech in online comments on the Thoughtleader.co.za blog.<sup>94</sup>

All these developments point to the importance of continuing to build capacity of journalists to shape their work in the fluid ethical parameters that have become possible where governmental control has eased and where new technologies are broadening the participants in media discourse. The most serious ethical shortfalls since 1991 have been cases where media have been used, wittingly and sometimes unwittingly, to foster hate crimes. Some 'journalists' have been ideologues or hired-hands of forces using ethnic or xenophobic hatred as a political tool, but there has at least not been another case as bad as that of Rwanda in 1994.

### 6.3.3 Actions to improve ethical journalism

An observation is sometimes made that existing systems of ethics are not working, given the gap between some African journalists' lip service to ethics, and their actual practice. One suggestion has been that the concept of personal individual ethics should be replaced by a more institutionalised and community-based one that stresses communitarian values.<sup>95</sup> This approach risks a notion that romanticises and homogenises African culture, and it can detract from each journalist's individual choice and responsibility. Depending on the point of view, according to Diana Senghor, remedies range from training, strengthening the business side of media, increasing independence from government, and improved ethical regulation.<sup>96</sup> The business and independence dimensions have been touched upon earlier, including in the discussion on the state of organisation of media constituencies. As regards

training, this has not always kept pace with new developments such as how digital technologies pertain to privacy on Facebook or plagiarism from the Internet.

Regarding regulation of ethics (as distinct from law), progress has been made over the years in regard to self-regulatory and complaints systems. There are cases of success, such as in Tanzania, and Cote D'Ivoire prior to its recent election crisis. However, in some cases, self-regulation bodies remain bedevilled by divisions between media, and lack of universal recognition and authority, while at the same time also attracting attack from governments for being toothless. Statutory regulation is a perpetual threat dangled in the background, and it is sometimes introduced as well. These statutory bodies are seldom independent of government, and even as in Kenya where media stakeholders predominate, they risk becoming a cartel of vested players which does some of the government's dirty work for it. There is also unresolved debate about whether self-regulatory bodies should function only to hear complaints, or whether they should initiate cases themselves as well as defend press freedom on the Francophone "observatory" model.

Since the Windhoek Declaration, however, stakeholders have evolved much more clarity about the complexities around self-regulation as a key standard for an optimum journalism environment.

Other cases of progress include institutional initiatives to promote better ethical adherence. Some Nigerian papers have begun publishing notices to readers that their journalists should not be paid by sources. An innovative contribution has come from the Media Council of Tanzania ([www.mct.or.tz](http://www.mct.or.tz)), which in 2010 published



proposed codes not only for African journalists (including special codes for broadcast and photojournalism), but also for owners, managers and editors.

#### **6.4 Support capacity**

Capacity also relates to the existence of media support groups such as training institutions and advocacy NGOs. Besides the NGOs that provide training, numerous public and commercial educational facilities have arisen over the past 20 years. These operate mainly at the entry-level into the media, providing would-be practitioners with foundational skills. Nineteen African schools were recognised by UNESCO in 2006 as having potential, and they have been strengthened through the resulting linkages.<sup>97</sup> In a time of increasing technology change, however, many trainers are in need of further training, and the journalism schools also urgently need to take on an experimental and knowledge-creation role – and not just stick to transferring existing knowledge and skills. It is safe to say, however, that African journalists and would-be journalists today have many more opportunities than ever before to access education, from both offline and online providers. Media NGOs have risen and fallen in Africa since the 1990s, often as a function of changing fashions amongst donors. The NSJ-training centre in Mozambique did sterling work for a decade, but closed after it lost donor support. *Journaliste en Danger* in the DRC is much respected for opposing press repression in that country. Many other NGOs have done valuable work in legal support, content critique and law reform. However, many of them have yet to build maximum relationships with the media practitioners and media houses whose cause they help to advance. In a context of growing competition for resources and

attention, the NGOs will also need to begin to up their performance and collaborate more if they are to avoid closure. Nevertheless, as valuable support organs of journalism in African, they have become a critical part of the ecosystem of journalism in Africa over the past 20 years.

#### **6.5 Specialist expertise capacity**

Windhoek set a standard of media training in the original Declaration. Although this was not elaborated, it has a bearing on the value-add that journalists can bring to public discourse. African journalists have improved their expertise over the past two decades, learning from short courses, life itself and from secondary information such as available online. However, the focus on state position and politics as the route to power and wealth has left many other topic areas short-changed in most African media. The capabilities of the journalists themselves in regard to coverage of economics, health and ICT are inhibited by a lack of specialisation and training.

This situation accounts for why research has found that in Nigeria, Ghana and Uganda, the media's coverage of the extractive sector generally lacks depth and investigative stories are a rarity.<sup>98</sup> In ICT reporting, journalists regurgitate public relations releases and fail to link state policy frameworks to issues like Internet access or cellphone pricing.<sup>99</sup>

It appears that specialist capacity has not kept pace with the need over the years, meaning that Windhoek's objective of a fully-fledged role for journalism in development as well as democracy has not been properly materialised.

#### **6.6 Capacity and social-cultural issues**

Capacity also concerns gender issues. Only a fifth of print journal-

ists in SADC countries were female in 2007, according to Gender Links, with women being cited as sources in approximately the same proportions.<sup>100</sup> Even more marginal in content and staffing are rural people and their concerns. Capacity – including consciousness – is also an issue as regards the portrayal of gay people. A point on this has been contributed by the African Union's Special Rapporteur for Freedom of Expression and Access to Information, Pansy Tlakula. She advised journalists in 2010 to recognise that freedom of adult sexual orientation is part of the continuum of freedom of expression. Some homophobic private newspapers in Cameroon and Uganda have yet to perceive the connection.

Capacity also impacts on local content production. However, there is little hard information on this topic, aside from some attention in the African Media Development Initiative.<sup>101</sup> Suffice to say that much African media is still weak on domestic content, and on content from elsewhere in Africa, as compared to content imported from abroad.<sup>102</sup> This applies particularly to entertainment programming, but also affects news. While local content production has flourished in the cultural industries in places like Nigeria, much international news even about African countries is still sourced from international agencies whose content is mainly designed to serve audience interests in the developed world.

#### **6.7 Capacity and media audiences**

Weakest of all since 1991, has been capacity development amongst the public to enable it to understand and take part in the news discourse. We can celebrate that calls-in to radio shows have been boosted by

the spread of cellular telephony, and that many African media platforms also run vibrant sections of SMSs sent in by their audiences. However, attempts to build cadres of citizen journalists have been limited. The skills and avenues for ordinary people – especially women, minorities and rural people – to do reporting and get their news (as distinct from views) into the public domain, have not been adequately developed. Public knowledge of journalism and media is limited, and this applies no less to politicians, civil servants and ministries of information.

There is also still much progress needed around promoting news- and media- literacy amongst audiences and amongst state officials. Public suspicion of media's role and its claims to truthfulness may sometimes be warranted. However, audiences should be better informed about the standards and mechanisms by which they can hold journalists to account in regard to self-proclaimed ethics. Their abilities to participate meaningfully in media discourse and media policies also deserve attention.

## 7. Knowledge

Windhoek called for research, but "there is a dearth of publicly available data on the media sector in sub-Saharan Africa," according to the 2006 report of the Africa Media Development Initiative.<sup>103</sup> Strategic awareness of the media sector as a whole is low, according to same report. "The impact of new technologies on information and knowledge transfer, for example, creates huge opportunities and threats for every newspaper, magazine radio and TV channel. Mobile telephony and the rapid roll-out of satellite sports channels, especially of football, have changed the way



*Monrovia: Alfred J. Sirleaf first established his chalk board news, "Daily Talk", in 2000 during Liberia's Charles Taylor regime. The innovative journalist saw a need for "straight to the point" reporting that was free and accessible for all. His provocative style of reporting the truth resulted in the Daily Talk being destroyed twice; he finally fled into exile in Ghana. As peace returned, so did the Daily Talk. Photo: Christopher Herwig*

even very poor people consume information in Africa."<sup>104</sup> Media personnel themselves need far more understanding of audiences. On the one hand, such knowledge is vital if advertisers are to be convinced about who they are reaching. The Pan-African Media Research Organisation, which holds an annual conference around the continent, is a good step in this direction. However, other knowledge such as how people understand and use media, and not forgetting here the use of social media and cellphones, is still in short supply. In addition, hard information about the significance of independent journalism for development and democracy is difficult to come by. Policy and law is too often being made in the absence of both comparative and local data, and dependent on experiences of developed economies or on simple guess work.

Probably the largest study that has been conducted since 1991

has been the 2006 African Media Development Initiative (AMDI), which was complemented by the UN Economic Commission for Africa's continental consultation called "Strengthening African Media" (STREAM), both funded by Britain's DFID. Audiencescapes is a newer initiative by the NGO Internews, which offers valuable updates on African media ([www.audiencescapes.org/](http://www.audiencescapes.org/)). The website <http://ujima-project.org> is a valuable collation of African information reported outside of the continent, although designed more for media use than providing information about the media industry. The African Media Barometer by Misa and the Friedrich Ebert Stiftung has useful analysis of particular countries' media situations.<sup>105</sup>

Academic studies remain limited, although a number of journals do serve as platforms for scholarship about African media (for example, *Equid Novi: African Journalism*

Studies; African Communication Research; Journal of African Media Studies). A recent initiative by the African Union and the European Union to support a portal on information about African media has been agreed on and the Africa Media Initiative NGO is building it. There remains a shortage of books and textbooks on African journalism, but some innovative items exist such as "Secrets of online and multimedia journalism" by Mudathir Ganiyu and Qasim Akinreti, which was published in 2010 in Ibadan, Nigeria.

Also adding to the stock of knowledge about African journalism, there have been some studies into the specific areas stated by Windhoek. One is into economic barriers (such as by the Sol Plaatje Institute for Media Leadership).<sup>106</sup> Another is into the state of press freedom in African countries (such as by UNESCO).<sup>107</sup>

However, it is hard to conceive of extensive knowledge about African media in the absence of rights and access to information. Access to information is thus not just relevant to journalists' performance in informing their audiences, but also to knowledge that can feed into shaping the character and contours of the media itself. As blogger Steve Song points out, regulators could do a lot more to require cellphone companies (and one can add, broadcasters as well) to disclose more data that could help us understand the changing electronic communications environment.

In conclusion, we know more today than we did in 1991 about journalism in Africa. Yet there is still a need for much more knowledge generation and dissemination about African practitioners and institutions.

## 8. Assessment and new issues ahead

### 8.1 The view over 20 years is good; not so for the last decade

Ideal standards for context, capital, capacity and knowledge all remain very relevant for African journalism two decades after Windhoek. Configured to enable optimum performance, they represent an integrated set of standards against which progress can be assessed. As this report demonstrates, they arise directly from the Windhoek Declaration and its successor frameworks, and there have been many advances towards achieving them since 1991. The caveat is that overall progress is not only insufficient, but much has been reversed in the past decade. While journalism is still in a better place than it was 20 years back, a worrying decline in the fundamental area of context has been taking place when the entirety is analysed. This assessment derives from wide-ranging evidence that is reflected in the holistic annual scores of Freedom House. Although this NGO is substantially funded by the US government, its views are not particularly skewed towards a US model of media freedom.<sup>108</sup> Thus, its latest media freedom index is based on an assessment of three areas which are quantified to contribute up to 100 points:

- The legal environment (which contributes 30 percent of the total),
- The political environment (which is more important than the other two, making for 40 percent of the whole assessment), and
- The economic environment (30 percent).

The points that a country scores are taken as penalties, meaning that a country with 100 points is at the

extreme of no press freedom, while one at zero would be perfect press freedom.

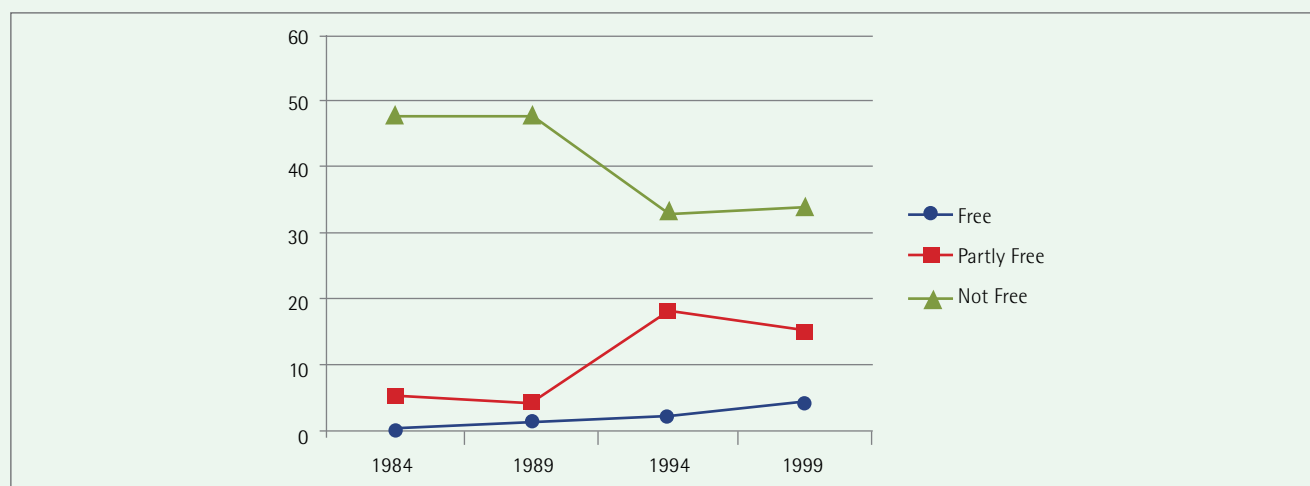
Within the three Freedom House areas of focus, different indicators count for different amounts of penalty points. For example, if there are not effective freedom of information laws, a country incurs a maximum of two penalty points, but the non-existence of effective constitutional provisions to protect press freedom can understandably attract up to six negative points. Government ownership and control that influences diversity of views can also reach up to six negatives. The highest penalty is where journalists or media outlets are subject to extra-legal intimidation or physical violence, with the ceiling here commendably established as high as 10 points. A country with many penalty points (60-100) is categorised as Not Free; 0 to 30 places a state in the Free press group; while 31 to 60 constitutes the Partly Free press categorisation. Having regard to this methodology, there should be no real concerns about drawing on the Freedom House data to reach conclusions about the state of press freedom around the continent since the Windhoek Declaration. That the Freedom House scores are also deemed fit to be utilised in the respected Mo Ibrahim African governance index also highlights the applicability and legitimacy of these measures.

Although detailed data is not available for the years before 2000, maps provided by Freedom House's website yield the following count for 52 African countries as regards Press Freedom scores:<sup>109</sup>



	1984	1989	1994	1999
Free media	0	1	2	4
Partly Free media	5	4	18	15
Not Free media	48	48	33	34

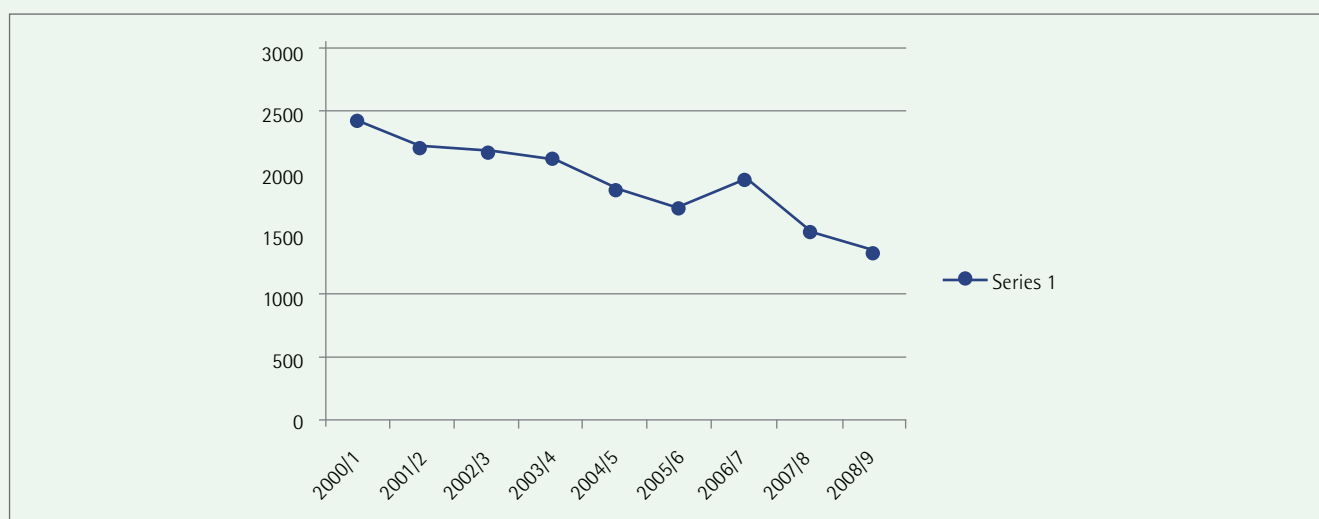
Seen in chart form, the overall improvement is evident:



However, over the second decade after 1991, there is a reversal. Using the Freedom House data as recalibrated by the Mo Ibrahim foundation,<sup>10</sup> there is a clear overall decline in press freedom between the years 2000 and 2009 for 52 African countries (excluding Somalia for which there was not data). In the tables below, unlike Freedom House's original measuring system, the higher scores signal better conditions, and the lower ones represent worse performance:

2000/1	2001/2	2002/3	2003/4	2004/5	2005/6	2006/7	2007/8	2008/9
2400	2200	2150	2100	1850	1700	1950	1500	1350

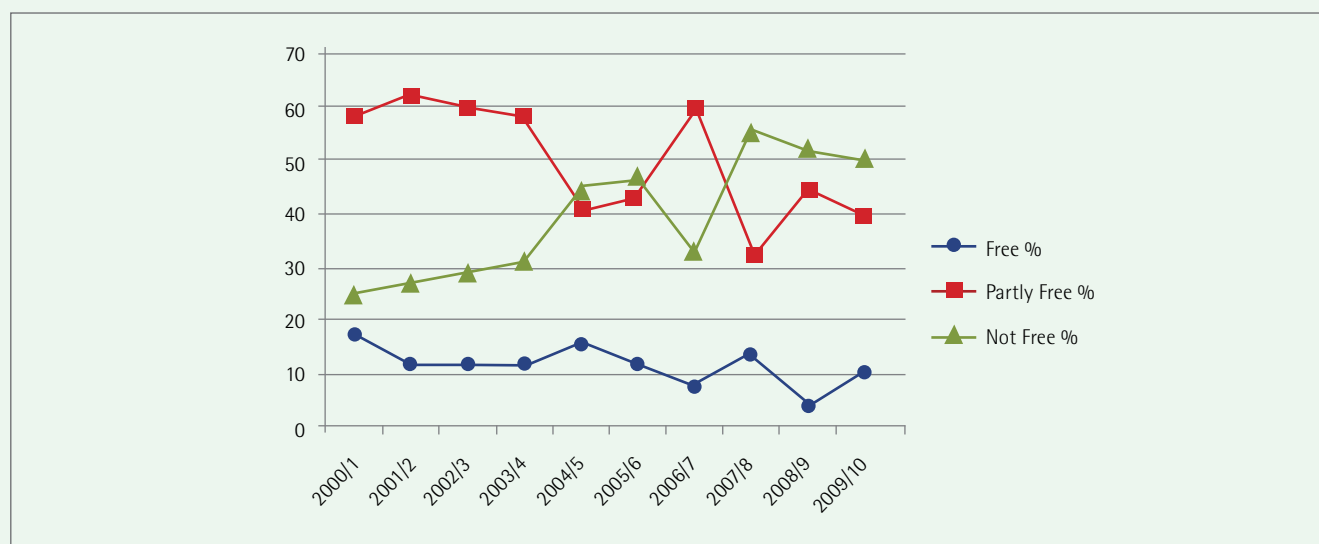
The visual trend in the overall ranking is very evident in the chart below:



Correlating this picture is data from Reporters without Borders. Using this information in conjunction with their measuring system to compare 2002 and 2010, the African average rating has worsened from 28 to 34 negative points.<sup>111</sup> (Eritrea ranked worst at 105 points; while Namibia was best at incurring only 7 points in 2010). As noted earlier, averages can obscure the diversity of situations in that a handful of bad countries can skew the trend downwards. But even if one takes a more nuanced and modal approach, there are fewer countries with a "free media" and even the "partly free" category has shrunk while the numbers of "not free" countries has grown over the last decade. This depressing pattern is evident in Freedom House ratings for the percentage of African countries (out of a total of 52) which were scored as Free, Partly Free, or Not Free:

	2000/ 2001	2001/ 2002	2002/ 2003	2003/ 2004	2004/ 2005	2005/ 2006	2006/ 2007	2007/ 2008	2008/ 2009	2009/ 2010
Free %	17	12	12	12	15	12	8	13	4	10
Partly Free %	58	62	60	58	40	42	60	31	44	40
Not Free %	25	27	29	31	44	46	33	56	52	50

Shown in trend form, the downward slope is evident:



As was the case back in 1991, the verdict for media development today chimes with the observation by the African Media Development Initiative in 2006: "the key barrier to media development is the control that states exert over media".<sup>112</sup>

Much work is needed to claw back parts of the 'promised land', to prevent further attrition by governments, and to ensure a universal yield of high quality journalistic 'crops'.

## **8.2 Looking ahead: new media**

The growth of private and community media highlights that state-owned media has proved unable to satisfy the market in Africa. The rise of tabloids shows the same in regard to mainstream media genres. More recently, the advent of talk radio and blogging in Africa signals the limitations of the professional media sector to reflect the input of individual citizens. Just as the fax machine and cheaper media production equipment underpinned the growth of new African media outlets since 1991, so the increased accessibility of digital platforms will intensify this trend in expanding the media in the years ahead.

In some parts of Africa, particularly mobile media uptake is moving ahead. Smart mobile operators like Safari.com provide zero-rated Facebook access to students in Kenya, while Twitter offers updates by free SMS in Nigeria, Kenya, Madagascar and Cameroon (the last until March 2011 when it was banned). These strategies incentivise online mobile behaviours, and they turn people instantly into micro-media publishers on the one hand, and super-consumers of content on the other. Language barriers are being tackled with Google working on services in Swahili, Amharic, Wolof, Hausa, Afrikaans, and Zulu in addition to English, Arabic, French and Portuguese.

At present, the potential is far from being realised. According to David Montez, a survey of Tanzania in 2010 found almost two thirds of adults using cellphones on at least a weekly basis. And of these users, 15 percent received regular SMS-text message information services, but fewer than 4 percent used their mobile phone for Internet access. In comparison, the survey found that 85 percent of adults have a radio

in their home and 72 percent listen to the radio for news on a daily basis.<sup>113</sup> On the other hand, it can be confidently predicted that where radio fails to meet people's needs, and where there is affordable access to alternatives, many individuals take up these options. In February 2011 it was estimated that 39% of urban South Africans and 27% of rural users over the age of 16 were now browsing the internet on phones, meaning that six million South Africans had internet access via cellphone.<sup>114</sup> About 140,000 Tunisians joined Facebook every month last year, using it to bypass local media censorship. There were about 17m Facebook users in Africa at the start of 2011, and there are expected to be 28m by the end of it.<sup>115</sup> It is the case that the real media force in the Tunisian and Egyptian revolutions was television news received by satellite, and particularly Al Jazeera. But the role of new media in terms of recirculating news, deliberating on information, and organising physically on the basis of it, should not be discounted. According to Linus Gitahi, CEO of The Nation, in March 2009 more Kenyans had used or touched a mobile phone than had watched a TV screen. "Mobile phones are now ubiquitous in villages as well as cities. If an individual does not have a cell phone, they almost surely know someone who does." Young people, he noted, were growing up as "digital natives" and the prospect was becoming one of individualisation and customisation of mass communications. To add to his points, we can observe the coming transition to digital TV broadcasting. The digital switchover will make technical space for many more players on the airwaves and for more wireless internet access. As viewers acquire a set-top box to convert digital signals to view

on their analogue TV sets, they will effectively gain a computer in the home. In many cases, this could be used with a simcard and modem to enable these people to email, social network, interact with content and publish content – all via their large screens and smart set-top boxes.

Significantly, these new technologies are harder for governments to control than traditional media, not least because more and more people use them and the volume of information put into circulation escalates. It is the case that selective actions can be taken, such as the jailing for three years of blogger Maikel Nabil Sanad by the Egyptian army after the 2011 revolution, simply because he had criticised the military.<sup>116</sup> Furthermore, there is surveillance of individuals and the under-regulated co-option of cellphone operators and internet service providers into monitoring, filtering and blocking legitimate journalistic content that is unpalatable to autocratic regimes. Nevertheless, the overall mediascape is becoming sufficiently vast for new outpourings of journalism to emerge, survive, replicate and be enriched.

The authors of the Windhoek Declaration would not have been able to envisage the African communications world that is beginning to unfold. It is up to their successors to apply the old standards and develop new ones in a networked world, and to advocate for these against the forces who seek to maintain unfree environments even in the traditional media space.

## **8.3 Summing up**

This review set out to analyse the Windhoek Declaration and its significance. Central to this has been the recognition of how journalistic idealism runs throughout the history since 1991. Independence, pluralism and freedom as Windhoek values

that nourish journalism are not ends in themselves, but essentials for the quality of democracy and development in Africa. Windhoek has meant historic movement beyond the previous commandist situation to an acceptance that a mediascape monopolised by state-owned and government-controlled enterprises does not provide for society's needs. There has been extensive rise of commercial-private, and to an extent of community-based, media platforms since 1991. But this wonderful progress should not blind us to the data which show that the contextual environment for journalism has taken a turn for the worse since 2000. More effort is therefore needed to establish and maintain enduring systems for journalism to thrive. But if it is a case of two steps forward and one back, at least we are still facing forwards as regards journalism, and have not turned around to face backwards. Still, Windhoek's standards as elaborated in this report are thus as important today as ever, in terms of specifying the relevant goals to be achieved. Energies are needed to advance these across context, capital, capacity and knowledge. And this momentum is necessary in the face of both the ongoing challenges and the newly emerging new ones such as the issues of Internet freedom, regulation, access and ethics.

It is likely that the dissemination and uptake of new communications technologies will become a strong factor in favour of helping to actualise the vision of Windhoek. More and more direct stakeholders will enter the mass communications environment and find common ground with the cause of traditional journalists. However, within this scenario of increasing numbers of voices from non-media sources beginning to use new technologies,



*Namibia: recording stories for prosperity. Photo: Kiiru Ngotho, Myndz Community*

it is highly important to ensure the health and distinctive communication of the news media (including online news media) and the professional journalists working there.

To illustrate this point, it can be noted that in Zimbabwe, where independent media has been decimated since 1991, there was only 1 journalist to 34,404 residents in 2006, compared to 1 to 11,155 in Kenya. In more liberalised Nigeria, the figure was 1 journalist to 4,290 citizens.<sup>117</sup> There are likely to be differences in the definitions of journalist in these statistics, and data are not always easy to come by. But the point is that even looking ahead, the ratio of fulltime journalists to the population will continue to be a vivid way to highlight the entirely unique communications contribution that comes from professional journalists with a base in free, viable and independent media institutions.

In conclusion, the original focus of the Windhoek Declaration not only endures, but also helps to keep us

focused on the importance of context, capital, capacity and knowledge for specifically journalistic communication, as distinct from personal news or propaganda from political or commercial quarters. As the original document itself stated: "The establishment, maintenance and fostering of an independent, pluralistic and free press is essential to the development and maintenance of democracy in a nation and for economic development." This ideal continues to be valid and relevant. Even 20 years after the Declaration was developed, the document remains a living reason why conducive conditions for journalism in Africa should continue

to be a continental priority.

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FREEDOM

*Freedom*



# What happened in Windhoek 1991



By Alain Modoux

*Alain Modoux is former Assistant Director-General of UNESCO for Freedom of Expression, Democracy and Peace, a former president of Orbicom which is the international network of UNESCO chairs in communication, and a board member of the Media and Society Foundation.*

In February 1990, a few weeks after the fall of the Berlin Wall, I convened a conference of media people from East and West, and was challenged by an African diplomat who asked me: "Do you think that democracy is just for the North? Why don't you organise a conference for the African media!?"

That is how the Windhoek story started.

Apart from my fundraising and organisational tasks, my main role was to make sure that the seminar would be 100% African – that is for Africans by Africans. And so it came about that Africa's declaration was born, as a gift to the whole international community.

UN agencies usually consult Member-States when they invite non-governmental people. This is to ensure that each participant is acceptable to his/her own government. Instead, the list of journalists to be invited to Windhoek was drawn up independently, working with media organisations. At the time, many of the participants were considered as "public enemies" by their governments. Some had

been jailed several times. For two, the Director-General of UNESCO had to personally call the presidents concerned to ask them to release the journalists and let them travel to the seminar. He succeeded for one (Cameroon) and failed for the other (Kenya).

The Cameroonian was Pius Njawe, publisher of *Le Messenger*, sadly killed in a car crash in 2010. Back in 1991, he told delegates at Windhoek how he had been arrested, had his passport seized and dragged before a court. Fortunately, he was freed in time to be there – attributing this to masses of supporters who had taken to the streets to protest his harassment, as well as the international pressure on the Cameroonian government.

Liberian publisher Kenneth Best told of traumatic experiences including many prison terms, plus arson against the offices of his newspaper and many forms of censorship. Tunisian broadcaster M Salah Fourti spoke about the problems of government monopoly and the difficulty in getting permission to set up a free radio station.

The Windhoek seminar on "promoting an independent and pluralistic African press" was held in partnership with other UN Agencies such as UNDP. The event was supported by 12 international agencies, ranging from Nordic funders, the International Federation of Journalists, Friedrich Ebert Stiftung, and the World Association of Newspapers.

A total of 63 participants from 38 countries attended, along with a similar figure of representatives from international organisations and NGOs. Hage Geingob, the then-prime minister of newly-

independent Namibia, set the tone by highlighting the importance of independence and a watchdog role for the press.

Thérèse Pacquet-Sévigny, the UN under-secretary for public information, described how the watershed 1989 General Conference of UNESCO had enabled the international community to move away from polarisation. This was by embracing both the need to develop information infrastructures in developing countries, and at the same time pledging respect for the free flow of information within and between nations.

From UNESCO, Henrikas Yushkavitshus spoke of the organisation's hopes to promote free, independent and pluralistic media in both public and private sectors. The World Association of Newspapers underlined that financial viability of media enterprises was important to sustaining and defending independence. The International Federation of Journalists urged African journalists to organise, act professionally and resist censorship.

Gwen Lister, founder and editor of *The Namibian*, was elected to chair the seminar. Vice chairs were Cameroon's Njawa, Sam Amuka (publisher Vanguard media in Nigeria) and Mohamed Ben Salah (president of the Association of Tunisian Journalists). Eight plenaries and six working groups followed, covering four topics:

- Present situation and perspectives of the independent African press
- Socio-economic parameters for a viable independent press
- The need for human resources development
- The constitutional, legal and political framework.

In the discussions that took place, it was pointed out that African newspapers lacked start-up capital, were limited to urban areas, suffered

greatly from electricity outages, and were held back by the absence of journalistic training and ethical codes. Publishers revealed their problems of depending on state-owned presses to get papers printed. The Zimbabwean Mass Media Trust, set up in 1981, came under criticism from delegates for the erosion of its political independence and its removal of editors at government behest.

Legendary Kenyan journalist Mo Amin (who was killed five years later) spoke about his dream of "Africa Journal" – a 30 minute weekly bulletin of pan-African news. Zairean publisher Leon Moukanda called for structured news exchanges with counterparts in developed countries, while Shamlal Puri of Newslink Africa urged reduced dependence on copy from abroad and for better coverage of Africa as a whole. Zambian scholar Francis Kasoma (who sadly died a decade later) spoke about the need for small, community media to develop communication at local level, and for training in advertising, marketing and distribution. These points retain their relevance today.

There were calls for intellectual independence by journalists, and respect for a code of ethics. Good management, improved working conditions, guaranteed rights, confidentiality of sources and protection against outside interference, were put forward as necessary factors to affirm independence. Setting up press associations was encouraged. The formation of the Media Institute of Southern Africa was announced by Methaetsile Leepile of Botswana who became its first director – and at the outset the agency identified the need to promote training and news exchange, and to safeguard press freedom.

Government monopolies on advertising in some countries were noted, and the need to collectively buy

newsprint was identified. An appeal was made for international aid to help the independent press acquire desktop publishing equipment, but there were also cautions against dependency on donors.

Among the debates were whether there was a role for governments to collaborate with development initiatives for independent media (such as in training programmes or in building journalists' unions) – or whether this would compromise independence.

UNESCO's response was that increased dialogue between the authorities and the independent press was one of the conditions for an independent press.

Ironically though, given the focus on pluralism, there was no debate about a call for standardisation of curricula at journalism schools in Africa.

Ghanian academic Paul Ansah described freedom of expression as the mother of all human rights and called for a mixed system of public and private newspapers. He noted that boards of directors of state-owned media should reflect a diversity of opinion and should safeguard against government capture.

George Odiko of the Kenya Union of Journalists said associations of journalists and editors were needed to keep political powers at bay. A journalist from Zambia condemned the dismissal of five journalists on state-owned media who were accused of over-estimating crowds at opposition rallies.

Namibia's then Minister of Information and Broadcasting Hidipo Hamutenya closed the seminar saying that his government was prepared to accept a relationship of "creative tension" with the media as part of consolidating independence and democracy.

That was Windhoek 1991.



## LIST OF AFRICAN MEDIA DELEGATES AT THE CONFERENCE:

### **Algeria**

1. Mr. Omar Belhouchet, Director of Publication, "El Watan"
2. Mr. Mayauf Zoubir Souissi, General Manager, "Le Soir d'Algerie"

### **Angola**

3. Mr. Joaquim Pinto Andrade, Director of "Plural"

### **Benin**

4. Mr. Ismael Yves Soumanou, Founding Director, "La Gazette du Golfe"
5. Mr. Thomas Megnassan, Director of Publication, "La Recade"

### **Botswana**

6. Mr. Methaetsile Leepile, Managing Editor, "Mmegi Publications Trust"

### **Burkina Faso**

7. Mr. Luc Adolphe Tiao, Secretary General, Ministry of Education and Culture (Burkina Faso)

### **Burundi**

8. Mr. Albert Mbonerane, Editor-In-Chief, "Ndongozi Y'Uburundi"

### **Cameroon**

9. Mr. Pius N. Njawe, Director of Publication, "Le Messenger"
10. Mr. Paddy Mbawa, Editor-In-Chief, "Cameroon Post"  
Chad
11. Mr. Saleh Kebzabo, Director of Publication, "Ndjemena Hebdo"

### **Cote d'Ivoire**

12. Mr. Issiaka Tao, Director of the Cabinet, Ministry of Communication (Cote d'Ivoire)
13. Mr. Paul Arnaud, Director of Publication, "Le Nouvel Horizon"

### **Djibouti**

14. Mr. Ismaïl Tani, Director, "La Nation"

### **France**

15. Mr. Sennen Andriamirado, Editor-In-Chief, "Jeune Afrique"
16. Mr. Michel Duteil, Director for Africa, Havas Media International

### **Gambia**

17. Mr. Sana Manneh, Editor, "The Torch Newspaper"

### **Ghana**

18. Ms. Ajoa Yeboah-Afari, Editor, "The Monitor"
19. Mr. John Nyankumah, Editor-In-Chief, Ghana Broadcasting Association
20. Mr. Paul Ansah, Director, School of Communication Studies (University of Ghana)

### **Guinea**

21. Mr. Sankarela Diallo, Director of Publication, "L'Evenement de Guinee"

### **Guinea-Bissau**

22. Mr. Francisco Barreto De Carvalho, Director General of Information, B.P.

### **Kenya**

23. Mr. Mohamed Amin, Managing Director, "Camerapix" – "Visnews"
24. Mr. George Odiko, Secretary-General, Kenya Institute of Journalists
25. Mr. Stephen Musalia Mwenesi, Secretary to the Africa Centre for Communication and Development

### **Lesotho**

26. Mr. Mike Pitso, Editor, "The Mirror Newspaper"

### **Liberia**

27. Mr. Kenneth Best, Managing Editor, P.M.B.

### **Madagascar**

28. Mr. Rahaga Ramaholimihaso, Director General, "Madagascar Tribune"

### **Malawi**

29. Ms. Janet Zeenat Karim, Managing Director, "Women Now"

### **Mauritius**

30. Mr. Gerard S. Cateaux, Editor-In-Chief, "Week End"

### **Namibia**

31. Ms. Gwen Lister, Editor, "The Namibian"

### **Niger**

32. Mr. Ibrahim Cheick Diop, Director of Publication, "Haske"

### **Nigeria**

33. Mr. Sam Amuka, Publisher, "Vanguard Media Ltd"
34. Mr. Lewis Obi, Editor-In-Chief, "African Concord Magazine"
35. Mr. Kaye Whiteman, Editor-In-Chief/General Manager, "West Africa"
36. Muhamed Sani Zorro, president, Nigerian Union of Journalists

### **Senegal**

37. Mr. Abdoulaye Bamba Diallo, Director of Publication, "Le Cafard Libere"
38. Abdoulaye Ndiaga, general secretary, West African Union of Journalists

**Sierra Leone**

- 39. Mr. Paul Kamara, Editor, "For Di People"  
South Africa
- 40. Mr. Roy Wilson, General Manager, "The Sowetan"
- 41. Mr. Anton Harber, Co-Editor, "The Weekly Mail"

**Sudan**

- 42. Mr. Bona Malwal, Editor-In-Chief and Publisher,  
"The Sudan Democratic Gazette"

**Swaziland**

- 43. Mr. Sabelo Gabriel Nxumalo, Managing Director,  
"Umgijimi Wangwane Newspaper"

**Togo**

- 44. Mr. Komi Agah, Director of Production, "Forum  
Hebdo"
- 45. Mr. Vincent Traore, Expert en Communication,  
"Baque ouest Africaine de Development"

**Tunisia**

- 46. Mr. Ismail Boulahia, Secretary General,  
"Association des Directeurs de Journaux" /  
Director, "Al Mostakbal"
- 47. Mr. Salah Fourti, Radio 7
- 48. Mr. Mohamed Ben Salah, President, "Association  
des Journalistes Tunisiens"

**Uganda**

- 49. Mr. Alfred Okwaare, Editor, "The Desk Magazine"
- 50. Mr. Aloysius Bbosa, Assistant Editor-In-Chief,  
"Munno Publications"
- 51. Mr. James Namakajo, President, Ugandan  
Journalists' Association

**United Kingdom**

- 52. Mr. Shamial Puri, Managing Editor, Newslink  
Africa
- 53. Mr. Alan Rake, Editor, "New Africa"

**United Republic of Tanzania**

- 54. Mr. Fill Karashani, Editor, "Business Times"

**Zaire**

- 55. Mr. Leon Lunyama Moukanda, PDG de "Umoja"

**Zambia**

- 56. Mr. Goodwin Mwangilwa, Executive Director,  
"National Mirror"
- 57. Mr. Francis Kasoma, Head of Department of  
Mass Communication (University of Zambia)

**Zimbabwe**

- 58. Mr. Godfrey Nyarota, Executive Editor, "The Financial  
Gazette"
- 59. Mr. Onesimo Makani-Kabweza, Editor-In-Chief,  
"Moto Magazine"
- 60. Mr. Andrew Moyses, Editor, "Parade Magazine"
- 61. Mr. Govin Reddy, Editor-In-Chief, "Africa South"
- 62. Mr. Hugh Lewin, Publishing Director, "Baobab Books"
- 63. Mr. Geoffrey Chada, Executive Secretary, Zimbabwe  
Mass Media Trust

# Independence won, but freedom is still at stake



By Gwen Lister

*Gwen Lister is founder and editor-in-chief of The Namibian. She was chair of the Windhoek Seminar in 1991, and a founding member of the Media Institute of Southern Africa. In 2000 she was named one of 50 press freedom heroes of the past half century by the International Press Institute (IPI).*

The word 'independence' was a popular one in the 1990s in sub-Saharan Africa.

At the end of the Cold War, it found resonance in Namibian independence in 1990, when the country won self-determination and political freedom from colonial rule. This was followed a few years later by South Africa, as it too threw off the shackles of apartheid.

'Independence' was also a word foremost in the thoughts and actions of African journalists emerging from a draconian era on the sub-continent, and it became solidified in wider media circles with the adoption of the Windhoek Declaration in 1991.

At the heart of this Declaration was a craving by journalists from across the African continent to rid the media of excessive controls by governments in the new spirit of freedom.

This occurred against the backdrop of an era of belief in the New World Information and Communication Order (NWICO). This was initially a praiseworthy attempt to make global media representation more

equal, and to repair the legacies of poverty and underdevelopment that were rooted in colonialism in developing nations.

But the agenda was largely abused by African governments, who instead muscled in on the media themselves to control and regulate the flow of information.

So while the continent was focussed on the fight against South African government apartheid rule and accompanying abuses, few noticed that government domination through "information ministries" and state media was gaining strength in the rest of Africa.

Journalists had had enough, however. The winds of both global and continental change in the 1990s, as well as the efforts of pioneering African journalists who set up independent media in the face of government repression, provided inspiration and impetus for media freedom and independence.

With the fall of apartheid, attention became focussed on the fact that all was not well elsewhere in Africa, and not least with the presidents-for-life scenario which played out with increased autocracy and one party rules across the continent.

Independent media initiatives sprang up under oppressive conditions, but their advocates had little contact with one another and no common voice until a series of seminars in the late 1980s. This development coincided with UNESCO attempting to break with the by-then discredited NWICO.

Hence the convening of the historic Windhoek conference which aimed to set the standard for a new media dispensation in Africa – one which would respect the need for

media that was independent of government ownership and control. The conference saw the coming-together of a wide spectrum of mainly like-minded African journalists meeting their counterparts from other countries on a broader basis for the first time ever. Their activity was to find common ground in their quest to free media from the constraints of government control, and in the process to give voice to the people so long denied a platform.

In the ranks of fellow free-media pioneers were, among others, the late Makani Kabweza from Zimbabwe, Fred M'Membe from Zambia, Methaetsile Leepile from Botswana, the late Pius Njawe of Cameroon, and so many others from across the continent who fought and paved the way for the freedoms that many take for granted today.

Our rapport was immediate and it cemented the way for our insistence on promotion of independent media in the Windhoek Declaration, and in turn the formation of the Media Institute of Southern Africa (MISA) in 1991, a body that was set up for precisely the purpose of promotion and advocacy of an independent press in the sub-continent.

The Windhoek Declaration gave impetus to a resurgence of independent media in several countries – some survived, while others could not sustain, and several more were in turn quashed by governments which continued to resist the call of the Windhoek Declaration.

A new sense of pluralism and diversity has emerged since 1991, and there is little doubt that it has paved the way for more widespread acceptance of the importance of a free press in democracy.

But over the ensuing 20 years since 1991, the setbacks have been more than the gains. The 2011 Freedom House Map of Press Freedom in Africa paints a depressing scenario with only two countries on the

continent considered to be 'free' (Ghana and Mali) in terms of media while the rest are 'partly free' or not free at all.

*“...there have been recent threats to block the paper from publishing hard-hitting SMSs from our readers.”*

In Namibia, now downgraded from 'free' to 'partly free', and also home of the Windhoek Declaration, the government operated an advertising ban against The Namibian for a decade, and there have been recent threats to block the paper from publishing hard-hitting SMSs from our readers.

Today, it is not only independent reporting which is important, and the absence of restrictions on our work, but also the extent to which especially marginalised communities can access the media and make their voices heard. The African media landscape has changed since 1991, and adaptation to the onset of changed circumstances as well as the advent of new media technologies is necessary for Africa to maximise the benefits of press freedom and public information access.

Meanwhile, the war for press freedom, and access to information, is far from won, even if the emphasis on media independence of government ownership and control may seem to be less critical now than it was in 1990. We should continue to call on governments to promote a free, pluralistic and diverse media environment, and to divest themselves of the media they continue to control.

Furthermore, not only do the external threats of government control

and interference continue to jeopardise media gains, but so too do the enemies within. These include self-censorship, lack of passion and commitment, and a failure to maintain ethical standards and journalistic excellence as well. There is also an absence of the cross-border solidarity that is so vital to win wider freedoms across the African continent.

As the battle for press freedom and access to information continues, journalists should be in the forefront of that fight. They should shake off complacency and once again find again the euphoric and determined voices of the Eighties – for the sake of those they represent.

# *The Declaration of Principles on Freedom of Expression in Africa: A Personal Account*



*By Toby Mendel*

*Toby Mendel is the Executive Director of the Centre for Law and Democracy, an international human rights NGO that focuses on providing legal expertise regarding foundational rights for democracy, including the right to information, freedom of expression, the right to participate and the rights to assembly and association. Prior to that he was for 12 years Senior Director for Law at ARTICLE 19, a human rights NGO focusing on freedom of expression and the right to information.*

Africa has a remarkable document, a shining beacon of strong and clear standards regarding the right to freedom of expression. It is the Declaration of Principles on Freedom of Expression in Africa, adopted by the African Commission on Human and Peoples' Rights at its 32nd Ordinary Session, held in Banjul, The Gambia, from 17-23 October 2002. In its 16 principles, spread over some six pages and broken down into many sub-principles, the African declaration covers almost every important freedom of expression issue. These range from defining the scope of the right, to addressing regulation of the print, broadcast and public service media, and enshrining the right to information. They cover points on promoting diversity, preventing attacks on media workers, defining criminal and civil restrictions on speech, and putting in place economic measures to foster media pluralism. The background to the development of this seminal document was born somewhere between Article

19's Africa Programme and some forward-looking members of the African Commission in the late 1990s.

The idea was for an African declaration and the appointment of the specialised mandate that is now called the African Commission's Special Rapporteur on Freedom of Expression and Access to Information. At that time, special mandates on freedom of expression already existed at the UN (appointed in 1993), the OSCE (appointed in 1997) and the OAS (appointed in 1998).

So, incorporating these tools and mechanisms to support freedom of expression into the African human rights system was somehow a natural development. To take the idea forward the African Commission appointed a Working Group on Freedom of Expression at its 30th Ordinary Session in 2001, comprised of three Commissioners: Andrew R Chigovera (Zimbabwe), Jainaba Johm (The Gambia) and Nyameko Barney Pityana (South Africa).

With the support of Article 19, the group held its first working session in Cape Town, South Africa, from 10-11 February 2002.

Preparatory to the February meeting, I prepared a draft declaration for discussion, in consultation with a number of freedom of expression experts and activists from around Africa and other regions. The draft contained 14 principles which are substantially similar to those found in the final declaration, although important changes – some strengthening respect for freedom of expression and some weakening it – were made later on in the process.



The February working session included only a few participants, so as to facilitate as flowing a discussion as possible. From among the commission's working group, only Chigovera and Pityana were able to attend, along with some staff from the African Commission and a small number of experts.

This meeting was one of the most intense and intellectually stimulating of the large number of meetings I have been to in my many years as a freedom of expression activist and campaigner. The discussions were challenging, and much expertise and experience was brought to bear on them.

Importantly, all of the participants were aware, from sometimes different institutional perspectives but always with the same overall goal in mind, of the significance of what we were doing. I have no doubt that these factors played a key role in forging a document of the superior quality as reflected in the declaration.

The draft that I had prepared as background for the meeting was intended to represent a high-water mark of protection for freedom of expression. I suspected, from previous experience, that the overall trend would be to dilute the strong statements of support for this fundamental right as contained in the draft.

This did sometimes happen. For example, I remember Chigovera remarking, amusingly, in response to a line in the draft that would have abolished sedition, false news and contempt laws, that this seemed an attempt to undo all three branches of government. However, I was very pleasantly surprised at how little of the substance of the initial draft ended up actually being removed, although several provisions were rendered into a rather more diplomatic language.

Furthermore, the trend was by no means one way; several provisions were added to the draft to strengthen protection of freedom of expression. For example, provisions were added on:

- the right to equal enjoyment of freedom of expression without discrimination,
- the promotion of local languages,
- the need for public broadcasters to be available throughout the whole territory of the country, and
- the desirability of media owners and professionals adopting agreements to protect editorial independence against undue commercial influence.

The preamble was also strengthened, including by highlighting the particular importance of the broadcast media in Africa and making reference to various relevant African processes and documents.

One of the really remarkable aspects of the meeting – given the wide variety of backgrounds of the participants – was that we managed to come to an agreement on every provision. While this sometimes involved compromise or even sacrifice, in no instance did we run into an impasse that we could not address amicably. And, in many cases, apparent disagreements were resolved through imaginative formulations that managed to retain what was important to one party while addressing the objections of the other.

Following on from this initial meeting, a second draft was prepared, reflecting the agreements that had been reached. This draft was the subject of a much wider consultation among African stakeholders, held in Pretoria in May 2002. I did not attend that meeting but by all accounts it was again characterised by very serious and high-level dis-

cussions and also by a high degree of consensus.

The most significant change introduced at the second meeting was to add a new principle on regulatory bodies for broadcasting and telecommunications. Using language that closely reflected that of the African Charter on Broadcasting 2001, it called for such bodies to be independent. Other substantive changes included:

- protection for whistleblowers;
- editorial independence of public broadcasters,
- respect for the non-combatant status of journalists in conflict situations, and
- a new principle calling on states to give practical effect to the principles.

*“The most significant change introduced at the second meeting was to add a new principle on regulatory bodies for broadcasting and telecommunications.”*

Up until this point the process, which had largely involved the working group and civil society organisations, was such that it was natural that the draft declaration strongly supported freedom of expression. Although the process had resulted in a very strong draft declaration, the desired impact would only be achieved if it were to be formally adopted by the African Commission. This approval was the last hurdle to be cleared – and it was not an inconsiderable one.

The draft declaration was considered, and ultimately adopted, at the 32nd Ordinary Session of the com-

mission, held from 17-23 October 2002 in Banjul, The Gambia (the final communiqué of this session is available at: ([http://www.achpr.org/english/communiqués/communique32\\_en.html](http://www.achpr.org/english/communiqués/communique32_en.html))).

Remarkably, the commission introduced very few changes. Some were made to the preamble of the declaration and, in a few cases, language was watered down slightly. No substantive provisions were added and only two – calling for the repeal of criminal defamation laws and for states not to abuse immigration powers to limit the free movement of journalists – were removed. Perhaps ironically, at its 48th Session in November 2010, the Commission adopted a Resolution on Repealing Criminal Defamation Laws in Africa.

The communiqué states simply that the commission adopted the declaration, without providing any detail about how that happened. However, from the information I have received, it is clear that discussions around the draft declaration were extremely difficult and that several commissioners expressed considerable reluctance to support the declaration.

I believe the fact that the declaration was adopted is due, in very large measure, to the emphatic, even insistent, support of the members of the working group. Indeed, without their steadfast support the declaration would probably never have been adopted.

This is perhaps understandable. Few, if any, countries in Africa, or in other regions of the world for that matter, can claim to conform to all of the provisions of the declaration, and many fall woefully short of meeting the standards it proclaims. Although commissioners are supposed to be independent, this is not always the case in practice. Furthermore, even independent individuals from reasonably democratic countries may

be reluctant to endorse a document which highlights the democratic shortcomings of their home nations. Furthermore, official bodies, even those which promote human rights, tend almost by their very natures to be conservative, especially as measured vis-à-vis state practice. Thus, it is rare for these bodies to adopt decisions which run contrary to the practice of most states, even if there are strong, principled human rights reasons for this. Yet many of the provisions in the African declaration fall precisely into this category. There is nothing in the declaration which is not founded on a clear and strong principled analysis of international guarantees of freedom of expression. And yet the practical achievement of many of its provisions remains elusive in many countries.

These challenges make it all the more remarkable and commendable that the African Commission did adopt such a robust and forward-looking declaration on freedom of expression. Years after it was adopted it remains as relevant as ever, providing a beacon of light and direction to those who promote freedom of expression – not only in Africa but around the world.

# Media making for socio-political development in Africa



By Amadou Mahtar Ba

*Amadou Mahtar Ba is the Chief Executive of the African Media Initiative (AMI), a pan-African effort aimed at providing the continent's media owners and practitioners with the tools they need to play an effective role in their societies. He is also a co-founder and Chairman of AllAfrica Global Media, Inc — owner and operator of <http://allafrica.com> — an international multi-media content service provider, systems technology developer and the largest distributor of African news and information worldwide. He attended the 1991 Windhoek Conference.*

*".. Were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter."*

This strong endorsement of the fundamental role of the media in human societies expressed in 1787 by the third President of the USA, Thomas Jefferson, still resonates in the 21st century and is regularly echoed by world leaders.

Increasingly, this presumed role of the media has become less of an echo and more of an exhortation. The conversation now taking place at media conferences, in newsrooms and in government and donor circles is that the fourth estate needs to take seriously its role as an agent of social change. And that means aligning its editorial agenda with the aspirations of the people.

References to concepts like development journalism and a new psychology of journalists are gaining currency, and there is a great push for the media to focus more on social issues.

Against the background of the

horrific effects of global warming and climate change, growing poverty, the merciless and unchecked march of killer diseases, inadequate healthcare facilities, famine and crop failure, it is logical to expect the African media, that much-vaunted watchdog of society, to take a greater interest in and play a bigger role in demonstrating its commitment to the common good.

Critics see the media as sensationally obsessed with their own sense of self-importance; it is either their way or the highway, they say of the media. Such criticism is often given credence by the utterances of media owners who argue that as the fourth estate, the media should not be required to submit to any form of regulation. Why? Because they are an indispensable social institution whose primary duty is to the people and not some pretentious regulator. There is some merit in such an argument but only to the extent that the media themselves justify their freedom with a commitment to responsible or ethical behaviour.

For it is at the level of media freedom and responsibility – as Tanzania recently demonstrated with its industry-wide-endorsed Declaration of Editorial Freedom, Independence and Responsibility (Defir) – that the media can build a sound and solid justification for claiming the watchdog role.

But, as Professor Guy Berger observes, a watchdog role will achieve little without a deeper appreciation of what really ails Africa. Understand the reality of Africa first, he told delegates at the March 2010 Pan African Media Conference in Nairobi, then fix it. Implicit in that statement is an

exhortation to the media to adopt a solution-based approach as demonstrated by Nobel Prize winner Amartya Sen.

In his book, *Poverty and Famines: An Essay on Entitlement and Deprivation* (1981), Sen argues that no famine has ever taken place in a country with multi-party politics and a free media. Famine, he says, occurs not from a lack of food, but from inequalities built into its distribution. Fix that reality and half the famine problem is resolved. It is on record that his work on the causes of famine led to the development of practical solutions for preventing or limiting the effects of real or perceived shortages of food. It is a lesson the media and policymakers in much of Africa would do well to learn.

*“... Were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.”*

In July 2009, in his historic address to Africa from Ghana, US President Barack Obama emphasised that an “independent press is part of the capable, reliable and transparent institutions that will lead Africa to success in the 21st century”.

Yes, we can, but only if we can tame the enemy within. Fixing the reality that is the sorry state of the continent is one thing; leading the continent to success in this century is a different kettle of fish. Obama’s

optimism is as inspiring as is Sen’s endorsement of the role of free media. But let’s get real.

Despite this upbeat mood, the media sector still faces many challenges that prevent it from fulfilling its promise: from repeated vicious attacks on press freedom, very little technology adaptation and the almost impossible task of accessing capital, to a lack of ethical leadership within a large number of media organisations.

Lack of ethical leadership, in particular, is of growing concern as evidenced in the recent general election in Tanzania, the goings-on in Uganda, the 2008 civil strife in Kenya and the 1994 genocide in Rwanda. In all these cases, the media’s shameless partisanship flew in the face of the much-touted ethical principles they claim to ascribe to.

To help address these core constraints, the African Media Initiative (AMI) has embarked on an ambitious programme of activities anchored around strengthening the sector from the owners’ and operators’ perspective. Indeed, these key players have traditionally not been involved in media development efforts. Yet they hold the future of private and independent media houses in their hands.

The African Media Leaders Forum (AMLF) is precisely designed to address this anomaly by bringing together every year some of the most respected media owners and operators from around the continent. This flagship AMI programme represents a unique platform to discuss the challenges and opportunities they face and provides them with the necessary tools to fully participate in the economic and human development of the continent.

AMI does not waiver in its belief that strong, independent and professional media are central to achieving and maintaining good governance

and all the positive good that stems from having responsible and accountable authority. It accepts as a truism that media are irreplaceable public watchdogs, providing a platform for a well-informed citizenry to endorse or sanction its leaders. In addition, media that perform their watchdog role by making government actions more transparent helps spur economic development overall by making it more difficult for public funds to be embezzled.

The danger is that the political class often mistakes this critical role of the media, especially, for “irresponsibility”, leading many important media players to be labelled state “enemies”. In this regard, AMI is forthright in affirming its defence of the media as a friend and not enemy of the people. African media do not want to be and will never be the enemy. We are the friend of African progress, the partner of African success and an important element of the African renaissance.

By stating this belief, we at AMI are not denying that in some unfortunate instances some media houses have participated in failing their societies. That needs to be corrected.

Indeed, for African media to play their fundamental and critical roles of strengthening our nations, it is essential that their leaders take themselves and their operations seriously. That is why African media leaders attending the 3rd AMLF in Yaoundé, Cameroon, on 18-19 November 2010, recommended that AMI spearheads an industry-led process to develop a “Leadership and Guiding Principles” code for the exclusive use of African media owners and operators.

This work has started in Kenya and we are looking forward to report significant progress at the 4th AMLF to be held in Tunisia on 9-11 November 2011. We cannot overes-

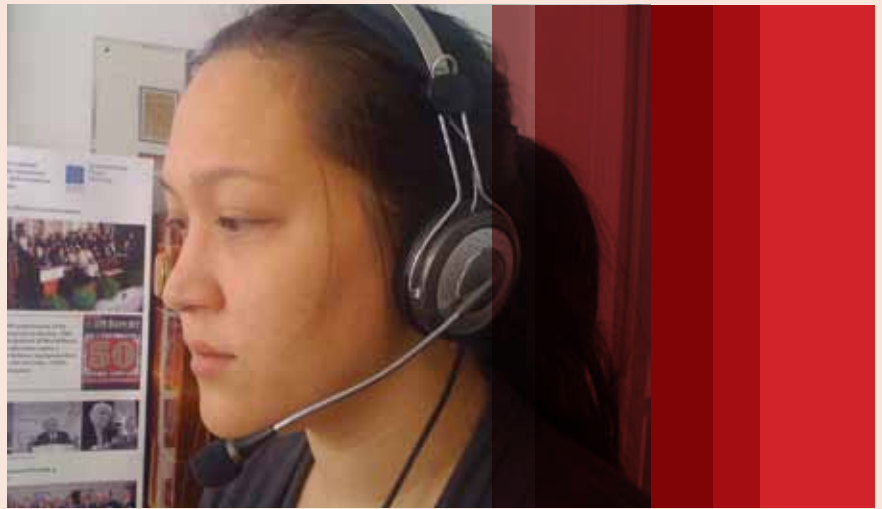
estimate the importance of this project for our sector in a context that is profoundly marked by technological changes which make it possible for almost anyone anywhere to generate and widely disseminate content.

To save the future of journalism in Africa and guarantee the emergence and success of good democratic governance as well as economic and human development, we need a coalition of visionary media leaders committed to the highest standards of ethics both in their newsrooms and in their business units.

AMI will keep working tirelessly to achieve this objective for African media to become and remain pluralistic, independent and the honest voice of the people. In terms of declarations of intent, Tanzania is well on the way of achieving that objective. On the ground, though, the story is dramatically different, as documented by the Media Institute of Southern Africa's book, *So this is Democracy? The publication, launched in Windhoek on World Press Freedom Day in March this year, takes a dim view of what it calls the "mercenary" conduct of the media during Tanzania's October 2010 general election.*

That's the other reality that needs to be fixed before the media can effectively take up its role in the socio-political development of Africa.

## Journalists rooting out corruption in Africa



By Naomi Hunt

*Naomi Hunt has worked as a press freedom adviser for Africa and the Middle East at the International Press Institute (IPI), Vienna, Austria, since 2009.*

Corruption is a problem. In fact, with armed conflict, it is a major impediment to development. According to statistics published on StopCorruption.eu, 25 percent of African countries' GDP is lost to corruption each year. Corruption inflates the costs of achieving the Millennium Development Goals (MDGs), too. According to one statistic that the website lists, the cost of meeting the MDG on clean water and sanitation will be \$48 billion more than it should as a result of corruption. Kickbacks, graft, bribery, the misappropriation of funds – all undermine democracy and take resources away from those who need them most.

While governments and NGOs have recognised the importance of increasing accountability and transparency, and many African countries have instituted anti-corruption commissions, many have failed to promote a free and professional media as a way to combat corruption.

Journalists hold governments accountable by uncovering corruption and by helping sustain public pressure so that corrupt officials



are brought to book. It seems logical that those interested in fighting corruption should help to bolster a strong, independent media by protecting press freedom, improving access to information or even directly supporting journalist training initiatives.

Donor countries have recognised the importance of access to information – by journalists and the public – as a means of combating corruption. In March 2010, after a series of corruption scandals broke in Kenya, officials from 20 European Union countries warned the country that they would not market it to outside investors unless officials proved they were serious about fighting corruption. Among the recommended actions was a call for a Freedom of Information bill to be passed.

Corruption is a pressing public concern: the BBC World Service recently released a poll showing that corruption is the world's most-discussed problem. Respondents in Kenya and Nigeria said they had discussed corruption with friends and family over the past month at rates of 63 percent and 49 percent, respectively. Globally, corruption is seen as the second biggest problem after extreme poverty.

In reaction to the consensus at home and abroad that corruption must be stopped, government officials are speaking up against corruption. But though there has been some prosecution of corrupt officials and the restitution of funds, the journalists who report on corruption or who help sustain political pressure in a particular case of alleged corruption may nonetheless find themselves in hot water.

The pattern is repeated in countries around Africa and the rest of the world: public officials proclaim their commitment to transparency but crack down on the journalists who

demand it – using national security, criminal libel or contempt of court laws. Journalists are also subject to intimidation and harassment by police and political party supporters, and media houses are sometimes raided and their equipment confiscated.

It goes without saying that attacks on journalists, raids and equipment seizures must end. But governments that are serious about combating corruption must also stop prosecuting journalists who report on corruption involving police, public officials or other members of the state apparatus. Even when these prosecutions don't succeed – which they often do not – they serve as a form of harassment which costs media houses time and money.

***“As a consequence of the threats, attacks and prosecutions, many journalists stay away from ‘hot’ topics such as corruption.”***

Further, journalists must be allowed to comment on ongoing court cases dealing with corruption – as judicial corruption is a serious barrier to the prosecution of other kinds of corruption.

Legislation that provides access to information is often lacking, and should be implemented.

In the same way that police officers, judges and other public servants who do not receive an adequate wage feel they need to seek bribes, journalists in many countries receive little or no compensation for their work which can lead to payment for favourable articles or silence. Obviously, if there is corruption within the judiciary and the media –

the institutions on which we rely on to hold politicians and corporations accountable – efforts to beat corruption will be compromised.

As a consequence of the threats, attacks and prosecutions, many journalists stay away from 'hot' topics such as corruption.

Media houses also need resources, especially time, and journalists with special skills to carry out accountability reporting. IPI recently began a corruption reporting survey among journalists. To date, most African respondents have written that more training is required if the media is to effectively play its role in exposing corruption. Other issues raised include the need for corruption accusations to be de-politicised and for there to be more 'independent information' on which to base reports.

Gwen Lister, founder and editor of The Namibian in Windhoek, said in a written interview with IPI about the state of corruption reporting in Namibia: "I'd like to see a lot more serious and in-depth reporting, rather than isolated instances of reporting on corruption." She added: "Apart from skills, we often lack the resources in terms of time to spend on such investigations. For there to be an improvement we would also need journalists who specialise in specific areas, such as financial/economics reporting."

To reveal some of the most egregious, high-level cases of corruption, it may be necessary for journalists to be keyed in across national boundaries, too. Organisations like FAIR (Forum for African Investigative Reporters) have recognised this, and FAIR recently published an investigation into football corruption that included reporting from several different African countries – an attempt to look for patterns of corruption across the region.

There is reason for optimism that the next 20 years will see a rollback

in corruption. The international community is increasingly tuned in to the importance of journalism as a way to guarantee transparency in business, politics and development aid distribution.

The main reason for optimism is the strength of the journalists who see corruption as one facet of the news that must be reported as it happens, every day. Despite a lack of political will in many countries to seriously tackle corruption, and despite the prosecutions, attacks and harassment of media and reporters, there are still journalists willing to dig deeper and reveal the truth.

Before his untimely death earlier this year in a car accident, Cameroonian journalist Pius Njawe, who had been arrested 126 times and imprisoned three times, said: "A word can be more powerful than a weapon and I believe that with the word ... we can build a better world and make happier people. So, why give up while duty still calls? No one will silence me, except The Lord, before I achieve what I consider as a mission in my native country, in Africa and, why not, in the world."

## *Putting more emphasis on policy and pluralism*



*By Jane Duncan*

*Professor Jane Duncan is Highway Africa Chair of Information Society, at the School of Journalism and Media Studies, Rhodes University, South Africa. She was formerly the executive director of the Freedom of Expression Institute in Johannesburg.*

Since 1991, the Windhoek Declaration has become the yardstick to measure transformation of the African press from a state-controlled to an independent sector. Twenty years on, the Declaration remains relevant, in the light of set-backs over the past decade.

The moral of the story is that unless the media pull out all the stops to secure conditions for media freedom in times of 'peace' between governments and the media, they may find themselves with very little leverage if hostilities break out between the two parties. The media must not simply trust government's promises that they will maintain media freedom; they must ensure that policies and structures are put in place to guarantee media freedom going into the future.

Where constitutional reform is possible, then freedom of expression and access to information should be guaranteed as stand-alone rights, with media freedom being given special emphasis. These constitutional rights should be codified into legislation, and existing censorship legislation should be

repealed or reformed.

However, policy should precede legislative reforms, otherwise changes will be made in a policy vacuum. Policies should spell out the broad vision – not just for the media, but for communications transformation as a whole. Otherwise, legacy media may land up being overtaken by events. All too often, governments do not spell out their own assumptions in reforming communications. This may be deliberate, for instance where a government wants to structure the landscape by stealth – in ways that may benefit government officials or private businesses linked to government. But a government may also simply lack policy capacity. Civil society organisations have been relatively effective in spelling out the tasks to be undertaken to transform the media from a state-controlled to an independent sector. But there has been too little serious work on how government communications should be transformed.

A key principle for civil society is that government communications should facilitate communication and interaction between government and citizens in a dialogic manner, rather than talking to citizens and telling them what to think. The former is more appropriate to a democracy that seeks to encourage citizenship. But all too often, governments want subjects, not citizens – the former are less likely to challenge abuses of power than the latter.

This is why many African countries still have Ministries of Information. Ideally these should be replaced with Ministries of Communication. The two differ (or should differ). Communications Ministries are meant to facilitate access to communications through the development of national policy on issues like universal access to communications networks, diverse ownership of communications

systems, promotion of local content and the like.

*“But all too often, governments want subjects, not citizens — the former are less likely to challenge abuses of power than the latter.”*

On the other hand, Ministries of Information tend to focus on controlling the content of communications to achieve particular national objectives. In practice, they tend to become tools for government, and more narrowly, for ruling party control of the media.

The biggest guarantor of media independence, though, is pluralism, as citizens can then access alternative sources of information if the state attempts to control information flow. But all too often governments are reluctant to implement positive measures to promote and safeguard pluralism. This means that as media markets open up, they may land up being dominated by a few voices.

Governments have also resisted transforming state broadcasters into public broadcasters and establishing independent regulators. These remain urgent tasks. But as recent events in Egypt and Tunisia have shown, if internet and mobile penetration is high, then alternative communications networks can be set up.

In the converged communications space, civil society must ensure that everyone has affordable access to the means of communication. That situation will then undermine any government attempts to control information, as citizens can circulate information much more easily.

The media, too, may be resistant to campaigns for media pluralism, as some may benefit from a concentrated media. Concentration may at times be necessary to guarantee the economies of scale and scope that are necessary to ensure survival. But it is far easier for governments to influence information flow in concentrated media markets, than it is in pluralistic ones. In the former, it may take just one government-linked buy-out of a key media house to gain control a big chunk of the media. So it is important that the media think beyond their own short term interests on the concentration question.

Arguably, civil society has expended enormous energy thinking about and campaigning for the ‘independent’ part of the Windhoek Declaration, but not enough energy has gone into the ‘pluralistic’ part. Unless this lacuna is addressed, then control-oriented governments may continue to outflank the media. Conditions must be created where government control of the media becomes impossible, and these conditions are even more possible now than they were 20 years ago. In spite of some setbacks in press freedom over the past decade, there is cause to be optimistic.

# African journalists need protection



By Mohamed Keita

*Mohamed Keita is Africa Advocacy Coordinator with the New York-based Committee to Protect Journalists. He regularly gives interviews to international news media on press freedom issues in Africa.*

During the darkest moments of the five-month crisis that followed the disputed November 2010 presidential elections in Cote D'Ivoire, a press card was, for many Ivorian journalists, the worst item that could be uncovered by querying armed men at the myriad of checkpoints dividing the main city Abidjan into pockets loyal to either then-President Laurent Gbagbo, or his rival Alassane Ouattara.

The division of the Ivorian press into rival partisan "blue" (Gbagbo) and "green" (Ouattara) camps meant that each side perceived journalists as spies or militants of the rival camp. Security risks typical of an armed conflict confronted journalists: threats, kidnappings, intimidation, and even murder.

Today, frontline journalists working in the streets of Douala, Harare, Kampala, Lomé, and other places face the most precarious security risks, particularly those carrying recording equipment. They are vulnerable targets for security forces determined to suppress what are often compromising photos and video footage showing deadly

brutality in their repression of protests.

Photojournalists and videographers frequently see their memory cards seized and their cameras smashed, or they are forced to delete images at gunpoint. This has been happening despite much publicised "media-sensitivity" or human rights training of African security forces by external military forces like those of AFRICOM.

To add insult to injury, African leaders regularly endanger the lives of journalists by publicly demonising the press for reporting local unrest, likening such coverage to treason, or incitement. President Yoweri Museveni recently described media reporting protests against rising fuel prices as "enemies of Uganda's recovery," while in Ethiopia Meles Zenawi's government jailed 15 editors on anti-state charges including treason over editorials criticising the killing of demonstrators after a disputed 2005 election.

The public nature of journalism exposes media professionals to incredible risks. Local journalists covering local stories are particularly vulnerable because they lack the sort of institutional and diplomatic support protecting international journalists.

In the battleground neighborhoods of Abidjan, Ivorian journalists running for their lives had no one to turn to but themselves. With the country's press unions rendered moribund by years of internal infighting, government pressure and cynicism of the senior journalists leading them, a breakaway organiser emerged in the person of the energetic Stéphane

Goué, an upstart photojournalist popular for negotiating a deal for free phone calls between journalists on the network of a local telecom company.

Goué launched the Ivorian Committee to Protect Journalists (CIPJ) in 2010 and in March 2011, he organised the evacuation of a dozen of his colleagues from Abidjan after he himself came under threats for publicly speaking out against media abuses. Goué sought the help of UN peacekeepers on the ground, to secure evacuation of stranded journalists through an airlift from the city. It was then that the Committee to Protect Journalists based in the USA intervened, as an external pressure group, to expedite the evacuation and sensitise the UN leadership that journalists should be a top priority in the broad mandate of protection of civilians.

*“In Cameroon in 2010, journalist Germain Cyrille Ngota died in prison after his arrest over the sources of a purportedly leaked document alleging corruption at the state oil company.”*

The protection of journalists entails shielding their confidential sources, particularly those acting as whistleblowers who hold institutions to their promise of accountability and transparency. But security forces frequently seize journalists' mobile phones, an essential reporting tool, or indubitably put pressure on telecom companies to illegally obtain phone records of journalists,

for the purpose of identifying their sources.

There are also efforts made to dissuade sources from coming forward. In Kenya, journalists defeated a bill in 2007 that would have forced them to reveal sources in court, but their colleagues in South Africa have been battling a “secrecy bill,” pushed by the ruling ANC, that initially threatened to impose a 20-year jail sentence on journalists and whistleblowers who exposed official documents. In Cameroon in 2010, journalist Germain Cyrille Ngota died in prison after his arrest over the sources of a purportedly leaked document alleging corruption at the state oil company.

As more and more African journalists join bloggers and citizen journalists on the internet, many are largely unprepared for the state-sponsored dangers and censorship that lurk online. Cyber security is a constantly evolving, but it is becoming part of the vital toolkit for new media professionals who report news from places like Ethiopia, Rwanda, and Zimbabwe.



# Tribute to a committed photojournalist



By Kevin Ritchie

*Kevin Ritchie is managing editor of the Saturday Star.*

The news when it came was like a punch to the solar plexus. "Anton's been taken prisoner in Libya."

It was late at night, but the social networks were abuzz shortly afterwards, closely followed by the wire services and then the newspapers.

And then the wait began.

For 46 days, Anton's family, friends and former colleagues gave one another succour, held vigils in Cape Town, Johannesburg and London and pushed the South African government to act to get him freed. Posters were brandished, T-shirts pulled over work shirts and talk show hosts inundated on radio and TV.

The not-knowing was the worst. The snippets that everyone seized would turn out to be half-truths, sinister pointers towards the real story that everyone feared, but didn't want to hear – Anton had been killed the day the three other journalists who he was with outside Brega were captured.

The four of them, all freelancers, had been with rebel soldiers when the government troops crested the hill.

The troops crested it, and opened fire wildly.

The rebels, whom Anton and the four had been documenting, scattered.

Anton lay, mortally wounded, as his three companions screamed at the troops to cease fire.

The soldiers knew they'd made a mistake – Anton's colleagues have no doubt about that. In the heat of war, young and scared they'd fired first – with devastating consequences.

The three surviving journalists made a pact, they could not tell the world about Anton's death because they knew they had witnessed a war crime. If they spoke out, they might jeopardise their own lives and never live to tell the truth about what happened to Anton.

***"Anton was a committed journalist to the very end. He was fearless, though never foolhardy, and he never lost the quintessential integrity of his craft as a photojournalist."***

Anton Hammerl was a newspaperman, a hardcore news photographer, an artist, a father, a husband and a friend.

Johannesburg-born and bred to Austrian parents, he enrolled at the renowned Pretoria Technikon's photographic school, but left before qualifying to follow his dream of becoming a news photographer.

Initially he spent time freelancing at The Star under the mentorship of the paper's legendary chief photographer, the late Ken Oosterbroek. He was then appointed Chief Photographer of the publication's sister paper the Saturday Star, a position he held for 10 years before leaving for Britain five years ago with his wife Penny and their family to pursue freelance opportunities there.

When he left, he'd already made his mark on the local scene amassing awards like the 1997 World Press Photo Joop Swart Masterclass; the Abdul Shariff Humanitarian photographer of the year award twice – in 1997 and 1999; the Mondi Shanduka Photographer of the year in 2005 and the Fuji Africa News Image of the year in 2006.

His death in the Libyan desert touched the local journalism community, cutting across corporate rivalries and the divide between broadcast and print in a way never seen since Oosterbroek was shot and killed by the National Peacekeeping Force weeks before South Africa's landmark 1994 elections.

The reason this time was that this too was a revolution everyone believed would happen - and indeed believed needed to happen - yet unlike 1994, the eyes of the world were on Libya, but the main news organisations were not prepared to send anyone there.

It was too dangerous, the situation was too fluid with vast swathes of territory changing hands between rebels and government forces in the space of a day.

Nobody asked Anton to go there. No one paid him to go there. He felt a compulsion as a journalist to record and document a story that the bigger fish in the journalism world couldn't find the resolve to do.

He did so knowing full well the risks. He left a young family behind in London, his second son Hiro not even four-months-old, to cover the story.

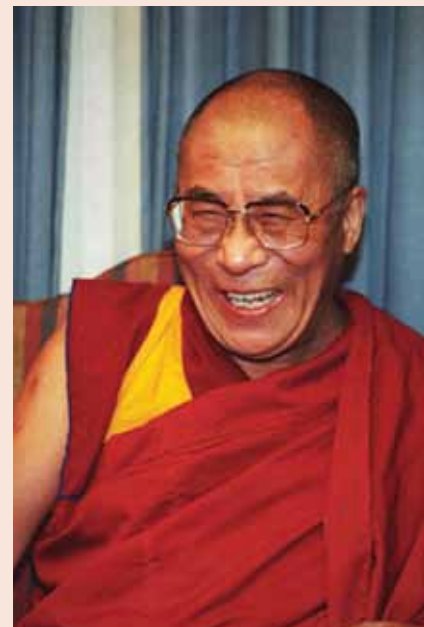
Anton was a committed journalist to the very end. He was fearless, though never foolhardy, and he never lost the quintessential integrity of his craft as a photojournalist. He paid for it all with his life.

Anton Hammerl was the ninth African photojournalist to be killed in the line of duty since the Windhoek Declaration of 1991. Data from the Committee to Protect Journalists lists the others as:

- Abdulkhafar Abdulkadir – freelance (Somalian, killed in Somalia), December 3, 2009
- Samson Boyi – The Scope (Nigerian, killed in Nigeria), November 5, 1999
- Djilali Arabidou – Algérie-Actualité (Algerian, killed in Algeria) March 12, 1996
- Ken Oosterbroek – The Star (South African, killed in South Africa) April 18, 1994
- Madjid Yacef – L'Hebdo Libéré (Algerian, killed in Algeria) March 20, 1994
- Abdul Shariff – freelance (South African, killed in South Africa) January 9, 1994
- Djamel Bouhidel – Nouveau Tell (Algerian, killed in Algeria) October 5, 1993
- Hosea Maina – Reuters (Kenyan, killed in Somalia), July 12, 1993

Four more photojournalists, from outside Africa, have also been killed on the continent over the past 20 years:

- Lucas Mebrouk Dolega – European Pressphoto Agency (French, killed in Tunisia), January 17, 2011
- Martin Adler – freelance (Swedish, killed in Somalia), June 23, 2006
- Hansi Krauss – Associated Press (German, killed in Somalia), July 12, 1993
- Dan Eldon – Reuters (USA, killed in Somalia), July 12, 1993.



*Hammerl's portraits: Archbishop Tutu, the Dalai Lama, Angeliq Kidjo*



*Anton Hammerl, at the time working for the Saturday Star, won a Mondli Shanduka Nib for taking the top award for news photography in the 1996 Mondli Shanduka Newspaper Journalism Awards. The judges said he was a clear winner for the series, titled "Mugger meets his match". The sequence had all the qualities of a great news photograph – dramatic, action-packed, and well-composed.*



*In the same competition he also won a commendation in the feature photography category, for his portrayal of a priest turned warlord in northern Uganda. The judges wrote: "This is a powerful depiction of a man caught up in his past, as evidenced by his face, arrogant pose and backdrop of biblical scenes." Taken in Gulu, one of the largest towns in the north of Uganda, former warlord Ray Adire was persuaded to pose for this photo. He was once a priest, but was abducted to serve in the Lord's Resistance Army. He rose up to be a commander in the rebel group before becoming disillusioned and surrendering to Ugandan soldiers, one of whom stands behind him.*





*Libya, 1st April 2011. Photo by Anton Hammerl, Africa Media Online*

*Hammerl's last photographs were of Benghazi-based anti-Gaddafi fighters 10km outside the recaptured town of Brega, engaged on an ever-moving frontline. On 8 April, loyalist forces attempted to re-capture the city. Taking advantage of a disorganised rebel retreat, the Gaddafi troops entered the city and had taken control of most of it by 9 April. However, rebel forces soon regrouped and had pushed pro-Gaddafi forces out of the city by 11 April, with heavy support from NATO airstrikes. The front line then stagnated outside of the city, 40 km down the road to Brega. Loyalist shells continued to intermittently strike the western gate and outskirts.*



*Libya, 3rd April 2011. Photo by Anton Hammerl, Africa Media Online*

# *African media should inspire understanding, not incite hatred*



By Henry Maina

*Henry Maina is the Director, ARTICLE 19 Eastern Africa. He previously worked as the Deputy Director of Legal Resources Foundation (Kenya).*

Africa states, like other states globally, are allowed – and in some respects obliged – to prohibit dangerous speech that has a high probability to stir violence, discrimination or hatred.

Incitement to genocide is equally forbidden and is an international crime akin to war crimes and crimes against humanity. Ironically, though, the African Charter has no provisions on incitement similar to those in Article 20 of the International Convention on Civil and Political Rights (ICCPR). Nevertheless, there is an international consensus on these issues.

What remains open to debate, however, is how states identify hate speech – and what measures they take to deal with it. These matters are sometimes a source of conflict due to undue limitations on freedom of expression and media freedom. This is because it remains a daunting task to precisely define the crime of incitement to genocide, hatred, violence or discrimination. International human rights scholars

and commentators have provided the three-part test as a standard by which to assess whether or not content restriction by any state is permissible. According to the test:

- freedom of expression limitations must be provided by law, in sufficiently clear terms as to make it foreseeable whether or not a statement may be deemed offensive or permissible,
- any such restrictions must be directed at one of the following goals: ensuring respect of the rights or reputations of others, or protecting national security, public order, public health or public morals,
- legitimate limits must be strictly necessary for the achievement of that goal, including that no suitable alternative measure exists which would be less harmful to freedom of expression.

The three tests make sense in legal theory but remain challenging in regard to how they may be applied in practice.

***“How have states identified incitement to genocide, violence, discrimination and hatred in Africa so far?”***

The legal definition of incitement was not elaborated by the Nuremberg tribunal in 1946 of Julius Streicher, a newspaper editor, and Has Fritzche, a radio broadcasting



official. It took over 50 years until the International Criminal Tribunal for Rwanda (ICTR) in 1998 handed down the world's first conviction for incitement to genocide.

ICTR has since played an important normative role in giving clarity to jurisprudence on incitement to genocide through its numerous indictments and prosecutions in the so-called media cases. This can be highlighted by the Prosecutor v Nahimana, Barayagwiza and Ngeze case where three individuals alleged to have been the masterminds behind a media campaign to desensitise the Hutu population and incite them to murder the Tutsi population were prosecuted and convicted.

Ferdinand Nahimana and Jean Bosco Barayagwiza were members of the steering committee that founded Radio Television Libre Des Mille Collines (RTLM). Hassan Ngeze was the owner, founder and editor of the popular and widely distributed Kangura newsletter.

How have states identified incitement to genocide, violence,

discrimination and hatred in Africa so far? While incitement to violence or hatred – including by politicians, community leaders or journalists – has actually resulted in massive violence in many countries, the continent is replete with a patchwork of concepts, approaches and interpretations.

This means there is a significant difference or variation across countries in how the prohibition and the threshold of incitement have been defined by laws and regulations. Seldom is the wording of article 20 of the ICCPR found enshrined in domestic legislation. Indeed, some domestic laws fail to refer to "incitement" as such.

In Kenya, the National Cohesion and Integration Act article 13 uses the terms "threatening, abusive or insulting". South Africa's Promotion of Equality and Prevention of Unfair Discrimination Act article 12 makes reference to "incite harm; promote or propagate hatred," while the Films and Publications Act article 29 uses "incites to imminent violence".

In Zimbabwe, the Law and Order

(Maintenance) Act) uses "promotes feelings of hostility" on the one hand and on the other talks about "abusive, insulting and threatening language in the Miscellaneous Offences Act. Uganda and Rwanda have another conceptualisation of incitement as sectarianism. However, sectarianism is not defined but carries connotations for separatism or secessionism.

This patchwork of law has in some countries been used to chill media freedom and gag journalists from giving voice to the voiceless.

For the media not to be caught up as a propagator of hate, Article 19 proposes that journalists should demonstrate a moral and social responsibility to combat discrimination and promote intercultural understanding.

One big lesson is that media pluralism and diversity offers the safest way to ensure the media is not captured by a single group of powerful people who could then use it as a tool for incitement – as was the case in Rwanda.

## *Africa's legal environment — enabling or disabling?*

*By Henry Maina*

The second decade of the 21st Century is a fitting moment to look back at 20 years after Africa's second liberation. This is necessary given the revolutions in the Arab-world and the recent less publicised resistance in Angola, Uganda, and Swaziland.

In this context, how is African freedom of expression, including freedom of the media, being protected by law?

The 1991 Windhoek Declaration was endorsed 10 years after the

***"...promote freedom of expression, in particular freedom of the press and fostering a professional media".***

continent had its first binding instrument on fundamental rights adopted – the African Charter on Human and Peoples' Rights (ACHPR).

Article 9 of the Charter states:

1. Every individual shall have the right to receive information;
2. Every individual shall have the right to express and disseminate his opinion within the law.

The Charter has since been ratified by all African Union member states (excluding non-member, Morocco). In determining a communication against the republic of Botswana, the ACHPR affirmed that freedom of expression under the Charter has two arms: the right to receive

information and the right to express and disseminate opinion. Some countries like Kenya, Nigeria, and Tanzania have incorporated the Charter into national law, meaning that its applicability can be enforced by local courts.

*“Eighteen states have clear provisions in one way or another guaranteeing freedom of information.”*

The retention of archaic legislation – despite that likelihood that it would not pass muster with international human rights law – is mostly (ill-) informed by the caveat on article 9 of the Africa charter, “within the law”.

Yet laws like official secrets, criminal defamation and other insult laws, sedition and treason laws used to persecute journalists fly in the face of the positive legal instruments agreed at the continental, sub-regional, and national levels after the Windhoek Declaration.

Such instruments include the 2000 African Union Charter which underscored the centrality of all fundamental human rights as captured in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR). These retrogressive laws also violate the decision of the ACHPR in 2002 to adopt a declaration on principles of Freedom of Expression – which to date remains the strongest elaboration of article 9 of the African Charter.

On another positive note at the continental level, the African Union has adopted two regional instruments key to advancement of freedom of expression. One is the African Con-

vention on Preventing and Combating Corruption and related offences – especially articles 5 and 9 which seek legislative measures that protect whistleblowers as well as access to information laws. Similarly, article 12 provides legitimacy for media and civil society organisations to engage in the affairs of the state in combating of corruption.

The 2007 African Charter on Democracy, Elections and Governance, commits governments to promoting conditions to foster “citizen participation, transparency, access to, freedom of the press and accountability in the management of public affairs”. In addition, it prescribes “fair and equitable access by contesting parties and candidates to state controlled media during elections”. To advance political, economic and social governance, state parties are required to “promote freedom of expression, in particular freedom of the press and fostering a professional media”.

At the national level, most African countries have general provisions guaranteeing freedom of expression in their constitutions. This includes the Eritrean Constitution – approved in 1997 but not implemented.

Eighteen states have clear provisions in one way or another guaranteeing freedom of information – these are Angola, Cameroon, Democratic Republic of Congo, Ethiopia, Ghana, Kenya, Liberia, Madagascar, Malawi, Mali, Mozambique, Niger, Nigeria, Senegal, South Africa, Tanzania, Uganda and Zimbabwe. The number gets lower as only seven countries have passed at least nominal freedom of information laws – South Africa, Angola, Uganda, Ethiopia, Liberia, Nigeria, and Zimbabwe. The laws in Zimbabwe and Angola stress exceptions, more than access.

Therefore, the answer to the question whether freedom of expression is effectively protected

is that at constitutional level, mostly yes, but national statutes continue to be a big threat. Such threats are increasing with the passage of anti-terrorism laws especially in Ethiopia, Uganda, and Sudan and some governments’ overzealous approach to control the internet.

One way forward might include testing national laws against these continental instruments, within each national jurisdiction and at ACHPR. But there is also the African Court on Human and Peoples’ Rights which has an overall mandate to rule on Africa states’ compliance with the African Charter and which complements the protective role of the ACHPR.

However, access to the court remains dependent on the 25 AU member states that have ratified the Court’s protocol making a declaration that will allow individuals and NGOs with observer status to file a case against them. So far only four countries, namely Burkina Faso, Malawi, Mali and Tanzania have made the declaration.

Although the Human Rights court based in Arusha, Tanzania, is being operationalised, it will be merged with the Court of Justice and Human and Peoples’ Rights to form the “Africa Court of Justice and Human Rights” once the protocol establishing the latter enters into force. It is a site that could contribute to creating a more enabling environment for media on the continent.

# *Criminalisation of expression in Africa*



*By Fatou Jagne Senghore*

*Fatou Jagne Senghore, Regional Representative ARTICLE 19 West Africa, is a legal expert with more than 10 years experience of specialising in media law and policies issues and on the African regional system of human rights.*

The right to freedom of expression is an essential ingredient of democracy. It is recognised by major international treaties and national constitutions. Despite positive developments witnessed over the last 20 years, particularly with respect to pluralism and diversity of the media, freedom of expression remains one of the most controversial and violated rights on the African continent.

African countries have many laws with vague and undue restrictions that criminalise a wide range of expression, and thereby undermine constitutional guarantees and international commitments of states. Indeed, in many parts of the continent, the restrictions have become the principle, and freedom of expression the exception.

The harsh and vague nature of criminal sanctions for speech are one of the major causes of self-censorship on the continent. Most of the laws that criminalise speech are crafted in such a manner as to allow intolerant and abusive public officials to interpret clauses so as to punish critical voices.

Besides these problematic laws, the lack of independence of the judiciary in many countries has also been a challenge for the development of progressive jurisprudence on freedom of expression. And in many cases, security threats, the high probability of imprisoning journalists and the routine imposition of huge financial penalties against media owners have all prevented the media from covering sensitive issues. Investigative journalism has been hampered.

Causing offense to heads of states is an absurd and vague notion present in the penal codes in many African countries. These codes do not give a precise definition and scope of such offenses, and this has opened floodgates for lawsuits against journalists and has extensively increased the scope of speech likely to be deemed offensive. Mere opinions critical of political powers have often been criminalised.

The European Court of Human Rights (ECHR) has condemned laws that criminalise "insulting" Heads of State as being contrary to the European Convention on Human Rights. That Court found that the offence of insulting foreign heads of state was liable to infringe freedom of expression without meeting a "pressing social need" capable of justifying a restriction of that type. (Case Colombani and others against France ECHR 330, 25.6.2002). The case concerned the late king of Morocco.

Criminalising the defamation of public officials is another trend that runs counter to modern democratic rules. But such defamation cases remain on the top of the list of lawsuits before the courts in many African countries, with the

majority of the cases brought by public officials. The Declaration of Principles on Freedom of Expression in Africa has called on states to revise their laws on defamation (principle XII).

Even countries with traditions of freedom of expression have witnessed a rise in the use of defamation laws to pressure journalists to disclose their sources and/or to silence the press. Senegal and Benin are cases in point. In Senegal, since 2000, there have been an unprecedented number of cases of defamation filed by influential public officials. Recently in Senegal and Ivory Coast, journalists have been sued for stealing administrative documents. Countries in conflicts or post conflicts also abuse national security laws as an alibi to keep the press away from reporting on the situation in the ground and enlightening the public.

Around Africa, significant numbers of journalists have been jailed under such criminalising legislation, and only very few of them have had fair trials.

Countries such as DRC, Eritrea, Ethiopia, Gambia, Libya, Equatorial Guinea, Rwanda, Sudan, Zimbabwe and Swaziland have been the most prominent in abusing harsh laws to stifle freedom of expression. The case of Eritrea is extremely alarming: since 2001, more than a dozen journalists have been held incommunicado and without any form of trial, accused of treason and conniving with the enemy – 'Ethiopia' among others. All private media houses are banned in Eritrea. Despite international outcry and numerous condemnations, including a decision of the African Commission on Human and People's Rights in 2007, these Eritrean journalists are still languishing in prison under inhuman and degrading conditions. Some have died.

In The Gambia, journalists continue

to work in an environment of fear and their security remains fragile. Court actions and arbitrary detentions using harsh media laws have made The Gambia one of the most unsafe places for journalists in West Africa.

In Rwanda, the "genocide ideology and sectarianism law" is particularly over-broad. It includes a number of undue and unreasonable restrictions that violates international standards. Over the past years, numerous law suits have been filed under this draconian law and in most instances political opponents have been targeted.

***"Around Africa, significant numbers of journalists have been jailed under such criminalising legislation, and only very few of them have had fair trials."***

Writers and musicians have also had their share of experiencing repressive laws. In 2010, a book by Bertrand Teyou on the First Lady of Cameroon was banned and its author jailed for defamation. Cameroonian musician Lapiro de Mbanga was accused in 2009 of constitutional conspiracy and inciting employees of a banana farm in his hometown to destroy the plantations. He was recently released after international pressure.

In 2008, Algeria's book writer and journalist Mohamed Ben Chicou found his work "Diary of a free man" banned. That same year, the Director of the Algerian National Library was fired from his job for inviting a maverick author to speak. In this country, and many other north African nations, opinion

leaders and journalists have been under pressure from governments. This has changed slightly since the recent Arab spring.

In Senegal, despite the relative freedoms enjoyed by writers, unconventional writers like journalist Abdoulatif Coulibaly have faced numerous counts of indirect censorship. He himself has received death threats.

In Africa, Ghana has been a pioneer in decriminalising defamation, followed by Togo and Central Africa Republic. Since then, several countries have followed: Cote D'Ivoire, Chad and Niger, and Mauritania is in the process. Senegal has promised to decriminalise defamation since 2005. Currently, a law has been adopted by cabinet and submitted to the Parliament, but is blocked there due to the reticence of parliamentarians. The criminalisation of speech in Africa not only violates the rights of those speaking, it has the effect of limiting the free flow of information.

# Declaration of Table Mountain helps to drive decriminalisation



By Andrew Heslop

*Andrew Heslop is Editor, Press Freedom and Media Development, at the World Association of Newspapers.*

One of the most widely abused tools used to silence critical journalism is law that makes defamation a criminal offence. It is deployed by governments from Algiers to Blantyre, Dakar to Mogadishu.

That's why the global press industry developed the Declaration of Table Mountain at the 2007 World Newspaper Congress in Cape Town, South Africa. The declaration identifies that defamation being treated as a criminal – rather than civil – matter as amongst the most severe obstacles facing the independent press in Africa.

It also pinpoints 'insult' laws that forbid criticism of high office as an equally serious obstacle. To secure the repeal of these laws, the World Association of Newspapers (WAN-IFRA) has been leading a long-term strategic campaign.

Across the continent, this legislation is used to turn journalists into criminals, close down their publications and stifle information that is crucial to safeguarding the public interest. Research shows an alarming frequency of cases based on criminal defamation. This is evident

in surveys by the World Press Freedom Committee – an international coalition of press freedom organisations of which WAN-IFRA is an active member. Reporters who cover corruption by public officials, misconduct by police or military personnel, dubious public spending and even the health of kings or presidents, continue to be systematically hauled before the courts in many African countries. They also risk incurring charges of endangering national security, destabilising the country, and – in extreme cases – even treason.

As a result, African journalists, editors and publishers are frequently imprisoned for exposing the truth. In cases where financial compensation is ordered, exorbitant fines often far outweigh the actual damage inflicted. Assets are seized, publications are forced to close and in many cases the accused risk jail if they are unable to pay.

In this way, the criminalisation of defamation serves to deter investigative journalism and reduces the capacity of the press to fulfil its role of public watchdog. The consequence is that African leaders and other officials enjoy virtual immunity from criticism.

It is no surprise that Zimbabwe is very active in using its laws to harass the critical press. An article published in *The Standard* weekly newspaper owned by independent publishing house Alpha Media Group highlights the extent to which authorities will go to punish investigative journalism.

In November 2010, reporter Nqobani Ndlovu was arrested for a story that alleged the police were recruiting war veterans loyal to the Zanu-PF



party of President Robert Mugabe to take over senior posts ahead of next year's elections. He was charged with making defamatory statements and released after spending nine days in a Bulawayo prison.

That a journalist could be incarcerated without trial like this is disturbing enough. But the subsequent escalation of this case shows precisely why criminal defamation law has become one of the most frequently used forms of protection for authorities with something to hide.

***“In this way, the criminalisation of defamation serves to deter investigative journalism and reduces the capacity of the press to fulfil its role of public watchdog.”***

Initially, Ndlovu was to be charged with contravening Section 96 of the Zimbabwean Criminal Law (Codification and Reform) Act related to criminal defamation, with any conviction leading to two years' imprisonment or a fine, or both. He now faces an additional charge under Section 31 of the same Act, which deals with the publication of falsehoods prejudicial to the state. If convicted, he could face up to 20 years in prison. On 30 November 2010, The Standard's editor, Nevanji Madanhire, was also arrested and charged with breaching the same section of the Act.

"The arrest of Nqobani Ndlovu is a big blow against the return of confidence in Zimbabwe as far as press freedom and freedom of expression is concerned," commented Trevor Ncube, chairman of Alpha Media

Holdings Group, in a statement to WAN-IFRA. "However, we are not intimidated but emboldened to continue informing the public in a professional and ethical manner," he affirmed.

The Declaration of Table Mountain campaign goes beyond the repeal of these obnoxious criminal defamation and insult laws. It also aims to have a free and independent press placed far higher on the political agenda of African governments.

The link between an active and independent press, free from government interference and intimidation, and economic, political and social development is seen as a must for any state with democratic pretensions.

There are many steps to achieving the aims of the Declaration, involving local, regional and international organisations working in partnership both on the ground and in the corridors of power across the continent.

One milestone is amending the African Peer Review Mechanism (APRM), a mutually agreed self-monitoring instrument for African Union member states when it comes to reviewing governance. The campaign seeks to include press freedom as part of the APRM assessment criteria.

The Declaration of Table Mountain campaign has been gathering steady momentum. After intense lobbying and direct contact with policymakers and government representatives, the NGO forum of the African Commission for Human and Peoples' Rights proposed a resolution on defamation that was adopted by the commission in November 2010.

This resolution is another tool in the armoury when it comes to addressing heads of state on their commitment to a free and independent press. It helps the media, civil society and progressive political voices alike to advance the

cause of meaningful, long-lasting and effective change.

Until Africa is free of criminal defamation, insult laws and other laws that allow for suppression of the press, the continent risks remaining in the foothills, rather than reaching the apex, of the mountain of progress.

# Self-regulation for democracy's sake



By Joe Thloloe

*Joe Thloloe started his career in the 1960s on the Rand Daily Mail and Golden City Post. He is a veteran of Drum magazine, the (banned) World and (also banned) Post, as well as Sowetan. After democracy, he rose to head up SABC TV news in its early days, and subsequently occupied the same position at e-TV. In 2007, he was appointed Press Ombudsman, within the South African Press Council.*

Tucked away among the initiatives and projects identified at the seminar that produced the Windhoek Declaration is a project on the "development and promotion of non-governmental regulations and codes of ethics in each country in order to defend more effectively the profession and ensure its credibility."

Twenty years later it has become urgent to revisit the project and tackle it with the same vigour that was shown when Africa fought colonialism.

The irony is that politicians and ordinary citizens in each of our countries will proclaim: "I love and respect freedom of expression and freedom of the media; I support a free and independent press, but..."

The rub is in that but phrase.

In South Africa, we enshrined freedom of expression, "which includes ... freedom of the press and other media" in the Constitution and we believed we were among the pace-setters in upholding democracy.

Immediately after the Constitution was adopted in 1996, the press quickly looked at its system of self-regulation and amended it to match the new liberation. It transformed

the Press Council that had existed during the days of apartheid and created an Ombudsman's office. In 2007 there was further transformation as the press felt the need to have the voice of the reading public in the mechanism. Thus the current Press Council and Ombudsman's office came into being.

Over the past few short years, however, the politicians started grumbling and those grumbles are now a loud anger at self-regulation. Leaders of the African National Congress (ANC) ruling party have argued that the Ombudsman is biased in favour of the publications because he is a former journalist; that complainants who want to use the system have to waive their constitutional rights to go to the courts; that the system does not have the force of law; and that the Ombudsman is toothless – the only sanctions that the system can impose are a reprimand, the publication of an apology, or a summary of the rulings.

Each of these criticisms can be proved to be false:

- the record of the decisions of the Ombudsman and of the Press Appeals Panel, headed by a former judge, is public on our website: two thirds of the findings are in favour of the complainants;
- the complainants are informed of the option to go to the courts or other tribunals and they voluntarily choose to use the Press Council's system; and, finally,
- the vast majority of press councils around the world do not impose fines because they see their role as educational rather than punitive.

The real reasons for the animosity are lurking under the surface, unspoken, as the more "reasonable" arguments for a "statutory Media Appeals Tribunal" in South Africa are marshalled.

Unfortunately these arguments find fertile ground among sections of the public that remember only the bad journalism. In 2010 the Press Ombudsman's office received 213 complaints. One complaint is one too many, but the 213 measured against the millions of words that are churned out in newsrooms in South Africa every day is miniscule. Unfortunately it is the 213 that will be remembered.

The only defence for the media is a rigorous adherence to good journalistic ethics: stories that are

more effectively the profession and ensure its credibility" has to be resuscitated in spite of attempts by the politicians in South Africa, Botswana, Zambia, Zimbabwe and elsewhere on our continent to turn the media into their lapdogs through statutory councils.

We have to do it for the sake of democracy and true liberation on our continent.

Journalists and editors need to get back to their ethical codes and live them. Possibilities abound: refresher courses on ethics, brown-bag lunches to discuss ethics, talks in newsrooms by authorities on ethics. They need to be actioned if we want the legacy of Windhoek to be entrenched in our media freedom landscape.

*"which includes ... freedom of the press and other media in the Constitution and we believed we were among the pace-setters in upholding democracy."*

truthful, accurate, fair, in context and balanced.

Each time they sit down to write, journalists need to remember why they are telling the story. The South African Press Code spells it out: "The primary purpose of gathering and distributing news and opinion is to serve society by informing citizens and enabling them to make informed judgments on the issues of the time."

It has to be credible storytelling, in the public interest.

The Windhoek project of developing and promoting non-governmental regulations and codes of ethics in each country "in order to defend

# *Self-regulation isn't perfect, but statutory regulation is much worse*



By Fred M'membe

*Fred M'membe is editor in chief of The Post, Zambia's leading independent daily, and a veteran crusader for press freedom. He has incurred the persecution of numerous Zambian governments for his outspoken and courageous journalism.*

Self-regulation isn't perfect, but statutory regulation is much worse. Few would argue that news media on our continent always carry out their functions responsibly. They can be sensational, superficial, intrusive, inaccurate and inflammatory. But as Nelson Mandela once aptly put it, "... none of our irritations with the perceived inadequacies of the media should ever allow us to suggest even faintly that the independence of the press could be compromised or coerced."

The freedom of the press, and of its inalienable right to be the critic and mirror of our societies, is under threat on our continent. In saying this, I am not in any way implying that our people, including our politicians, should not take issue with the deficiencies of the media. It is part of the democratic process that they take vigorous issue with the media – but without in any way implying a right to infringe on the freedom of the press.

I have never understood the rationale of those who seem to be saying that the press will enjoy full rights when it is worthy of them;

i.e. when it is more "responsible". Fundamental rights do not have to be earned through good or acceptable conduct. Press freedom would be a farce if it meant merely the freedom to report pleasant things. I hold that the greatest right in the world is the right to be wrong and that, in the exercise thereof, people have an inviolable right to express their unbridled thoughts on all topics and personalities, being liable only for the abuse of that right.

There have been many complaints from our politicians about the conduct of our press and many have advocated for statutory regulation of the media. They argue that as one of the basic attributes of democratic sovereignty, the media should be regulated by democratically elected people in parliament and the government in general. They also argue that it is only through statutory regulation that severe-enough sanctions can be imposed to guarantee strict observance of a given set of rules. Such sanctions, particularly those provided by criminal law, can then be implemented by state authorities like the police and public prosecutors.

But there is great opposition to this approach by other stakeholders who feel statutory regulation is not the best way of addressing deficiencies in the media. These groups advocate for self-regulation, under which those involved in the media draw up their own regulations in order to achieve their objectives and take full responsibility for monitoring compliance with them. And because the state is not involved in this form of regulation, statutory sanctions cannot be imposed.

Thus, the self-regulation approach is not primarily based on enforcement by punitive or exemplary sanctions. Based on voluntary agreement, the conviction that the parties concerned have common objectives should ensure effectiveness of this system. The key element of self-regulation is the voluntary nature of participation. But those who advocate for statutory regulation see this voluntariness as its weakest point because stakeholders cannot really be forced to comply with the rules.

They also argue that self-regulation suffers from a lack of democratic legitimacy. It originates from media players or groups with their own specific interests. These interests may contribute to, or even be partly congruent with, the general interest – but nevertheless these special interests do not necessarily coincide totally with the general interest. Thus, they argue, there will always be a tendency that those involved pursue their own interests rather than public interest.

But the alternative to self-regulation of the media is statutory regulation, which would be the quickest route to tyranny for most of our governments. The discourse should therefore not be about the choice between statutory regulation and self-regulation, but about the best alternatives for self-regulation. A lot of work is still needed on the best ways to implement self-regulation. And it's up to each country to find a form of self-regulation that best suits its media and takes into account factors that may differ from country to country. Self-regulation is widely seen as a form of constraint on media behaviour compatible with democracy. And the terrain of self-regulation is generally seen to operate within the broad legal parameters of media freedom. Most of our countries

*“Nelson Mandela once aptly put it, ‘... none of our irritations with the perceived inadequacies of the media should ever allow us to suggest even faintly that the independence of the press could be compromised or coerced.’”*

already have enough laws on their statute books to deal with most media deficiencies. What more do they want? If it is our court systems which are weak, why not remedy that instead of putting unjustified restrictions on the media? And if it is the institutions of media self-regulation that have deficiencies, why not work on improving them within the context of self-regulation?

No one can argue that there are not many problems and challenges in our self-regulatory systems. But the solution is not to impose statutory regulation on our media. Instead, it lies in striving to continually upgrade the professionalism of our media through training and through working to improve the organisation, efficiency, effectiveness and orderliness of our self-regulatory systems.



# *The splendor of self-regulation: the Media Council of Tanzania*



*By John P. Mireny*

*John P. Mireny is Publications, Research and Documentation Manager at the Media Council of Tanzania.*

Tanzania's media landscape began to undergo seismic transformations from the early decade of the 1990s. Media pluralism was reluctantly accepted, even though no changes were implemented over media-related policies and laws that supported socialist principles and which also suppressed political opposition. Private entities started to own and operate media outlets and directly competed with state media, even though they were subjected to old and repressive institutional regimes.

At the time of re-introduction of multi-party democracy in 1992, the Tanzanian newspaper market consisted of only two dailies. By 2006, there were more than 537 registered newspapers, including 12 active dailies and more than 50 weeklies.

Although the industry exploded in size, sufficient numbers of professional journalists were lacking. Hence, the booming industry resorted to employing novices, to the chagrin of both public and authorities.

Gross violation of professional and ethical norms of the trade was rampant. This prompted government to start mulling the possibility of establishing a statutory press council in 1994. The government actually drafted a bill providing for this organ.

It was clear from the proposed bill that this statutory council was aimed at controlling – rather than regulating – the media. Aware that this would impinge on as-yet limited freedom of expression in Tanzania, the media fraternity ganged up against government's unilateral initiative in favour of establishing a self-regulatory body.

At the end of June 1995, media practitioners formed their own council, and finally realised their dream in May 1997, when the Media Council of Tanzania (MCT) was officially registered.

Ever since, MCT has remained an independent, voluntary and non-statutory body aiming to effectively guarantee freedom of expression, through a free, plural, independent and diversified Tanzanian media landscape.

In line with the Windhoek Declaration, MCT upholds that a free press is essential to democracy and a fundamental human right.

MCT has no statutory powers – all media outlets, and institutions like Press Clubs and media colleges, voluntarily submit to its jurisdiction. They also contribute to the costs, and agree to abide by the findings of the Council.

Self-regulation remains an ideal institutional safeguard mechanism for upholding freedom of expression in Tanzania during its transition to a market economy, and thereafter.

But the legacy of old institutional order prevails, and bears badly on freedom of expression and editorial independence.

This is why it is important after 15 years, MCT has proved to the public in practice that self-regulation is effective in ensuring compliance with media ethics through peer pressure.

Self-regulation also boosts professional standards by requiring media houses to think about and even develop their own standards of behaviour and to institute the office of media ombudsman in particular outlets.

To authenticate that self-regulation is the professional responsibility of journalists themselves, Tanzania has thus seen the codification of standards of responsibility of journalists, through the participation of professional associations.

Those codes, which are reviewed over time, focus upon explicitly accepted principles. The first principle is the obligation to the truth and accountability to the public. There is also the right to fair comment and criticism; the need for factual, accurate and objective reporting; the use of fair methods to collect news; readiness to correct mistakes; and respect for the confidentiality of sources.

The first-ever code of conduct in Tanzania was drawn up in 1995 and to date has seen three revisions to accommodate new global and domestic moral challenges. The current version comprehensively delineates sub-codes with specific responsibilities for advertisers, media managers and editors, photographers and video producers, and reporters. There are also guidelines for media owners.

In addition, specific professional codes of conduct are developed to guide professional reportage at every general election. There are also guidelines developed as the

need arises, such as around gender reporting, court reporting, covering people with disabilities and the like. Globally, the drawback of such codes of conduct is that they are difficult to uphold. They remain professional codes accepted voluntarily by journalists, but there is no penalty other than moral pressure that acts to ensure compliance or conformity. A case could arise that a journalist association expels a member who consciously breaches such a code, but prohibiting a person from practicing as journalist would overstep the mandate. Likewise, direct condemnation of journalists over perceived flawed reportage is sometimes unfair. In newsroom hierarchy, decisions on newsworthy items are usually made by editors, senior managers or even owners.

In such circumstances a code of ethics for journalists alone can become relatively ineffectual. For the MCT, these dangers are effectively avoided by the impeccable integrity of its governance and arbitration structures which bears much on ensuring compliance with decisions and position of the Council.

Akin to other voluntary councils in the region, over-dependency on donor funding may sometimes hinder proper planning and independence. However, over the years, MCT has developed immense credibility and respect, and for each 10 complaints brought to the Council, eight to nine are resolved to the satisfaction of all parties.

The complaints handling mechanism requires that cases are first lodged at the Secretariat for mediation. If the parties fail to reconcile, they are free to seek remedy in the courts of law. The case can also be passed on to the Ethics Committee for arbitration. The overarching arbitration goal is reconciliatory.

The Ethics Committee is chaired by a retired judge, and includes three

media members and one non-media person. There is no internal appeal process and hearing beyond committee's decisions. Although an approach to a court is still permitted, MCT's arbitration proceedings may not be tendered as evidence during such legal proceedings.

While the system often orders apologies, it can also order that the offending media pay an amount of money as solace and compensation for actual costs incurred by complainant. The sum is usually much smaller than the amount that would be awarded by the courts of laws. No punitive damages are granted by the MCT.

*“After 15 years at work, MCT has proved to the public in practice that self-regulation is effective in ensuring compliance with media ethics through peer pressure.”*

Beyond adjudication of complaints, MCT conducts print media monitoring on a daily basis and publishes a report on the same bi-annually. Such reports identify professional and ethical weaknesses and strengths and are widely shared with all stakeholders as part of the strategy to enhance self-regulation. Besides this, MCT conducts rapid response media monitoring, focusing on ethical misconduct trends, and immediately providing alerts to media practitioners. This approach to self-regulation has so far proved to be effective as performance response is positive and instant. Alongside the codes, MCT considers it significant that there is editorial independence so that journalists are

able to operate free of direct control of the commercial interests, owners, the government or foreign donors. The concept of editorial independence assumes that journalists are professionals and should be allowed to decide what newsworthy agenda is as a matter of editorial policy and professional judgement.

*“Much as the freedom of the media to operate independently of controls is desirable, that privilege has to necessarily go alongside certain responsibilities in the exercise of that freedom.”*

This is why MCT resolved to establish a Think Tank on Freedom of Expression and Media Issues in its 2007/8-2010/11 Programme Strategy. The eight-member high profile team was formed in 2009 and tasked to prepare a blueprint on editorial independence to which all stakeholders could subscribe.

The process culminated in drafting the Dar es Salaam Declaration on Editorial Freedom, Independence and Responsibility (DEFIR). In developing DEFIR, a conscious balance between freedom and responsibility prevailed.

The guiding dictum is: Much as the freedom of the media to operate independently of controls is desirable, that privilege has to necessarily go alongside certain responsibilities in the exercise of that freedom.

DEFIR is a complementing factor to the code of conduct, as it sets out clear lines of responsibility for

each media player. The Declaration was launched on March 18, 2011 and endorsed by key national and diplomatic stakeholders.

MCT supports the Think Tank by writing position papers on media issues, delivering lectures to media schools as well as conducting live TV talk shows on issues of public interest.

In enhancing professional self-regulation at the newsroom level, MCT also helps to provide demand-driven in-house journalism training and the development of editorial style-books.

In this regard, media houses are supposed to identify weak professional areas in need of hands-on technical intervention, including the need for having standard editorial style-books.

Aware of the dilemma of relying solely on the power of moral exhortation for upholding the codes and principles, MCT provides distinctive and practical moral support to the classic concept of media ombudsman.

This is a professional media employee whose main task is to receive and investigate complaints from media audiences about the ethical performance in news coverage.

MCT is promoting this approach because ombudsmen are better placed to suggest fitting remedies or responses to correct or clarify news reports. We would like to see the mushrooming of ombudsmen across the country's media houses. They could work like the ombudsman at The Guardian newspaper in UK, who publishes a regular list of corrections and clarifications that respond to complaints.

Similarly, the same post has the power to adjudicate more serious complaints and change the editorial policy.

# Zimbabwe media: A victim of politics



By Rashweat Mukundu

*Rashweat Mukundu is a Zimbabwean journalist, media and freedom of expression activist. He is currently working with Zimbabwe Civil Society Organisations on human rights programmes.*

A visitor to Harare on a cold 19 June 2011 would have been impressed by Zimbabwe's state of "media freedom". Just 500 metres from State House, the official residence of President Robert Mugabe, was a billboard from South Africa's Sunday Times newspaper declaring "Mugabe is a liar".

The same billboards were strewn all over town, even along 8th Street, 300 metres from the police general headquarters. This to most would be the clearest indicator of media plurality and a democratic media dispensation. The scenario however belies the true state of affairs of Zimbabwe media, which is that nearly two years after the signing of the Global Political Agreement (GPA) that ushered in a new political order in the form of the Government of National Unity (GNU), the political crisis still persists and the Zimbabwean media's future remains far from certain.

Article 19 of the Global Political Agreement (GPA) clearly states that the three main political parties, Zanu-PF and the MDC parties, should embark on media reforms that would culminate in the licensing of new print and broadcasting media

players as well as reform the state-owned Zimbabwe Broadcasting Corporation (ZBC).

Of these, only one has been accomplished: the licensing of new newspapers, albeit under the same controls as before. The Access to Information and Protection of Privacy Act remains the same and newspapers still have to register to operate. While citizens of Zimbabwe have access to stories such as "Mugabe is a liar" on a daily basis and social media like Facebook have exploded, the broadcast media remains shut – save for shortwave radio broadcasts by the Voice of America and three other civil society-run broadcasters from London and South Africa. These are called "pirate" radio stations by Zanu-PF and are part of GPA talks with demands that they be shut down.

The question is: why are the reforms coming in drips? The answer is political and lies in the calculations that the former ruling party and still much-in-control Zanu-PF is making on its political future. Having noted the solid support that the MDC-Tsvangirai party holds in urban areas, and that the electorate in these areas is unlikely to be swayed by anything, Zanu-PF has left the

*"Just 500 metres from State House, the official residence of President Robert Mugabe, was a billboard from South Africa's Sunday Times newspaper declaring 'Mugabe is a liar'."*

print media to flourish, hoping that the economic challenges and cost of production will take care of this sector. After all, not many of these newspapers reach rural communities which are under the tight grip of Zanu-PF.

As a result the party cares little about billboards in Harare attacking President Mugabe – as long as these are not displayed in Zimbabwe's rural communities. Another element in this scenario is Zanu-PF's calculation that the broadcast media, especially FM radio, will remain the most popular media: with at least 80% of the Zimbabwe population accessing news via this medium. As a result, broadcasting has to be firmly kept under the grip of the party.

ZBC TV and its four FM radio stations remain directly under the control of the Ministry of Information and Publicity. Senior staff are appointed by the Minister in consultation with the president. And ZBC has recently more than doubled its propaganda messages in support of President Mugabe, with jingles praising the president played across all the radio stations and TV at hourly intervals. While the print media has flourished since 2009, with four daily newspapers being added where there was one, threats are still made against journalists. The Secretary to the Cabinet is reported to have called one such entrant, *The Mail*, in June 2011, threatening unspecified action after the paper made allegations of unprofessionalism by the Attorney General.

Journalists are still barred from visiting certain areas as security is not guaranteed. With regard to the "Mugabe is a liar" billboard, Zanu-PF senior member and former Information Minister Jonathan Moyo called for the journalist concerned to be arrested. Not only do newspapers still require a license to operate in Zimbabwe, but journalists in formal employment or those who

wish to access state functions are still required to register with the state-appointed Zimbabwe Media Commission (ZMC). The same ZMC has since announced that it is working on setting up a Statutory Media Council to regulate the work of journalists.

*“With regard to the ‘Mugabe is a liar’ billboard, Zanu-PF senior member and former Information Minister Jonathan Moyo called for the journalist concerned to be arrested.”*

Have things always been like this for the past 20 years? Certainly not. Zimbabwe previously seemed to be on track to meet the Windhoek Declaration's call to develop a plural and diverse media. The 1990s saw a lot of investment in the print media that resulted in some of the leading newspapers – the Zimbabwe Independent, the Daily News, and The Standard – coming on board. The government, through the Ministry of Post and Telecommunications, was then actively working on draft legislation to open the broadcast media and ZBC was still the people's choice for news and entertainment. The ruling party back then, Zanu-PF, was confident and faced no threat from any quarter.

The economic liberalisation policies initiated and supported by the IMF and the World Bank somewhat contributed to a softening of media policy and attitudes of the ruling elite. But the collapse of Zimbabwe's economy in the mid to late 1990s, and the ensuing political struggles with the new entrant to the political

scene, the MDC, hardened Zanu-PF attitudes to the media.

The opposition parties and the media were then labelled "enemies of the state" and subjected to all sorts of harassment including the bombing of newspapers, arrests and exile of media workers. The state media was put under tighter control and senior media workers dismissed. New laws were crafted to legislate the operations of the media and the government then made it clear that dissent would not be tolerated.

The current political changes in Zimbabwe, however slow, indicate that change is coming – albeit at the whim of politicians. The Broadcasting Authority of Zimbabwe in June 2011 called for applications for two commercial radio licenses. Despite this, the country remains in the woods politically and unless the political question is settled through the adoption of a new and democratic constitution as well as holding of free and fair elections, it is possible that the small gains made will be eroded.

Change and growth of the media in Zimbabwe is an unfortunate victim of the politics of the country. Unless the politics are sorted, Zimbabwe's media path remains warped and dangerous. Twenty years after the Windhoek Declaration, Zimbabwe's media is still grappling in the dark on how to move forward.



# PLURALIS



# Kenya: Gains since the Windhoek Declaration



By George Nyabuga

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Much has changed in the Kenyan media scene since 1991. The most cited change is the constitutional protection of media freedom. Article 34 of the new constitution promulgated on 27 August 2010 states, inter alia, that "Freedom and independence of electronic, print and all other types of media is guaranteed". Section two of the article emphasizes: "The State shall not:

- exercise control over or interfere with any person engaged in broadcasting, the production or circulation of any publication or the dissemination of information by any medium; or
- penalise any person for any opinion or view or the content of any broadcast, publication or dissemination."

Section three of the article says: "Broadcasting and other electronic media have freedom of establishment, subject only to licensing procedures that:

- are necessary to regulate the airwaves and other forms of signal distribution; and
- are independent of control by government, political interests

or commercial interests."

Section four notes: "All state-owned media shall:

- be free to determine independently the editorial content of their broadcasts or other communications;
- be impartial; and
- afford fair opportunity for the presentation of divergent views and dissenting opinions."

The Constitution of Kenya 2010 was the culmination of many years of struggle for good governance, rule of law and justice. It is especially critical for the media considering that freedom of the press is often critical to safeguarding against bad governance and tyranny. This is also directly in line with the provisions of the Windhoek Declaration that African states should "provide the constitutional guarantees necessary for press freedom". In this sense, Kenya seems to have taken up the gauntlet, albeit that this took almost 20 years.

Since Kenya became a multi-party state in 1991, the media have enjoyed greater freedoms compared to the 1980s when the clampdown against recalcitrant journalists and media was at all-time high. During the 1980s, it was almost impossible for companies, organisations or individuals deemed 'independent' to get licences especially for broadcast media to broadcast outside urban areas.

This was based on the warped view that the support base of most of the then-government, and specifically President Daniel arap Moi, was rural Kenya where 80 percent of the population lives, and that independent broadcasting to these people would dilute that support.

At the time, there was a tendency by the state to monopolise airwaves because of the perceived strength of radio and TV, and their attendant 'threat' to the status quo. Moi's government saw broadcast media as a preserve of the state and the ruling elite. For a long time, 'independent' radio and TV stations were only allowed to broadcast in urban areas. Even where limited private ownership was allowed, there was covert control through pressure on owners, editors and even advertisers. This stunted media growth and frustrated investors.

*“All state-owned media shall: ‘afford fair opportunity for the presentation of divergent views and dissenting opinions.’”*

Once Moi was out of power in 2002, private media took off. Kenya is now home to 120 radio stations, most of them FM. Most are based outside of urban areas and they broadcast in local languages. 150 investors are still awaiting licences. The country has also seen the rise of television stations with a national reach. 'Independent' TV stations like Kenya Television Network, Nation TV, Citizen TV and K24 have emerged. More than 60 investors are awaiting licences and the government promises to issue these, and many more, once the migration from analogue is completed in 2012 (there are indications, however, that this deadline will not be met due to budgetary and other constraints). Mobile telephony penetration now stands at 60 percent according to the latest Communication Commission of Kenya statistics. The cost of

handsets and calling rates are dropping. Internet penetration is growing. Mobile television via mobile telephony is a reality. Mobile internet is readily available. News is available on mobile phones as news media struggle to attract more audiences. The media scene is looking up; it has never been better for media organisations.

This growth in the media sector is not, however, without challenges. It has meant a reduction in audience and advertisement share. This means the struggle for survival is intense. Although this should have raised the quality of media and journalism, there are concerns that the media are continually dumbing down and sensationalising issues to survive. Media concentration is growing as organisations like The Nation Media Group, Standard, Royal Media and Radio Africa groups dominate the market and use their enormous resources to stifle competition, plurality and content diversity. Despite these concerns, however, the advantages outweigh the disadvantages, thus far.

# Journalism in a free South Sudan:



By Kamba Anthony

*Kamba Anthony is a South Sudanese journalist who has worked with a series of newspapers in the region since 2009 and is now at The Sudan Tribune Daily. He went to the University of Bahr El Ghazal, studying Economics & Social Studies as well as Rural Development.*

Journalism in South Sudan faces some challenges about the role of the media in developing an active citizenry and a truly democratic country.

During the years of the north-south political agreement before independence (2005-2010), media stakeholders had to act really swiftly to counter threats to the freedom of the press like harassment, torture and the illegal detention of journalists and censorship. Much as they did so, however, the freedom of the press in this part of the world has still been restricted to disseminating information to a limited class of people as a result of the levels of literacy and poverty.

The struggle for media freedom in the country has been a constant cause of debate among journalists and government. Related bills have been sent for approval to the South Sudan parliament since 2007, but to date not one has been passed. Journalists still operate on hopes that are raised every now-and-then by the Information Minister Barnaba Marial, who is supportive. Meetings between members of the press and security bodies on understanding

each others' roles have been held several times, which has reduced the number of attacks on journalists since 2005.

Working as a journalist in a free South Sudan is both a challenge and a privilege because of the hurdles one goes through. The need to know the ethics of the different groups of people is important. This is because not all who are educated are learned, and not all learned are educated.

However, the best part is that as a journalist you get access to society's renowned and admired people, although at the expense of sacrificing your personal resources to get to your 'foot in the door'.

South Sudan in the last three years (2009-2011) has had more than ten privately-owned newspapers and magazines, and a series of local FM radio stations that are expected to act independently but to date rely on support from NGOs.

The government runs a television and a radio station where most government programmes are broadcast. This limits editorial independence and some journalists working there are trying to change this.

Some independent media houses have come under attack for running critical pieces. These problems tarnish the otherwise unspoiled reputation of the new government.

As far as readership and audience is concerned, people in South Sudan are eager to know what is happening. Most readers are used to political stories, and there is an insufficient number of development stories and of editorial teams oriented to produce these. The human interest aspect of stories tends to get second place, whereas politically-heated stories occupy the front pages.

Circulation of newspapers in South Sudan is a great challenge due to infrastructural lag. Though papers may reach city readers timeously, not all the other regions get the issue in time. Also, in South Sudan today, there is only one private-owned printing press belonging to the Citizen newspaper, apart from the state-owned Nile Printing press which in recent times has not been fully functional.

Much as the word spreads that press freedom is a government target to guarantee, much remains to be put right, as is evident in the delay in passing the Media bill. This is an early indicator of how the government is uncomfortable with some sections of the draft law. It calls for more scrutiny of how the government will keep its promise of giving freedom to the press, not to mention freedom of expression for all citizens.

Things could improve if the government gives equal attention to both its political mandate and its responsibility to serve its citizens decently. The 2010 elections passed with few reports of post-election violence, but coverage of some violence led to the arrest and detention of a journalist for at least a week, not to mention unreported harassments.

There needs to be improved understanding by people in the government about the role of media in developing an active citizenry, and to keep to growing this new country into a mature democracy.

## *Commercialised media can be a blessing*



*By Reg Rumney*

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Media alarmists like US academic Robert McChesney take a dim view of commercial media and private ownership. For them, "Big Media" is gobbling up competition, shutting out opposing views and turning a deaf ear to the poor and marginalised.

The other side of this coin is an equally simplistic view which assumes that greater competition in the media translates into greater diversity. South Africa's ruling ANC, in a document tabled at its National General Council in September 2010, follows this line of thinking:

"Free, independent and pluralistic media can only be achieved through not only many media products but by the diversity of ownership and control of media."

While everyone agrees that monopolies are unequivocally bad, the diversity of ownership in a market economy does not necessarily guarantee a diversity of opinion – but nor does concentrated ownership automatically mean homogenous content.

When there is much competition among newspapers or broadcasters,



it can lead to a race to the bottom. The drive to attract audience and advertising spend may lead to a sameness in product. This is often content that is designed to underestimate the public's taste, usually symbolised by the rise of celebrity gossip and tabloidisation of politics.

On the other hand, as Alison Harcourt and Robert Picard in the Fall 2009 edition of *Journal of Media Business Studies*, note: "... the explicit link of concentration to lower diversity of content and pluralism has never been established."

They also remark on "notable economic, financial and strategic reasons behind consolidation and concentration in media industries". In this light, the cartel-like control by four news media groups in South Africa, is an economic development in line with world trends on news media consolidation. In countries with a population of 20 to 50-million people, there tend to be just three to four leading media firms. A similar scenario of limited private ownership groups is a prospect in many other African countries.

That then raises the question of how exactly such ownership affects content. The crudest assumption is that the news media owner has, if not a direct say in what is published or broadcast, then a veto. This ignores many issues, not least the relative autonomy of editors and journalists. Another simplistic understanding is that owners' pursuit of profit is synonymous with money-grubbing, and that a media owner will mechanically serve Mammon. Why news media owners should have no conscience or social responsibility is never explained.

Writing on the SA Communist Party's Umsebenzi Online website last year, the party's deputy secretary general Jeremy Cronin makes the same mistake. "If editorial 'independence' swings on profit maximisation," said

Cronin, "then we will tend to get exactly what we are often getting. Trashy tabloids aimed at the working class, and acres of middle-class whingeing in what passes for serious journalism. In short, journalism that panders to the lowest common denominator in its target audience."

*"...while monopolies are unequivocally bad, diversity of ownership does not necessarily guarantee a diversity of opinion – while neither does concentrated ownership automatically mean homogenous content"*

Yet Cronin was writing about City Press – a publication which ironically illustrates how the market can sometimes support diversity. Though the newspaper recently appointed a black (but non-African) woman as editor, the newsroom is staffed by Africans and it serves an overwhelmingly African audience. The publication is owned by a company, Naspers – which the enthusiastic adoption of capitalism by Afrikaners after 1990 has transmuted, from an organisation associated with Afrikaans-nationalism, into an international money-making machine.

While over-estimating the importance of private owners, it is common to find people who underplay the commercial imperative of money-making media. Yet it is this hidden hand which guarantees that the content that journalists in profit-making media produce needs to have a chance of finding a viable audience, in other words – meeting real interest or need.

Further, sensationalism, to paraphrase Tom Stoppard in his play about journalism called "Night and Day", is a sign that no one is controlling what we are allowed to read or listen to or see. To view tabloids as "trashy" despite, or because of, their resonance with the working class is snobbish in an old-fashioned vanguardist way. Commercially-driven diversity, in the sense of providing some choice – even if imperfect choice – means that audiences with the wherewithal can enjoy the very democratic act of voting with their money for the media they want.

In many African countries, diversity as choice has often meant the arrival of an alternative to a monopolistic state news media. Especially in conditions where the state-owned newspaper and/or broadcaster tends to lead every day with the thoughts and picture of a 'beloved leader', the 'curse' of commercialism may seem more like a blessing.

All this does not rule out a role for alternative or publicly-funded news media alongside privately owned and commercially-driven media. Like the fact that ownership pluralism (or concentration) does not mean content diversity (or sameness), so content diversity does not necessarily mean quality.

The difficulty is that dominant business model of public news media in Africa means that these institutions have to compete for advertising in a commercial environment – which does not necessarily stimulate them to produce different content to private media, let alone quality content.

Africa may well have to look towards other models such as non-profit organisations and resourcing in order to provide particular kinds of quality journalism, such as in the areas of investigative reporting, pan-African analysis and health journalism.

# Misreading the market



By Charles Onyango-Obbo

*Charles Onyango-Obbo is a columnist and Executive for Digital and Africa Media with the Nation Media Group in Nairobi, Kenya.*

The killing, imprisonment, beating down and ostracism of journalists by the enemies of the free press (EoFP) remain very much in fashion in Africa.

The thing about this is that there is something old-fashioned and wasteful about it, because the EoFP's won the battle for control of the press long ago. Typically though, in keeping with their lack of nuance on almost everything else, they don't know it.

The truth is that most of the best media in Africa today rarely lead on the big issues of the day, or "set the public agenda" as we like to say self-importantly. The most they are is a big nuisance, although a few still tell interesting stories.

There was nothing that governments did deliberately to make media in Africa, and nearly everywhere else in the world, tepid. It was the result of a big accident.

The Africa of the 1970s through to the close of the 1990s was a dangerous place for independent journalists. One-party dictators and military tyrants arrested and killed journalists without a second thought.

However, with the "second wave" of

liberation that followed the collapse of the Berlin Wall, most military and one-party dictatorships closed shop in Africa. Either the old dictators re-invented themselves as half-hearted-democrats of sorts, like Mathieu Kerekou in Benin; or the militaries organised elections and transferred power to pliant governments as did General Abdusalami Abubakar in Nigeria; or presidents who came to power as rebel leaders, like President Yoweri Museveni, civilianised themselves and their guerrilla groups.

In the 1990s all these governments started liberalising their economies and opening up the airwaves. In countries like Uganda, in a space of 10 years, over 120 licences were issued for independent FM stations. The same is true in Kenya, Tanzania and Nigeria, to name a few. TV licences were also given out.

This liberalisation also led to the rise of many new newspapers in markets where previously the state-owned propaganda sheet, which got its newsprint tax-free, was the only morning reading. The rise of new local and international companies made it possible for new newspapers, TV stations and FM radio stations to build businesses around advertising models.

It was the blossoming of new independent media and competition that neutered the media. Newspapers seeking to expand circulation beyond the men in dark suits who had the money and power, started courting "non-traditional" audiences whom they identified as women and the youth.

They were convinced that these groups were not interested in news, stories about inflation or corruption in governments. Rather they wanted lifestyle, fashion and beauty tips, celebrity news and entertainment.

Inserts became the means by which these elusive groups would be captured. Thus if you look in most African countries, the leading newspapers have inserts throughout the week. There is the inevitable business and finance pullout but nearly all the rest are dedicated to what Kenyan editor Jaiindi Kiseru calls "fluff" – second-rate lifestyle stories and fashion. In all of Eastern Africa, for example, there is not a single newspaper that has introduced a public affairs pullout in the last 10 years.

Meanwhile in broadcast, aided by the spread of the mobile phone, radio stations went big on call-ins. It is amazing listening to the call-ins. From Accra to Dar es Salaam, they are the same. You have angry and passionate callers; agitated, scolding politicians, teachers, nurses, parents, journalists, diplomats, priests and more.

And that is where it stops. In Uganda, a country with 120 FM stations, only two approximate being current affairs and issues-based talkshow radios – KFM and CBS, which has been shut down by the authorities in Kampala several times. There cannot be more than five such stations in the wider East Africa, a region with over 300 private FM stations.

Most FM stations restrict their obligation to allowing these call-ins. Because there are so many stations, there is a lot of noise but little focus. All this has led to an instant-coffee effect, where callers get their gratification from venting on air. After that they go home and sleep soundly, happy that they have had their say. There is no conversion into action or follow-up. Tomorrow it is another topic – perhaps gay bashing. FM radio, therefore, has become the modern opium of the people.

But it's in the competition for advertising revenues and audiences

that the most disservice has been done to good journalism. Apart from the fluff of celebrity news, lifestyle and sex, there are feeding frenzies over the political catfights. They are dramatic but they mean little.

Some readers and listeners have decided to take matters into their own hands.

Following a controversial election in Kenya in December 2007, there was violence in which about 1 500 people were killed and nearly 600 000 displaced. José Luis Moreno Ocampo, the Chief Prosecutor at the International Criminal Court at The Hague, has since brought charges against three senior politicians, a senior government bureaucrat, a journalist and a former police chief for the killings and rapes. The suspects came to be known as the "Ocampo six".

Early in 2011 as they neared their first appearance at The Hague, and then upon their return, the Kenya media went in to overdrive with the story. There was nothing else in the newspapers, FM or TV news – at a time when food prices were skyrocketing and a famine was wreaking havoc in the eastern part of the country.

Eventually the public tired of it all. People were not tuning into TV news and a petition, "I support Ocampo six media blackout" started online. When the petition reached 1 000, media houses caught fright and cut and ran, dropping the Ocampo Six story.

It was a remarkable demonstration of disconnect between the media and public, and also probably a turning point. With that, the media who are supposed to know better and "set the agenda", needed to be taught some basic lessons in journalism by the public.

Meanwhile, big advertisers have dealt the finishing blow. Dictators still threaten and imprison journal-

ists but most are defiant enough not to be cowed. Ministers of information still threaten media and the international media freedom groups rightly shame these politicians.

However, 20 years of free market economies in Africa have produced giant banks and Africa's love affair with the mobile phone has spawned deep-pocketed and powerful mobile phone companies.

My sense is that terror by politicians and security forces accounts for, at most, about 10 percent of the self-censorship and restriction of media freedom in the more open African countries. 90 percent of the censorship is done by corporates.

If presidents and army chiefs attack journalists, they can expect their publishers and employers to stand by them. But if the MD of a giant telco protests at an unfavourable story, they can expect to be ordered to publish a groveling apology and be suspended.

In Kenya, President Mwai Kibaki's office might ask a newspaper not to publish a story, and it will still be published. However, some of the powerful CEOs can get stories out – and in – newspapers, radio and TV at will.

In reality then, African presidents killed media freedom years ago when they liberalised their economies and airwaves. When they arrest and jail journalists today, they are kicking people who have already fallen.

Fortunately there are lively websites, blogs and activity on the social media platforms Facebook and Twitter, which publish the inconvenient material that mainstream media is covering up or too afraid to touch. It's this digital space which needs the most protection today.

# Want viable African media? Train your managers



By Francis Mdlongwa

*Francis Mdlongwa is director of Sol Plaatje Institute for Media Leadership, Rhodes University, South Africa. He was previously editor of the Financial Gazette, and editor-in-chief of the Daily News, Zimbabwe.*

African media have generally performed better financially than developed nations' media in the midst of the deluge of emerging digital channels. Even so, they need to restructure and transform themselves into sustainable companies that will remain relevant in the 21st century.

One of the most urgent and critical challenges facing African media is to shift their attention from training journalists to training highly competent and versatile media managers who are able to steer their firms to sustainability.

A 2010 study by the influential World Association of Newspapers (WAN) and its partner IFRA on the financial health of media in developing countries backs up this view. It says that developing nations' media and their foreign aid funders must quickly tackle the "neglected component of business development" if media firms are to become financially viable.

The WAN-IFRA report observes that the "impact of economic factors on independent news organisations is generally underestimated and often

plays a bigger role than political pressure". It adds:

"The results (of the study) challenge the widely held belief that political pressures represent the major challenge for newspapers in most developing countries. The study reveals that regardless of the level of market development and political freedoms, the majority of newspapers around the world consider the economic climate and market conditions to be the major challenges to editorial independence and the business advancement of their media outlets, and remain a leading challenge at every level of development."

This point underscores the need for and relevance of Rhodes University's Sol Plaatje Institute (SPI), the only university-level institution in Africa which specialises in educating both aspirant and practising media managers in media leadership and management.

Africa's media face a host of forthcoming challenges if they are to be sustainable and relevant in the "age of discontinuity" – to quote the late management guru Peter Drucker's (1968) book with this title. Such an age occurs when long-established firms collapse because of rapid change, as is the case now with many media firms in developed countries.

Moving forward, African media needs to:

- Place quality content at the heart of their operations, cognisant of the fact that this will define their societal influence and credibility, which in turn will drive audiences to their media. In turn, audiences will drive advertisers and increase

revenue. This in turn means they must deliberately invest more into improving newsrooms and editorial work (Rosenstiel and Mitchell, 2004).

- Restructure their firms, human and other resources to take advantage of economies of scale and of geography as the continent liberalises and opens up to political and economic change.
- Take advantage of regional languages such as KiSwahili in Eastern and Central Africa to reach bigger audiences with their content.
- Draw up policies and operational systems because, as media analyst Peter Scholtes (1998) notes, "more than 95 percent of your organisation's problems derive from your systems, processes and methods, and not from your individual workers." He continues: "Your people are doing their best, but their best efforts cannot compensate for your inadequate and dysfunctional systems. Changing the system will change what people do. Changing what people do will not change the system."
- As much as possible, they should heed the 80:20 principle because it really works. They need to establish what gives their media firms 80% of revenue and then focus on this more than on the rest of their activities which only give them 20% of revenue.
- Hire managers and leaders who are keen to learn from the mistakes of the past; leaders who are prepared to tolerate mistakes of their staff and accept that these are critical learning curves from which success, especially in innovation, is derived. These are leaders who, when confronted by challenges,

are capable of 'reframing' and of thriving in conditions of ambiguity and uncertainty.

*"Africa's media face a host of forthcoming challenges if they are to be sustainable and relevant in the 'age of discontinuity.'"*

- Cultivate and nurture a strong culture of transparent accountability. As can be seen from the recent furore that has accompanied revelations of the suppressed report on the operations of South Africa's Sunday Times, media firms must subject themselves to the same high ethical standards that they demand from the public.

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# Navigating the shifting boundaries of community, private and public media



By George Lugalambi

*Dr George Lugalambi is a media and public affairs researcher and analyst. His most recent work includes a 2010 project that compared the performance of public and private broadcasters in Uganda. The study was part of the Africa Governance Monitoring and Advocacy Project of the Open Society Initiative. He was previously head of the Department of Mass Communications, Makerere University.*

Around Africa, the classic distinctions between community, private, and public as media categories have progressively eroded. Largely to blame are the realities of the contemporary media landscape, economics and policy.

The Uganda Broadcasting Corporation (UBC) illustrates this well. On the one hand, the government's national policy prescribes an overall mandate for UBC that is as grand as it is improbable.

On the other, private and even state media have found opportunities and been encouraged to compete with, and ultimately undermine, the public broadcaster. The trends make one wonder whether there is any substance remaining in the distinctions among the three media types under discussion.

As set out in the national broadcasting policy of 2004, UBC is supposed to shoulder an impossible burden which requires it to perform all the following:

- Provide services which will inform, educate and entertain the whole country
- Offer a high percentage of local

content

- Offer programming of a high standard
- Enrich the cultural heritage of Uganda through support for the indigenous arts and cultural diversity
- Contribute, through its programming, to a sense of national identity and unity
- Ensure programming that will cater for the poor and vulnerable
- Ensure that the public has access to information, and
- Serve the overall public interest, avoiding one-sided reporting and programming in regard to religion, political orientation, culture, race and gender.

*“Is there any value in distinguishing among the old categories of community, public or state and private or commercial media?”*

Similarly, the policy over-ambitiously requires community broadcasters to:

- Provide citizens with a platform to articulate their local issues
- Provide more opportunities for programming in the indigenous Ugandan languages
- Provide indigenous programmes relevant to development at the grassroots
- Reduce the gap between urban and rural communities in accessing communication for development

- Encourage members of the community to participate in the planning, production and presentation of programmes, and
- Promote ownership of media by low income groups of society i.e. the poor and vulnerable.

Compare that with what the policy demands of private media:

- Provide a vibrant broadcasting industry that will play a key role in nation building by reflecting the rich cultural, linguistic, religious and regional diversity of Uganda
- Promote the development of national sporting events, music dance and drama
- Ensure a significant percentage of local content
- Ensure high professional standards of journalism and integrity, and
- Provide programmes of specific interest to the poor and the vulnerable.

The framers of this policy appear to have been inspired by a vision of the public broadcaster as a benevolent communicator for the nation. But with a largely unfunded public service mandate, UBC has resorted to tussling it out in the market to bankroll its mission.

To be able to compete with its less restrained private and commercial rivals, the public broadcaster has had no choice other than to compete on the same terms. This has thrust UBC on a collision course with its commercial competitors who argue that it should not have it both ways: claiming public money and simultaneously jostling with tax-paying commercial broadcasters for advertising revenue.

Private broadcasters have gone so far as to argue that they do a better job on some mandates of UBC

(such as quality programming) even without the funding guarantees, however meagre, it enjoys from the state.

Evidently, the compulsion to be everything-to-everybody, as the policy demands of the public broadcaster, has left it in a vulnerable position.

Both pro- and anti-government critics accuse it regularly of partisanship. Most revealing though is the fact that UBC is being challenged by another (partially) state-owned media conglomerate, the Vision Group, whose properties include a stable of newspapers among which is the highest circulation daily, The New Vision, as well as TV and FM radio stations.

In principle, the Vision Group is to some extent bound by many of the same public mandates as those imposed on UBC. But because its original core business was newspaper publishing, it was never subjected to the same policy requirements as UBC. The Vision Group contends that the state does not control its editorial policies, although government is its single largest shareholder with just fewer than 50% of the shares.

The company's critics contest this proposition. They point to the decidedly anti-opposition news framing that its media outlets employed in their coverage of the elections of February 2011. The elections returned President Yoweri Museveni and his party, the National Resistance Movement.

Most revealing is the Vision Group's strategy of aggressive expansion that has led many to wonder whether the government is encouraging it to effectively supplant the public broadcaster. Driven by its robust business savvy, the Vision Group has acquired radio stations in lucrative markets and also set up TV and radio stations on its own.

Unrestrained in ways UBC is, Vision

Group media have exploited the company's commercial acumen and the veil of autonomy from state control to score political points for the government and to deliver bountiful returns to its private investors.

These developments lay bare the unbridled blurring of lines between what is public and what is private in both conceptual and practical terms. Moreover, the forces at work have as much to do with media economics as with the political economy of the industry.

In this situation lurk some critical implications for media policy. Here is the question that should engage policymakers in African countries where the reality is similar to Uganda's: "Is there any value in distinguishing among the old categories of community, public or state and private or commercial media?"

If Uganda's national broadcasting policy is anything to go by, in practice there are fewer and fewer authentic differences to be found amongst the mandates prescribed for public, community, and private media.

# Community radio continues to provide an alternative



By Tanja Bosch

*Dr Tanja Bosch works in the Centre for Film and Media Studies at the University of Cape Town. She is a former station manager of Bush Radio, and has also worked as a trainer for UNESCO community radio stations in Jamaica and Trinidad; and for Open Society Foundation stations in South Africa. She is a board member of the Media Diversity and Development Agency in South Africa, and has published in the following areas: community radio, talk radio and citizenship, health communication, youth and mobile media, identity and social networking.*

Community radio stations across Africa offer audiences the possibility of creating alternate public spheres through their engagement with local audiences. Radio is still the cheapest and most widespread medium on the continent, with the ability to reach remote and rural areas in indigenous languages.

The primary challenges for community radio are financial and social sustainability. Financial sustainability presents a problem for stations that target the lower income groups and as a result do not attract advertising. This inability to attract big advertisers is also linked to a perception of the product being of poorer quality than other sectors of broadcasting. In South Africa, this has led to many community stations becoming more music-driven in an attempt to sound more 'professional', but losing their distinctiveness in the process.

A few stations still attract considerable amounts of donor funding, though international resourcing generally dwindled in the post-apartheid era. More commonly, local stations now rely heavily on

government funding, in the form of subsidies for outside broadcasts or interviews with local municipal governments, which in turn raises issues in terms of control and editorial independence.

Financial sustainability is closely linked to social sustainability, which refers to stations' ability to generate vested interests from their social networks, which might in some cases lead to advertising from local businesses. Social sustainability usually means that the community sees the need for a station and feels a strong sense of affinity for, or ownership of, the station. This may result in financial contributions even from poor individuals.

This has been difficult for stations in urban areas where they compete with commercial stations for listenership. However, religious community radio stations have been successful in creating this kind of social sustainability as listeners coalesce around a common religious ideal. On the other hand, geographic-based stations often target such diverse communities that fostering a sense of shared group identity is difficult.

Community radio is still often seen as being a 'stepping stone' to employment at bigger stations. This is a big obstacle to sustainability and is frequently linked to stations' reliance on volunteers, who often come with no broadcasting, media or even organisational experience. In South Africa, a few successful stations like Jozi FM pay presenters and staff a stipend, but even this salary cannot compete with the salaries available at bigger stations. Talented presenters are often

poached by commercial stations. Community radio is more process-oriented than product-oriented. Its primary goal is to encourage ordinary people to become media producers and not just consumers, in an effort to demystify media particularly to large sectors of the population who did not previously have access to state-owned media. This causes a tension which makes it difficult for stations to compete with more 'professional' commercial stations.

Around Africa, community radio stations have been historically mandated to 'empower and educate' the community, but state policies provide little to no guidance on the practical techniques for accomplishing this. Stations have interpreted community empowerment as involving community members in AGMs, on their board of directors or as volunteer presenters. However, this presents some difficulties in the latter case, because only a few presenters can be appointed. Some stations interpret community involvement simply as affording listeners the opportunity to call in and engage with presenters on the air. Meanwhile, the most successful stations are often those with tightly controlled and closed leadership structures.

The rise of online social networking has changed the way that stations operate, and community stations have also been swept up by this – following the trend by commercial stations to use Facebook and Twitter to stay connected to listeners. This raises issues of the digital divide as many community radio listeners do not have access to the internet; though the rise of the mobile internet has meant an increasing number of people can go online using their cell phone handsets.

Despite the many, weighty challenges, community radio stations

continue to operate. In South Africa, figures from the South African Advertising Research Foundation show the audience is growing rapidly which may indicate rising popularity despite problems of sustainability.

The potential for community radio stations remains clear: to provide local communities with a voice, in their own language, and to present an alternate voice in an increasingly centralised and tightly controlled media ownership landscape. In South Africa at least, the challenge is to carefully negotiate the relationship with government in order to maintain editorial integrity.

# Fresh air-waves in Zambia



By Mike Daka

*Mike Daka is owner and Managing Director of Breeze 99.6 FM – a privately owned radio station in Chipata, Eastern Zambia. He has over 30 years media experience having worked as a reporter, editor and director of the Zamcom media training institute.*

Breeze 89.3 FM is a radio station located in downtown Chipata, the capital of Zambia's Eastern Province, and it's a commercial radio station with a difference.

That's because it encompasses three kinds of radio: it is a community-based, commercial radio station with public interest programming. Legally, Breeze FM is easy to define. Chipata Radio Services Limited is a private company, registered under the Companies Act of 1994. Yet it has a public service mission and its operations are more in line with community radio.

This is only possible because of the strong relationship existing between the station and its community. The station's focus is on the interplay of issues concerning the community – its history and the social, cultural and economic activities and endeavours of the people.

Radio was my second choice when I decided to retire and re-locate to my home town. After many years as a journalist, trainer and media activist, I really wanted to start a newspaper. However, I was not happy with the quality and cost of

local printers.

With opportunities blossoming for broadcasting when multi-party democracy was restored in Zambia in 1991 after 27 years of one-party rule, radio seemed like a good idea. The media environment was changing fast as the airwaves were liberalised.

I opted for commercial radio and sold my family house in Lusaka to raise money to buy the station building in Chipata. I then applied for a licence, raised funds from UNESCO for initial equipment and Danida to renovate the studios, and immediately set about hiring staff. The first team of 15 was chosen out of the first 100 applicants. Today the station has 30 employees.

The next task was to think of a name. We settled on Breeze FM to represent the cool air that blows over Chipata from the surrounding hills, especially at dawn and dusk. The listeners quickly identified with the name because its translation in the local Chinyanja language, Kamphempo ka Yazi Yazi, is both melodious and full of meaning.

The station commenced test transmissions on 5 October 2002 and was granted a Confirmed Broadcasting License on 31 January 2003.

Breeze FM broadcasts mainly in Chinyanja (or Chewa) and one third in English. Chinyanja/Chewa is also widely spoken in Malawi and parts of Mozambique. The station operates for 24 hours each day. For 18 hours from 6am to midnight, it broadcasts local programmes. The night shift, from midnight to 6am during weekdays (and 7am over weekends), transmits BBC programmes. Breeze FM is a partner station of the BBC.

Initially Breeze FM had a broadcast radius of 120km and covered slight-



ly over half of the population of eastern Zambia of 1,3 million people. Two years ago, it was granted authority to expand its coverage area to the entire Eastern Province. Work on the geographical expansion programme started in June 2011 and was due to be completed in August 2011, with the aim of increasing the listenership to well over one million people. The expansion programme will make Breeze FM one of the largest community-based radio stations in Zambia and the region. The expansion work was supported through a grant from the Open Society Initiative for Southern Africa (Osisa) and a loan from the Media Development Loan Fund (MDLF). Of course, Breeze FM has had its shares of challenges too. These include difficulties in finding suitably qualified people, the shortage of serious paying clients, delayed payments, hostility of previous governments and power interruptions. These challenges aside, audience surveys carried out by various organisations in the province show that Breeze FM is the most-listened-to station in eastern Zambia. More than 75 percent of respondents cite Breeze FM as their favourite station. Breeze is, therefore, ideally placed to carry out its broad development mission, which is "... to stimulate prosperity in the coverage area by creating access to useful, relevant and up-to-date information that will give growth at personal, family and community levels."

The station began to register a profit during its fourth year of operation, setting it on the path to achieving its vision of becoming a model of a profitable, community-based and commercial radio station.

## *Poverty is the bane of media development*



*By Thompson Ayodele*

*Thompson Ayodele is a former journalist in Nigeria and currently the director of Initiative for Public Policy Analysis, a public policy think-tank based in Lagos, Nigeria.*

Although there has been an appreciable growth in media in Africa in recent times, the continent still lags behind in comparison to its potential audience. In a recent ranking, no newspaper in Africa was rated among the world's top 100 of the most-circulated newspapers. Poverty is the reason why many readers share a single newspaper. Despite the population of Nigeria, none of the national newspapers has a circulation of one million a day. It is logical to infer that somebody who shares or borrows a newspaper would be willing to buy if he/she had the financial means. But it is a common sight for newspaper vendors to be crowded by those who want to view headlines or look for opportunities to read a free copy – even to the point of straining their necks. In Nigeria, such people are referred to as "free readers". Since many people live on less than a dollar a day, it is obvious there will be nothing left to patronise a pay-TV station or to buy a daily copy of a newspaper. Weak purchasing power is thus the bane of audience growth

and consequently undermines media capacity to drive change. Electronic media has larger audience size than print because anyone who can afford a television or radio can access free-to-air programmes. But the size of the audience in this case is limited by a lack of stable power supply. Because of the level of poverty, many people lack the economic power to buy a power generator. Most people therefore listen to radio because it is cheap and can run off batteries.

*“Poverty is the reason why many readers share a single newspaper.”*

However, one effect of being unable to increase Africa’s media audience is that elites have been able to monopolise the industry. More dangerous is the situation where governments own a large chunk of the media. Given the fact that most governments in Africa are dictatorial and corrupt, press freedom cannot be guaranteed in such situations. Above all, what the public hears is what the government or ruling party wants them to know or hear about. Often such media become official propagandists. When this becomes the order of the day, the discerning public is unwilling to tune in and do not care to get a copy of a newspaper.

This underscores the need to tackle poverty. Going by its population, Africa’s media audience is huge and the major obstacle to maximising this potential is poverty.

## *Mentored into magazine publishing*



*By John Yarney*

*John Yarney is a media entrepreneur based in Accra, Ghana. He currently heads up the publishing start-up, Emerging Communications Limited.*

I grew restless as I peeked on the overhead screen for the flight status on the South African Airways flight from Johannesburg to Accra. I thought we had covered more miles than the tracker was indicating.

I was very eager to disembark in Accra to deploy my four sets of luggage – personal effects; theories on media management from Rhodes University; huge enthusiasm and dreams; and final coaching on media business from Lynn Ferreira – then an Assistant Publisher at Media24.

In June 2007, I had a phenomenal experience job shadowing Lynn. In my opinion she gave me the best preparation for the assignment I was setting out on in Accra – one-on-one solo presentations on all aspects of the media business; appointments with key people in Media24 who had some experience to share; letting me tail her to all her daily meetings and a lot of personal coaching.

With Ghana as the launch pad, I was intent on putting in place the foundations of a sustainable media enterprise in the West African Region,

comparable to the likes in South Africa and East Africa. The terrain looked ripe for such an endeavor – a growing upwardly mobile middle-class and a seemingly thriving business sector.

The plan was to enter the market with a women's magazine with a real and inward-looking outlook, called Emerge, and eventually extend into other areas.

And what were my resources? PowerPoint presentations, my knowledge of the landscape and my doggedness.

On January 5, 2008, Cape Town-based designer, Sarah Wilson, started working on the nameplate and the general typography of the new magazine. On Tuesday January 8, 2008, I was walking into my first appointment to raise money for the new enterprise.

Fast-forward to the first week of May 2008. I had just raised less than a third of the amount needed to finance the dummies. All the potential investors I approached were very skeptical about putting the money in a magazine publishing in Ghana – most thought Ghanaians did not read; some had burnt their fingers investing in print media projects that had failed; while others thought it was far safer and more profitable to put their money into pure commerce or the instruments on the capital markets.

Before Emerge magazine finally emerged, there was a dry run with a different venture.

A long-time friend Kofi and I decided to launch a local version of CIO Business World, a magazine for which the target audience comprised the country's CIOs, CEOs, CFOs and senior business executives. In August 2008, with less than \$2700 in cash, a CIO magazine license from the International Data Group (IDG) and our skills, the magazine got off the ground. On three occasions, because

the enterprise was undercapitalised, we almost closed shop.

Three years on, CIO Business World is still on the newsstands and is one of the top two business magazines of choice for business people in Ghana. In 2011 I transitioned from Business World to concentrate on Emerge magazine.

*“Three years on, CIO Business World is still on the newsstands and is one of the top two business magazines of choice for business people in Ghana.”*

We launched this year. With not very significant resources, three other mavericks – Akosua Agyei-Boahene, Emma Ajei-Otchwemah and Veronique Lunganga, have kept this project going. They have caught the vision and believe in the project even more than the originator. Week in, week out, they have brushed aside all teething issues associated with a start-up.

From my experience on both magazines – CIO Business World and Emerge – it is clear that Ghanaians will read if you give them compelling content that satisfies their personal needs. Three months after the first issue of Emerge was published, we were still getting daily calls from people who wanted personal copies.

Again with experience from the two publications, I think that with the right concept, right staffing and adequate capitalisation, print media and especially magazines can be sustainable in Ghana. Other sectors may be more profitable, but looking at what brand extension

you can generate from magazines, it is certainly worth considering them. Have the perils of the terrain eroded my enthusiasm and dreams? No. The experience has made me wiser, but also more audacious. With the insights from the projects in Ghana, I am still dreaming and feverishly working to extend the brands to other destinations in 2012.

# How we started *The Observer*



By James Tumusiime

*James Tumusiime is Managing Editor/Director and founder of The Observer*

I was at Rhodes University in South Africa in December 2003 when I received email from colleagues at my workplace, a daily newspaper in Kampala, that our editor had been fired.

He was a sharp-tongued but witty, courageous and charismatic man whose elevation had been welcomed by those who knew his qualities. However, the new owners of this newspaper, who had only recently acquired majority shareholding from him and five other partners, didn't get along with him and so he was given two days to get out. I had been considering leaving my job after completing my Master's degree, without really being sure what I wanted to do next, but this immediately gave me ideas. I thought about the possibility of a newspaper venture with my former editor. Returning to Kampala later that month, I swiftly met with him and he confirmed that other colleagues had contacted him about the same idea.

A few meetings later, *The Weekly Observer* was born, started by a group of 10 journalists in pursuit of

a greater challenge professionally and business success. There was a general feeling that with our skills and experience we could champion good quality journalism, and make some money in the process. We would stand for QUALITY and CREDIBILITY in journalism, as we sought to promote good governance and accountability at all levels of public and private life.

We had no money, save for a little cash to rent our office premises for the initial three months, and also to purchase a printer. One of the well-established newspapers in Uganda had agreed to a credit facility to print a few initial editions of the paper. In addition, individual partners were to contribute whatever they could, and that is how chairs, computers and desks were obtained. For the first couple of months we sat on plastic chairs.

*“We would stand for QUALITY and CREDIBILITY in journalism, as we sought to promote good governance and accountability at all levels of public and private life.”*

It now looks like we thought at the time that a newspaper was just about news. As journalists, all we knew was to cover and report news stories. But a newspaper is more than just that. You must sell the news that you report. You must sell advertising space too.

In Uganda almost 90% of the newspaper sales are through roadside vendors and supermarkets, not through subscription.

We contracted a company to handle the distribution chain, but in the absence of close monitoring as we all buried ourselves in editorial work, the dealer stopped remitting the money and we took long to notice it. Almost \$20,000 was lost. We had to end the contract and plunge into the unfamiliar territory of newspaper circulation.

With regard to advertising, we thought an advert in the paper was as good as money but we were to learn much later that this wasn't the case. Some of the adverts had no proper orders. Some unscrupulous sales staff had taken advantage of our inexperience to place adverts irregularly. Most of such adverts would become bad debts.

***“A lot of readers continue to compliment our quality product and our resilience in a difficult market.”***

All these challenges we withstood, but the challenge we were most unprepared for was the death of our managing editor/director, the man who had led us into this project, just one year and a half into the venture. He fell sick suddenly in October 2005, and was dead within three weeks. Many people, including some of our own partners, were certain that this was the end of the road. It was hard enough with him, but without him? Nevertheless I stepped forward and tried to steady the ship amid these waves of doubt. Looking back at what we have

achieved, I would say it was really hard for our reporters and sales staff to introduce themselves to people who had not heard of the new publication. The conversation would go like this: “Hello, I am James calling from The Weekly Observer”. The reply would be something like: “What is that?”

Now almost everyone in Uganda knows the paper and what it stands for. A lot of readers continue to compliment our quality product and our resilience in a difficult market. Since our inception, the newspaper has become a bi-weekly and thus changed its name to The Observer. We have moved out of the one-room office into a two-storey office building, and consolidated our market position as a credible alternative newspaper.

One cannot talk about newspapers in Uganda today without mentioning The Observer, mostly in a good light. Considering the humble beginnings, that positive brand awareness is in my view our single most important achievement.

However, being journalists, balancing business interests and journalism remains a challenge as the two are often in conflict. Many times we have had to jeopardise our business interests so as to uphold our journalistic duty. Doing that when there are operational costs to pay is not easy. Yet running a newspaper is almost synonymous with incredible overheads in printing, salaries and distribution costs, among others.



# *Sustaining pluralism takes money.... and more*



By Johanna Mavhungu

*Johanna Mavhungu works as a media researcher at the Sol Plaatje Institute for Media Leadership (SPI) at Rhodes University, where she has overseen many studies into African media issues that are available at <http://www.spiml.com/>.*

“Is media in the business of delivering eye balls to advertisers?” This question comes from US media analyst, Prof Phillip Meyer.

To understand where he's coming from, it needs to be noted that the term “sustainability” is often equated with financial viability. But sustainability can refer to a system that works effectively and efficiently for the short, medium and long terms, whilst financial viability is only an aspect of this.

In media, key elements for sustainability include appropriate legislation, technology, audiences and financial viability. All are complementary elements and part of the value chain of media businesses. They form an integral part of the system on which the business is

***“So sustainability is much more than delivering audiences to advertisers.”***

operated. So sustainability is much more than delivering audiences to advertisers.

With this perspective, the Sol Plaatje Institute for Media Leadership (SPI) in 2006 embarked on a research study into the community print sector titled “Key Editorial and Business Strategies”. The study focussed on editorial and business strategies used in community and small independent newspapers. The six case studies we looked at then inspired a further study – this time into five community radio stations in South Africa. This study examined research strategies that community radio stations employ to understand their listenership trends. Here are some key findings from both research studies:

- Community outreach is a necessity not a luxury, both in terms of developing society and increasing a publication's relevance and visibility.
- Newspapers need training, monitoring and mentoring in all aspects of knowing how to start up and run a newspaper from strategising through to implementing skills based tasks.
- Research should be conducted for the following purposes in community radio stations: to gather ideas for daily programme production, ongoing content development, and review; and to encourage community participation combined with survey research to measure listenership.

Since then, the SPI has carried out further research into the sustainability of media with the International Research and Exchanges Board (IREX) titled “Africa Media Sustain-

ability Index" (MSI). In the past four years of the MSI has tracked media development in 40 sub-Saharan African countries. The study applies five objectives to define sustainability, each objective being measured by indicators like promotion and protection of free speech; professional journalism; plurality of news sources; business management; and supporting institutions. The criteria are used to reflect a socially effective and economically sound media sector.

The results of the MSI 2006/7 indicated that media in South Africa was sustainable. However, since 2008 no sub-Saharan African country has obtained a sustainable rating. South Africa still leads with "near sustainable" rating.

Of the 40 countries measured in this study, 15 are in the lower levels of "near sustainable", 20 in the unsustainable mixed system, and at least 14 nearing sustainability. Eritrea and Equatorial Guinea are the only two in the unsustainable and anti-free press category. These are an indication of the movement in media development in sub-Saharan Africa, and they show that sub-Saharan Africa's media environment has regressed.

Ratings for Botswana went below sustainable partly due to the introduction of the Media Practitioners Act in December 2008. Restrictions in legislative bills in South Africa and proposed changes to the self-regulatory system of the print media will have a negative impact on press freedom and access to information, and therefore sustainability.

From a media business perspective of the five objectives, two are especially relevant for this article: the scores for professional journalism and business management. The indicators for the first of these includes: ethical and well sourced reporting, payment scales and availability of

efficient equipment and quality niche reporting. The business management objective includes revenue generation from multiple sources, availability of credible market research and percentages in ad spend.

*"Restrictions in legislative bills in South Africa and proposed changes to the self-regulatory system of the print media will have a negative impact on press freedom and access to information, and therefore sustainability."*

The two can be understood in relation to Phillip Meyer's "influence model" in regard to newspaper businesses. He notes that an abundance of information gives readers greater choice and makes it harder to find a loyal audience. The credibility of content becomes ever more critical in this scenario.

The influence model according to Meyer shows that credibility has an influence on profitability. Likewise, the MSI objectives dealing with professional journalism and business management show that there is a correlation of low scores in each area.

Meyer posits that if a media outlet is credible especially with its immediate community, it is bound to be financially viable, because quality content ultimately attracts audiences. Effectively, then, advertisers, investors and funders are not the only determiners of financial viability

and future sustainability. Instead, media sustainability will benefit from a reasonable investment into quality content.

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# Audience research is essential



By George T. Waititu

*George T. Waititu is a media research consultant. He has been previously been the CEO for Synovate (previously The Steadman Group) in Pan Africa, and is also a former president of the Pan-Africa Media Research Organisation — PAMRO. He has more than 10 years' experience in market and media research.*

The importance of regular, robust and industry-recognised audience measurement and media research cannot be under-estimated in terms of developing the African media. National, international and continental investment in media will quite simply not happen without high quality, independent and rigorous audience research data. These data are urgently required to provide media owners, advertisers, advertising agencies and media development groups with market and audience intelligence. This intelligence is needed in order to:

- Provide essential audience behaviour data as the bedrock for informing the creative process of programme making, communications strategy development and impact evaluation;
- Provide detailed viewing and listening behaviour patterns for informing scheduling and acquisitions, and broader communications policies;
- Maximize the efficient, effective and accountable use of advertising through informed planning and buying. Media

buyers need to invest in media, on behalf of their clients, that guarantee them optimum audience returns.

Rigorous audience research is also needed to:

- Provide a uniform tool for gauging if the objectives of media campaigns have been achieved;
- Provide an industry-wide, single trading 'currency' for advertisers, advertising agencies and media owners for the buying and selling of media space;
- Create the basis for objectively and transparently setting rate cards and evaluating campaign performance by media within and across markets.

This critical information is conspicuously lacking in most African countries, where audience measurement and media research data is either completely unavailable or available on very ad hoc, and often unsound, basis.

Change, however, is being driven by the Pan-Africa Media Research Organisation (PAMRO). This body seeks to promote the use of audience measurement in Africa, in a context where an increasingly competitive media market produces a fragmented environment in which consumers face a vast array of media choices. The context is also one in which advertisers' demands are changing. The marketing fraternity and their agencies are increasingly required to demonstrate and measure "Return on Advertising Investment" and to justify their media buying strategies. As a result, audience measurement data is increasingly available in at least 10 African countries either on a regular or ad hoc basis. Challenges to improving on this situation include:

- Lack of understanding of the need and use of audience data;
- Lack of research capacity in most countries;
- Unwillingness of stakeholders to sustainably commit the financial resources required to invest in the collection and dissemination of such data;
- The complex nature of audience research in terms of methodology and the fact that all industry players have to commit to a common currency.

Two initiatives need to be undertaken to move ahead:

- The creation of joint industry groups to champion/initiate and manage audience measurement. The main mandate for such bodies would be to mobilise finances to guide and audit research methodologies.
- The sensitising, training and supporting of research practitioners and users about the methods (the 'tools of the trade') – and how to use and communicate research effectively. The main target group here needs to be advertisers, as experience shows that this is the only group that can provide sustainable financial support to industry audience measurement.

## Africa on the cusp of an information explosion



By Vivien Marles

*Vivien Marles was appointed Managing Director of InterMedia, Africa in 2011, with her office in Nairobi. InterMedia is a specialist media and communication research and consultancy firm, based in Washington. She previously spent almost five years with Synovate Pan-Africa (formerly The Steadman Group) as Research and Strategy and Training Director.*

The continent has previously been poorly served by media technologies, with the notable exception of radio which remains the dominant media in Africa today. But new technologies have begun to make a difference.

Evidence from InterMedia's "Audiencescapes.org" and other global audience surveys reveal these trends:

- Although in most African countries internet users still make up only an elite group among the population, they are rapidly defining new ways of gathering and spreading news. Typically, it is educated wealthy individuals (often young men) in urban areas who have greater access to the internet and who use it on a more regular basis;
- Mobile phones are quickly saturating markets all over the world, bringing faster and easier communication to people and places never before served by landline phones. However, especially across of Africa, users are only beginning



to adopt applications beyond basic personal communication, such as voice calls and SMS;

- Mobile broadband promises to reshape the communication and media landscape. This is beginning to take hold in many countries across Africa where Internet access via mobile phones is rising exponentially, and where most access to specifically broadband is being provided via the airwaves.

These exciting technological advances are enabling new media to leap-frog traditional media technologies. For example, in a survey of 3011 Nigerian adults (aged 15 years and over) in October 2009, InterMedia found only 1% had a landline telephone in their homes, while almost two-thirds had a working mobile phone at home.

Mobile phone penetration varies across the continent, but is expanding, even in rural areas. Many people who do not personally own a phone are able to borrow one from a friend or family member, or use one at a commercial “kiosk”. Recent survey data shows that personal ownership of mobile phones ranges from around 20% in Ethiopia and Niger, and between 30% and 40% in Zimbabwe, Ghana and Tanzania, through to between 60% and 70% in Nigeria and Kenya.

While voice calling remains the most popular use of mobile phones, SMS messaging with friends and family, receiving SMS information from mobile operators or other sources, and listening to the radio are all becoming popular among mobile phone users. For example, more than a quarter of those surveyed by InterMedia in Rwanda and Tanzania said they had used SMS to get information from friends and family at some time. In Rwanda, this was more than the number of people who owned a phone themselves,

likely due to the popularity of borrowing phones or visiting kiosks. InterMedia has found that among Kenyan adults who use their phone to get news, the most popular method was via SMS from a mobile phone operator (81%): about a third said they received SMS from a news organisation or listened to the radio on their phones.

### *“...new technologies have begun to make a difference.”*

Until relatively recently, Africa has been excluded from the broadband revolution but with the arrival in 2010 of the undersea fibre-optic cables from Europe and India linking Kenya, Uganda, South Africa, Ghana and Nigeria amongst others, this is changing rapidly. The challenge now is in developing internal broadband linkages through a patchwork of 3G, satellite, cable and broadcast-hybrids.

Although Internet access still remains very limited in spread and speed in most countries, the growth rates in the past two years have been spectacular in some countries – notably those with direct access to the coastal undersea cables, and with rapidly growing urban and middle class populations like Nigeria, Kenya, Ghana and Mozambique. Regular, daily or weekly, internet access is now typically available to an “information elite” in urban areas, consisting largely of educated men. Typically, there is a penetration of below 10% even in the most ‘new media’ advanced countries, but it is growing.

Meantime, home access is extremely rare; internet cafés are the most common access venue. And the heaviest users of new technologies—typically young, educated, affluent

urban men – are beginning to use mobile internet.

In Nigeria, young, well-educated urbanites make up the majority of internet users. That country’s demographic and regional variations in Internet use serve to reflect a pattern elsewhere across the continent. For example:

- Men are almost three times more likely than women to say they have used the internet in the past year;
- Almost half of respondents in Lagos used the internet in the last year;
- Only 15% of respondents in the central and eastern states of southern Nigeria said they had gone online, and
- In the northern regions, fewer than 10% of respondents had done so (as few as 2% in the northwestern states).

The new media revolution is taking a firm grip across the continent. For the very first time most citizens now have affordable access to ‘personal’ media devices which expands their choice of media usage and exposure to a wide range of news and information sources.

Enormously exciting developments in technology and applications are taking place to harness the power of new media. Nairobi is rapidly becoming the Silicon Valley of Africa with new m-government initiatives, access to mobile money and m-health applications – to mention just a few.

Africans are on the cusp of a media and information explosion which promises to transform lives through great increases in access to finance, information, news and diverse opinions.



# A small publisher gets technology to do the work



By Anton van Zyl

*Anton van Zyl is the owner/manager of Zoutnet CC, a company based in South Africa's Limpopo province and which publishes the award-winning Limpopo Mirror and Zoutpansberger newspapers. He is a director and founder member of the Association of Independent Publishers (AIP) and vice-chairperson of the advertising co-operative Capro (Pty) Ltd.*

Press freedom is an idealistic approach that looks good on paper.... Well, yes. Most of us can't agree more. The problem comes in with the paper. Who pays the paper and printing bills and who makes sure it gets delivered to thousands of readers?

Press freedom is inevitably linked to the newspaper owner and manager's ability to survive in a tough economy. This is even more difficult if you are a small community-based paper without the safety net of a big national brother. In order to survive you have to adapt, be creative and find solutions even before the bigger competitors realise there are problems.

In the case of Zoutnet, publisher of the Limpopo Mirror and Zoutpansberger newspapers, one means of survival lies in the innovative use of technology. The two newspapers are circulated in the northern parts of Limpopo, in probably one of South Africa's poorest regions.

When I took over the two titles in 2000, I realised efficiency was crucial to survival in a small, price-sensitive economy. Low profit margins and

a quality product seldom go hand in hand but I was not willing to sacrifice on content. The only way I could afford a skilled and creative team was by cutting down on any wastage and ensuring a process that was streamlined to minimise errors. You need a bit of luck in life and often assistance comes via strange routes. It started off with me (then still the news editor) realising the need for an online presence back in 1997. Seeing there were no web design experts in the region, I decided to tackle it on my own. A few dummy's guides and a software programme later, the newspaper's first website appeared.

*“Press freedom is an idealistic approach that looks good on paper...”*

When I became owner and manager of the publishing company a few years later, I realised that I had very little time at hand to spend updating and working on “luxuries” such as a website that didn't bring in any revenue. The solution arrived in 2003 when a young developer introduced himself. He was keen on doing websites, even though he had little experience. I decided to give him a chance and the dummy's guides found a new home.

A couple of months later the website was finished and it immediately impacted on the way the newsrooms functioned. Because it was database-driven, much more information could be derived from the site. Editors could keep track of the

most popular stories, readers could comment on issues and additional photos and information could be made available. In today's terms it is nothing exceptional, but a decade ago it was ground-breaking for small rural papers.

Once the website was finished, the company started to look for a few other projects to keep the young designer busy. The need for a booking system for adverts was discussed. A system was needed where marketers could book adverts from any workstation and where the central list was populated on the fly. It needed to regulate the complete workflow, from when the advert was booked to when it was placed on a page and eventually invoiced. It had to include various check mechanisms and also had to generate reports on everything from a client's records to the instances where too much discount was allowed.

In 2004 the first version of AdBooker was implemented. Like all the other applications that followed, AdBooker was designed as a website, which meant it was not dependent on the workstation's operating system. Any computer with a browser and access to the server could log on to the programme. Permissions could be set up and modified, meaning every user could only see what he or she needed to see. The server was linked to the internet and it became "cloud-based", years before such applications became popular.

Shortly after AdBooker's first version was finished, work started on similar applications. Press-Store, an online file repository, followed. This made the work of especially the news editors much easier, as large files could be received from correspondents in a structured manner.

The next project was DistriBooker, a web-based system that regu-

lated the distribution aspects of the newspapers. DistriBooker keeps track of deliveries at the multitude of delivery points and generates reports on where surpluses or shortages are experienced.

*“Press freedom is inevitably linked to the newspaper owner and manager’s ability to survive in a tough economy.”*

Following a few more small projects, work started on probably the most complex project of all, Newsfiler. This system controls the workflow in the newsroom and is an extremely powerful filing system. It allows reporters to log into the system and post their stories and photos. These can then be sub-edited and sent through for proofing. Feedback can be given throughout the process and it also tracks changes to stories. Once editing is finished, the story is made available to the layout artists. As is the case with the other applications, Newsfiler generates a variety of reports and is also an extremely potent archive system.

The software that was developed made an immense impact on our business. It not only cut down on losses, such as for missed adverts, it also made us much more productive. It probably helped to keep us in business in difficult times. Best of all, the development could be done with a budget that would not even attract the attention of an accountant.

# Citizens take up the pen, the cell – and the microphone



By Kwanele Butana

*Kwanele Butana is a senior reporter at the Cape Times, and former Citizen Journalism Editor at Grocott's Mail, Grahamstown, South Africa.*

When Grocott's Mail secured funding from the Knight Foundation to start a project aimed at converting ordinary citizens into journalists in the place where I was born and bred, I thought to myself: "One should be the guinea pig in this experiment which promises unpredictable outcomes."

The result was my appointment in April 2010 as Citizen Journalism Editor at the paper. I began a journey to where I had never dreamt of being, by taking part in recruiting and training Citizen Journalists (CJs).

In addition to the ever-effective word of mouth, our recruitment policy included publishing adverts in Grocott's, as well as sticking up notices in strategic areas around Grahamstown inviting applications. Our application forms simply asked potential trainees to motivate as to what good use they would put the journalistic skills to be gained from our course. There are no minimum academic requirements for being a CJ, save for some level of literacy as reporting entails reading and writing.

Each course lasted for six weeks and the syllabus covered basic news reporting skills, computer skills, internet research, media law and ethics, radio production and photography. While we have trained over 100 citizens so far, only 65 CJs have emerged on the other side. To 'qualify' as CJ, a citizen should get at least one story published.

The graduates are issued with CJ certificates and identity cards, which allow them unrestricted access to the fully equipped CJ Newsroom of well-maintained computers with internet. The cards can also be used as press cards.

Our CJ Newsroom, possibly the first one in Africa, also has memory card readers and data cables for every type of cellphone. These are often used to upload videos and photos taken by CJs using their cell phones. The CJ articles, photos and videos are edited and published online in a specific section of the newspaper's website. Depending on their news values, stronger articles and photos are also published in print, in which case the CJs are paid freelance rates. Our ethos is that CJs are the eyes and ears of the community as well as defenders of democracy. We inspire them to interrogate issues in their immediate communities so as to enable them to connect their fellow citizens to the levers of local political power.

*"The result is that good stories now play on three media platforms: online, print and radio."*

While CJs are encouraged to monitor their neighbourhoods regularly, we also run campaigns where CJs are assigned to write stories focusing on a specific issue or theme. We've run campaigns on cleanliness (how clean/dirty is our town?), employment (who works or doesn't and why?), World Cup Fever (is our town ready for the mega-event?) and heritage (national monuments in town).

The CJs like to get bylines in the paper but nothing appeals to them better than hearing their stories on radio. They do this by producing and presenting an hour-long current affairs show on Radio Grahamstown twice a week.

The result is that good stories now play on three media platforms: online, print and radio. All of this rests on a community of practice where CJs not only have an opportunity to network and share ideas and information among themselves, but can also enjoy mentoring and continuous support from professional journalists at regular diary meetings.

On the downside, not everyone who goes through our training courses makes the cut, and a certificate doesn't always yield a fired-up CJ. As evident in what is left of my team of around 20 active CJs, the numbers dwindle gradually over time due to the same reasons which lead to a considerable drop-out rate from our courses.

The majority of our applicants are young and unemployed, and therefore don't hesitate to drop out of our course at the slightest prospect of anything job-like. Some are still studying and may feel overburdened with having to juggle their schoolwork with our coursework. Grahamstown's abject poverty also prevents some CJs from travelling around in pursuit of news as they are short of money for a taxi or to

buy something to eat. Currently, I'm only left with five CJs.

*“...stories that would otherwise not have reached the public sphere.”*

Nevertheless, for the past 12 months there has been a constant flow of CJ material to local audiences – stories that would otherwise not have reached the public sphere. I can bet you my middle finger that in African cities where joblessness and poverty issues are not as pronounced as in our town, the prospects of success for similar projects will be even greater.

# The lessons of public-media partnerships



By Noma Rangana

*Noma Rangana is regional Communications Officer at Save the Children Sweden (Southern Africa). She was previously Programme Manager for the Citizen Journalism in Africa Programme at Hivos, and also a Senior Programme Officer at Open Society Foundation for South Africa.*

Despite the increase in the number of media outlets and the booming new media, a considerable number of people still do not have access to information. Whether we are talking about current awareness or edutainment, there is still a big problem. The urban-rural divide is still big.

The Hivos Citizen Journalism in Africa Programme was aimed at building the capacity of civil society organisations and ordinary citizens to use online and offline citizen journalism as a means of publication, lobbying, networking and knowledge sharing with their constituencies and to be reliable sources of news for the media. The programme was implemented in six southern and eastern African countries.

The objective was to improve the capacity of selected African civil society organisations working in gender, HIV/Aids, rural development, children and the youth, so they could use both traditional and digital media strategically and with journalistic professionalism. This would support democratic processes and a diverse and independent

media. It was also intended to increase local media coverage of targeted marginalised groups including women, which would contribute to increased involvement and participation of these groups. The main activities of the programme included:

- establishment of two focal points in each country,
- information sharing and development of an online learning and news platform,
- training of trainers and media training for 30 people from 15 organisations in each country, and on-the-job training.

The training focused largely on creating awareness and on the ability to use a variety of digital, traditional and edge-of-the-net media tools. The online portal also served as an outlet for the news and stories written by the participants.

At the beginning of the programme, skills assessments were done and it emerged that the majority of the people interviewed did not have communication or media skills. There was also limited understanding of how to engage the media. The other problem identified was that some people had not been exposed to new media and its potential as an alternative to mainstream media.

Inter-country networks were encouraged for information sharing. This was also to ensure that stories and news could be published outside the country, especially where it was difficult to raise certain issues. Implementing the project proved to be a daunting task as lack of connectivity was a major problem for many participants and the media. For some in the media, internet access meant maybe one or two con-



nected machines and a long waiting line. This made it difficult to verify stories and to do online research on issues to be covered. Not having a dedicated email address was another impediment as emails were lost or unread because there was more than one person using the email address. This made it difficult for them to cover stories in outlying towns, and difficult for civil society organisations to establish a relationship with the media.

The cost of connectivity is too high in some countries while in others there is just no infrastructure. Communication is also not seen as a priority by many organisations, and there is no dedicated person to deal with related issues. Access to computers was a problem as many of the people argued that there were few computers in the workplace and priority was given to other work than writing stories.

Beyond pamphlets and brochures, some organisations do not have other ways of sharing and disseminating information, and the media often struggle to get comments and articles from organisations. The relationship between the media and organisations is often adversarial, making it difficult for each side to listen.

*“Many of these journalists are underpaid and do not have the resources to go outside the main centres.”*

One of the lessons learnt in implementing this programme was the importance of understanding the context in which people operate. New tools and ways of

communicating were introduced but the local conditions did not always align with the strategy. The approach had to be re-worked to take local conditions into consideration.

One example was in Uganda where the interest to write and share information was great. There was also a willingness to have at least one article sent to the local newspaper. But for those who did have access to a computer, this was only during working hours and they did not have the time. In the end, audio blogs seemed to be the best option and they worked well. These also proved useful to the media as there was a lot of information and they were posted online.

Civil society organisations complain about the media not taking their work seriously and not showing up for events. In many instances, if the organisation is not willing to pay for the journalist's involvement, there will be no coverage of the event. Many of these journalists are underpaid and do not have the resources to go outside the main centres. Some of these journalists are too junior to understand the relevance of certain issues. The pressure to meet deadlines also makes it difficult for journalists to follow up on stories and issues outside the main centres.

There are no community radio stations or community media in some of these communities and mainstream media has no interest in community issues (unless it's a scandal). There are no libraries and resource centres that could keep newspapers for current awareness, or provide audio and books for entertainment and education.

The cost of getting articles published is not affordable to some, as money has to change hands first. Journalists want to be paid before they will write a story. Development

issues do not seem to be a priority in most mainstream media. In many instances, due to ownership and bias towards the ruling party, some editors do not publish certain stories. The other issue is that certain discussions are not raised by the media due to legislative challenges, eg. sexual orientation in Uganda and Tanzania.

Another challenge that needs to be addressed is equipping the journalists with knowledge and understanding of specific subjects.

*“Many papers and stations do not have specialists and as a result the quality of reporting is compromised.”*

Many papers and stations do not have specialists and as a result the quality of reporting is compromised. This is also evident in the way certain issues are reported on or in lack of content.

A partnership between the media and the people on the ground will ensure there is a constant flow of information from all sides. It will also strengthen the role the media is playing. Organisations which implement various programmes on the ground will be seen as reliable sources of information as soon as they up their game.

# *Blogging is the most African thing to do online*



*By Daudi Were*

*Daudi Khamadi Were is a technology and digital media strategist based in Nairobi. He is passionate about Africa and is concerned about the state of the relationship between the people of Africa and their leaders. Daudi spends most of his time working on innovative ways technology can be used to help solve problems in society and communities across the world. He is regularly recognised as one of the most influential African bloggers, and he writes at [www.mentalacrobatics.com](http://www.mentalacrobatics.com).*

Few things scare the 21st century African man in his 20s. At the peak of his physical power, energetic, ambitious, aware and articulate, this man believes he is the prime of his life. Men in the prime of their lives, in a truth universally acknowledged, start searching for a wife, or more specifically a woman whom they hope to convince to become their wife, and it is in this process that the real meaning of decision-making through discussion comes to life. For if there is one thing that scares these normally unflustered young men across the continent it is the fear of dowry negotiations. Dowry negotiations provide a modern reminder of how decisions were arrived at in traditional African society. Delicate discussions on firmly-held positions, unspoken protocols, respect for different traditions and above all the need to listen carefully, consider alternative positions, and to offer concessions so as to arrive a mutually acceptable agreement. This central maxim, that others have opinions that are worth listening to,

that others have opinions that must be listened to, and that others have opinions which when we consider them may make us change our previously strongly-held opinions, lies at heart of the growth of citizen media in Africa.

In 2002, for example, I wrote (in very respectful tones I assure you) to one of our TV broadcasters in Kenya to complain about their unofficial policy of refusing to give coverage to the then opposition presidential candidate, Mwai Kibaki. The message I received in response told me to "watch out as we now know your name".

In response I started the Kenyan Blogs Webring, which now has close to 1000 bloggers, all providing an alternative view on life in Kenya. In the country's 2007 general election, the same broadcaster, demonstrating that consistency may not be the best measure of effectiveness or progress, was now saturated with coverage of the now President, Mwai Kibaki, while ignoring the opposition presidential candidates.

*"The message I received in response told me to 'watch out as we now know your name!'"*

During the chaos that followed the election, they aired Mexican soap operas and European football. The fires that were burning on the streets, the effects the violence was having on the large informal economy, the uprooting of communi-

ties, as well as the stories of good will, of villagers protecting their neighbours, of policemen refusing to shoot protestors, of women going door to door pleading for peace, these stories were written by the bloggers and eventually mapped by the mappers as the Ushahidi platform was born.

Citizens want a seat at the dowry table, we need to be involved in the debate on the future of our continent and we need the plurality of opinions represented in our communities to be taken into account. This is why I call blogging the most African thing you can do online today.

*“...we need to be involved in the debate of the future of our continent...”*

The wonderful thing about the Windhoek Declaration is that Africa took the lead globally in recognising the importance of protecting the right to a plurality of information and equally important the protection of those that provide that information.

Chimamanda Adichie reminds us that Africa has never been the continent of a single story. The mainstream media in Africa has worked out profitable ways to tell us what happened and is currently working hard to figure out how they can tell us what is happening NOW, as is seen with proliferation of SMS news alerts.

What the media houses of Africa can do in the next 20 years in the spirit of the Windhoek Declaration is go beyond covering thought leaders and opinion makers. Instead, they can aggressively push to claim some space by becoming thought leaders

and opinion makers themselves, just as bloggers have done.

Whenever we ask journalists in Kenya to spare us the politicians, they quote statistics that say newspaper sales fall when politicians are not featured on the cover. But we also know from psychologists that it takes 6 – 8 weeks to develop a new habit. A bold way for African media houses to celebrate the Windhoek Declaration would be to turn around their reporting for 6 – 8 weeks and to dedicate their front pages to the alternative story. In this way, and learning from the Africans blogosphere, they could help play their part in showcasing the plurality of opinions working in concert in our societies.

# To every village its own reporter



By Lydia Namubiru

*Lydia Namubiru is a Ugandan journalist taking a break from active reporting to explore mobile technology and how it can be applied to improve journalism and other information dissemination channels of society. As described in this article, she currently is working on an experiment to use mobile technology in citizen journalism to increase media coverage of rural Uganda.*

In Africa, as in much of the developing world, rural people are disconnected from the mainstream media, which neither reaches them nor reports much about them. In early 2010, I started working with Grameen Foundation's AppLab on a project in Uganda called the Community Knowledge Worker Initiative and that way chanced upon an opportunity that could bridge the disconnect – in Uganda at least.

A Community Knowledge Worker (CKW) is essentially an ICT-enabled agricultural extension worker. Grameen Foundation goes into rural communities – typically parishes, which consist of five to seven villages – and asks farmers to elect individuals they feel would make competent farming consultants. Once the foundation has recruited such persons from as many as 50 to 120 parishes within a district, it brings them together, lends each a smart phone that is connected to a central database, and trains them to find different bits of data – weather updates, market prices, agronomy advice, suppliers' contact information and more.

To sustain this service, which is

free to the farmer, Grameen also finds data-collection business activities that can be done by CKWs. These might include, for example, monitoring and evaluation data for other development projects operating in the areas where CKWs reside. The CKW phones come with mobile data-collection software for the CKWs to use when these opportunities come along – and they often do.

Are any journalism bells going off yet? They did for me. Grameen is building a network of phone- and information-savvy rural intermediaries – a network that eventually will grow to cover much more of the country, both in depth and breadth, than any media house does. Grameen currently has trained and equipped 468 CKWs in eight districts– at least two in each region of the county. Its goal is to deploy 1,200 such individuals by the end of 2013. With the help of mobile phones, these individuals will be collecting information from, and disseminating it to, remote rural areas where they live. What better infrastructure or human resource could the local media industry want to do rural news gathering and dissemination?

*“From stories about child abuse to reports on destruction of crops by wild animals escaping from a nearby park, much of the news that came was interesting and important.”*

The CKWs already in the field are doing journalism every day. In October 2010, Applab conducted a small pilot project to document the potential and study what needs to be done to harness it. We picked 12 of the best performing CKWs in one district, gave them some very basic journalism training, uploaded a news-gathering template in the form of a mobile survey on their phones and asked them to go learn and tell the world about their communities.

Did it work? Though it was being done on a small scale, the answer is yes. In four months of the pilot, CKWs submitted 74 stories. We published the best on a Facebook page that soon had 134 people following it. Another two CKWs voluntarily joined the corps of community reporters.

The grassroots reporters took their jobs seriously. From stories about child abuse to reports on destruction of crops by wild animals escaping from a nearby park, much of the news that came was interesting and important. In December 2010, a CKW reported on the genital mutilation of 12 girls in his parish, noting that it was done with the community's support.

In January, another reported that local health workers had employed their unqualified spouses to administer vaccines in a government-driven immunisation campaign. All these stories came from areas where no Ugandan media house was likely to chance upon them. I believed when I first heard of CKWs that they had considerable potential for rural centric journalism. Now I know.

We learned quite a few lessons from the experiment. First, it is not enough to get the stories in. You have to market them to the people who can broadcast them. We courted media houses, and built a listserv to which we sent the most promising leads.

But there is no way of knowing which seeds will germinate and which ones won't. To ensure that this new form of journalism works to improve coverage of rural areas, one needs to integrate it more deeply into the mainstream media. As we move forward to a proof-of-concept stage, we will work closely with the Uganda Radio Network, which syndicates content to 56 community radio stations in Uganda to disseminate the CKW stories, to do just that.

*“In a nutshell, we saw some evidence that these rural reporters, and the customised mobile technology that enables them, have potential.”*

Another challenge will be to keep the citizen reporters motivated to do their work. While social networking sites attract content almost organically among urbanites, rural people face many more pressing and basic demands on their time. So you have to give them reason to add your task to their to-do lists. In the pilot, we did not offer any cash incentive for the CKWs to report about their communities beyond the small remuneration Grameen Foundation provided for the agricultural extension work they were doing.

Instead, we offered an airtime reimbursement with a generous bonus for everyone who sent stories within a given month. In addition, we offered a recognition award: The person whose report was judged the 'Story of the Month' was recognised and given extra airtime. These

incentives were enough to get the stories coming in. It also got other CKWs interested in joining the reporting corps.

When our pilot activities ended, we stopped both airtime and recognition incentives. As a result, we saw a nosedive in the number of stories being submitted. We don't know for sure how much the two incentives contributed to CKWs' reporting, but in the proof-of-concept phase, we will more scientifically test different incentives to see what works best to motivate rural citizen reporters without draining the media entities that may wish to tap into them.

In a nutshell, we saw some evidence that these rural reporters, and the customised mobile technology that enables them, have potential. Now we need to understand what business model will work to motivate CKWs and media houses to tap into this potential. Putting our heads and hands together with a media entity, we'll test that for three months during 2011. After that, we plan to start to scale mobile-enabled rural reporting to the rest of the country before the year is out.

It is a journey we know we'll enjoy, and we all stand to learn a lot.



# *African blogosphere promotes digital democracy*



*By Dibussi Tande*

*Dibussi Tande is a Chicago-based blogger and digital activist who has been instrumental in the growth of the Cameroonian blogosphere. He publishes the award-winning blog, *Scribbles from the Den* [<http://www.dibussi.com>], which is the leading Cameroonian blog.*

When I started blogging in 2006, I intended to have a blog that focused on a broad spectrum of issues that interested me – sports, African and Cameroon politics, ICTs, etc.

However, I soon realized that the most successful bloggers were those who created a niche for themselves, and became authorities on a specific subject. Cameroon became my main focus, with my blog serving as an interactive platform where I could provide that alternative perspective on Cameroonian events and issues, and which would also serve as an unfettered space for readers to freely comment on these issues without fear or favour.

For half a century, Cameroonians have been systematically deprived of the appropriate *repères historiques* or historical reference points that would enable them to analyse political and other events in the country in an informed manner, and place these events in their appropriate historical and geo-political context.

I tried to recreate those reference points on my blog by taking a fresh

look at events of the past, and going beyond the official narrative when interpreting today's events.

As soon as I joined the African blogosphere, I became a believer in the use of digital media for purposes of political and social advocacy, and this was reflected in what I wrote on my blog. Today, I am motivated by my belief that Africa's problems are not as intractable as they seem, and that Africa is in a perpetual state of take-off due to its largely untapped or mismanaged socio-economic and human potential.

*“...my blog serving as an interactive platform where I could provide that alternative perspective on Cameroonian events and issues”*

Digital technology with its unfettered freedom, flexibility and creativity offers an incredible opportunity to bypass or even leapfrog over many of the socio-economic, structural and political hurdles that obstruct Africa's development. This is why I am part of that growing army of African activists in the blogosphere who are determined to spread the word about the transformative capabilities of the digital technology or ICTs across Africa.

Today, my blog, *Scribbles from the Den*, has had a very successful run with over half a million hits and over 300,000 unique visits. My most successful blog post to date (in

terms of the number of views and the quality of links and citations) is the one I that wrote on March 8, 2011 analysing the government of Cameroon's decision to ban MTN's SMS-based Twitter service for "reasons of state security."

That post had nearly 10,000 hits, and was cited by the international media, including Le Monde, Jeune Afrique, Radio France International, Washington Post's Foreign Policy Magazine, and Computer World. I was also interviewed by the Committee to Protect Journalists. The blog played a pivotal role in mobilising free speech activists worldwide who pressured the government to restore the service. Exactly 10 days later, the government caved in and the service was restored.

This particular blog post confirmed, if need be, the increasing blurring of the supposed divide between blogging/citizen journalism and traditional journalism, and it highlighted the often ignored ability of citizen media to shape the tone and focus of the mainstream media's coverage of a specific issue.

What African blogging offers today, in contrast to the mainstream media's contribution to communications environment in Africa, is "digital democracy." Today, thousands of hitherto marginalised Africans at home and in the diaspora have created vibrant cyber-communities that provide alternative analyses and fresh perspectives on events taking place in the continent — alternative voices not only to the mainstream media which is systematically hemmed in by a repressive state, but also to authoritarian regimes which tolerate little or no dissent.

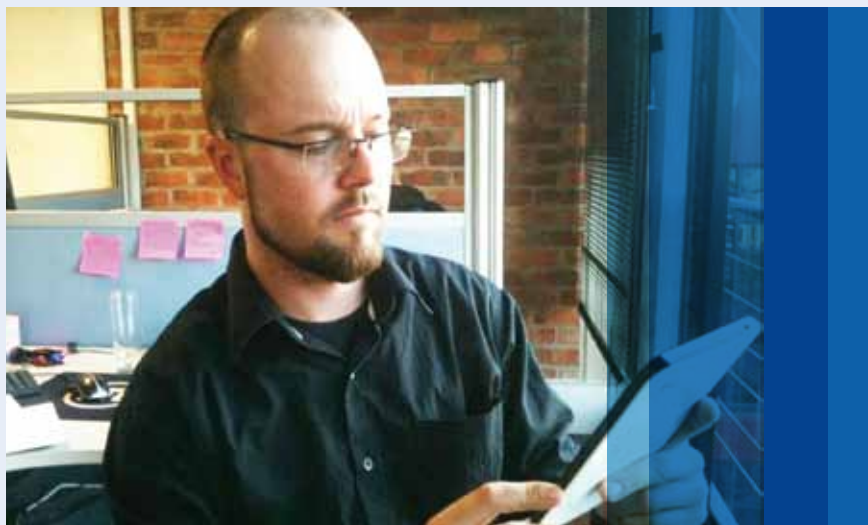
The African blogosphere also offers a credible alternative to Western stereotypical narratives about Africa. As Zimbabwean blogger Zim-

babwean Pundit once explained: "African bloggers are re-telling the African story from their authentic perspective with an avid passion for their countries and continent to boot. It is impossible to read the posts on any of the blogs in the African blogosphere and come away without a sense of the writer's deep connection to the country and continent."

*"African bloggers are re-telling the African story from their authentic perspective with an avid passion for their countries and continent to boot."*

Today, the African blogosphere has become a virtual sphere for democratic deliberation, interactive information sharing, the formation of public opinion, and collaboration. In short, it is a space for social debate and political mobilisation, and for promoting democracy and freedom of expression on the continent.

# MXit like Herman



By Andre Bothma

*Andre Bothma is Head of Content at mobile chat platform MXit. He's spent the bulk of the last decade involved in advertising, publishing, web marketing and commercial writing. He has a keen interest in most things business, entrepreneurship and technology related. He lives in Cape Town where, he says, his frankness tends to polarise opinions.*

*"The term 'black swan' has come to mean an event or discovery whose existence was not predictable... and whose effect yields surprising and unexpected results."*

This quote comes from US investment analyst John Mauldin on Nassim Taleb's novel "The Black Swan: The Impact of the Highly Improbable".

Throughout history, great movements have started with an innovative idea. Such ideas frequently stem from an innate dissatisfaction with the status quo. The idea for MXit (pronounced Mix It) was born out of Namibian tech entrepreneur Herman Heunis' belief that text-based communication could — and should — be more affordable to the masses.

The desire to set communication free, and create a community around it, was key to the creation of MXit. As a near-free alternative to SMS, the platform's ascent was viral. Driven by word of mouth, tactical marketing and on-the-ground activation campaigns, user registrations reached 160,000 in the first 12 months and 2.4 million by the end of 2006.

Yet beyond serving as a mechanism for communication, the platform has developed into something far greater: an inclusive community of over 39 million registered users, with an active user base bigger than the size of Facebook's in Africa.

The journey from the Stellenbosch-based tech start-up to becoming the leading social network in Africa was not without setbacks. The initial project was dubbed Alaya, a mobile multiplayer game. It failed due to the high cost of SMSes, forcing Heunis and his team of developers back to the drawing board. They learned how to bend the initial gaming concept into what was probably the first free mobile-specific instant messenger service in Africa.

*"The idea for MXit (pronounced Mix it) was born out of Namibian tech entrepreneur Herman Heunis' belief that text-based communication could — and should — be more affordable to the masses."*

In the days before tech venture capital came knocking voluntarily, monetising the offering was the next critical challenge. Beating the clock by a few slim weeks, the company launched paid-for chat rooms, effectively solving a riddle that had seen many would-be competitors around the world fail

to become commercially viable. Other obstacles along the way included technical and organisational scaling issues, as well as a constant fight to keep the rapidly expanding system's core technology stable.

The platform's meteoric rise also inevitably came with increased public scrutiny. A spate of bad publicity implied indirectly that MXit enabled access to pornography and served as a hunting ground for sex offenders. This saw the company fighting for its integrity and reputation during 2006 and 2007. The result was that corporate responsibility and the protection of minors remains a top company priority to this day.

According to Heunis, who is MXit's CEO, the company's strategy for retaining its leading position is to expand its offering, rather than competing with emerging instant messaging applications such as WhatsApp and BlackBerry on a tit-for-tat, and features-driven basis.

In addition to a suite of communication tools, the platform now also offers educational content, free counseling, rich mobile media, multi-player gaming, mobile classifieds listings, and an open Gaming API as well as targeted mobile advertising opportunities.

News content forms an important aspect of the offering, with the likes of 24.com, Sowetan and KickOff disseminating both free news and paid-for premium articles via MXit portal sites. Further, MXit's virtual on-platform currency, Moola, is presently being expanded into a multi-currency wallet, with its launch anticipated during mid-2011.

Today MXit is used in over 120 countries worldwide, with over 50 000 new registrations recorded per day. MXit "Version 6" was launched during the first quarter of 2011,

with over 27 000 BlackBerry client downloads recorded on launch day alone. Today, the mobile instant messenger and social networking platform can be accessed by over 3 000 handset types, including Java, Android, Windows Mobile and iPhone handsets, effectively catering for millions of older, more

*"...the platform now also offers educational content, free counseling, rich mobile media..."*

basic handsets.

Striving to empower users through a range of free communication and educational tools, MXit in 2011 is gearing up for rapid expansion in African markets. Utilising regional partnerships and strategic equity investments, the company intends to continue building on its stellar trajectory.

For more information on the company's history visit [www.mxit.com](http://www.mxit.com).

# Tabloid journalism and media pluralism



By Herman Wasserman

*Herman Wasserman is Professor and Deputy Head of the School of Journalism and Media Studies at Rhodes University, South Africa. He is also editor of *Ecquid Novi: African Journalism Studies*.*

If journalism were a fairy tale, tabloids would be the ugly stepsisters. These newspapers are usually looked down upon as an inferior genre that peddles gossip, untruths, salacious titbits and sensational fare, rather than the "real" journalism of facts and investigations.

This criticism is not completely invalid. Tabloids often do transgress the boundaries of mainstream journalism, and in so doing brashly and uncompromisingly challenge the conventions of their broadsheet or 'quality' counterparts. But this does not mean that they should not be taken seriously.

When considering print journalism in Africa, or thinking about media pluralism, we cannot ignore tabloids. The genre boasts several prominent titles in African countries, such as the (in)famous Red Pepper in Uganda and the Daily Sun in South Africa (where tabloids have had a profound impact on the post-apartheid media landscape).

So what are these 'tabloids'? The term is used to refer to different products and processes. 'Tabloid'

can refer to the format or physical size of a newspaper, or to a genre. As far as size is concerned, 'tabloid' refers to a smaller sized paper than a broadsheet (the term originates from a medicinal tablet in the 1800s). Format however does not always tell us much about content, as 'serious' newspapers can also be printed in tabloid format (e.g. the South African Mail & Guardian) or the 'compact' size of several UK newspaper titles (e.g. The Times).

Because newspaper formats are not synonymous with their content, and because the process of 'tabloidisation' has spread to other platforms like television (think of the Jerry Springer Show), 'tabloid' usually refers to a particular journalistic approach or style – and the term is most often used in a pejorative way, to suggest a downward slide in standards and skills.

Despite recent concerns about

***"If journalism were a fairy tale, tabloids would be the ugly stepsisters."***

tabloidisation of news globally, tabloids have a long history. Their roots lie in the simple, direct style and human-interest focus of the US 'Penny Press' in the 1830s, later evolving into the 'Yellow Journalism' movement with its campaigns against corruption and scandal. This distinctive journalistic tradition, perhaps best epitomized by the 'red tops' in the UK (with The Sun a famous example), has its own conventions and characteristics (e.g. melodramatic headlines, striking



visuals and easy-to-read text). The fact that elements of this genre have spread to mainstream journalism could be seen as a result of globalisation of news and the increased pressure on profit-making in a relentlessly fast, 24/7 news cycle. African tabloids, however, have not only appropriated the genre but

*“It is true that tabloids often engage in invasion of privacy and untruthful reporting. But mainstream journalism is hardly without fault on many of those counts either.”*

also localised it for African contexts. The popularity of papers such as the Daily Sun in South Africa may even be attributed to a loss of faith in mainstream journalism – serving as a reminder of how broadsheet journalism often privileges the voices of the elite and the powerful, over those who feel excluded from mainstream media discourses.

It is true that tabloids often engage in invasion of privacy and untruthful reporting. The social politics of papers like the Daily Sun and the Red Pepper is a cause for concern when it allows them to dabble in xeno- and homophobia. But mainstream journalism is hardly without fault on many of those counts either.

When criticising tabloids – as we should – for unethical journalism, we should take care not to confuse ethics with matters of taste. Sensational, brash reporting might offend some journalistic tastebuds,

but it does not automatically render reporting unethical. Often tabloids also display the kind of knowledge of their readers' everyday realities, and draw on the type of investigative work that their mainstream counterparts all too regularly forego in favour of telephone- or desk-based journalism.

And tabloid emotion, spectacle and scandal can help us understand the African context, the everyday lives of readers and the social milieu within which journalism operates.

If media freedom and pluralism in the African context means the ability to incorporate a wider range of perspectives into the continent's journalism, then tabloid newspapers should be appreciated. They inject voices from everyday life into mass mediated conversations that are often far removed from the ordinary Africans. At the same time we should be vigilant when tabloids – and mainstream counterparts – act unethically. Or if their relentless pursuit of profits means that they lose sight of the broad public interest.

For a democratic mediated public sphere in Africa we need as many stories as possible.





# Striving to become self sufficient



By Jeanette Minnie

*Jeanette Minnie is a former director of the Media Institute of Southern Africa and today operates the consultancy Zambezi FoX: International Freedom of Expression.*

In Africa, an essential strategy in the promotion of free and independent media is the establishment of as many privately and community-owned media (i.e. non-state media) as is possible and practical. The simple logic is that in circumstances where oppression of freedom of speech and expression continues unabated, the creation of many media outlets eventually outstrips the capacity of the state to close them down.

This approach is also consistent with the historic 1991 Declaration of Windhoek on Promoting an Independent and Pluralistic African Press. At least four of the 10 "Initiatives and Projects" identified in an Annex to the Declaration directly refer to issues of financial sustainability of the press and another three call for the creation of national and regional unions for publishers, editors and journalists. Naturally the Windhoek Declaration also refers to important complementary strategies for the promotion of a free and independent media including the removal of anti-media freedom laws, the

safety and protection of journalists, and education in ethical journalism amongst others.

Despite the recommendations and the strategic nature of establishing non-state media in Africa, the establishment (and business development support) of such entities has been one of the most neglected areas of media development from a funding and financing point of view. As an example, consider when the existence of a tiny handful of surviving non-state newspapers in Zimbabwe hung in the balance in 2008 during the worst hyperinflationary environment in the world – coupled to some of the most oppressive media legislation in the world. Only a tiny handful of donors were willing to contribute modest funds to help them continue publishing through another violent and controversial election during which open political debate hardly existed.

The argument cited was that donor aid could not be used in support of private enterprise. But those of us who believe that freedom of information is a fundamental human right also know that selling media is not the exactly same thing as selling shoe polish. Although some media may indeed fall into that category, most media carries content that plays a role in developing and maintaining democracy.

In countries where circumstances are not so dire, a lack of financial resources and media business skills means that media have too little reach to generate the necessary critical mass of audience in order to hold governments to account for their policies and actions. Research conducted for the African Media Initiative (AMI) in 2008 showed a severe shortage of available loan or equity capital at levels

below US\$ 5-million. This was the minimum amount required to grow small and medium enterprises into substantially larger media businesses.

Fortunately a number of media organisations now exist to tackle the challenge of media development in Africa in its purest form – developing the business skills of the media. This is rather than only addressing the media law and policy and journalism training environments.

The best known of these is the Southern African Media Development Fund (Samdef) in Botswana which focuses on non-state media in the SADC states. Efforts have been underway for some time to establish a West African Media Development Fund (Wamdef), but progress has again been hampered by donors who are reluctant to make development aid available for this purpose.

On a pan-African level the African Media Initiative (AMI) was established in 2008 to strengthen the continent's private and independent media sector from an owner and operator perspective in order to promote democratic governance, social development and economic growth.

The Association of Independent Publishers of Southern Africa (AIP-SA) is another highly innovative organisation in which small grassroots media share best practices, business training and advertising skills.

To make media pluralism effective and sustainable, in the interests of press freedom, we need more of these kinds of initiatives.

## Networking editors is key to media independence



By *Rosemary Okello-Orlale*

*Rosemary Okello-Orlale is the executive director of African Woman and Child Feature Service (AWC). She is also secretary to the Kenya Editors' Guild and treasurer of the African Editors' Forum.*

"As editors you occupy positions of great eminence. You have a voice and are in control of means by which to make that voice heard. What you say and do today is therefore one of the determinants of what South Africa will be tomorrow." This statement was made by Thabo Mbeki during the inauguration of the South African National Editors' Forum on 19 October 1996.

The observation by Mbeki, Deputy President of South Africa at that time, captures the role of the editors especially within the African context. Despite the huge challenges that media and journalists face every day, editors determine how the continent is perceived. As the gatekeepers in media houses, they have the power to decide what the public should read, when and how, and to an extent they also decide what the public should not know.

Their role in what voices people hear and what information people get is generally managed through editorial policies, the use of a code of ethics and efforts to ensure a high level of professionalism in media content. Due to the nature of their work, editors are always



governed by deadlines, scoops and new ideas in the quest to win the largest market share, which leaves them little time to meet together as people of the same profession.

This became evident during the formation of the Kenya Editors' Guild in 1997. The idea was to establish a professional organisation of editors which could meet every month with key policy makers, including the president, and become part of the discourse in Kenya.

At first the idea was treated with apprehension and suspicion, while others questioned the practicability of bringing together the more than 50 editors ranging from editorial directors, managing editors, deputy managing editors, news editors, associate editors and senior journalists.

Having had the privilege of coordinating the activities of the Kenya Editors' Guild as the Secretary, I have been able to identify the numerous challenges which have faced the guild since its inception.

Because many people see the media as private and profitable organisations, no donor was willing to support the guild and many argued that the media itself should put money aside to strengthen professionalism in the same way the journalists who belong to unions pay their monthly subscriptions.

The other challenge was to identify the right time and day to meet, appropriate to the majority of editors. Since editors are the gatekeepers, they are required to be in their media houses early in the morning and they leave late in the night. In order to get the majority, a 7.30am breakfast meeting once a month was agreed on and this has worked well apart from a few occasions.

The various categories of editors – daily editors, weekend editors and magazine editors – meant we needed to find a suitable day in the

week when most editors would be available. They therefore agreed to meet on a Wednesday unless there was an emergency which required a different day and time.

Over the 14 years since the first editors' guild meeting in Kenya, the association has faced numerous challenges, like a high turnover of active editors, limited resources, political interference, different ideologies, competing interests among media houses and government interference. But the Kenya Editors' Guild is now a formidable professional association with office bearers in place. Its role especially during the political transitions of 1997, 2002 and 2008 was instrumental in shaping the political destiny of Kenya.

*“Despite the huge challenges that media and journalists face every day, editors determine how the continent is perceived.”*

The challenges that Kenyan editors face are similar to what The African Editors' Forum (Taef) has been going through. Founding chair Mathatha Tsedu, who initiated the forum in 2003, once said that when editors from all over the continent met for the first time to look at their role and responsibility, they had a dream to tell the African story – but the practical challenge was how to strengthen national editors' guilds. Taef itself was to meet every two years, based on regional offices from all five regions of Africa.

Two years after that, a meeting of editors from all over the continent discussed the fact that news from within Africa was being told by the Western media, and that the fundamental ingredient that made democracy and development possible

was the free flow of information. The main concern for the editors then, and still, is that news from poor communities rarely makes headlines and when it does it is nearly always bad news.

Armed with the new dream and zeal, Taef had an objective of defending and promoting media freedom and independence in order to enable African media to tell and share stories without hindrance. It formed four regional bodies, viz. Southern region, West region, Central region and East region.

Almost eight years later, despite the challenges, Taef has made its presence felt by defending media freedom and independence. It has successfully engaged with presidents such as Jacob Zuma and with the African Union Secretary General. It has written numerous petitions to countries where press freedom is being abused.

One challenge which Taef faces is that regional chapters have become moribund, partly because of a lack of resources which has also affected national editors' forums. For example the Southern Africa Editors' Forum which used to be very active is no longer active. The Central African Editors' Forum took years to take off due to resource limitations and political interference. The East African Editors' Forum although strong does not have sustained resources to realise its activities, and the same applies to the West Africa Editors' Forum. The North Africa Editors' Forum has never been formed even though individual editors from the region attend Taef's meetings and subscribe to its objectives.

Unless these and other challenges are addressed, the role of Taef in strengthening media freedom, independence and access to information in Africa could be jeopardised.

# Challenges of organising journalists in Africa



By Omar Farouk Osman

*Omar Farouk Osman is president of the Federation of African Journalists (FAJ). He is also secretary general of the National Union of Somali Journalists (NUSOJ), and an executive member of the International Federation of Journalists (IFJ).*

The Windhoek Declaration is the most important instrument that guides the African media. Freedom, pluralism, independence and access to information are key issues that will be continually cited, and indeed the continent's media has gained in many of these areas, in many African countries, since the declaration was adopted.

But the lifeline of the media outfits are the working journalists who enjoy less freedom, independence and access to information in comparison to their media houses. One of the main reasons is the problem of organising journalists who are either unorganised in a trade union, or poorly organised when they are unionised.

The result is that working journalists in Africa lack the freedom to associate for their interests and rights. They lack the independence from the State and media employers to play a visible role in the union of their choice. They lack the independence to use their professional conscience without editorial interference from

their media chiefs.

Africa's journalists do not benefit from a pluralistic media environment which is competitively growing economically and earning good income but paying poorly the employees. In many cases, journalists also have less access to information than their media bosses who can more easily access this from governmental offices or political parties.

Apart from these predicaments, journalists and their organisations have been under attack, and legal protection has been greatly undermined. The journalist unions in Africa are undergoing very challenging times since declining membership has resulted in reduced bargaining power and scope.

The challenge for existing unions of journalists is retaining the current membership. The underlying difficulties are the lack of service provided to members, the legal and institutional framework laid down by the governments, poor organisational structures, weak internal democracy, and harassment of union members. There is also "commercialisation" of trade unionism by some people who encourage splinter unions at some media houses. Some owners fear strong trade unions and therefore encourage splinter groups. The proliferation that follows leads to problems of cooperation and unity. The politics of creating splinter unions, at the instigation of media employers/owners and government agents, has led to many smaller unions setting up and this has considerably weakened the trade union movement financially, politically

and in relation to solidarity. The other challenge is organising the unorganised journalists into unions. Media bosses are adopting widespread union-avoidance and union-busting strategies. These activities are designed to remove union influence from newsrooms. Some media employers have adopted sophisticated tactics such as employing direct contract systems with employees, declaring journalists to be in management, categorising journalists as essential workers or using individual pay agreements, and intimidating journalists who venture into union activities. The tactics also include dismissing and harassing union leaders and organisers, and a range of sophisticated human resources management techniques to suppress the desire for unionisation. In addition, media employers in some cases have also engaged in counter-organising by setting up company unions, thus organising journalists the basis of their media houses. Some have encouraged more conservative unions to cover their media houses to prevent a militant union gaining a foothold.

*“The Windhoek Declaration is the most important instrument that guides the African media.”*

The Federation of African Journalists (FAJ) and its parental organisation, the International Federation of Journalists (IFJ) are making efforts to organise journalists. This is by equipping affiliated journalists unions with the basic union tools that could help them to defend their members' rights and working

conditions and, at the same time, increase their income-generating possibilities.

*“The journalist unions in Africa are undergoing very challenging times since declining membership has resulted in a reduced bargaining power and scope.”*

FAJ recognises that organising freelance and young journalists is critical if the journalist union movement is to have a wide membership base and if it is to retain the capacity and the mandate to protect all working journalists. Regardless of the disheartening challenges, journalists unions and associations affiliated with the FAJ and the IFJ are also making efforts to deliver tangible benefits and increased protection to journalists by organising the unorganised journalists. The unions are currently reviewing their own priorities, internal structures and resource allocation to determine how best to overcome the challenges.

# The importance of editorial independence in Africa



By Mathatha Tsedu

*Mathatha Tsedu is Project Director: Press Freedom Commission (SA) having served as Head of the Media24 Journalism Academy, Johannesburg, South Africa. He is a former editor of City Press and is also a founder of The African Editors' Forum.*

Wikipedia defines editorial independence as "the freedom of editors to make decisions without interference from the owners of a publication". It further states that "independence is tested, for instance, if a newspaper runs articles that may be unpopular with its advertising customers."

Freedom to make decisions, as contemplated in this definition would encompass an editor making incontestable decisions about not publishing a story at all, or publishing part or whole of a story, when such publication happens, and what changes must be made for publication to happen.

So owners, whether state or private individuals, are barred in the environment where editorial independence exists from having any say. It is the "Chinese wall" that editorial people speak of, and it can vary from total bans on management to walk through the editorial workspace, through to where they sit side by side but with management barred from interfering in any way

with editorial.

Prakash Desai, the MD of one of the major media houses in South Africa, Avusa, says he takes editorial independence so seriously that he has banned management from the editorial floor. On the other hand, Media24's City Press has just amalgamated the spaces for its management and editorial, with the manager and editor-in-chief being separated by a wall, and the marketing staff sitting side by side with journalists.

Across the continent, editorial independence sometimes becomes a mirage. In situations where an institution such as the Kenya Broadcasting Corporation (KBC) leads each bulletin every evening with whatever the president may have been doing that day, what independence does the editor-in-chief of KBC really have about determining the line-up?

However at Nation Media, it is clear that editors have clear powers to edit their publications and that they have published major exposes that affected political figures seen as aligned to the owners.

But even these two options are not the case everywhere. In many countries, private publications and even radio stations, are owner-run and edited. In situations where Diallo Souleymane as the owner Guinea Conakry's biggest weekly paper, Le Lynx, is also its editor-in-chief, how do you even start speaking of independence from owners?

Or with The Crocodile newspaper in Togo under Pedro Amuzun or the (now defunct) Chronicle in Malawi under Rob Jamieson? These

owners happen to be journalists and therefore enforce ethics as editors, but they are owners too and balancing these two portfolios is not easy.

Editorial independence is compromised in many ways through advertiser interference. In South Africa, Sowetan ran a story about a huge electronics warehouse where Africans were only employed as labourers and people of Indian origin were employed in the skilled parts of the business. The company, HiFi Corporation, admitted this was so and justified this by saying "Indians" had an aptitude for technology. But they went further and threatened Sowetan with withdrawing advertising if the story ran. The paper published both the story and the threat. The editor could do so because the owners, Avusa, were prepared to back the publication.

*“Editorial independence is compromised in many ways through advertiser interference.”*

In a recent workshop for African business editors and senior business writers from a number of countries, a Nigerian journalist spoke of what he called "taking care of the main investor's interests". It turned out that this was a euphemism for not writing unsavoury stories about companies or individuals with whom the main investor or owner has either business dealings or were just plain friends. Not that there would exist a register of these people about whom you were expected not to write bad stories about. "You just have to know," the journalist said.

In other instances, newspapers emerge during elections only to fold thereafter, having been owned by a contesting individual who sought to use it and the journalists so employed. The paper was an instrument to not only promote himself, but also to attack whoever the opponent would be. This compromises any semblance of editorial independence and ethics.

*“The absence of editorial independence or its subversion, negates the platform on which journalism is based.”*

But such patterns are not unique to Africa. Italian prime minister Silvio Berlusconi, owns more than half the TV channels in that country and uses them unashamedly to campaign and to survive the numerous "bunga bunga" scandals. In Canada, five years ago the editor-in-chief as well as associate editor of the Canadian Medical Association Journal (CMAJ) were fired by the esteemed Canadian Medical Association over editorial independence.

So how important is it in Africa? Journalism is based on a social contract (sometimes legislated) between society and journalists, in terms of which the press is given space to oversee the exercise of power by elected and commercial leaders, in the interests of the poor and powerless.

This broad covenant presupposes that in carrying out that responsibility, journalists would do so without fear, favour or prejudice, and that they would ignore both political and

economic influences. And the editor is the editorial person who bears final responsibility for this kind of journalism and the stories that result from it.

The absence of editorial independence or its subversion, negates the platform on which journalism is based. Independence of thought is our holy grail, it is our Hippocratic Oath, it is our oxygen. Without this journalism withers and dies. Even if journalists may continue to publish and broadcast, the product is so tainted it no longer carries weight. And nothing could be worse than that.



## What it's like in the hot seat



By Barbara Kaija

*Barbara Kaija is the Editor-in-Chief of New Vision Printing and Publishing Company Ltd, the largest media house in Uganda and owner of five newspapers, five radio stations, two TV stations and a number of magazines. The company employs 550 staff, half of whom are in the editorial department, and operates a large network of freelance correspondents. She joined The New Vision in 1992 and rose steadily through the ranks.*

Every editor in a commercialised media environment is judged by a profitable and yet professional editorial product that appeals to both the audiences and advertisers. The New Vision newspaper has a unique ownership structure. The company started as a government parastatal before it was later listed on the stock exchange. Today, government owns 53% of New Vision, while ordinary Ugandans own 47%. When I was appointed Editor-in-Chief in April 2010, I was taking on the editorial operations of a very successful media business. I felt like the whole world was waiting to see what would happen.

By any account, 2010/2011, has been a successful year at Uganda's biggest media house. The New Vision, which is the flagship, has grown by 11% maintaining its position as Uganda's leading newspaper. All the four local language regional newspapers have grown remarkably too; one of them is now Uganda's second leading daily.

All our four radio stations are leading in their regional markets and the two sister TV stations are

sending ripples in the market.

The foundation for my work as Editor-in-Chief was laid in October 2006 when I was appointed Deputy Editor-in-Chief. This was one of the most difficult times in the history of the company. Distinguished and long-serving Chief Executive William Pike and Editor-in-chief David Sseppuuya were leaving amid talk of political victimisation.

The in-coming management – CEO Robert Kabushenga, Editor-in-Chief Els De Temmerman and me – were all new in these posts. We had to keep New Vision successful amid scepticism. The three and half years as Deputy Editor-in-Chief greatly prepared me for the responsibility that I shoulder now. Although I had 18 years' experience in journalism, it was still scary when I got to the helm.

My task is to keep the products pro-

*“...in a few incidents some advertisers have withdrawn advertising because we published ‘a negative’ story.”*

fessional and profitable. The editorial team has greatly adjusted, but in a few incidents some advertisers have withdrawn advertising because we published “a negative” story. Sadly, multinational companies that should support media freedom have bent so low as to suppress it in some of their operations in Africa. One such company withdrew advertising for a year. Thankfully, we maintained professionalism despite

the circumstances.

I became Editor-in-Chief a few months before the presidential and parliamentary election campaigns kicked off in October 2010 and the subsequent elections in February 2011. The media faces real challenges in covering an election in a young democracy like Uganda. The pressure comes from all the political parties and from the audiences. Traditionally, New Vision has not made sales growth during an election year, but 2011 was different. We made significant market gains. We changed our election coverage strategy. Besides covering the political campaigns, we took an issues-based approach by bringing in the people's voices and faces on the problems that affected them most.

We were still basking in the victory, when the most challenging time in my career came. Dr. Kizza Besigye, the leader of the main opposition party, the Forum for Democratic Change, launched the walk-to-work protests over the high cost of living. The New Vision in-house policy prohibits coverage of intentions to riot, but we cover the riots when they happen.

That is exactly what we did. We covered the riots in a fair and balanced manner. We highlighted the excessive use of force by the police in quelling the riots and also the extreme provocation by the opposition leaders. However, our position did not come off well with either side.

I got hate mail and threats from the opposition who were angry that they could not use our media platforms to mobilise their supporters. On the other hand, the police expected us to censor some nasty incidents since New Vision is partially owned by government.

Overall, the year has been challenging with lots of hard work.

On average I work a 13-hour day, six days a week and sometimes I feel like part of the newsroom furniture. However, the challenges have been equally satisfying and none of the fears have been insurmountable.

So have I faced any gender prejudice?

Growing up in the 1970s and 1980s in Uganda, the ratio of girls to boys in our schools was always much smaller. At a young age I learnt to compete on merit in male-dominated classes. Today, I never get up thinking that I am a woman and I am going to work in a male-dominated field and I may be discriminated against.

*“I got hate mail and threats from the opposition who were angry that they could not use our media platforms to mobilise their supporters.”*

Of course I am aware that gender prejudices exist and some people show visible surprise when they come to meet me and discover that the Editor-in-Chief is “just a small woman”, but I have learnt to live with that. I have discovered that my ability to perform matters rather than my gender.

To fellow female journalists, I say, don't fear to take up challenges. Look for opportunities to improve yourself and give it your best. With a challenging career, you need strong family and professional support.

One crucial lesson I have learnt is that success comes from a great team. An empowered team can crush even the hardest bone. At New Vision, the different teams brainstorm over the different

challenges we face and come up with solutions. All I do is to lead the team, place members in positions they are best suited for and cheer them on, as they perform miracles.

## ZNBC: a culture conducive to control



By Clayson Hamasaka

*Clayson Hamasaka is currently Acting Head of Media Studies Department at Evelyn Hone College, Lusaka, Zambia. He has a Masters Degree in Journalism and Media Studies from Rhodes University and conducted his thesis research into ZNBC. He is also media consultant in Zambia on various issues.*

The Zambian National Broadcasting Corporation is a prominent supplier of news to the country's TV viewing public, and controversial for those quarters who see it as pro-government.

To understand ZNBC's output, it is useful to see what happens from origination of story ideas to the final news bulletin. The main editorial team for ZNBC falls under the Director of Programmes who is the main gatekeeper for all ZNBC programmes and news. Below the Director of Programmes are several senior executives and a number of reporters who run the news content on a daily basis.

The operational structure is such that journalists meet every day around 08:30 in the morning in what is commonly referred to as the "diary meeting". This meeting is normally chaired by the Assignment Editor who discusses the story ideas with reporters and approves them. Once the diary has been drawn up for the day, the reporters set about gathering the approved items as well as unanticipated breaking news.

They then write stories in close consultation with the editors. Later, these stories are again scrutinised for approval in the ZNBC main news line-up.

As elsewhere, in Zambia the purpose of a public service broadcaster is to give balanced news coverage. But a close study and scrutiny of ZNBC editorial structure shows that a story can deviate from the principles of public service broadcasting at any stage in the process.

Whereas most staff are fully aware of what is expected of them as journalists working for a public institution, they also feel there is always an 'invisible hand' that limits their professionalism.

Even when reporters go in to the field to get balanced stories, they are normally frustrated because the final story as it gets broadcast often does not reflect a professional balance in reporting – especially if it involves government. As a result, it very common to have certain stories being dropped if they are unfavourable of the government and the ruling party. On the other hand, damaging stories involving opposition leaders are allowed and aired on ZNBC news without hesitation.

Editorial staff feel that politicians in the ruling party think that the major stakeholder of ZNBC is government, and hence the belief that the news staff should agree with everything coming from these quarters. What is also frustrating to the newsroom are instances where a governmental or ruling party official gives an interview to a private media house – and when they feel they have been misquoted, order ZNBC to 'correct' the story although ZNBC staffers may not

know the background. There are even cases when government and ruling party statements are correctly reported and captured by a ZNBC TV camera, but the news staff are forced to “correct” the story when the speakers later feel they could be in trouble with their employer.

In going along with these kinds of editorial decisions, many reporters cite issues of ‘bread and butter’ when it comes to the job market in the journalism profession in Zambia. Many feel that it is difficult to find a job if one is dismissed for not abiding by directives. As result, many in the ZNBC newsroom engage in personal censorship when dealing with anti-government stories.

*“Even when reporters go in to the field to get balanced stories, they are normally frustrated because the final story as it gets broadcast often does not reflect a professional balance in reporting — especially if it involves government.”*

In the words of one staffer: “We would cover Sata’s (opposition leader) rally, and you know Sata is always controversial. He would say things and ... you don’t even know what to write, because everything he was saying was anti-government”. When opposition views are aired, there are some unwritten rules that they be accompanied by a government reaction or answer. Actually, in most cases, the ZNBC story would begin with a government reaction

even before the opposition view on the original issue is aired.

Some staffers believe that their peers are occasional victims of fearing the unknown — people who practice exaggerated self-censorship even when there may not be any repercussions. Meanwhile, over the years, the newsroom people have come to know the line to follow, often saying things like: “Ignore that story, I don’t want problems. I just want to go home and be in peace”.

Of course there are people in the newsroom with the view that the ZNBC correctly has its own style that may not please everybody. For them, everyone who works anywhere should know what is expected of them as per institutional requirements.

They also argue that there is not bias when the editorial committee goes through all the stories and decides which should go on air. Regarding editorial independence, some staffers feel that Zambians should understand that ZNBC is a public institution owned by the government on their behalf, hence the “need” for all staffers to prioritise the promotion of national unity.

If the process of controlling content happens across the stages, and is present wherever one works, those who are not ready to follow ‘institutional guidance’ from senior management or government officials are expected to resign. For those giving the directives, this is justified in terms of everyone needing guidance to protect the integrity of the institution. It is not the question of what a reporter believes is the factual case, but a question of following instructions.

For example, they may be given ‘guidance’ on how to cover certain opposing views that are always antagonistic and which use certain

phrases that are too “strong” for the public institution and the population, including derogatory language against others.

*“Ignore that story, I don’t want problems. I just want to go home and be in peace”.*

Zambia’s broadcast legislation initially led to expectations that ZNBC would correspondingly adjust its in-house news policies and practices to suit the legal requirements of becoming a public broadcaster. But not much has been achieved.

It is unfortunate that successive governments have continued the same path of news interference, despite revising the media laws and policies at ZNBC. If this trend continues, anyone who may assume senior government office in future is likely to do the same, despite having lofty laws and editorial policies in place.

# Post Windhoek, Malawi moves backwards



By Alaudin Osman

*Alaudin Osman, director of Capital Radio in Malawi, was one of the nine signatories of the Windhoek Declaration and a founding member of the Regional Governing Council of the Media Institute of Southern Africa, MISA, which was established in 1992.*

Twenty years after Windhoek, it's still a struggle against political and economic challenges to set up and run an independent radio station in Malawi.

I've been managing Capital Radio, one of Malawi's first private radio stations, since 2000. I'm now 66 years old. It's a job that's becoming more challenging as successive governments continue to introduce new laws and tighten regulations in their attempts to limit free speech.

Malawi has a constitution that clearly stipulates media freedom. However, the government recently amended Section 46 of the Penal Code to empower a cabinet minister to ban publications deemed "not in the public interest".

While this new legislation applies to the print media, it is arguably a blank cheque with the knock-on effect to ban radio stations. Our hope is that no court in Malawi would uphold it. The matter is now before the courts. But so is a challenge gathering dust that I put up a few years ago against a section of the

Protected Flag, Emblems and Names Act. This is a law that makes it an offence to utter words or publish in writing anything that insults, ridicules or disrespects the president. Several other archaic laws from the colonial era are still on the statute books. Other restrictions include a requirement by President Bingu wa Mutharika for Malawians to deposit amounts of up to US\$33 500 with the authorities before going on public demonstrations; the arrests of several leaders of civil society for speaking out in the media against his government; and the barring of reporters from covering high-level public functions.

*"...it's still a struggle against political and economic challenges to set up and run an independent radio station in Malawi."*

Malawi, like all SADC countries that have paid lip service to the Windhoek Declaration, has committed itself to an independent, pluralistic and free press that is essential to the development of and maintenance of democracy for economic development. The recent developments show that it is taking several steps backwards, post-Windhoek.

The economic challenges of running an independent radio station are also on par with that of political survival in Malawi. With up to 23 broadcasters now on air, the impression could easily be gained of a booming indus-



try and a country progressing under the ideals of the Windhoek Declaration. But the broadcasters are competing for business in a fractured market. They also receive no government advertising or programme sponsorship. Those go exclusively to the state-controlled Malawi Broadcasting Corporation's MBC Radio One and Two and TV.

*“Capital Radio is committed to promoting public participation and civic engagement in public affairs and governance issues.”*

Capital Radio's strength depends on hourly news and talk shows with in-depth analysis on an adult contemporary format of new hits and oldies. The station's test of its business model, like freedom of speech, lies in its live phone-in programmes.

People want to hear their own voices, as well as their views being read out as they send them via texts on mobile phones and other new ICTs. Capital Radio is committed to promoting public participation and civic engagement in public affairs and governance issues.

One effect is that the authorities know the people are frustrated about the state of affairs in the country. There is a lack of running water, electricity is erratic, fuel is in short supply, forex is scarce and some civil servants have gone for months without pay.

Capital Radio maintains a fine balancing act by giving people the opportunity to vent their frustrations and at the same time remaining credible and ethical without scaring

off companies which provide advertising and programme support.

The broadcasting regulator, Malawi Communications Regulatory Authority (Macra), has tried to do censorship on behalf of the government by warning us against some of the stories, interviews and phone-ins that Capital Radio carries. Officials at Macra have suggested Capital Radio should cease phone-ins, but these are too important to let go in a country where radio remains the most powerful medium of communication.

We at Capital Radio are extremely careful in how we proceed: without compromising our principles and without, at the same time, doing something that could lead to the station being shut down. We can only pray we will continue to survive until we start operating under a much more enlightened administration that fully adheres to the principles of the Windhoek Declaration.

# *Brown envelopes and professional paradoxes in African journalism*



By Terje S. Skjerdal

*Terje S. Skjerdal (terje.skjerdal@mediehogskolen.no) is associate professor at Gimlekollen School of Journalism and Communication, Norway, and adjunct lecturer at Addis Ababa University, Ethiopia.*

What is one of the hottest concepts among African journalists today: Twittering, green reporting or peace journalism? In fact, none of these. It is brown envelope.

From Maseru to Marrakech, Dar es Salaam to Dakar, the brown envelope is spreading like an Arab Spring in newsrooms across the continent. In Cameroon it is known as gombo, in Ghana as soli, in Liberia as gatu, in Nigeria as kola, in Ethiopia as buche, in Tanzania as mshiko – and the list goes on and on. These terms are all local flavours of the brown envelope theme. The concept is probably one of the first to be adopted by young reporters as they join a media organisation.

So what is a brown envelope? It is essentially a discreet envelope with cash; though not just any cash, but 'cash for coverage' (Ristow, 2010). It constitutes a small monetary incentive provided by a source or an event organiser for journalists, typically concealed as a contribution towards transportation costs. Press organisations unanimously condemn the

practice because it jeopardises independent reporting. At least 17 African codes of ethics now include a warning against brown envelopes (Skjerdal, 2010), testifying to the escalation of the practice.

To illustrate the prevalence of brown envelopes in the African media environment, a mention of the Press Freedom Seminar in Addis Ababa, Ethiopia on 3 May 2011 will suffice. All local media organisations of any significance were behind the seminar, including UNESCO, which served as sponsor and co-organiser. The event also marked the 20th anniversary of the Windhoek Declaration, which is after all a landmark of professional journalism ideals on the African continent. Then, at the end of the day, we were all asked to queue up and sign a sheet of paper in order to – yes – receive the brown envelope. The 100 birr bill inside of the envelope (USD 6) is no small money for an Ethiopian journalist; it represents up to 10% of the monthly salary of a regular reporter.

*“So what is a brown envelope? It is essentially a discreet envelope with cash; though not just any cash, but ‘cash for coverage.’”*

It is a paradox that at a time when journalism training programmes are proliferating and media legislation is being improved in a number of African countries, dubious practices

are making their way into the newsroom.

Who is to blame for this?

The usual suspect is poor salary levels of journalists. The rationale goes that in order to make ends meet, media workers are forced to engage in moonlighting (informal extra work) and grab whatever benefit comes their way. But researchers observe that individual journalists have different attitudes to envelope journalism; some stand up for professional decency and reject envelopes despite meagre pay checks.

*“The 100 birr bill inside of the envelope (USD 6) is no small money for an Ethiopian journalist; it represents up to 10% of the monthly salary of a regular reporter.”*

Journalism history too shows that the media industry elsewhere in the world has offered very poor economic conditions for reporters without brown envelopes becoming common practice. It is therefore tempting to look to social or cultural dynamics in order to explain why shady manners are gaining ground. Thus, for good reasons, societal trends like petty corruption are used to explain bribery in the media.

The point of danger, nonetheless, occurs when the ethical explanation turns into an ethical justification. “Because petty bribery is so common in rest of society, it may as well be accepted by the media.” Or, at the personal level: “When everyone else does it, why shouldn't I take the envelope?”

Twenty years after Windhoek it is

time to remind ourselves that journalism has never been comfortable with adopting to the mainstream. The power of journalism lies in questioning popular conventions rather than endorsing the mainstream. Exposing corruption and unethical attitudes in the public administration is of little value if media workers themselves cultivate the same type of activities.

Importantly, professional standards in the African media are not in general decay. The media are less and less a mouthpiece for political parties, and self-regulation is progressing. To this end, it is interesting to note that the place where the professional community is by far the strongest, South Africa, is also the only place where brown envelopes are not a common problem.

While the route to professional standards in the media previously went through regulatory bodies, the route today goes through the media themselves. And the key is with the individual journalists.

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# Journalist, African or both? And what about nationality?



By Dr. Andrew Kanyegirire

*Dr. Andrew Kanyegirire is the officer in charge for communications at the NEPAD Agency in Midrand, South Africa. As a journalist, he has practiced as a deputy Business Editor at The New Vision in Uganda and his work has also appeared in publications in East and Southern Africa and the UK.*

Journalists in post-colonial Africa, like all other social groups, consciously and unconsciously call into action their various identities: professional, national, gender, continental. And they dynamically preserve, defend or enhance diverse configurations of these identities in their interactions with the stories they cover.

Studies on the identities of journalists on the continent show they tend to prioritise their journalistic role – with its characteristics and norms – over and above their other identities, including other senses of belonging. It is also a particular kind of journalistic identity that is elevated.

Accordingly, many African journalists largely perceive a role for themselves to be journalists in Africa, being information disseminators and to some extent as socially responsible reporters who conscientise the public as citizens.

Some journalists do see value in the pan-Africanist calls for journalists to be attached to the

continental cause and condition – prioritising an African identity that aims to report in terms of Africa's cultural values and with the aim of promoting development. But it is fair to say that, first and foremost, most journalists on the continent see primary value in the identity of detached neutral-objectivist professional model of journalism.

Drawing from my 2007 PhD study, and from recent Nepad regional media dialogues with African journalists, it seems many journalists who report on continental issues do not see strong links between their sense of professional identity and other identities like their Africanity and possible identification with the African Union and the African Peer Review Mechanism as home-grown institutions deserving of support.

*“If we as journalists in Africa don't publicise Nepad, we can't expect European journalists to do it for us.”*

Consider for instance a journalist from The East African who was keen to point out (in my 2007 study) that, when conflicted, she would “be as objective as possible”, setting aside her Africanist attachment and replacing it with journalistic “professionalism”. Similarly, a journalist from Business Day (in South Africa) felt that while he always tried to perpetuate an “African consciousness”, this would not be at the cost of “balance” in his Nepad stories.

However, not all journalists echoed such sentiments. A business journalist from the Accra Daily Mail commented that "every African has a duty to promote Nepad". He continued: "So it is right to say that it is the role and responsibility of journalists in Africa to promote a concept designed by African leaders. If we as journalists in Africa don't publicise Nepad, we can't expect European journalists to do it for us." He took the issue into a further realm by asserting that this was not about supporting Nepad simply because one was an African and a journalist, but rather it was about "patriotism" and "nationalism".

That last example in particular is of a journalist negotiating a complex configuration out of the pull of different options, in seeking to define who he is in terms of the broader role he identifies with (Africanity) and the reasons for this identification (nationality). It is his way of seeking to align himself within a context with competing identities linked to nationality, profession and Africanity. Even when the outcomes are different, all African journalists perform these kinds of negotiations of identity so as to give meaning to what they do within a specific context.

Often, the negotiations seem to involve explicit efforts by the individuals concerned to separate themselves as neutral-oriented journalists from the challenges of development in the African societies to which they belong. This can be read as a strategic attempt to downplay any suggestion that they lack commitment to the dominant neutral-objectivist-watchdog professional model of journalism. Some of them come across as thinking they have to make a clear choice between neutral journalism, on the one hand, and a commitment to Africa, on the other.

Many still associate "development

journalism" with African government attempts to avoid criticism and curb media freedoms. Accepting the attached and developmentist role could, for adherents of this view, lead to government interference and the loss of autonomy and independence.

*"Even when the outcomes are different, all African journalists perform these kinds of negotiations of identity so as to give meaning to what they do within a specific context."*

But many journalists in Africa have adopted certain of the ideals from the neutral-objectivist model of Western journalism, often adapted to their domestic context. In this way, they see professional independence and the role of being neutral information disseminators as amounting to the most responsible response to social and political challenges at national and continent-wide levels.

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# *Resisting press repression while wrestling with donor-independence*



*By Professor Kwame Karikari*

*Professor Kwame Karikari is Executive Director, Media Foundation for West Africa, Accra, Ghana.*

When the Media Foundation for West Africa (MFWA) started operation as a press freedom/freedom of expression advocacy organisation, the first campaign it initiated was to demand justice in the murder of Burkinabe editor Norbert Zongo in 1999. Five years later, in 2004, the MFWA had to mount another campaign for justice in the murder of Gambian editor Deyda Hydera.

These campaigns, drawing in a host of local or national, regional and international organisations, did not bring about justice but they helped to make the issues well-publicised international human rights cases. Action on more recent cases of serious journalists' rights abuses in the Gambia, however, produced legal judgments condemning the perpetrator government by a regional court of justice.

Meanwhile, on an ongoing basis, MFWA has had to intervene to secure safety and a safe haven for journalists threatened with death, as well as work with media caught up in vicious civil wars and strife.

The MFWA was established in 1997, some six years after the Windhoek Declaration. In effect, as with many examples of progress in media development across Africa, the organisation's founding was also a product of the environment and impetus catalysed by the Windhoek Declaration.

The Windhoek conference took place at a time of convulsive political developments that seemed to engulf the entire sub-Saharan region of Africa. On one hand, most of this region was thrown into a radical popular upsurge for democratic reforms. On another level, by the time the MFWA got off the drawing board, violent political conflicts, including full-blown civil wars and communal or other local bloody crises, threatened the very existence of so many countries as established entities called states.

Not more than three of the 16-member Economic Community of West African States (Ecowas) were spared the divisive convulsion that had gripped the whole region.

Yet at the same period, and as part of the Africa-wide movement in popular self-assertion, the demands for democratisation included, very prominently, an upsurge for press freedom and an end to government monopoly of media. The streets of the capitals and big cities of most countries became awash with an avalanche of newly set-up newspaper titles. Headlines, intoning the excitement of new-found free voices, screamed out subjects previously considered taboo: about governments and their dictatorial leaders. Nothing appeared sacred any more to the newly born newspaper gen-

eration that suddenly swept aside as irrelevant the stale, state-owned newspaper monopolies which had been part of the arsenal of repression by the one-party or military tyrannies targeted by the movement for democratisation.

Soon, following the newspaper resurgence, appeared the even more revolutionary entry onto the media landscape: the emergence of independent radio (and slightly later TV) broadcasting. The liberalisation of the airwaves, clearly imposed on the governments by the mass democratic movements and enthusiastic and determined initiators and entrepreneurs, put the last nail into the coffin of state monopoly of the media.

State monopoly and the silencing of dissenting and differing voices had generally produced, over the years, minimal day-to-day attacks on and violations of press freedom and journalists' rights. There was no freedom to attack. It is almost like the saying that there is no repression in the cemetery.

But the rampant invasion of newspapers and radio stations onto the previously closed social and political landscape – suddenly releasing a cacophony of long-silenced voices – in turn provoked the innate repressive adrenalin of the governments. Most governments in the region were either the same old unreformed dictatorships, or old military or one-party regimes forced by the popular movements and the demands of donor governments to conduct hasty elections and put on new hardly fitting garbs of liberal multi-party constitutionalism. In the 1990s to much of the first decade of the 21st century, not more than three countries in West Africa could boast of genuinely democratic regimes elected into office on their parties' own credentials of democratic merit.

The ensuing spate of attacks on

*“The excitement of a new dawn of media freedom, autonomy and pluralism was now turning into a nightmare of fear, torture and the threat of death.”*

journalists and media was enough to suggest the imminent death of the new, emerging media pluralism in West Africa. The irate regimes unleashed attacks through two fronts. The first and regular method involved the raw, crude, knee-jerk attacks by security operatives and other functionaries – targeting every expression unpalatable to government and officials, and at any real or perceived media infraction. The new media establishments, dominated by un-trained, inexperienced novices in the profession, provided plenty of ammunition for attack by way of their numerous errors and ethical blunders resulting from the sheer over-enthusiasm of the excited newcomers. The second line of attack by governments was to crank up the firmly controlled judicial machinery to unleash on the media the repressive legislation still intact on the statute books.

The governments operated in environments without any, or with negligible, traditions of independent media operation, and a low culture of tolerance for the expression of contrasting viewpoints in the public space. The new independent voices of the young press and radio stations came across to these authoritarian or even tyrannical leaders as insolence, irritation, personal attacks and subversion. Governments' responses were to

use the law to railroad journalists into prison, to frighten others into self-censorship or submission or to even drive others into exile. In addition, nearly everywhere, the regimes passed new and additional constricting legislation.

A new dimension in the attacks on the media was introduced in the civil-war-stricken countries of Liberia, Sierra Leone and – to a lesser extent – Guinea and Guinea-Bissau. Warlords and governments battling them resorted to some of the most heinous violence against the media and journalists. Over the decade of civil war in Liberia and Sierra Leone, about 16 journalists were murdered in each country, and several radio stations and newspapers gutted by arson.

The excitement of a new dawn of media freedom, autonomy and pluralism was now turning into a nightmare of fear, torture and the threat of death.

Inserted into this confusion of the promise of and threats to freedom, the MFWA's first programme of intervention was to establish a mechanism for monitoring and publicising attacks on media freedom and violations of journalists' rights.

The organisation set up a region-wide network of correspondents from each of the 15 Ecowas member countries, as well as from Mauritania which had by now left the regional inter-state organisation. The aim was to monitor violations on a daily basis. Thus the press freedom ALERT of the MFWA was born, and continues to today.

In certain circumstances, such as during the worst stages of the civil wars in Liberia or the violent crises in Guinea, the monitoring was expanded to include violations of other human rights. In later years, the theme was expanded also to include monitoring of violations

of other forms of free expression, such as speech and the rights of musicians and composers.

The 1990s were an era of the revolution in new technologies of information and communications. Aided by the internet, the alert service became an instant presence and source of information on press freedom violations to thousands of people in the region, Africa and elsewhere. It was further expanded globally by the MFWA's membership in the global network of freedom of expression advocacy organisations, the Toronto-based International Freedom of Expression Exchange (IFEX), whose information clearing house reaches tens of thousands around the world.

Prior to the MFWA's initiative, there had been no such systematic, comprehensive and regular monitoring and publicity of rights abuses on

*“The aim was to monitor violations on a daily basis. Thus the press freedom ALERT of the MFWA was born, and continues to today.”*

a regional scale in West Africa, or even in most parts of the continent. A significant aspect of the monitoring exercise is that the alerts are also a call to action to the thousands of individuals and institutions on the organisation's address list that receive the alerts.

Thus, with the alerts, the MFWA initiates protests, petitions and appeals to governments and other violators of media and journalists' rights. The general effect is that, due to the alerts, some victims have been released from detention or other

dangerous situations earlier than may have been the case. The alerts have been a basis or the catalyst for campaigns – big and small, local or international – in support of victims of repression of press freedom or other forms of expression.

In 2008 Cameroonian musician Pierre Roger Lambo Sandjo (aka Lapiro de Mbanga) was arrested and charged with incitement to violence. This was because of a song he composed and recorded, called “The constitution is constipated”, which protested Cameroon President Paul Biya's manipulation of the country's constitution to entrench himself in power for life. The MFWA's alert on the arrest and detention was picked up by the Copenhagen-based Freemuse, which defends musicians' and composers' rights. It led to an international campaign in Europe, North America and elsewhere. The musician was released after serving three years of a 20-year sentence imposed by a slavish judiciary.

Obviously the alerts and the campaigns generated from them have neither freed all victims of repression nor stopped violations of free expression rights in the region. But they have contributed to some measure of deterrent and to knowledge among officials in repressive governments that their rights violations are being monitored and exposed to the world. They have additionally become a source of encouragement to journalists that there is a place to expect support in times of trouble. It has made MFWA a household name loathed by officials of repressive governments, respected by media and civil society rights advocates and encouraged by intergovernmental and other international rights and development promotion organisations.

The alerts form a daily gauge of trends and scale of the health and status of media rights in the

countries and the region. They are also a pointer to developments in the legal and policy environments of media and free expression. Within a year or two of the new organisation's operation, it became necessary to initiate programmes of media law and policy reform and of legal defence for journalists and media prosecuted under laws that make their work and output criminal offences.

Promoting media law and policy reform in an environment choked with archaic and repressive legislation to protect authoritarian rule, has obviously been more than an uphill task. Through direct initiatives and in collaboration with others, the MFWA has contributed to the passage of a few national laws enhancing media freedoms: in Sierra Leone, Benin and Ghana. It has taken up projects to promote decriminalisation of free expression elsewhere. It has been among the most active groups in continental coalitions to press for the passage of right to information legislation. Currently pending on the agenda for the consideration of the next summit (2011 or 2012) of Ecowas heads of state is a MFWA proposal for a regional act (protocol) that will bind all states to a common legal instrument on media freedom. The proposal has passed the scrutiny of the Council of Ministers which almost endorsed the entire document – but expunged two provisions calling for total decriminalisation – and has now recommended it for passage by the heads of state. When enacted, the act will serve as a standard for West African states to reform their legislation to expand and protect the space for media freedom.

Governments have been generally reluctant to reform inimical legislation at home. Yet, they have been compelled by civil society pressures

and the influence of certain global developments in the promotion of rights, to promulgate collectively, at the level of regional inter-state bodies (such as the African Union, Ecowas and SADC), mechanisms and instruments that offer opportunities for enhancing advocacy to promote rights. It is only by using them effectively and regularly that citizens and their organisations can strengthen and make relevant these instruments and mechanisms (or institutions).

That is why the MFWA and other groups have taken up opportunities for observer status to work with the African Commission on Human and Peoples' Rights (ACHPR) to advance freedom of expression in Africa. It has been a platform to lay complaints and expose rights violations by states, and to advance continent-wide civil society collaboration to promote rights causes. Thus the MFWA also joined Article 19, the Media Institute of Southern Africa, Media Rights Agenda, and several others to work with the ACHPR to get the African Union to adopt the Declaration of Principles on Freedom of Expression in Africa in 2002.

The MFWA's landmark successful litigation at the Ecowas Community Court of Justice is an example of a successful, immediately impactful use of a regional mechanism to defend and protect individual journalists' rights against state abuses. Under its programme of Legal Defence for Journalists and Media, the MFWA took two cases to the Ecowas court against the government of The Gambia. One was to get the court in 2007 to demand that the Gambian state produces Chief Ebrima Manneh, who had been "disappeared" for more than two years following his arrest by state security operatives. The second was to seek judgment

in 2009 in a case of the torture of Musa Saidhykan, editor of The Independent newspaper, by Gambian state security agents.

In both cases the court found the Gambian government guilty and awarded compensation to the victims, though the regime of President Yahya Jammeh has refused to comply with the rulings. These cases and others taken up or supported in national courts in The Gambia, Burkina Faso, Niger, Sierra Leone and Senegal, were all pursued by lawyers participating in the MFWA's regional "Network of Lawyers for the Defence of Journalists and Media in West Africa", set up in 2000. The national cases ranged from seeking justice in the illegal closure of radio stations and newspapers and murder of journalists, to defence against charges based upon the criminalisation of media content.

On a continent as vast and with such hugely critical needs of rights promotion as Africa, no individual organisation, however resourced, can make much headway advancing rights issues alone on a national and regional scale. The effective approach is advisedly through partnerships, coalitions and networks of any sort. But while that is also full of frustrations and challenges – some of which tend to be discouraging – it can be said that MTWA's most important or strongest strategic contribution to the freedom of expression advocacy movement in West Africa has been to bring different groups together or join others in campaigns. These have been to push for rights promotion, improve conditions for media freedom, and to support post conflict media development projects.

An attempt to bring together key African freedom of expression ad-

vocacy groups into a kind of standing consultative forum for cooperation and strategic planning, called the "Network of African Freedom of Expression Organisations", did not survive beyond three years. The experience, learned rather late, was that for various reasons such cooperative efforts are best pursued and sustained around specific issues and thematic projects.

This logic had been proven right in the continent-wide collaboration of several groups to work with Article 19 and the ACHPR to develop and get the AU to adopt the Declaration of Principles on Freedom of Expression in Africa, in 2002. It was also the same basis for the success of the broad coalition called the "Partnership for Media and Peacebuilding in West Africa" initiated by the MFWA and the Copenhagen-based International Media Support (IMS) to support media development activities in the conflict-devastated countries in the region. Some of the key initiatives under this programme included media law reform activities that have resulted, for instance, in the recent passage of a right to information law by the Liberian legislature.

The partnership was resurrected in January 2011 in response to the recent post-election conflicts in Cote d'Ivoire. Working with Ivorian media leaders, the coalition is developing a programme of interventions to support rebuilding of the media in the country, promote enhanced media freedom conditions through legislative reform and advance media professionalism so as to minimise the extreme sectarianism that fed into that country's conflicts.

Collaboration with other organisations to intervene in conflict situations has not been limited to West Africa. Throughout the political crises in Zimbabwe, when free speech and related rights were under bloody

siege, the MFWA worked with the IMS, Misa-Zimbabwe and other local rights groups to push for freedoms. Similarly, in the early 2000s there was collaboration with the IMS to support Somali media groups to organise themselves to survive a near-impossible situation of endless civil war.

Because the MFWA came into being at a time of widespread conflict and political turmoil in the region, there has been no alternative but to find ways to support media and journalists caught up as victims in the violence or as instruments of whipping up the problems. One of the key activities prompted by the wars in Sierra Leone and Liberia was establishing a safe haven for journalists fleeing the brutalities, as well as for those fleeing the persecution of tyrants.

One of the dramatic interventions in Liberia was to rescue, by airlifting, a journalist torture victim who had gone blind and crippled from violent physical and psychological abuse. Throbbie Suah was in 2001-2002 rehabilitated by a group of doctors in Ghana, regaining his sight and the use of his limbs. The safe-haven programme has hosted persecuted journalists from the DRC, Cameroon, Sierra Leone, The Gambia, and Somalia. The MFWA has worked, in this instance, with the UNHCR and some foreign embassies, notably the US embassy in Accra, to seek refuge in foreign countries.

In Africa today, a human rights promoter's work is never done. When there appears a sign of progress on the horizon, it soon fades into a mirage of hopes. What seemed to be the attainment of some progress in media freedom in the late 1990s, began to be reversed come the beginning of the 2000s. The enactment of new laws, such as "publication of false news", or the digging up and use of dormant

colonial-era legislation, the wielding of the big repressive stick by state controlled authoritarian regulatory agencies and a spate of media bans and closures, represented the new threats that the media confronted. This trend emerged just when the media were beginning to consolidate their existence and it signaled a new era of state policies to close the space forced open by civil society in the late 1980s and early 1990s.

For the majority of governments seeking ways to bridle the growing space of the media, they found self-serving justification from the recklessness of many media, the result of a widespread low standard of professional practice among the media. This state of affairs rendered the media easy prey to the control and influence of politicians and political factions. The political partisanship and sectarianism resulting from this situation, especially in relation to elections, made many media complicit in fomenting and supporting conflicts when and where they occurred. In these circumstances, and in an atmosphere of growing intolerance, mobilising public opinion and sympathy to defend and protect media freedoms has been made more demanding in many countries in the region.

Meanwhile, elections and elections-related politics continue to be a significant source of danger to the media's independence and freedom in the coming years. The polarisation of the societies along political partisan, ethnic and other sectarian lines, seeps into the media very much. It may get worse as politicians from country to country invest in or buy into media ownership and buy media influence, especially in relation to elections.

**W**ill the MFWA survive the galloping intolerance and

seeming consensus among political forces against reforms of inimical media legislation? The organisation can, to a large extent, survive the political situation for as long as there is a country with some favourable space to operate from.

The real threat is the question of its long-term sustenance. An organisation totally dependent on the charity of philanthropic and donor institutions survives or dies according to the programmatic agenda of these same organisations. Current trends, according to documented research, indicate a systematic reallocation of funding support away from media rights and media development advocacy programmes.

The MFWA has existed for approaching 15 years, based on the generosity of philanthropic organisations. It started with assistance from the Ford Foundation and quickly attracted the support of many organisations including the institutions of the Open Society Foundation, Danida and others. It keeps attracting the interest of some other organisations. However, there is no record of any rights advocacy organisation in Africa surviving for more than 20 years on the benevolence of any funding agency. The signs of "fatigue" are beginning to show. How a non-profit rights advocacy makes "income" to sustain it and pursue its ideals is the greatest challenge of promoting and consolidating human rights in Africa to day. All the organisations confront this imponderable puzzle.



# Conflicts compromise media's autonomy, but some can rise above it



By Marie Soleil Frere

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In 1991, journalists and editors gathered in Windhoek and proclaimed how the emerging press freedom in many African countries could be a new chance for the continent. The Windhoek Declaration insisted that all the barriers to a fully free activity for the media should be removed. The new private press was viewed as participating in "the worldwide trend towards democracy and freedom of information and expression", which was said to be "a fundamental contribution to the fulfilment of human aspirations". This enthusiasm didn't last long everywhere, however, and two decades later the equation "free press = consolidation of democracy" has been widely challenged on the continent. This especially in a number of countries which have faced an armed conflict or political instability, and where the media have often been directly involved in spreading violence, nurturing wars and fuelling hatred and tensions. In Burundi, as early as 1993, the words "hate press" were used to describe a range of private newspapers violently clashing with each

other during the first democratic presidential elections. When the newly elected Hutu president was assassinated four months after the polls by his Tutsi presidential guard, the people in Burundi and the international community witnessed the potentially murderous chemistry of political pluralism and 'free' press.

A couple of months later, in Rwanda, a private radio station, RTLM (Radio Télévision Libre des Mille Collines), using music and the vernacular language Kinyarwanda, went even further in injecting hatred in the minds of the people. The radio actively collaborated in the practical implementation of the genocide, inflaming the local militias called the "Interahamwe" and broadcasting orders as well as directions to facilitate the killing of more than a million Tutsi people and Hutu democrats, including more than 50 journalists.

In December 2003, nine years later, the International Criminal Tribunal for Rwanda (ICTR), based in Arusha, Tanzania, sentenced four of the staff members to long jail terms, as well as financial backers and ideologists of this hate medium. For the first time in the history of humanity, individuals were convicted for having established and participated in "hate media": a sad record for Africa.

In both Burundi and Rwanda, these new 'free' African media – whose aim was to serve political propaganda more than to inform professionally – led to murderous consequences. The lack of training of journalists who were newcomers in the job and had no specialised background was not the main factor explaining the hateful content.

The path leading the new pluralist African media towards independence "from governmental, political or economic control" also proved to be more difficult than expected. Indeed, the challenge of financial sustainability, in an unfavourable economic environment, turned out to be quite an impossible task in many places. The lack of finance threatened the media's independence, often as much as the restrictions and repression emanating from the government. This financial dependence of private and public media also pushed them into political commitment (and sometimes into violent propaganda). Such a stand has become repeatedly visible during multiparty elections. The 2007 polls in Kenya and the 2010 elections in Côte d'Ivoire were highly symbolic of the new threats to stability and national unity that emerged from open political competition.

Both elections were characterised by the involvement in the campaign of politically committed media, and both ended up in high degrees of violence between civilians. In both cases of post-electoral violence, some media were implicated in dividing local communities along regional or ethnic lines, and in fuelling resentment, frustration and intolerance. They were agents in manipulating minds to push civilians to armed violence in support of one of the contenders.

So, instead of proving to be "essential to the development and maintenance of democracy in a nation, and for economic development", African media have sometimes been pinpointed as possible threats to democratic consolidation or at least as symptoms of the challenges to which democracy was faced on the continent. For this reason, they have even started to generate distrust and fear, both on the side of the

population and the international community.

Nevertheless, on the opposite extreme, much African media has also demonstrated during the past two decades that they can play a powerful and exemplary role to help conflict resolution and peace-building.

*"This especially in a number of countries which have faced an armed conflict or political instability, and where the media have often been directly involved in spreading violence, nurturing wars and fuelling hatred and tensions."*

In Burundi, for instance, for about a decade private radio stations have shown, on a daily basis, how much they can contribute to establishing a dialogue between communities that had been torn apart. With Studio Ijambo, Radio Bonesha, Radio Publique Africaine, Radio Isanganiro or Radio Renaissance, Burundi has become a laboratory for the implementation of "peace journalism", "conflict-sensitive journalism" or "conflict transformation".

In the Democratic Republic of the Congo (DRC), Radio Okapi, established jointly by the United Nations Peace Mission (Monuc) and the Swiss Foundation Hirondelle, has played a major part since 2002 in circulating complete and pluralistic information all over this huge territory, allowing the Congolese people to reconnect with each other and fully share their

common destiny.

Moreover, as far as multi-party elections are concerned, the media of the continent have also demonstrated these past years that they can bring a great contribution to guaranteeing the transparent and pluralist character of the polls.

In 2000 in Senegal, in 2001 in Chad, in 2005 in the Central African Republic and on numerous other occasions, some media organised themselves jointly to increase their capacity to report on the polls in a context where the electoral commission organising the voting was suspected to be biased.

Media with distinct editorial trends overcame their differences and pulled together their human and financial resources to set up shared teams to cover a large number of polling stations, ensuring the transparency and legality of polling operations. Sometimes, public media were even associated in those media synergies, partly escaping the continuing control of the government. Solidarity among professionals has also become more intense worldwide and African journalists have benefited from the attention and support of worldwide organisations defending press freedom, facilitated by the spread of communication technologies such as the internet and the mobile phone which have helped to better connect African media to the world. Especially in post-conflict countries, many specialised international NGO's have also implemented support programs for the media sector, hoping to consolidate the circulation of professional information but sometimes generating another type of dependence – a dependence on foreign funding.

So, 20 years after Windhoek, the assessment is mixed. Especially in countries where peace and stability have been threatened, the 'free' me-

dia have survived in a difficult environment, with repeated sustainability problems and therefore a lack of independence towards political and economic powers, or towards foreign aid.

If media outlets themselves are fragile, professional journalism is constantly challenged. This might not sound different from what journalists all over the world are faced with – except that the consequences might be higher in Africa.

In the past 20 years, in conflict-ridden African countries, hundreds of journalists have been killed, arrested, assaulted or jailed. The fact that these abuses were not always committed on journalists who respected professional ethics and resisted political pressure, but sometimes on highly politicised and corrupt professionals, indicates that the issue of press freedom remains complex and has to be handled with care.

That is probably why the issue of regulation and self-regulation has been constantly debated by the media sector stakeholders. What the media have learnt from those two decades is that they have to keep fighting for press freedom but also for a democratically 'regulated' press freedom and for independent mechanisms to insure the media's responsibility.

## *A co-opted media can provoke chaos rather than freedom*



*By Dr Ibrahim Saleh*

*Dr Ibrahim Saleh is a convener of political communication at the University of Cape Town, South Africa. A Fulbright scholar, he also chairs the journalism research and education section in the International Association for Media and Communication Research (IAMCR), and is a member of the World Journalism Education Council (WJEC).*

Freedom is about inclusion and exclusion, about access to information and about public deliberation. However, the situation in many African countries remains about the privileges that go with inclusion and the penalties that accompany exclusion. We cannot disregard the notion of "identity crisis" to help understand and identify what unresolved issues/conflicts have led to the current behaviour in many parts of North Africa and beyond.

Ethnic, racial and religious identities provide clear lines to determine who will be included and who will be excluded. Since the lines appear unalterable, being in and being out may quickly come to look permanent.

The streets in Africa seldom empower the expression of public opinion and collective sentiments. From Cape Town to Cairo, freedom is threatened as a result of brute force expressed in riots and mob violence. And regardless of the geopolitical

position, authorities keep on trying to exert a pervasive power over public spaces through police patrols and similar authorities.

*“We cannot disregard the notion of ‘identity crisis’ to help understand and identify what unresolved issues/ conflicts have led to the current behaviour in many parts of North Africa and beyond.”*

“Speak to us of freedom” is not just a line from Khalil Gibran’s book *The Prophet*, but also a metaphor that portrays the situation in many parts of Africa.

Journalism is in the front line of the battle to maintain democracy by ferreting out corruption, dishonesty and graft wherever it may occur and exposing the perpetrators. But the challenge is to do so without losing a grip on journalism’s significant role in exchanging ideas and advancing communication between the governed and those who govern. Some pertinent questions remain unanswered. Do we make an impact on our society? Are we able to transform the journalism practice into a more accountable one? These are certainly troubling when we believe democracy is becoming unstable or when liberal values are continuously challenged.

In order to understand freedom in Africa, one must consider the repercussions of the historical memory of colonisation and the post-independence era, which is marked by a continuous process of

legitimising coercion, the political PR-isation of the media and the use of social taboos to block investigative reporting and the promotion of a bold journalism educational system.

This perplexing situation has led to vicious circles of liberalisation and de-liberalisation in Africa, and a continuous split between laws and regulations on one hand and their implementation as a cornerstone for realising freedom on the other hand.

It is thus neither strange, nor surprising, to find freedom in Africa at a crossroads, with an imposed version of democracy within the triple-edged syndromes of illness, poverty and illiteracy.

In the last few decades, the chronic failure of rulers to meet popular economic and political demands has carved a public space where citizens endure continuous brute force expressed in riots and mob violence. Many African countries have experienced an increasing rise in the intensity of public wrath, and an evolving role by the syndicates and unions in directing the sense of public frustration into cycles of violence, crime and turmoil.

In many countries, media hegemony has prevailed and silenced the public – causing an acute case of self-censorship which is the outcome of long years of oppression and the uncertainty of likely repercussions from the government.

It is thus understandable to sense that both journalists and civil actors have a growing sense of alienation. The situation has displaced the discontented public into unregulated, informal underground sectors and illegal activities like different kinds of extremism including religious, social and human trafficking.

This dim picture is the result of the absence of well-oriented state and effective media. It has stained

most of civil society in Africa with weakness and vulnerability that in turn has meant freedom is either demolished completely or is at least suffering from exacerbating inequality.

As stated by Claude Ake in 1987, those rights that have real significance for our lives are usually not given by those in power but have to be exercised – without permission if necessary.

Priority should be given to re-evaluating the media situation in both traditional and new media, and to pushing for the legitimate right of participation in the decision-making process. We need to stipulate the need for change without turmoil, with a progressive understanding of peace and human rights as a way of reclaiming identity and pride.

# Hostage to gender prejudice: None but ourselves can free our minds



By Colleen Lowe Morna

*Colleen Lowe Morna, CEO of Gender Links, is editor of the three studies mentioned in this article, which can be accessed on [www.genderlinks.org.za](http://www.genderlinks.org.za), as well as several books, reports, and media articles on gender and development in Southern Africa.*

When Agnes Callamard, Executive Director of ARTICLE 19 coined the phrase "gender censorship" at the launch of the third Global Media Monitoring Project in 2005, the Fleet Street audience in London stopped just short of pummeling her with tomatoes.

Time has marched on, but not much has changed. Since the first global study in 1995, to the latest in 2010, the proportion of women sources in the media has risen from 17% to 25% globally, and from 16% to 19% in Africa. Yet censorship is still viewed through the narrow lens of politically-barred content, rather than the broader societal lens of exclusion.

Three studies over the last two years initiated by Gender Links with various partners have provided stark data of the gender gaps in the media.

- The Gender in Media Education Audit shows that there are more women than men enrolled in media studies, but many more male than female lecturers.
- Glass Ceilings in Southern African media shows that

women constitute 41% of media employees (32% if South Africa is excluded), but less than a quarter of managers and only a handful of board members and top executives.

- The 2010 Gender and Media Progress Study (GMPS), a follow-up to the baseline study in 2003, confirms the global findings that on average women now constitute a mere 19% of news sources in the Africa region. This study broke new ground by asking some pointed questions about basic media practice – finding, for example, that a startling 67% percent of news stories are based on single sources.

What are the chances, in our society, that if only one source is consulted, that source will be a man? And how free are societies in which half the population is effectively silenced, without us even aware this is so? Some more questions:

- Do we think twice when a report on a South African TV station tells us about an award for African soccer players at which none of the players showed up, when in fact the top African woman soccer player did show up?
- Or an article in a Zambian newspaper about elections titled "Peoples views on the elections" in which only men are quoted, and the final caption reads "the best man for the job" (even though two women candidates stood in that particular election).

It is this gender blindness that has prompted activists to demand that a Windhoek+ declaration



state explicitly that freedom of expression must be understood as equal voice for women and men – not just for “people”. This perspective is reinforced by the Southern African Development Community (SADC) Protocol on Gender and Development, which calls for equality in and through the media. The Protocol also promotes gender mainstreaming in policies and training, as well as sensitive coverage of gender violence, HIV and AIDS.

Many a cynical editor argues that gender biases in the media are just “the way of the world”, and that no band of NGO crusaders is going to change this. The fourth Gender and Media Summit held under the banner “Gender, Media, Diversity and Change” late last year made the case, through vivid examples, that change is possible.

*“Since the first global study in 1995, to the latest in 2010, the proportion of women sources in the media has risen from 17% to 25% globally, and from 16% to 19% in Africa.”*

For example, in 2003 women constituted 14% of sources at the Mauritius Broadcasting Corporation, the first media house to work with GL in developing a gender policy. The GMPS shows that this figure has since doubled. What’s more, says Deputy Director General Rekha Sooborun, the gender policy has prompted the public broadcaster to think more broadly and critically about what it means to serve the

public, half of whom are women.

Armed with the SADC Gender Protocol and evidence from the ground, GL is working with media education partners in the Gender and Media Diversity Centre, as well as 100 media houses across the region, on creating a number of “Gender and Media Centres of Excellence”. The collective target is to ensure that women constitute at least 30% news sources by 2015: a target good for business, good for democracy, and good for media freedom.

As Bob Marley might have said: who feels it knows it (so let them speak!) and none but ourselves (caught in this silent censorship) can free our minds. So let’s do a little reasoning. Ya mon!

# Taking stock of gender in media education



By Emily M. Brown

*Emily M. Brown is Head of the Department of Media Technology, Polytechnic of Namibia*

The Gender in Media Education (GIME) audit that kicked off in Namibia in 2010 raises pertinent issues with regard to the quality of our journalism. Implemented at the outset by UNESCO, Gender Links and the Polytechnic of Namibia, the audit dealt with how gender was addressed in journalism training programmes and curricula.

The goals were to identify:

- whether gender was integrated into media education and training,
- whether gender-related texts or materials were used in media education and training, and
- gaps with regard to mainstreaming gender in journalism curricula.

In the Beijing Platform for Action, the media – as the 10th critical area of concern – have a major role to play regarding gender equality. Furthermore, the SADC Protocol on Gender and Development prescribes that gender parity ought to prevail in media houses by 2015.

Meantime, however, it is not even common to have discourse that dis-

aggregates information on gender

lines in the media. Yet if the media are to continue to inform and stimulate public debate and dialogue, we need journalists who have the ability to provide diverse perspectives on a particular issue – and be gender-sensitive in so doing. So much is hidden when reportage is packed with collective nouns such as “the Southern African Region”, “the students”, “the workers” or even “staff in the newsroom”. Imagine how this could change when an engendered approach is adopted.

However, according to the GIME Southern Africa (2010) – which covered 25 institutions in 13 countries – journalism / media studies students receive very little theoretical grounding in gender. Implicit in this finding is that few institutions have integrated gender into their course content.

*“SADC Protocol on Gender and Development prescribes that gender parity ought to prevail in media houses by 2015.”*

Another finding of the 2010 audit is that even fewer institutions have stand-alone gender policies.

Many of the representatives of institutions surveyed could only make reference to broader affirmative action policies and procedures, or to their country’s national gender policy, in regard to vehicles for providing institutional guidelines for integrat-

ing gender. This might help explain why media or journalism departments rarely mainstream gender into their curricula.

Back in 2004, Gender Links commissioned Professor Lizette Rabe, head of the Journalism Department at the University of Stellenbosch, to undertake an audit on gender in journalism education and training in seven Southern African countries. One of her key recommendations was that gender should be included as part of the assessment criteria.

*“The 2010 GIME found that only a few institutions (13%) have structures in place to ensure gender is incorporated into the journalism curriculum.”*

But the 2010 GIME found that only a few institutions (13%) have structures in place to ensure gender is incorporated into the journalism curriculum. It goes without saying, therefore, that if gender hasn't been mainstreamed or integrated into such curricula, it is also not going to be part of student assessments.

The findings of GIME, however, hold a measure of hope. For example, respondents indicated a willingness to integrate gender into teaching and learning. They also acknowledged a need to learn more themselves about how to do this.

While both male and female students referred to the importance of gender in media education and journalism training, the men indicated that their misconceptions of gender had changed due to courses where gender had been incorporated.

Women students noted, too, that dealing with gender issues in their courses served to increase their confidence to enter male-dominated newsrooms.

What's to be done to build on this basis?

It is because a curriculum stipulates the objectives and learning outcomes of a particular course that this is the point at which to get started with mainstreaming. Certainly, gender should be incorporated at the time when an existing curriculum has to be reviewed.

Among other initiatives ahead are building the capacity of lecturers to undertake research on gender and media issues, as well as providing training-of-trainer programmes to enhance their ability to teach on gender.

Over the past few years many have sketched a gloomy picture of the future of mainstream media, especially print media. Its demise is predicted without much being offered in terms of solutions to turn around such an eventuality. Ensuring that journalists are trained to do gender-sensitive journalism could turn out to be part of the solution.

# How the African Charter on Broadcasting helped end reliance on a single state provider



By Steve Buckley

*Steve Buckley is a communication rights activist and media policy expert. He is a former President of the World Association of Community Radio Broadcasters and author of 'Broadcasting, Voice and Accountability: A public interest approach to policy, law and regulation'.*

To mark the tenth anniversary of the Declaration of Windhoek in 2001, UNESCO marked World Press Freedom Day with a conference in Windhoek. The host organisation, the Media Institute of Southern Africa, together with other civil society organisations including World Association of Community Radio Broadcasters (AMARC), Article 19: Global Campaign for Free Expression (A19), Association for Progressive Communications (APC) and Southern African Communications for Development (SACOD), seized the occasion to develop a new standard-setting document, which they called the African Charter on Broadcasting. While acknowledging the continuing relevance of the Declaration of Windhoek as an advocacy tool, the African Charter on Broadcasting (ACB) was designed to complement and expand on the original Declaration by focusing on broadcasting.

As its preamble states: "The [1991]

declaration focused primarily on the promotion of the print media and was silent on issues such as broadcasting liberalisation and the globalisation of the communications industry. These issues have far reaching social and economic implications for media freedom and threaten to jeopardise the production of media that reflects Africa's rich diversity." The ACB draws attention, in particular to: "the existence of serious barriers to free, independent and pluralistic broadcasting and to the right to communicate through broadcasting in Africa", while noting: "that for the vast majority of the peoples of Africa, the broadcast media remain the main source of public communication and information".

The ACB set out a framework for broadcasting law and regulation grounded in a rights-based approach in which freedom of expression includes "the right to communicate and access to means of communication".

On this basis, the Charter elaborates a three tier system for broadcasting – public service, commercial and community. The standard-setting recommendations of the ACB are arranged in four distinct parts: general regulatory issues; public service broadcasting; community broadcasting; and telecommunications and convergence.

The Charter was officially launched on the first anniversary of Windhoek +10, during the 31st Session of the African Commission on Human and Peoples' Rights (ACHPR), held in Pretoria.

At the same time the Commission

itself was considering the development of a Declaration of Principles on Freedom of Expression (DPFEA). According to MISA, the DPFEA, eventually adopted on 23 October 2002 "was largely inspired by the groundbreaking Windhoek Declaration on Promoting an Independent and Pluralistic African Press (1991) and the African Charter on Broadcasting (2001)". Although the DPFEA does not make direct reference to the ACB, the core elements on broadcasting are very similar and in the sections on regulation of broadcasting and the role of the public service broadcaster, significant parts of the text are identical.

The World Summit on the Information Society (WSIS) provided a further important forum in which to lobby for the recognition of the ACB. African civil society organisations sought to assert it as an African position in the WSIS context. The WSIS Africa Regional Conference, held in Bamako in 2002, was attended by representatives from 51 African countries as well as delegates from other countries

and from African and global organisations, the private sector and civil society.

*"The [1991] declaration focused primarily on the promotion of the print media and was silent on issues such as broadcasting liberalisation and the globalisation of the communications industry."*

The Bamako Declaration, adopted there requested African States, to "adopt the 'African Charter' on radio broadcasting as a framework for the development of policies and legislations regarding information technologies and broadcasting in Africa." Through this declaration,

the ACB gained the endorsement of African governments. It secured further intergovernmental support following the UNESCO World Press Freedom Day conference of 2005, held in Senegal. The Dakar Declaration on Media and Good Governance "reaffirmed" the ACB, noting that this document "extended the principles of the Declaration of Windhoek into calls for practical action". The Dakar Declaration was endorsed by the Member States of UNESCO at its General Conference on 20 October 2005.

In addition to these endorsements by intergovernmental bodies, numerous civil society fora have endorsed the ACB since its adoption in 2001. In March 2010 the AUC-EC Joint Informal Expert Meeting on Media and Development (GFMD, 2010) cited the ACB as one of three standard-setting African texts on media development. Such statements are indicative of the continuing currency of the ACB in civil society advocacy, particularly at international level.

## *How West Africa scores broadcast independence*

*By Steve Buckley*

In 2010, Panos Institute West Africa commissioned a comparative study of the impact of the African Charter on Broadcasting (ACB) in five countries of West Africa – Ghana, Mali, Niger, Nigeria and Senegal – with particular attention to the emergence of a three tier model of public, private and community broadcasting.

The research found that the ACB has

achieved significant recognition at the African and international level, and that its recommendations are also broadly accepted as normative standards for media freedom and media development. But at the country level, the picture was somewhat different.

Among the countries surveyed, awareness and perceived impact of the ACB was rather uneven.

Awareness was highest in Nigeria where the Charter has been endorsed by the National Broadcasting Commission as a definitional basis for community broadcasting and where it is frequently referenced in advocacy briefings and declarations. Impact was perceived as greatest in Mali, which offers the most open environment for private and community broadcasting. In



contrast, the ACB was little known and perceived to have had little impact in Senegal. Its impact was also perceived as low in Ghana and Niger. Despite these variations, it is likely that media policies in all five countries have been influenced by the ACB, if not directly, then indirectly.

On general regulatory issues, the ACB asserts the primacy of constitutional guarantees of freedom of expression. It proposes a three tier model of regulation – consisting of public service, commercial and community broadcasting – and it promotes the establishment of an independent body to regulate the sector.

All five of the West African countries studied have constitutional guarantees of the right to freedom of expression, but none have a regulatory body for broadcasting that is both independent of government and has decision-making powers for authorisation and withdrawal of broadcast licences.

All five countries recognise to some degree a three tier model for broadcasting – public service, private and community. The public service broadcasting model, however, has not been strongly implemented and, except to a limited extent in Ghana, the state/publicly-owned national broadcasters remain under the control of the government in power. In none of the five countries has there been significant legal or regulatory reform since 2001 of the governance and funding arrangements for the public/state broadcaster. Where improvement is observed, it is more likely to be a result of:

- increased competition for audience from the growing private broadcasting sector,
- changes in senior management of the broadcasting organisation, and/or

- increased attention by the broadcasting regulatory body to the compliance of the public/state broadcaster with broadcast content obligations.

Private broadcasting is present in all of the countries. Community radio is present in all except Nigeria, where it is recognised in the Nigeria Broadcasting Code but not yet implemented. Ghana, Mali and Nigeria have all introduced, since 2001, formal recognition of community broadcasting as a sector distinct from private commercial broadcasting. This has been through administrative guidelines in the case of Ghana, law in the case of Mali, and the regulatory code in the case of Nigeria. Such recognition existed already in law in Niger and in regulatory terms of reference in Senegal.

All five countries have also experienced significant growth in private commercial and community broadcasting services, with the exception of Nigeria, which is yet to implement the licensing of community broadcasting services.

The research found that awareness of the ACB was perceived as lowest among those social groups best placed to implement its recommendations – parliamentarians and politicians. This suggests any strategy for broadening the impact of the ACB should target this group. Country level surveys that incorporate the ACB recommendations can assist, such as the African Media Barometer, while others that do not – including those of RSF, Freedom House and IREX – could be encouraged to do so. At the continental level, joint efforts to promote the ACB recommendations by media rights advocacy groups could contribute to recognition within the African Union, ACHPR and within the African regional economic bodies.

*“None have a regulatory body for broadcasting that is both independent of government and has decision-making powers for authorisation and withdrawal of broadcast licenses.”*

At the same time, a wider perspective on broadcasting development would have to address the challenges of digitalisation and the impact of mobile and internet platforms on the distribution of media content. With international commitments to digital television switchover by 2015 for many African governments, but few with realistic migration strategies in place, there is a pressing need for a public interest review of the challenges for development of an African model for digital broadcasting and for utilisation of the digital spectrum dividend.

# *New questions for African public service broadcasting*



*By Dr. Monica Chibita*

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When a group of mostly print journalists (yes, there was once such a category) met in Windhoek in 1991 and passed a series of resolutions about the condition and future of the media in Africa, their main concerns were the securing of a free, independent and pluralist media.

There was little attention to the electronic media at the time as most countries still had one broadcast channel, owned and controlled by the state. Still, radio was even then, the main source of information for the majority of Africans. Ten years later the African media landscape, however, had been dramatically altered by a combination of forces including privatisation, internationalisation, media convergence and digitisation. These changes have particularly impacted upon state-owned broadcasting. Calls to change this into public service broadcasting have long been based on the Reithian ideal which emphasises quality programming that provides information to enable active citizenship, which educates and entertains, and

which draws out the best in a country's cultural resources and expresses and promotes national identity. In reality, across Africa, there is a wide range of "public service broadcasters" each with a peculiar identity along the continuum from South Africa to Tanzania for instance. Often these identities are, for better or for worse, home-grown and enshrined in law.

Meanwhile, a number of scholars have argued that there is no future for public service broadcasting and that the model should be abandoned as it competes unfairly with the commercial broadcasters, does not provide much that is new or popular, and does not offer people anything they cannot find somewhere else.

*"Ten years later the African media landscape, however, had been dramatically altered by a combination of forces including privatisation, internationalisation, media convergence and digitisation."*

Nevertheless, what remains valid is the idea that state broadcasting is the opposite of public service broadcasting. This recognition was on the agenda ten years after the 1991 conference. Windhoek+10 accordingly produced the "African Charter on Broadcasting" which

proposed that “all state and government controlled broadcasters should be transformed into public service broadcasters.” The ACB further said that these broadcasters should “be made accountable to all strata of the people as represented by an independent board”, and that they should serve the overall public interest. As such, they should also avoid one-sided reporting and programming in regard to religion, political belief, culture, race and gender.

*“Nevertheless, what remains valid is the idea that state broadcasting is the opposite of public service broadcasting.”*

To facilitate this transformation, the ACB called for independent regulators to protect the public service broadcasters against interference. In addition, it said there should also be a clearly defined mandate for public broadcasters, guaranteed editorial independence and adequate and secure funding that is not subject to manipulation. The Charter also called for free and equitable access of other broadcasters to the transmission infrastructure that most state broadcasters hitherto controlled. Finally, it urged that there should be programming quotas to protect and promote local content industries.

Another ten years later, in 2011, the ACB positions on public broadcasting are worth revisiting, so as to recognise, for example, the advent of mobile telephony in combination with computing technology and its promise of innovations. In taking stock of the most pressing regulatory concerns

and the identity of public service broadcasting today, the following questions can be posed:

- Should public service be seen as a total institution, or should regulation promote the kind of content that meets the criteria for public service broadcasting, regardless of what media organisation offers it?
- Should we, in defining the mandate of public service broadcasting, not take cognisance of growing regional blocs such as the East African Community, SADC etc?
- What about local, ethnic and/or religious identities?
- What mechanisms should we put in place to ensure that the bodies to which these broadcasters report are truly independent in constitution and operation?

*“Should public service be seen as a total institution, or should regulation promote the kind of content that meets the criteria for public service broadcasting, regardless of what media organisation offers it?”*

It can further be queried whether the state is still seen as the greatest threat to independence, or whether the market should be regarded with equal caution. In a fiercely competitive, globalised and commercialised environment, where the very notion of spectrum scarcity is contested and the number of stations is set to

burgeon, what are the most appropriate funding mechanisms?

Is it time, given the changes in the broadcast environment to consider, as South Africa has begun doing, whether direct tax revenue rather than advertising should ensure the sustenance of the public service broadcaster?

Lastly, with more and more Africans having greater and faster access to more information than they need or want, the issue today is also how public service programming and presentation can re-invent itself to remain relevant to the multi-media era.



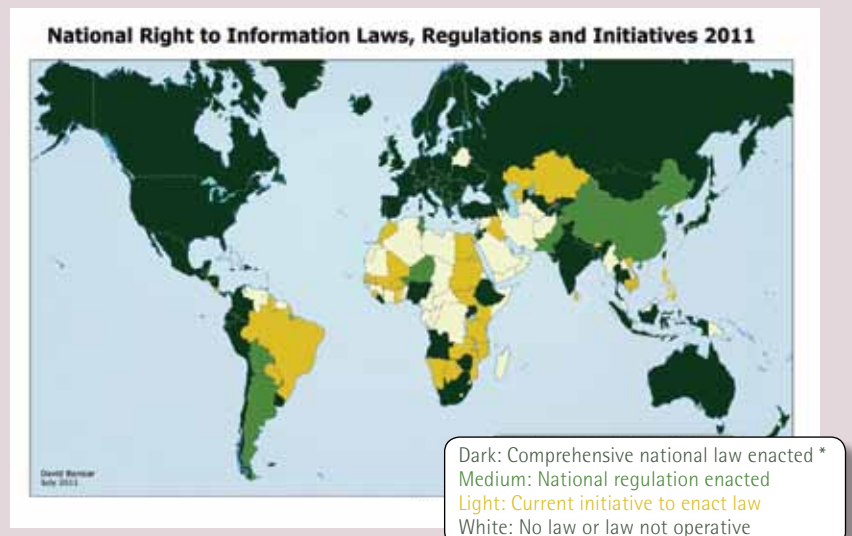


# The globe gets it: Access to Information is advancing



By David Banisar

David Banisar is Senior Legal Counsel for the human rights group, Article 19: Global Campaign for Free Expression ([www.article19.org](http://www.article19.org)). He has worked on information policy and human rights for nearly two decades, covering privacy, freedom of expression, whistle-blowing, cyber-crime and the right to information. He has served as an advisor and consultant to numerous organisations, and is author of numerous articles in the area, including "Linking ICTs, the Right to Privacy, Freedom of Expression and Access to Information: Issues for African Nations" in the *East African Journal of Peace & Human Rights*, Vol. 16, No. 1, 2010. <http://ssrn.com/abstract=1716969>



\* Not all national laws have been implemented or are effective. See <http://www.article19.org>



# Opening up information in Africa: a story of slow progress



By Gilbert Sendugwa

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The right to information is closely linked with the right to freedom of expression. It is difficult for citizens to enjoy one in the absence of the other. Both rights are established in international law and human rights standards. People need information to be able to adequately express themselves on matters of governance, holding leaders accountable, influencing service delivery and decision-making and for promoting and protecting their human rights.

From only 12 countries worldwide having access to information legislation in 1990, this has changed rapidly as 90 countries have such laws today. However, African experience has seen only seven of 54 countries adopting respective national access to information laws over the same period: South Africa, Angola, Zimbabwe, Uganda, Ethiopia and Liberia. Nigeria recently joined the ranks when it adopted its Freedom of Information law in June 2011.

Even so, this handful of African adopters is still challenged with implementation due to an absence

of political will, human and financial resources and technical expertise. There is also limited awareness and demand for information from ordinary citizens.

A total of only 16 African countries provide constitutional guarantees for freedom of expression. They include Burkina Faso, Cameroon, Cape Verde, Democratic Republic of Congo, Eritrea, Ghana, Guinea-Bissau, Kenya, Madagascar, Malawi, Mozambique, Rwanda, Senegal and Tanzania – all of which have yet to enact laws to enable an effective right to access information.

The history of information legislation in Africa shows mixed realities. In Zimbabwe, pressure from the Movement for Democratic Change (MDC) led to the Zanu-PF government initiating and passing the "Access to Information and Protection of Privacy Act". This was without civil society participation. In contrast to the name of the law, it is mainly about preventing media reporting and limiting access to information.

In Uganda, civil society groups working with an opposition member of parliament initiated the legislative process. Government came on board and facilitated the passing of the bill in 2005 – the same year when constitutional debate to lift term limits for a president was taking place. Many people think the government's support for the bill aimed to give citizens confidence that the proposed constitutional amendment on term limits would not affect democracy and human rights.

Despite slow progress and threats, the future for freedom of expres-

sion and access to information in Africa promises to be bright. The Arab revolution has caused immediate discussion on guarantees for both rights, in law and practice. In countries where the discussion was long forgotten, like Ghana, Kenya, Sierra Leone and Niger, a positive wind of change is blowing. Another positive is the formation of

*“The Arab revolution has caused immediate discussions on guarantees for both rights, in law and practice.”*

the Africa Freedom of Information Centre (AFIC), a pan-African civil society body with membership drawn from human rights and media organisations from around the continent. The centre works with national civil society coalitions and stakeholders to promote the right of access to information by building a knowledge base through research, technical assistance on draft bills and advocacy for legislation and implementation.

In one case of AFIC action, the organisation made an information request to the Ugandan parliament in November 2010. This was to find out how different ministers were reporting in compliance with article 43 of the Access to Information Act. The background is that after being passed, the Ugandan law was not implemented for six years because government had not issued regulations.

In February 2011, having received no response we sent an email reminder to the parliament, receiving only a telephonic response that there had been no compliance and parliament was now going to start enforcing

the article. AFIC then filed a similar information request to the prime minister of Uganda.

In March 2011, the New Vision newspaper carried a story, “Nsibambi warns lazy ministers” in which the prime minister was quoted as directing ministers to comply with reporting requirements. In a letter to AFIC the following month, the Minister for Information and National Guidance said the lack of compliance to date had been due to a delay in gazetting the regulations. The letter promised that gazetting would be done within two months and thereafter ministers would comply with reporting requirements. Subsequently, on World Press Freedom Day, the government's Director for Information and National Guidance announced that the regulations had been gazetted.

This is an important, but first, step towards full implementation. These kinds of advocacy initiatives need to be intensified to take full advantage of new opportunities in Africa to foster a culture of transparency that is entrenched in the law and implemented in practice.

# How the right to information makes a difference



By Mukelani Dimba

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The dawn of democracy in South Africa was grounded on the interim constitution of 1993 which was a direct product of negotiations for a new dispensation.

One of the most important aspects of the interim constitution was the introduction of a Bill of Rights designed to ensure equal protection of a broad range of human, socio-economic and civil rights.<sup>1</sup> Among the rights upheld was that of access to publicly held information.<sup>2</sup>

By entrenching an independent right of access to information – rather than leaving it to be protected by the right to freedom of expression, as had generally been the case in international human rights

instruments – the drafters underscored this significance of this right to South Africa's constitutional order.<sup>3</sup>

The right to information (RTI) was finally given effect to through the adoption of the "Promotion of Access to Information Act" (PAIA) in 2000, making South Africa the first African country to adopt an RTI law. Contrary to the popularly-held belief that an RTI law is primarily a media tool, our experience in the usage of PAIA shows that the South African media has been an infrequent user. This is largely because some of the bureaucratic procedures for accessing information in terms of PAIA are seen by the media to be lengthy and cumbersome.

For example, the law provides a 30-day period within which institutions have to process a request for information. For a journalist seeking information for a story that s/he needs to file within eight hours, this makes the law unattractive. So reporters tend to prefer to access information through sources that they've cultivated over a long time. There have been some important cases of papers like the Mail & Guardian obtaining documents that would otherwise have been withheld – like the government's contract with FIFA over the services to

1 Section 8(2) of the interim constitution stated: 'No person shall be unfairly discriminated against, directly or indirectly ... on one or more of the following grounds in particular: race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.' The final constitution added pregnancy, marital status and birth to the list of grounds [section 9(3)].

2 Sections of this article related to the legislative history of South Africa's right-to-information law draw heavily from Calland, R and Dimba, M. Freedom of Information Law in South Africa: A Country Study, Open Democracy Advice Centre, 2002 found at [www.opendemocracy.org.za](http://www.opendemocracy.org.za) and Calland, R. and Tilton, D. In Pursuit of an Open Democracy: A South African Case Study. Commonwealth Human Rights Initiative, 2001.

3 Jonathan Klaaren, Access to Information, in Constitutional Law of South Africa, ed. Matthew Chaskalson (Pretoria: Juta & Co. Ltd., 1996), 24-1.

be supplied during the World Cup. However, in our experience, the most frequent users of PAIA are civil society groups who want to access information in order to support their campaigns – such as for efficient delivery of public services, socio-economic development and public participation in policy development. South African RTI advocates resolved very early in the life of the PAIA that for it to keep the ideals of transparency and accountability alive, PAIA had to be meaningful to ordinary citizens. Many cases emerging from South Africa on the usage of PAIA demonstrate that a realisation of socio-economic rights through this law is possible.

In this way, the RTI law in South Africa is helping promote better engagement between public institutions and the communities, particularly on service delivery issues. Where public services are done through private contractors – such as for building schools and houses for the poor, or providing health and welfare services – the RTI law has helped government and the public ensure accountability and honest and efficient delivery of public services.

One case involves women in Entambanana in KwaZulu-Natal province. These women live in one of South Africa's most challenged provinces in terms of human development. The villagers in the district's hamlet of Emkhandlwini noticed that their neighbours in nearby villages were receiving water from municipal tankers from the Ntambanana Municipality, but they were not. Their source of water was a dirty stream that they shared with their livestock.

Luckily some members of the community were aware of their basic civil rights because they had had some training. However, they did not know how to seek solutions to the water issue without relying on an unresponsive local government representative who had until then failed to deal with the issue.

*“There have been some important cases of papers like the Mail & Guardian obtaining documents that would otherwise have been withheld...”*

With the assistance of the Open Democracy Advice Centre in 2004, the villagers used PAIA to ask for the minutes of the council meetings where the municipality had decided on their programmes for the provision of water. They also asked for the municipality's Integrated Development Plan (IDP) and its budget. It took a frustrating six months before the information was released to the requestors, but when the information was finally made available it showed that there were plans to provide water to Emkhandlwini but no-one had thought of sharing these plans with the community.

With these plans in hand the women started asking difficult questions of the authorities regarding the delivery of water. The villagers' usage of the RTI law and their struggle for water were also covered in the me-

dia which helped create sufficient pressure to prompt the municipality to do something about the issue.

Almost a year after the initial RTI request was sent to the municipality, new water tanks, which are replenished a couple of times a week, were installed in the village. Mobile water tankers delivered water to the community while the municipality worked on a more permanent solution of laying down pipes.

The case shows how socio-economic rights were advanced through usage of RTI and public pressure, and not through litigation. The point is that public pressure to influence resource allocation can only be effectively applied if there is transparency on the process of resource allocation.

In countries plagued by socio-economic imbalances that were inherited from the undemocratic systems of government, it is crucial that the products of democratic transition such as RTI laws should be used to address these problems.

An RTI law is more than a mechanism for safe-guarding the constitutional gains of nearly two decades of democratic transition. It is also a means of defending and enhancing of socio-economic justice for the poor because, after all, the right to know is the right to live.<sup>4</sup>

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1 See Calland R. & Tilley A., (eds) *The Right to Know, the Right to Live: Access to Information & socioeconomic justice*, The Open Democracy Advice Centre, Cape Town, October 2002.

# Winning freedom of information in Liberia



By Malcolm W. Joseph

*Malcolm W. Joseph is Executive Director, Center for Media Studies and Peace Building (CEMESP), and Chairman of the Liberia Freedom of Information Coalition.*

To be frank, Liberia's campaign for an access to information law got off to a false start.

It began as a campaign to expand the media space after the country's civil conflict. Journalists had suffered brutality: many had been threatened, some badly beaten to the extent of becoming bed-ridden, others imprisoned on espionage charges, still others treated like enemy combatants and several media houses burnt to the ground.

After the conflict, the Liberian media was humbled to receive a visit from a loose group of media organisations – the Partnership for Media and Conflict Prevention in West Africa. The delegation met with the media community, government officials and civil society activists. The partnership was consulting to see how it would help reform Liberia's draconian and moribund media laws to make them compliant with international standards.

In the process that followed, three bills emerged: the Broadcast Regulatory bill, the Public Service Broadcaster bill and then a Freedom of

Information (FOI) bill.

International support was mobilised through Osiwa, International Media Support, Article 19, UNDP, UNESCO, Media Rights Agenda, Media Foundation for West Africa, and the IFJ among others. All rallied to lend a hand.

A working group was put in place and it was agreed that CEMESP, the Center for Media Studies and Peace Building, would coordinate the activities. Ownership of the bills was to remain in the media community, as they were pushed through the Ministries of Information and Justice, national legislature and civil society.

Meetings were called and workshops and training sessions were held on how to lobby. The laws were drafted and redrafted. Then they were submitted to the national legislature – the House of Representatives and Senate – simultaneously, following a parade of a cross-section of the media, civil society, trade unions and students. Pushing through three bills at once, however, risked the failure to pass none. So efforts were marshalled for pushing through the FOI one.

***“Pushing through three bills at once, however, risked the failure to pass none.”***

Still there was a problem: the law being seen as principally media-owned. The campaign became stalled both in the legislature and outside. Support dwindled within civil society. As more and more journalists trooped to the capital to



witness sessions and attend public hearings on the bill, suspicion grew even more that passing the FOI would give the already 'reckless' media an even greater weapon to intrude into personal affairs. The bill became stuck indefinitely.

Forces retreated to re-plan and strategise. The media withdrew somewhat and a civil society presence was re-enforced. Government was brought on board to take greater ownership. FOI was incorporated in the national development plan, the Poverty Reduction Strategy.

Overall, the battle field was re-shaped. With guaranteed political will, and FOI made a part of government deliverables, the message was re-designed: FOI is essential for national development. It would help the government's anti-corruption drive and guarantee greater transparency. Its passage would break from Liberia's long-standing closed political system that bred corruption and inequalities and eventually ignited conflict.

In fact, an FOI law would challenge the media to report more professionally: any community member could get information distorted by the press and use it to point out the media's inadequacy.

International stakeholders including Osiwa and the Carter Center worked assiduously in supporting a national consortium of local civil society and the Ministry of Information and National Archives. This body then targeted chairpersons of the legislative committees on information and broadcasting, judiciary, the women's legislative caucus, leadership of both chambers and influential lawmakers. They stressed the shared interest in the passage of the law.

These interactions moved the plenary of the House of Representatives which ordered the committee on information and judiciary to look at the bill once again. This body

then called a public hearing to draw from experts and advise the House. After mopping up and a second hearing, the House passed the bill overwhelmingly on 22 July 2010.

*“The message was simple: the Senate could not afford to stand in the way of history, of Liberia becoming the first country in West Africa to pass a Freedom of Information law.”*

The ball then passed to the Senate. The message was simple: the Senate could not afford to stand in the way of history, of Liberia becoming the first country in West Africa to pass a Freedom of Information law. After careful deliberations and public hearings, the upper house concurred with the Representatives on 2 September 2010.

With both houses approving the bill, President Ellen Johnson Sirleaf signed it into law two weeks later, on 16 September 2010.

# Elections coverage: online news is spreading the message



By Jeremiah Sam

*Jeremiah Sam works with Penplusbytes as a Projects Director. He is a senior journalist and a lead researcher with the African Elections Project. He has facilitated a number of New Media training courses and is a Fellow at [www.audiencescapes.org/](http://www.audiencescapes.org/)*

Traditional radio, newspapers and television remain the dominant news delivery channels in elections coverage, but online news is catching up.

This is shown by the African Elections Project that has operated in 10 African elections to date, with the aim of using new media for more timely and relevant election information and knowledge.

Since 2008, the project has been run by the International Institute for ICT Journalism (Penplusbytes) and it has worked in Ghana, Mauritania, Malawi, Mozambique, Namibia, Botswana, Togo, Guinea, Niger and Cote d'Ivoire. There are five components to what happens in each country's election:

- training is given to senior editors, journalists and reporters,
- an election guide for the media is compiled,
- content is gathered with SMS and Twitter,
- a website portal is set up about the particular poll,

- media monitoring takes place, with an early warning system about problems.

The project recognises that online elections coverage can exploit the dissemination of mobile phones and it can enable mashups which integrate blogs, interactive maps and social media. The changing face of elections reporting in Africa includes citizen media as an additional component to news gathering.

Thanks to this, there are new opportunities for the mainstream media in news development, especially when professional journalists can't respond quickly or comprehensively to news as it happens.

The earliest of these tools is the Ushahidi mashup that was utilised in the Kenyan post-election crisis in 2009. It drew from emails and SMS messages to give realtime news, which was then fused onto a map to illustrate where violence was occurring.

Mobile phones have had an impact on how election reporting is being practised. The SMS broadcasting feature of the phones allows journalists to send messages to multiple mobile phones at the same time, thereby contributing to the dissemination of news snippets. This feature was used in Namibia to provide up-to-the-minute information through real-time, online upload and distribution of information. Cell phones were also used for verification of voter registration. In Ghana's 2008 presidential elections they were important in parallel vote tabulation. In the newsrooms, in the countries covered, journalists were provided with mobile phones that enabled

them to send regular elections updates, especially during voting day. Incoming messages were processed and used for news articles after they had been received at the newsroom through a content-gathering system. Messages were also posted on Twitter and follow-ups were undertaken to generate full-blown stories that were subsequently publicised via SMS alerts to subscribers.

Twitter was used in all ten countries

*“Thanks to this, there are new opportunities for the mainstream media in news development, especially when professional journalists can’t respond quickly or comprehensively to news as it happens.”*

as a news gathering and reporting tool. Journalists working with the African Elections Project used it in four distinct ways:

- Connecting stakeholders as part of the news gathering process: Reaching out and connecting with stakeholders such as politicians, political parties, elections observers, electoral management bodies, citizens and civil society.
- Distribution: Publishing SMSs from the citizens and the project’s journalists to a wider audience. This included using the Twitpic feature to publish pictures from the field. An example from the Togo poll can be found at <http://twitpic.com/photos/togoelections>.

The micro-blogging feature was also used to point to published media monitoring reports.

- Alerts: As a key feature in election monitoring, Twitter was used to inform voters, as well as the African diaspora, about information that needed to be sent out with some immediacy. Usually, the alerts announced new content as soon as it was published on the website. In the case of Ivory Coast, alerts were also used to report on incidents of violence against journalists who were targeted during the conflict.
- Content dissemination: Twitter was used for news production and for content dissemination of elections results from polling stations, as the results were released.

The project encountered a number of challenges in the ten countries. Journalists have low access to the internet and appropriate bandwidth, and they lack access to real-time information. It is a norm to see journalists using public cyber cafes to file stories, since some of the newsrooms do not have computers and a stable internet connection.

The low level of user content generation was another challenge for media outlets undertaking online news operations. However, the growth of cheap and widely available internet access could, in the near future, improve the access to and uptake of web-based news services and these could become as relevant as traditional print and electronic media.

Notwithstanding the current hurdles, ICTs still remain the main avenue for journalists to overcome government restrictions – as was witnessed in Ivory Coast when newspapers were shut down but their respective websites continued functioning.

Although online and social media

coverage is not yet as influential as radio, TV and print, it is assuming greater importance – not only for local audiences but for citizens living abroad.

# How digital TV could drive information access



By Guy Berger

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Africa is famous for the migrations of wildlife across the Serengeti; now the continent faces a migration off the ground.

In the next five years, African TV broadcasting will have to leave analogue signals behind in favour of digital distribution, and in so doing also shift from one part of the airwaves to another.

This "digital migration" trajectory is not to be confused with satellite TV, which already comes down from the skies in largely digital form. It is about land-based signals, and is known as "Digital Terrestrial TV" (DTT). Radio will remain analogue FM and MW for a long time yet. Here's what the migration to DTT is not:

- It is not an automatic change to High Definition television. Over the medium-term, digital transmission of signals will still mainly be in Standard Definition in most African countries
- Even High Definition transmissions will not necessarily show on your TV set. The point is that even if content is filmed

in HD, and transmitted in HD, it is only HD-enabled TV screens that can display this quality of video. Most African TV viewers are still many years away from getting such costly new TV sets.

- Despite much government rhetoric, DTT is not a magic method to overcome the digital divide and provide internet services, around this. Digital broadcasting could play a part in regard to a promised land of broadband for all, but in most cases it probably won't. More on this below.

So here's what the transition actually is:

- It's a more efficient way to transmit broadcast signals. Consider that a single radio-spectrum frequency used to be taken up completely by a sole analogue TV service. One signal, one channel. But digital, especially with DVB-T2 data compression, will be able carry up to 24 video channels (in Standard Definition) on just one "multiplexed" signal.
- The full migration is very expensive because it requires digitisation all along the value-chain: at the point of broadcast production (filming, editing, archives); the point of distribution (signal towers); and at the point of consumption (viewers will need to buy a "set top box" to convert the digital signal to show on their existing analogue TV sets).
- The spread of the process will take years to reach the point where analogue TV signals can be switched off on the

assumption that the bulk of viewers have bought the set top boxes so as to keep watching their screens.

Here's why it's happening. African countries have fallen in line with a decision by the International Telecommunications Union (ITU) although this was taken mainly in the interests of developed countries. The advantages in the developed world are that DTT frees-up airwaves that can be re-allocated to new broadcasters or others, and that there's a big market for the makers of new digital-ready TV sets. But, and in contrast, African countries have too few TV channels to fill even the available analogue broadcast space; nor are cellphone companies short of frequencies to offer 3G internet. And low incomes in Africa mean there's only a tiny market for new digital-ready TV sets.

*“Broadcasters could expand from programme delivery to ‘data’ delivery, for example sending out copies of Wikipedia on their digital signals.”*

Nevertheless, African governments have agreed to end analogue TV signals by the ITU's deadlines which are 2015 for half of African nations, and 2019 for the remainder. The migration is going ahead, albeit slowly.

The question is whether there are particular opportunities that might in some way compensate for the huge costs of the disruption. Don't expect a flood of new channels just because this becomes more technically possible.

But one benefit is, ironically, that

more Africans will be able to get hold of TV sets – analogue ones – to watch whatever content is put on the digital-stream, even if there's no extra offerings to what's been transmitted by analogue signal use. In this regard, I've heard a Ghanaian government official complain that the transition in Europe is resulting in cheap obsolete analogue TV sets flooding his country.

He sounded very offended by this development, but set top boxes are Africa's answer to his misperceived problem with the imports. The point is that the boxes will increasingly become widespread on the continent, converting digital signals back to analogue for viewing on the millions of existing analogue TV sets. So Africans currently without a set can make good use of hand-me-downs sets from elsewhere.

A second benefit that could emerge is that the set top boxes can in fact be more than dumb decoders – they could be turned into “smart” devices, with an operating system that runs software programmes, and with USB ports so that users can plug in a keyboard, hard-drive storage and even a 3G modem.

In this way, many African households could, in effect, get home computers for the first time – with the TV set serving as the monitor and a remote control working akin to a cellphone keyboard.

Broadcasters could expand from programme delivery to “data” delivery, for example sending out copies of Wikipedia on their digital signals. This could then be saved on the set top box to be called upon later as a readily-available knowledge resource for children to use when tackling their homework.

Policy and regulation requirements are key to making the most out of digital TV in terms of extending information availability and internet access. For this to happen:

- Governments have to set the standards and dates for transition, and use their powers to cover maximum possibilities around set top boxes. These concern box specifications (open or closed systems); waiving import levies or promoting domestic assembly of the boxes; and deciding whether there will be a consumer subsidy to speed up adoption.
- Regulators need to figure out how to use the digital airwaves – who will get the new digital TV licenses; how many outlets can be sustainable and viable (and through what business model and what kinds of content); and what to do with freed-up frequencies (eg. auctioning them off to cellphone operators and internet service providers).

By inter-connecting broadcast policy with broadband policy, the authorities in general could encourage a hybrid system to leapfrog Africa into the Information Society. A 3G modem in the set top box could provide uplinks to the Internet, with the download of bandwidth-hungry content (like video) delivered via spare capacity in the digital broadcast stream. So broadcasters and internet service providers could be legally required to work together more closely as DTT gets closer.

This is a pretty complex transition, and a lot of decisions are still fluid. Mauritius has made the most progress out of all African countries, but with lots of mistaken choices.

What this means that media coverage and media activism around the migration can make a huge difference to the kind of services that unfold over the next five years, and what information opportunities are availed to Africans within the DTT loop.



# Talking in African tongues



By Professor Abiodun Salawu

*Professor Abiodun Salawu is the Head, Department of Communication at the University of Fort Hare. A major area of his research has been the indigenous language media in Africa.*

Language has been defined by RA Hill as "the institution whereby humans communicate and interact with each other by means of habitually used oral-auditory arbitrary symbols". The media as vehicles of communication make use of language for the purpose of disseminating their messages. In essence, there is a symbiotic relationship between language, communication and media.

The mass media in Africa is predominated by foreign and colonial languages. In Anglophone Africa, the English language media are the mainstream media. In the Francophone world of Africa, French is the language. The Lusophone Africa has Portuguese as the language of dominance. Writing about the situation in Kenya, Ngugi wa Thiong'o noted: "English became more than a language: it was the language and all the other had to bow before it in deference." The extent of the predominance of European languages in African media may differ from one place to the other. In North Africa, Arabic is still very much in

use in their media, thus neutralising the predominance of European languages. In sub-Saharan Africa, Ethiopia presents a case where foreign languages do not have much space in the media. Among the 125 newspapers in Ethiopia, 108 are in Amharic, two in Oromo and one in Tigrean. The situation in Ethiopia is because the country was never a colony.

Colonialism brought many diverse ethnic groups together in Africa, fused them into one country, and, for purpose of administrative expediency, imposed the language of the colonial masters. More than anything, the colonial language serves as a connecting mode for the disparate peoples fused together by the colonialists. As a result, the colonial language has become the language of power, of governance, of commerce, of education, and of mainstream media.

By and large, the print media seem more culpable, as the electronic media (particularly radio) do better in the use of native languages. This is probably accounted for by virtue of radio being principally an oral/aural medium, and the point that its production is not too cumbersome. Being oral, the indigenous language

*"I am always enthralled when I see my isiXhosa-speaking friends posting and commenting on Facebook in their language."*

does not cost extra to broadcast in it. Also, it does not cost the listener, who may not be able to read the language. That explains why we have a good number of particularly radio programmes in local languages across the continent.

There are, however, some anomalies with community radio: its outlets are supposed to broadcast in the languages of the communities they serve. Unfortunately, some community radio broadcasts in foreign and colonial languages. Meanwhile, some community newspapers are community-oriented in content, but remain European in language.

Interestingly, however, African languages are finding their way into cyberspace. There is Google in a number of African languages including Swahili, Hausa, Yoruba, isiZulu, Igbo, isiXhosa and Sesotho.

Citizen journalism is also being done in some African languages. There are blogs in Swahili, and speakers of other African languages could derive some inspiration from this. I am always enthralled when I see my isiXhosa-speaking friends posting and commenting on Facebook in their language. This should be a challenge and a model for some of us to express ourselves in our languages.

It is heart-warming that certain African languages are present in some international media. For instance, there is Hausa service on the BBC. The quintessence of African media should be that it speaks African languages, represents and reacts to African reality, and is in line with African philosophies. For communication to be effective and participatory or interactive in Africa, the languages of Africa must be used. Authentic African communication is one that is done in African languages, and with African motifs. There is a need to direction our

attention to communication in African languages on any platform – the mass media, the Internet, and in the face-to-face private and public communication. The traditional folk media are also included in the ensemble.

*“In essence, there is a symbiotic relationship between language, communication and media.”*

There are some isolated success stories in the African language print media (Isolezwe and Alaroye, for example), but there is a role to play by the wider society, governments and regulatory bodies, and training institutions in ensuring the survival and vibrancy of this segment of our media.

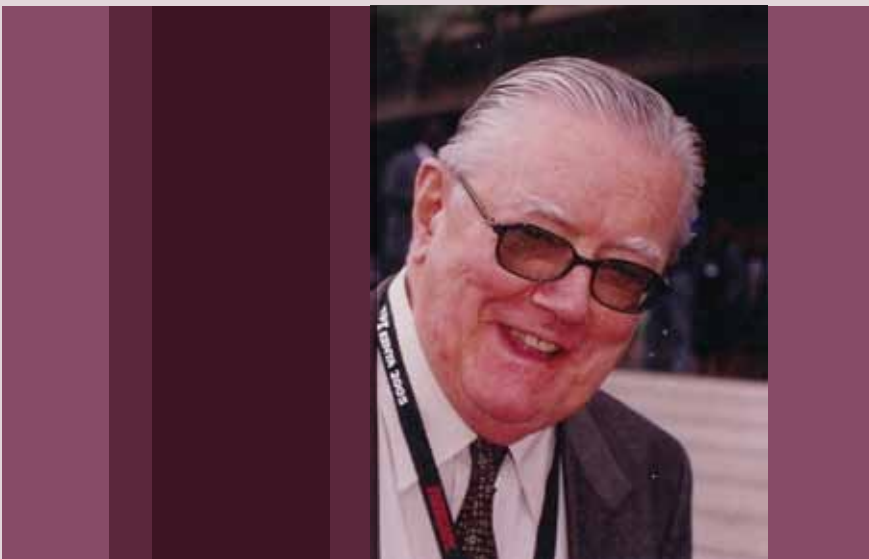
The onslaught of globalisation on very many languages of the world, including many national languages in Europe, is real. That is why Africa cannot fold its arms.

It is the case that some people highlight the ‘Babelian motif’ against local language media. This argument refers to the biblical Tower of Babel story which highlighted how social unity broke down with the collapse of the tower, leaving people unable to understand one another. The counter argument to this is that local/minority language media do enable democratic participation in democracy and development. This avoids a ‘mass society’ vision which is over-organised, over-centralised and fails to offer realistic opportunity for individual and majority expression.

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# When the result is darkness



By Raymond Louw

*Raymond Louw, former Editor of the Rand Daily Mail (1966-77) and until recently Editor and Publisher of the weekly current affairs newsletter Southern Africa Report, is Deputy Chairperson of the SA Chapter of the Media Institute of Southern Africa and a Fellow of the International Press Institute.*

In the 19th century, Africa was dubbed the "Dark Continent" because few outsiders had knowledge of the large expanse of sub-Saharan Africa beyond the shoreline. But even with Africa now comprehensively mapped, it remains "dark" – including to insiders – because of governments keeping a tight rein on information.

Today's view of the continent is characterised by Freedom House as rating only five of its 53 countries as "free" with a high degree of transparency, while the rest are "partly free" or "not free".

South Africa, often seen as one of Africa's democratic hopes, has become "partly free", having lost its "free" status last year after becoming adept at the use of questionable legal devices, wily political manoeuvres and even brute force to hide information.

The country has been pre-occupied since 2010 by the parliamentary machinations around a Protection of Information Bill which has shades of all three elements:

- bludgeons of legal restrictions and regulations that would enable a great deal of official information to be classified secret,
- the promise of encounters with brutality because of very stiff jail sentences, and
- political machinations being employed to get the law through parliament against wide-ranging public opposition.

If translated into law, journalists, researchers and the public generally will feel the effects. The bill fails to capture the constitutional principle that state information should be accessible, open and transparent unless its non-disclosure is reasonable and justifiable.

In the past two years, there has been additional proposed legislation which envisaged greater governmental controls, chilling the work of journalists and information being withheld from the South African public. These have included the Protection from Harassment Bill, the Protection of Personal Information Bill, the Public Service Broadcasting Bill and a new Bill amending the regulator (the Independent Communications Authority of SA).

Then there are laws already enacted: the Films and Publications Act, the Prevention of Discrimination and Promotion of Equality Act, the National Key Points Act, the Regulation of the Interception of Information Act (Rica) and the 2004 Anti-Terrorism law. These already permit the authorities to restrict information about the police, the National Defence Force, prisons and mental institutions and they can compel journalists to reveal sources of information. All of these inhibit

the flow of information and serve to promote secrecy.

The resort by both governmental and non-state actors to court interdicts to prevent publication – mainly of corruption scandals – has increased in recent years. The identification of people in divorce actions has also been stopped because it would identify their children.

*“Journalists say a climate of secrecy has enveloped South Africa, and that conditions are far removed from the heady days after democracy in 1994...”*

Parliamentary committees sometimes hold secret hearings while the police have, fortunately infrequently, improperly excluded the media from certain court cases. President Jacob Zuma has launched more than a dozen defamation actions against the media for damages of R75-million – later reduced to R15-million – which, some say, was done to intimidate the media into self-censorship.

Journalists say a climate of secrecy has enveloped South Africa, and that conditions are far removed from the heady days after democracy in 1994 when government officials were eager to answer questions and supply information. Now reporters have difficulty in getting information from most government departments, including the police. This approach has extended to journalists and photographers being arrested at crime scenes, the removal of images from cameras and sometimes even a night spent in detention in a police cell. Other restrictive

practices include a ban on prosecutors giving information to the media, threats of the withdrawal of official advertising from critical papers and political interference at the SABC which has included the banning of certain voices and programmes.

Waiting in the wings is a plan by the ruling African National Congress to set up a statutory Media Appeals Tribunal, and where powers to fine, or imprison, journalists and impose heavy fines on newspapers have been hinted at. This would result in the collapse of the voluntary self-regulatory Press Council and ombudsman system whose penalties extend to publication of corrections and apologies.

*“Today’s view of the continent is characterised by Freedom House as rating only five of its 53 countries as ‘free’ with a high degree of transparency, while the rest are ‘partly free’ or ‘not free.’”*

Other countries in Africa have augmented and frequently brutalised these kinds of silencing practices with jail sentences for publishing “false news”, invoking “insult laws”, detentions and arrests, assaults and assassinations of journalists, banning of newspapers and radio stations, censorship at state-owned media, brutal attacks on media offices by the authorities resulting in the smashing of equipment and campaigns of vilification against journalists and publications.

The outcome in many instances is

publishers and journalists being intimidated, with the public being left in darkness.

# *A new generation of media in Africa*



By Vivien Marles

*Vivien Marles was appointed Managing Director of InterMedia, Africa in 2011, with her office in Nairobi. InterMedia is a specialist media and communication research and consultancy firm, based in Washington. She previously spent almost five years with Synovate Pan-Africa (formerly The Steadman Group) as Research and Strategy and Training Director.*

Over the past two decades, broadcasters in Africa and around the world have faced the challenge of evolving into full multimedia organisations. They have had to migrate from shortwave radio to local medium-wave and FM frequencies and rebroadcast partnerships, and to television and the internet in order to continue to reach their target audiences.

While each of these platform shifts have necessarily involved adjusting content and production to the expectations, standards and behaviour of new and existing audiences, the rules of engagement for radio and television were largely similar. These rules were: provide relevant content in appealing formats and at accessible timeslots to gain receptive listeners and viewers.

The digital world is very different terrain. Across Africa, access to digital media – mobile telephony and the Internet – is changing the relationship between media owners and media consumers.

The balance of power is shifting

from media organisations to individuals, and from professional content producers and journalists to selective audiences and to citizen content creators. More than half of all Africans now have access to mobile phones and it is projected that penetration will reach 100% by 2014.

Today's media buzz words include that of Zeitgeist – which shows real audience interests in terms of trending news, topics and articles. One example applied by the UK Guardian is designed as a way for new audiences to plug into what existing consumers are engaging with.

There's also 'proliferation', 'audience fragmentation', 'convergence', 'citizen empowerment', and 'i-media'. These are not yet a reality for many millions of Africans, in part reflecting how the pace of media growth and liberalisation varies tremendously from country to country.

***“Across Africa, access to digital media - mobile telephony and the Internet - is changing the relationship between media owners and media consumers.”***

Kenya, Tanzania and Uganda have liberalised their airwaves considerably in the past decade. In Kenya, the number of radio stations has grown from four to 120 in just over a decade, and Uganda has seen an explosion of media outlets – over



200 radio stations, 23 TV channels, five daily newspapers, 33 weekly newspapers and 42 magazines. Contrast that with the neighbouring countries of Rwanda and Burundi where government control remains strong, state media outlets dominate the media scene and private media are discouraged.

In West Africa, the media scenes in Nigeria and Ghana are vibrant. Nigeria now boasts 140 television channels, but the Sahel countries to the north are still living in very media dark times with extremely low levels of access to media and technology.

This enormous disparity of access and diversity of choice is reflected in Africa's media consumption patterns. Generally, however, traditional media (radio, TV and print) still dominate the media landscape. Radio remains the universal medium and the medium of choice for most people, television is still a more urban and more up-market medium, while newspapers in their many forms (national, local, daily, weekly, one page leaflet types) are still read by the more educated people who tend to live in urban areas.

Television continues to grow in popularity largely due to infrastructure developments and the relatively recent investment in local programming and local movies, which can attract very large audiences. Nollywood is possibly the third largest film producer in the world and perhaps the world's largest video producer. Its films attract wide audiences throughout the continent.

Technology will inevitably drive media use and access in the future. People will consume and create media content on multiple platforms and in many forms and formats. It is highly likely that mobile telephony will become the dominant media platform across Africa enabling people to 'leap frog'

and close the digital divide. Already there is survey-based evidence that people are listening to the radio, watching television, accessing the Internet and interacting with social media sites through their mobile phones.

*“Broadband will change our world as citizens increasingly become content creators and start to act like media – which will inevitably blur the existing distinction between information producers and consumers.”*

Looking into the future, two technological developments will change media across the continent. Broadband will change our world as citizens increasingly become content creators and start to act like media – which will inevitably blur the existing distinction between information producers and consumers. Media production is likely to become more democratic as costs continue to reduce.

Everyone will become a media node, and there will be co-ownership of content and media brands. Access to the Internet will make it easier to find and form communities. The process of creating and sharing information will lead to a greater sense of engagement that will lead to less dependence on media organisations who will need to find their way into online networks and communities.

Social networking has brought sub-surface activities in people's lives to

the surface. We will be able increasingly to watch what people are saying and doing as never before. Already, people outside the media are building their own audiences. A major shift in trust is underway from big institutions to each individual's own network, and information consumption is increasingly in the form of interactive conversation. Media organisations will need to become active participants in people's personal networks.

Media content providers will need to get ever closer to their users and understand how to engage and involve with them. Many advertisers are ahead of media owners in their understanding of how best to do this. The traditional media measurement metrics of reach and share will no longer be relevant in a world where dialogue, engagement and the involvement of users will be of paramount importance.

# Time to get beyond stale stereotypes



By Suzanne Franks

*Suzanne Franks was formerly a journalist with BBC Television on programmes such as Panorama and Newsnight. In 2008 she moved to work at the University of Kent. She has written several books and many articles. Her research interest is on the coverage of foreign news and the relationship between media and humanitarian aid.*

If the international media reported American news the same way as they do Africa's, this is what we would know about the USA in the opening years of the 21st century:

- In 2000 there were dodgy elections which were contested and in which the presidency was eventually seized by a candidate who had gained fewer votes than his rival.
- A year later the centre of a major American city was reduced to rubble by a massive terrorist attack.
- Then in 2005 another important city was flooded, with its homes destroyed and a thousand dead, and in the aftermath the dominant tribe left the minority tribe to rot.
- More recently a candidate from the minority tribe finally got to become president – but many members of the majority tribe continue to be angry about this and vociferously doubt his authenticity as a US-born citizen.

If this was all we knew, then surely the USA would qualify as the 'dark continent'? But of course this is not all we see and hear because the news that is reported from there is far more nuanced and comprehensive. Yet Africa in 2011 is still covered by a series of stale stereotypes. Some years ago Binyavanga Wainaina wrote a brilliant satire in *Granta* about the stream of clichés inspired by writing on Africa. "In your text, treat Africa as if it were one country. It is hot and dusty with rolling grasslands and huge herds of animals and tall, thin people who are starving. Or it is hot and steamy with very short people who eat primates. Don't get bogged down with precise descriptions." Alas, the caricature continues to ring true.

So, for example, when sporadic fighting broke out in Kenya over the disputed election results in 2007/8, many in the press dusted off their tired old "tribes fighting each other" line to report what was mainly a politically-based conflict. The word 'tribe', evocative of those spear-carrying 'natives' from the old Tarzan movies, has become racially loaded shorthand. It says, basically: they're savages, they're irrational and they'll fight over anything. So there is little need to explain the details, or the often complex history, of a particular issue.

***"The word 'tribe', evocative of those spear-carrying 'natives' from the old Tarzan movies, has become racially loaded shorthand."***

This was how stories such as the Rwandan tragedy were reported on and understood in the foreign media. Compare the coverage of similar conflicts in Europe, such as in Northern Ireland or the Balkans, which could equally be described as tribal warfare but never are. Europeans don't walk around carrying shields and wearing grass skirts – but neither do Kenyans.

*“We know so much more about New Orleans than the location of a hurricane, whereas the word ‘Ethiopia’ is still irrevocably associated with little other than famine.”*

Gareth Myers and Melissa Wall have produced some interesting work about reporting on the Bosnian slaughter compared with the Rwandan genocide. The former was an understandable religious and political war in comparison with the ancient tribal barbarians fighting each other in Africa.

The issue is not only the nature of the coverage, but what it leaves out. Foreign reporting has to be more than just about disasters or wars. We hear of white people – be they in Australia, South Africa, Europe or, of course, the USA – not only when they are witnesses of horror but also when they have riding accidents, when the sprinklers on their golf courses run dry or when they have embarrassing reality TV encounters. All of these stories bring us closer to the citizens of those countries. We see them in their full humanity; as more than just victims of atrocities

or natural disasters.

Even when they are suffering the picture is more complete. Think back to the coverage of flooding in Australia in 2011: these were real people with identities and stories, very different from natural disaster victims in the developing world. As Wainaina points out, Africans are portrayed as a series of cardboard figures. Richard Dowden calls it the “New Orleans syndrome”. We know so much more about New Orleans than the location of a hurricane, whereas the word ‘Ethiopia’ is still irrevocably associated with little other than famine.

There is of course the strain of ‘good news’ in reaction to Afro-pessimism. Yet the prospect of endless upbeat news about successful African businesses or the like would also do journalism no favours. Replacing the starving child with the mobile phone billionaire is not the whole story. George Orwell demonstrated that bad news does not exist in authoritarian states – but what democracies need is accurate and nuanced coverage which tells the good, the bad and the ugly news about Africa, portraying its citizens as fully rounded individuals and explaining its politics properly. Is that asking too much?

*“George Orwell demonstrated that bad news does not exist in authoritarian states...”*

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# Covering Africa for African audiences ...via non-African news flows



By Professor Umaru A. Pate

*Umaru A. Pate is a Professor of Media and Society and the Chair, Department of Mass Communication, University of Maiduguri, Borno State in North East, Nigeria.*

The global debate in the '70s and '80s about a New World Information and Communication Order (Nwico) can be declared dead, but it needs to be revived. The Nwico debate was principally provoked by reporting on Africa, and other developing countries, with regard to the quantity and quality of coverage by international news media. Critical concerns were raised by the developing countries about negative and insufficient media coverage, and the resulting poor images on the international scene, as well as the bombardment of a one-way flow of information from the Western world. There was minimal opportunity for the continent to constructively cover its own stories and define unique personalities. Back then, developing countries were encouraged to strengthen media relationships among themselves. The idea was that instead of relying on Western media and news agencies, they could be

the major sources of news about themselves. The local media were encouraged to accord increased positive attention to issues of fellow emerging nations.

But a study in 1992 of the reporting of international news in the Nigerian press over a period of 10 years found that despite the huge influence of the country's Afrocentric foreign policy, the local press still concentrated their foreign news coverage on the issues of conflicts and politics and the direction was dominantly negative. Although the general focus was overwhelmingly African, it was also mostly on countries which shared historical and linguistic ties with Nigeria. Francophone neighbouring countries received very little coverage despite their physical and psychological proximity.

***“Francophone neighbouring countries received very little coverage despite their physical and psychological proximity.”***

The Nigerian media relied heavily on the big news agencies for news on the neighbouring countries as they could not afford to despatch correspondents there. More importantly they could not transcend the variation between French and English languages and the linkages between the

individual countries and former colonial powers (Pate, 1992).

The pattern has not changed substantially in 2011; reportage of international news has still not shifted from the traditional areas of conflicts, politics and an emphasis on the negative and dramatic (Musa, 2011). This is despite the expansion and increased sophistication in the Nigerian media industry, and it is mainly due to the continued dependence on the same sources of international news plus incorporation in the global media market.

Thus even though the press in Nigeria may wish to report in line with Nwico, reliance on the international news carriers means reportage depends on the definition and selection of these big agencies. This situation is compounded by globalisation, characterised by market liberalisation, the dominance of the ICTs by the West, and glaring technical and financial weaknesses of the media in Africa – thus perpetuating the hegemonic control of the West (Pate, 2007).

*“...reportage of international news has still not shifted from the traditional areas of conflicts, politics and an emphasis on the negative and dramatic.”*

It is evident that the earlier hope invested in the Nigerian media and indeed those of other developing nations is increasingly waning, despite the continued

relevance of the structural challenges that led to the call for the new communication order. One outcome is that even local news in the Nigerian press does not substantially differ from that on the foreign pages: conflicts, issues of politics and an emphasis on the negative and sensational receive substantial attention (Oso, 2011).

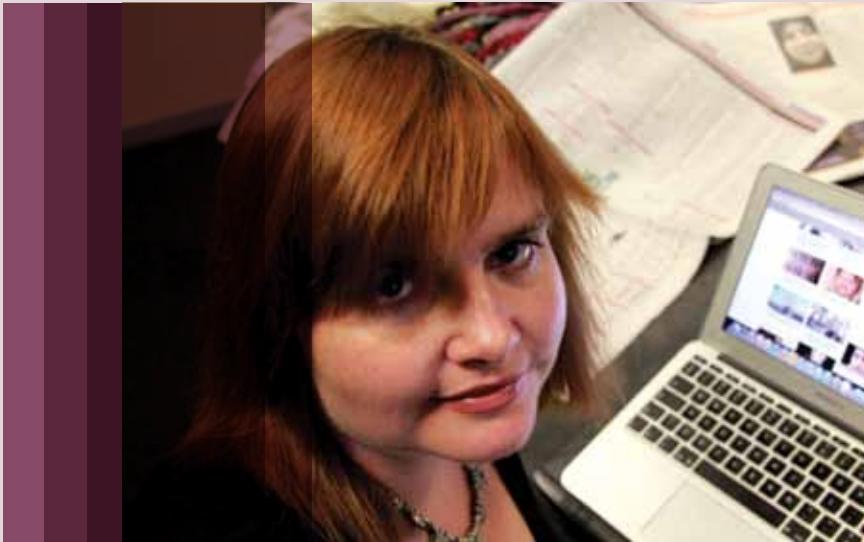
There should be a re-conceptualisation of Nwico in view of the ongoing intensification of globalisation. Media professionals such as in Nigeria need some re-orientation to reclaim the spirit of the call for the new order. At the foundation, they need to be encouraged to treat information and communication as a social good and an entitlement for every citizen and nation, based on what is good and clearly reflected in the content of the press.

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# Free African Media: from concept to reality



By Theresa Mallinson

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FreeAfricanMedia.com is a website launched in February 2011. Dreamt up by Daily Maverick editor Branko Brkic, the thinking and design behind the website draws heavily on the philosophy and experience gained by his team over the years. Our aim is simple: to provide a space where every media person from the 55 countries in Africa (including South Sudan) can have access to thinkers and reporters from the rest of the continent. Free African Media is a platform for the exchange of ideas and a place to plan new efforts. A place where journalists can feel at home; a place they want to come back to every day; a place where none of us feels alone.

In South Africa, we've taken media freedom and freedom of expression for granted during the last 15 years. That is, until the proposed Protection of Information bill and the proposed Media Appeals Tribunal reared their repressive heads. Now we're fighting these developments with everything we've got.

But the struggle for media freedom

and access to information isn't South Africa's alone. In the past, our country's media has had a parochial attitude, neglecting to cover the struggles the media face on the rest of the continent. Now, we no longer have the luxury of ignorance. Now, it is time to wake up, take notice of what's happening around us, and learn from our neighbours' experiences. The creation of Free African Media is the Daily Maverick's response to this challenge.

Since Free African Media's inception, we've published more than 100 articles and columns, focusing on more than 20 countries, written by more than 40 journalists; and had more than 20,000 visitors to the website. (And, by the time you read this, those numbers will be even more impressive.) Our articles have focused on media law and regulation in South Africa, Nigeria and Botswana; the online media space in Ghana and Zimbabwe; analysis of the media's role in revolutions and protests in Egypt and Swaziland; journalists in danger in Libya and Ethiopia, and many more besides.

To expose the work of our committed journalists to an even wider audience, Free African Media also publishes the majority of our written content under a Creative Commons Licence. This means that anyone from anywhere in Africa, or indeed, anywhere in the whole world, can republish our articles – online, in print, or even by reading them out on radio.

Just as Free African Media seeks to understand the challenges facing media in Africa, and attempt to come up with creative solutions, so too must we acknowledge

the obstacles our own project faces. The fundamental problem in facilitating a pan-African discussion is translation. At the moment, Free African Media is available in English only. Our first aim is to consolidate and improve our English coverage, but translation, initially in French, is a concrete medium-term goal. Financing is also a concern. For its first few months of existence, Free African Media has relied on technical and editorial support from the Daily Maverick, with our freelance contributors writing out of their generosity of spirit and devotion to furthering the cause of media freedom in Africa. We realise that this is not a sustainable model and are currently finalising funding that should be official by the time this book is published. It's early days yet, but we believe we're on the right track. Most heartening have been the cases where African journalists have been able to publish their reporting, analysis, and opinion on Free African Media after having been rejected by mainstream and even so-called independent publications in their own countries. This alone justifies our existence, and proves the need for a project like Free African Media to assume a central role in the continent-wide effort to defend and improve free media organisations. Free African Media provides a platform for advocacy around issues of media freedom on the continent. But our website serves another role as well – the stories we publish are an example of what free, independent, quality media in Africa can look like. We look forward to publishing many more of them as Free African Media continues to develop.

## *Climate change: a social justice informational challenge for the media in Africa*



*By Alan Finlay*

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It is widely anticipated that climate change will magnify socio-economic challenges in developing countries. Changes in weather patterns already being felt in Africa will increase food and water scarcity, cause migrations to urban areas, spread diseases, and mitigate against poverty relief efforts generally.

The most vulnerable will be the most effected. And those who are likely to have the least access to diverse media sources – whether TV, radio or the internet – are likely to need the media the most. The most disconnected will need the kinds of information a wired world provides. In many ways reporting on climate change is likely to face similar challenges to HIV/AIDS coverage, given its scientific and technical content, policy implications, and impact on people on the ground. And, as we have seen, climate change denialism – like HIV/AIDS denialism – is also a pervasive feature, detracting from real

scientific debate of cause and outcome. Issues of blame and responsibility – easily attributed to a North/South divide – are similarly part of the political mix.

This would suggest that we can, to some extent, predict the necessary interventions in the newsroom to secure capable and informed climate change reporting. A default to sensationalism and political conflict, a foreshortening of public debate, ethical challenges in reporting, so-called green journalism and poor knowledge of the basic medical facts of HIV/AIDs, have all been key aspects of coverage of the pandemic.

Reports on how well Africa's media are dealing with the climate change phenomenon are mixed. On the one hand there appear to be several proactive initiatives, including a pledge to increase coverage and voice in 2009 by hundreds of broadcasters in Paris – called the Paris Declaration on Broadcast Media and Climate Change. Yet at a climate change summit held in South Africa in the same year the low turn-out of journalists at the event was noted. Reporting on climate change needs to be vital in several respects. As the Climate Change Media Partnership states in a recent policy brief: "Journalists can warn of extreme climatic events, explain complex policies, highlight coping strategies that work on the ground, act as watchdogs that protect the public interest, and promote the necessary actions from consumers, businesses and governments to build green economies." (Shanahan, 2011. p1)

To do at least half of this effectively, partnerships between media, the state and private enterprises (e.g. mobile service providers) will be necessary; and leadership needs to emerge in the information sector to forge these new partnerships. Collaborations between the three-

tiers of broadcasting envisaged by the African Charter on Broadcasting – public, private, community – will be necessary. Ideally, funds should be released for training journalists, particularly but not only at the local level.

Media and internet activists such as the Association for Progressive Communications, the World Association of Community Radio Broadcasters (AMARC) and Panos London have emphasised that a holistic view of communications is necessary when working at the grassroots. Accordingly, channels of communication that include theatre, video, song, photographs, dance, body language, "even the postal service" are all principal parts of the communications environment (Kalas & Finlay, 2009).

In this context, climate change needs to be framed positively, and be recognised as an opportunity to put issues such as gender rights back on the global agenda. And because the most vulnerable communities are most often excluded from the policy-making process, communications and climate change is a social justice issue.

Different media can respond to these and other needs in different ways – whether broadcast, internet or print; whether servicing urban or rural markets; whether mainstream or community. Coverage is also not a case of one-size fits all: what is of primary concern to those in developed countries is not necessarily of key concern in countries in Africa. Reporting needs to unpack the particular consequences for particular contexts.

The United Nations Climate Change Conference (COP 17) is to be hosted by South Africa in late 2011 – placing the spotlight on regional climate change challenges, and the media's ability to write about these challenges in an

informed way. COP 17 presents an opportunity to improve regional coverage of climate change. Equally important will be what happens after the summit. Using COP 17 as a springboard, how can we make good coverage sustainable?

Neither the Windhoek Declaration nor the African Charter on Broadcasting deal with environmental issues – which are now much more central to public discourse, the link between a sustainable environment and the well-being and rights of the poorest more explicit. However, as the important rights of journalists and a free media sector are enshrined in the declaration and charter, the rights of the people are implied.

Climate change is likely to provoke salient questions of media responsibility in responding to the rights of the most vulnerable in developing contexts. How media owners, editors and journalists chose to respond to this will surely test their commitment to the spirit of the Windhoek Declaration.

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# Journalism to give Africans health information: here's how



By Harry Dugmore

*Harry Dugmore is currently associate Professor and Director of the Discovery Centre for Health Journalism at Rhodes University's School of Journalism and Media Studies (JMS). In 2009 and 2010, he was the MTN Chair of Media and Mobile Communication at the JMS.*

Health is one of those areas of life where individuals can take a lot of responsibility for their own choices, but it is also one where social circumstances powerfully shape these choices.

A stark example, all around the world, is that average national waistline of populations is expanding. Many people are getting fatter. This is not only about individual choice, but also about the rise of environments where multinational food corporations increasingly shape our food choices.

From Japan to Brazil to Kenya, indigenous eating patterns that have been refined over generations are fast shifting towards fast-food and fad-foods. Combined with satellite TV, a surge in mobile phone social media use, and urbanisation more generally, these factors are producing profound shifts in both consumption and the creation of more sedentary lifestyles.

Good health journalism needs to empower people by acknowledging these contexts. Millions of people are either unaware of just how dangerous weight gain is to their

long-term life-expectancy and overall current health. Or they are made to feel inadequate and guilty about their lack of willpower, although the reality is much complicated than that. Journalists working on these areas need great skill to bring social, scientific and individual dimensions into their stories.

In many countries in Africa, the big health stories have long been diseases of poverty, malaria and AIDS. All too often journalism covering these issues, especially in terms of the transmission of HIV, places a great emphasis individual agency. While this is important – people do of course have choices – too many stories overtly or unconsciously blame those who become HIV positive and, more generally, disempower people from making better sexual health choices. Conservative moralities play out in media all too often when people are crying out for straight talk and information they can use.

***“Journalists working on these areas need great skill to bring social, scientific and individual dimensions into their stories.”***

In coverage of HIV, while there has been a shift from the overt moralising that appeared in the 1980s, more recent coverage has (as a very broad generalisation), still not provided enough understanding of the forces that help propel HIV



and AIDS in any given society – such as unequal power relationships between men and women.

Bringing these issues to the surface is challenging: newsrooms are themselves rarely bastions of gender equality. But progress is being made in all these areas and, partly as a result of intensive interventions and media training, HIV reporting has made great quality strides in recent years.

Health journalists in Africa also need to navigate difficult ethical and professional issues, particularly in terms of the rise of the 'evidence-based medicine' movement.

How should journalists engage with this global movement, that is based on assumptions that 'good science' can be trusted to provide the best evidence of how diseases work, and what treatments are effective? The idea that medical science is unbiased is long discredited, but sifting through the hundreds of thousands of journal articles produced each year, and working out what the 'best' new evidence is, takes patience and training and tenacity.

These insights have to be juggled with indigenous knowledge, and often with audiences' reliance on health practitioners who don't operate in evidence-based paradigms, such as homeopaths (more Germans go to homeopaths than to GPs for routine health problems, just as in many Africa countries, traditional healers are often front-line choices for ailments).

Journalists don't want to be insensitive to cultural contexts, but all the evidence indicates, for example, that homeopathic and other non-scientific medicine has no impact on AIDS and most serious ailments. Not being straight about this truth is irresponsible. Too many people get ill and die because they rely on treatments that are unscientific, whether these are hawked by big

multinationals, or local 'healers'.

These challenges are core to the educational task that faces African media and African journalism schools.

Health journalists are not only about being translators of complex science, and educators about health. They are also in the business of explaining public policy and health systems.

*“Health journalists in Africa also need to navigate difficult ethical and professional issues, particularly in terms of the rise of the ‘evidence-based medicine’ movement.”*

Getting all this right is very difficult. Initiatives such as specialised training courses offered by media and health promotion NGOs have made some impact. And the new honours degree in Health Journalism at South Africa's Rhodes University is part of the greater specialisation that health journalism in many African countries needs a lot more of.



# How African media, and journalism schools, can deal with cultural diversity



By Dr Fackson Banda

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According to the UNESCO World Report on Investing in Cultural Diversity and Intercultural Dialogue, intercultural dialogue is largely dependent on intercultural competencies, defined as the complex of abilities needed to interact appropriately with those who are different from oneself. In terms of promoting intercultural dialogue in Africa, an important element to consider is reflected in the UNESCO World Report when it argues that:

"Dialogue should be seen not as involving a loss of self but as dependent upon knowing oneself and being able to shift between different frames of reference. It requires the empowerment of all participants through capacity building and projects *that permit interaction without a loss of personal or collective identity.* (My emphasis).

Clearly, intercultural dialogue seems to revolve around communication and capacity-building. Put differently: in order to promote intercultural dialogue, there is need to build the communicative capacity of media actors. Here, journalism educa-

tion plays an important role.

Journalists, and journalism educators, can do a lot to promote cultural diversity and at the same time enabling citizens to see the commonalities that bind human beings together, regardless of their geographical, racial, sexual, and other differences.

Underpinning this challenge is the question of how the African media represent peoples and cultures. In this regard, these outlets become a social institution through which a society learns about itself and builds a sense of community.

In this way, Africa's media contributes to the way in which "we" and the "other" see the world. The term "other" connotes a way of defining one's own identity through the stigmatisation of "an-other". Therefore, "we" and the "other" often becomes a dichotomy in societies where intolerance breeds, and where power relations are polarised between those who identify themselves as "us" and the "other".

***"It requires the empowerment of all participants through capacity building and projects that permit interaction without a loss of personal or collective identity."***

The role of the media should become one of building bridges between the "we" and the "other", but not in a way that obliterates or frowns upon difference. Indeed, it is a reasonable

requirement that the African media, in order to fulfill its democratic potential, should reflect the diversity of society. Social diversity has many facets: gender, age, race, ethnicity, caste, language, religious belief, physical ability, sexual orientation, income and social class, and so on. What is needed, then, is a pluralist media system that contributes

*“It is about promoting access to information that can help with encouraging and supporting efforts at cultural diversity and intercultural dialogue.”*

towards cultural diversity. Such a media system requires freedom of expression, editorial independence, the safety of journalists and self-regulation as important elements in fostering diversity and managing plurality.

A key element in all this involves emphasising journalism education, and relevant here is UNESCO's “Potential Centres of Excellence and Reference in Journalism Education in Africa” initiative.

Africa represents a priority focus for UNESCO, particularly building on the acclaimed UNESCO Model Curricula for Journalism Education publication. Linked to this is our support for improving the quality of African journalism education, in terms of which potential centres of excellence and reference should fulfill a number of criteria that were consultatively developed.

To achieve excellence in these criteria can be onerous for poorly resourced institutions. The long-term objective of the initiative

is thus to contribute towards sustainable journalism schools, able to respond to the changing social, political, economic and technological context in which they operate. UNESCO's role is one of facilitating institutional growth and development, including mobilising international partnerships for the institutions concerned.

This support can promote intercultural dialogue by:

1. Capacitating journalism trainers and educators to become more publicly engaged in their societies, assuming the role of ‘public intellectuals’ who can help solve some of the problems that militate against peace and justice. This is the civic role of media trainers and educators.
2. Elevating the demand-side of journalism education by encouraging a focus on user-generated content (UGC). This focus should embrace media and information literacy as an ability to critically interrogate how media – and other forms of information production – can be more effectively and meaningfully appropriated in the daily lives of citizens. In other words, UNESCO recognises the power that citizens have – or should have – over media and other information brokers in society, particularly news media. It is important for citizens to critically evaluate their information sources in order to promote transparency and accountability on the part of media and other information brokers.

Entrenching a spirit of intercultural collaboration and learning through networks of journalism educators, and in terms of which UNESCO has facilitated strategic and multiple international partnerships. These respond to the felt-needs of the

centres, helping to forge bilateral educational cooperation between the centres and between them and other training and education institutions. As a result, several journalism training institutions have established twinning arrangements on a North-South as well as South-South basis. It is about promoting access to information that can help with encouraging and supporting efforts at cultural diversity and intercultural dialogue.

In these ways, the fruits of Windhoek 1991 can continue to be distributed to the citizens and peoples of Africa. The continent deserves nothing less.

# Windhoek Declaration

## *Declarations on Promoting Independent and Pluralistic Media - 3 May 1991*

*Endorsed by the General Conference at its twenty-sixth session - 1991*

We the participants in the United Nations/ United Nations Educational, Scientific and Cultural Organization Seminar on Promoting an Independent and Pluralistic African Press, held in Windhoek, Namibia, from 29 April to 3 May 1991,

Recalling the Universal Declaration of Human Rights,

Recalling General Assembly resolution 59(I) of 14 December 1946 stating that freedom of information is a fundamental human right, and General Assembly resolution 45/76 A of 11 December 1990 on information in the service of humanity,

Recalling resolution 25C/104 of the General Conference of UNESCO of 1989 in which the main focus is the promotion of "the free flow of ideas by word and image at international as well as national levels",

Noting with appreciation the statements made by the United Nations Under-Secretary-General for Public Information and the Assistant Director-General for Communication, Information and Informatics of UNESCO at the opening of the Seminar,

Expressing our sincere appreciation to the United Nations and UNESCO for organizing the Seminar,

Expressing also our sincere appreciation to all the intergovernmental, governmental and nongovernmental bodies and organizations, in particular the United Nations Development Programme (UNDP), which contributed to the United Nations/UNESCO effort to organize the Seminar,

Expressing our gratitude to the Government and people of the Republic of Namibia for their kind hospitality which facilitated the success of the Seminar,

Declare that:

1. Consistent with article 19 of the Universal Declaration of Human Rights, the establishment, maintenance and fostering of an independent, pluralistic and free press is essential to the development and maintenance of democracy in a nation, and for economic development.
2. By an independent press, we mean a press independent from governmental, political or economic control or from control of materials and infrastructure essential for the production and dissemination of newspapers, magazines and periodicals.
3. By a pluralistic press, we mean the end of monopolies of any kind and the existence of the greatest possible number of newspapers, magazines and periodicals reflecting the widest possible range of opinion within the community.
4. The welcome changes that an increasing number of African States are now undergoing towards multiparty democracies provide the climate in which an independent and pluralistic press can emerge.
5. The worldwide trend towards democracy and freedom of information and expression is a fundamental contribution to the fulfilment of human aspirations.
6. In Africa today, despite the positive developments in some countries, in many countries journalists, editors and publishers are victims of repression—they are murdered, arrested, detained and censored, and are restricted by economic and political

# DECLARATION

pressures such as restrictions on newsprint, licensing systems which restrict the opportunity to publish, visa restrictions which prevent the free movement of journalists, restrictions on the exchange of news and information, and limitations on the circulation of newspapers within countries and across national borders. In some countries, one-party States control the totality of information.

7. Today, at least 17 journalists, editors or publishers are in African prisons, and 48 African journalists were killed in the exercise of their profession between 1969 and 1990.
8. The General Assembly of the United Nations should include in the agenda of its next session an item on the declaration of censorship as a grave violation of human rights falling within the purview of the Commission on Human Rights.
9. African States should be encouraged to provide constitutional guarantees of freedom of the press and freedom of association.
10. To encourage and consolidate the positive changes taking place in Africa, and to counter the negative ones, the international community—specifically, international organizations (governmental as well as nongovernmental), development agencies and professional associations—should as a matter of priority direct funding support towards the development and establishment of nongovernmental newspapers, magazines and periodicals that reflect the society as a whole and the different points of view within the communities they serve.
11. All funding should aim to encourage pluralism as well as independence. As a consequence, the public media should be funded only where authorities guarantee a constitutional and effective freedom of information and expression and the independence of the press.
12. To assist in the preservation of the freedoms enumerated above, the establishment of truly independent, representative associations, syndicates or trade unions of journalists, and associations of editors and publishers, is a matter of priority in all the countries of Africa where such bodies do not now exist.
13. The national media and labour relations laws of African countries should be drafted in such a way as to ensure that such representative associations can exist and fulfil their important tasks in defence of press freedom.
14. As a sign of good faith, African Governments that have jailed journalists for their professional activities should free them immediately. Journalists who have had to leave their countries should be free to return to resume their professional activities.
15. Cooperation between publishers within Africa, and between publishers of the North and South (for example through the principle of twinning), should be encouraged and supported.
16. As a matter of urgency, the United Nations and UNESCO, and particularly the International Programme for the Development of Communication (IPDC), should initiate detailed research, in cooperation with governmental (especially UNDP) and nongovernmental donor agencies, relevant nongovernmental organizations and professional associations, into the following specific areas:
  - a. identification of economic barriers to the

- establishment of news media outlets, including restrictive import duties, tariffs and quotas for such things as newsprint, printing equipment, and typesetting and word processing machinery, and taxes on the sale of newspapers, as a prelude to their removal;
- b. training of journalists and managers and the availability of professional training institutions and courses;
  - c. legal barriers to the recognition and effective operation of trade unions or associations of journalists, editors and publishers;
  - d. a register of available funding from development and other agencies, the conditions attaching to the release of such funds, and the methods of applying for them;
  - e. the state of press freedom, country by country, in Africa.
17. In view of the importance of radio and television in the field of news and information, the United Nations and UNESCO are invited to recommend to the General Assembly and the General Conference the convening of a similar seminar of journalists and managers of radio and television services in Africa, to explore the possibility of applying similar concepts of independence and pluralism to those media.
  18. The international community should contribute to the achievement and implementation of the initiatives and projects set out in the annex to this Declaration.
  19. This Declaration should be presented by the SecretaryGeneral of the United Nations to the United Nations General Assembly, and by the DirectorGeneral of UNESCO to the General Conference of UNESCO.







What has been the state-of-play for African media in the 20 years since the historic Windhoek Declaration of 1991 which gave rise to World Press Freedom Day every 3 May? And what can be expected over the next decade? More than 70 commentators illuminate the trajectory in a range of contributions in this book - covering the issues of media freedom, pluralism, independence and access to information. Journalists' safety, gender-sensitive reporting, and the role of the Internet are amongst the topics covered.

In a nutshell, progress has been made since 1991, but much remains to be achieved. There's a grave danger that the momentum of media freedom is slowing and even reversing in many countries. Meanwhile, the rise of new communications technologies puts pressure on African journalists to live up to their ideals more than ever.