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# RUGANDA **MEDIA** Review

Media and Elections

Police and the Media  
Bimeeza  
State vs Self Regulation  
Twittering the Elections



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## FOREWORD

Early in 2011 the Ugandan people will be called to vote in the Parliamentary and Presidential elections, the fourth elections after the promulgation of the 1995 constitution and only the second under the new multiparty dispensation. The media has a crucial role to play in this process - before, during as well as after the elections - since they provide information for the voters and help creating transparency in the electoral process.

Only informed citizens can effectively practice their democratic rights, and a pre-condition for an informed choice of the voters is a free and vibrant media landscape. The media provide a platform for the people to get to know the available alternatives and learn about the different candidates and what they stand for. At the same time, the candidates and parties competing for power can actively use this platform for reaching out to the voters and getting their messages across.

However, for the media to effectively fulfill their democratic role, particularly during times of election, a number of challenges have to be managed. This includes ensuring responsible conduct of journalists and adherence of basic principles and quality standards in reporting, as well as promoting a free environment for objective reporting and working on a constructive relationship between the media and political actors and state agencies.

Promoting an independent and professional media is an important component of the work of the Konrad-Adenauer-Stiftung (KAS) in Uganda. KAS has been active in the country for more than three decades in the areas of promoting democracy, good governance, human rights and the rule of law. In light of our approach of providing support to local initiatives and cooperating with indigenous organizations in Uganda, a strong long-term partner like the Uganda Media Development Foundation (UMDF) plays an important role for achieving the common goal of a peaceful, democratic and prospering society.

For more than 15 years KAS and UMDf have been implementing various activities together in order to empower media practitioners by training their professional skills, promoting an enabling environment for a free and vibrant media and enhancing awareness among political and other stakeholders on media-related issues.

In 2010, the specific focus of the trainings for journalists conducted by UMDf with support from KAS was "Elections Reporting" and in this light it is a logical step that the first edition of this journal Uganda Media Review is dedicated to the same topic. The publication of this journal - the first of its kind in Uganda - marks another milestone in the cooperation between KAS and UMDf.

The Konrad-Adenauer-Stiftung wishes to express sincere gratitude to UMDf for the many years of fruitful cooperation. Our special thanks go to the authors who contributed articles to this journal and to the staff members of UMDf without whose commitment and good work this publication would not have been successfully realized.

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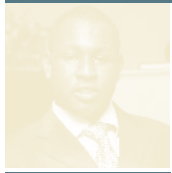
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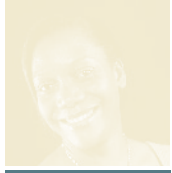
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# CONTENTS

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Editorial .....	5
Rethinking police-media relations .....	6
Bimeeza revisited .....	13
The actor-broadcaster, riots and the future.....	17
What media guides for 2011? .....	22
Making sense of proposed media laws:	
Gawaya Tegulle s perspectives .....	26
Moses Sserwanga s perspectives.....	27
Depth reporting takes a flight.....	32
A case for self-regulation .....	37
Twittering the 2011 Elections .....	41
Watching over the watchdog .....	44





# EDITORIAL

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## A New Platform for Debating Media

For the last 10 years, Uganda Media Development Foundation (UMDF) has maintained its profile as the most consistent media organization in addressing media development issues in the country. From the mid-career journalism trainings throughout the country to the media policy dialogues on pertinent media policy issues, UMDF has been a leader in the industry. However, there has been a conspicuous lack of a regular publication that contextualizes media development issues within the broader democracy and development trends of the country. This is despite the fact that globally there is growing recognition of the intrinsic connection between media and democracy and ultimately the well being of societies. This gradual recognition has given rise to initiatives such as the African Media Initiative (which focuses on strengthening the economic sustainability of media as well as news organisations), the Global Forum for Media Development (which campaigns for the integration of the media sector within the mainstream development assistance), as well as a research initiative funded by the British Broadcasting Corporation Trust that examines strategies of integrating media development within international broader policy objectives, and many others.

In Uganda there have been many media trends that have implications both to the development of the media itself, and to the development of democracy. Many of these trends have disappeared before they could be properly analysed and stored in a preservable form because of lack of a forum. Trends such as the growing closure of media space, the fast growth of the telecommunications industry and what it means for the media, as well as the proliferation of media outlets in form of radio (with its implications for the definition of journalism) require deeper analysis for the industry as well as policy makers to make sense of them, and inform further action. Further, the growing de-professionalisation of the traditional media through the expanded freedoms of individuals to generate and access information through Web 2.0 tools and 3G technologies, as well as the continued discard of professional media ethics similarly require deeper analysis if we are to make sense of them.

The Media and Democracy Journal therefore will be a rare opportunity and forum to make sense of the media industry in Uganda, and link it to other sectors of society through informed analysis. On top of what UMDF is already doing, we hope that this initiative of a publication, jointly undertaken by UMDF and the Konrad Adenauer Stiftung (KAS) will add a new dimension to understanding the media in Uganda and the interconnections with global trends, through rigorous analysis and contextualization.

This maiden issue focuses on debates about the forthcoming elections and the related issues of mediating elections related politics. Authors examine a range of topics: from relations with Police, to the climate of fear in newsrooms, growth of hybridity in radio content and presentation, to the way social media will change the way we tell the election story.

We also hope that it will generate conversations between the media and other sectors, and ultimately contribute to a vibrant media culture that is relevant to the needs and aspirations of the people of Uganda.

John Bosco Mayiga  
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# RETHINKING POLICE-MEDIA RELATIONS

## Introduction

The general elections that will be conducted in February are a landmark event in Uganda's democratization process. However, even though the elections will take place in February, the political activities preceding the general elections have already started and will continue through the months of October till May 2011 when the elected president is expected to be sworn in. During this period however, the Police is expected to ensure that there is law and order during the exercise. That is its mandate. On the other hand, the media will have to ensure that the public is informed of what is going on during the exercise, and to educate the masses of their roles. In fulfillment of each other's mandate, as experience has shown, clashes between the two parties appear inevitable.

The activities of the police generate interest and news. The media then have a duty, or pick an interest in reporting these events or news. Sometimes the police may not like the way the media report these news, or may want the media to report the news in a particular way. Similarly, the media will want to report some news that the police may not want published. The police may try to make it difficult for the media to report these events, either directly or indirectly. All these actions create conflict and may affect each party's ability to fulfill its mandate, as well as the public's right to information.

Police and the media need to appreciate each other's roles and not to trade mutual suspicion.

## Media role in ensuring smooth elections

The media organizations are set up to gather news, information and disseminate it for the purpose of educating, informing and entertaining the public. Media also play watchdog

roles; checking and reporting excesses of government, its officials and any other public official or any matter of public concern or interest. Understanding the role of the media is crucial for all of us. That the media have a duty to inform the public, and to play the role of a watchdog, is a good thing for the police. When police does good things, the media will publicise them. That alone motivates police to do better. And if the media act as a watchdog to the police, then the police has an opportunity to reflect on their excesses and correct them. Ralph C. (2007) had this to say in respect to media/police relations:

**Reality has to be faced: the media and the police are dependent upon each other. The media needs the police to gain information on crime and other matters of public interest; the police need the media to seek public support for crime prevention and detection, and to communicate information widely to the public. The media and press are often the first to receive reports from citizens, of police misconduct. Criticism of police by the press or other media should not always be seen as a threat. It should be seen as an opportunity to examine procedures to see if there is a training need, and to redress matters that may be of public concern.<sup>1</sup>**

This nature of cooperation is inevitable and should just be enhanced for the two organs to fulfill their mandate effectively. During the forthcoming elections, the media are expected to keep the public informed of the ongoing political activities, campaign trends and incidents. They are also expected to inform the public about the different candidates and what they intend to offer to the electorate. This

<sup>1</sup> Ralph C. Et al. (2007). *Human Rights and Policing*. Martinus Nijhoff Publishers. Leiden/Boston.

helps the electorate to choose the right candidates basing on credible information provided by the media.

## Police role in ensuring smooth elections

Policing is a worldwide concept and dates as far back as civilization itself. The word police emanates from the word politic, which means politic, and refers to wise and showing the ability to make the right decisions,<sup>2</sup> thus civilization. Even before the coming into existence of the modern state, there was some form of policing. There was kin policing with its penchant for blood feuding and traditions of tribal justice.

*During this time of heightened political activity, police and the media are two players with unique mandates. Police must keep law and order; the media must inform and educate the public. John Kamyá explains that the two need not conflict, but rather complement each other.*

"Many pre-civilized villages or communities are believed to have had a rudimentary form of law enforcement (morals enforcement) derived from the power and authority of kinship systems, rule by elders, or perhaps some form of totemism or naturism."<sup>3</sup> With the coming into existence of some form of state formations,<sup>4</sup> ancient rulers almost always kept elite, select units (bodyguards) close at hand to protect them from threats and assassination attempts, and it is argued that the first known civilization (Egypt) was a police state.<sup>5</sup>

Organised policing as seen today came with the modern state. Every community needs police and we just have to learn to live with it. The police in

<sup>2</sup> Cambridge International Dictionary of English.

<sup>3</sup> *The History of Law Enforcement*: <http://www.realpolice.net/articles/police-history/history-of-law-enforcement.html>, retrieved on 29th Sept. 2010.

<sup>4</sup> *Mainly kings or kingdoms.*

<sup>5</sup> *History of Law Enforcement*. Op cit.



Uganda has existed since 1906. It was first called Uganda Protectorate Police under the Council of Inspector General of Police (IGP). The Police Force was for inspection purposes under the control of the officer commanding the troops and had been, to all intents, a military organization meant to ensure the attainment of the colonial masters interests. It was operating under unknown duties, laws and the number of the personnel was not known.

Today, the Uganda Police force is established under Article 211 and its functions are provided for under Article 212 of the Constitution of the Republic of Uganda. Art. 211 states: "There shall be a police force to be known as the Uganda Police Force and such other police forces as parliament may by law prescribe." Article 212 spells out the functions of the Uganda Police Force to include:

- To protect life and property;
- To preserve law and order;
- To prevent and detect crime and; to co-operate with the civilian authority and other security organs established under this constitution and with the population generally.

In addition to the Constitution, Section 4 of the Police Act provides more functions of the police to include:

- To protect the life, property and other rights of the individual;
- To maintain security within Uganda
- To enforce the laws of Uganda
- To ensure public safety and order
- To prevent and detect crime in the society
- Subject to section 9,<sup>6</sup> to perform the services of a military force and;
- To perform any other functions assigned to it under this Act

Several electoral laws mandate the police to keep peace, law and order

<sup>6</sup> Section 9(g) of the Police Act empowers the Police Authority to empower the police to perform the services of a military force.



*Former Police Spokesman, Simeo Nsubuga stressing a point to a journalist at a past encounter.*

during elections and to investigate and charge all those persons that may commit electoral offences. Section 42 of the Presidential Elections (Amendment) Act, 2010 provides for appointment of election constables at all polling stations whose role is to ensure peace, law and order at the polling station. In fulfillment of the above obligations, the police employ various means, some of which may be the use of force<sup>7</sup> to fulfill its mandate.

### **What media dislike about Police**

#### **The Police do not like Media Coverage in the Middle of an Action**

One of the common areas of conflict between the police and the media is the fact that police officers do not like being covered while in action. We have seen scenes where, in the middle of police operations, when the media shows up to cover the events, the police gets upset and assaults the journalists and/ or smashes their cameras.

This is a big misunderstanding on the part of the police and a clear indication

<sup>7</sup> Authorized by law.

that many members of the police force do not understand the role of the media. Media will not cover the police when there is no activity going on. The police should know that their operations and the way they conduct them generate news and therefore generate media interest, and that the media has a responsibility and a duty to inform the public of these events.

#### **The Police Withhold Information and Refuse to give Comment**

On many occasions the police withhold information and refuse to give comment to journalists about particular events. This brings conflict between the two parties. Police officers at most scenes may not be authorized to speak to the press, yet journalists want to authenticate information by talking to the police officer(s) at the scene. When officers refuse to give comment, the journalists are forced to speculate, or write their own opinions of what actually could have happened, or get information from unofficial sources such as onlookers. When this information is published and the police consider it inaccurate, the two parties





are driven into confrontation. As we shall see in the way forward, media-police relations could be improved if the police administration gave some authority to its officers to comment on facts of events as they happened, and only prohibit them from commenting on policy matters.

### The Police is not honest?

The media has accused the police of lack of honesty in some instances. Journalists accuse Police of denying wrongs they commit like the use of excessive force. The Kiboko Squad<sup>8</sup> is a case point. The media claims the squad operates with the knowledge of the police. The Uganda Police Force's official position is that they have no connection. Sometimes police officers have been accused of denying comments they purportedly made to the press. These acts bring disharmony and erode trust between the media and police.

### The Media give Wrong Information

The Police have accused the media of sometimes publishing wrong information. In March 2010, in the aftermath of the Kasubi tombs fires, a local tabloid published a story which indicated that the police's CID had summoned to its headquarters and interrogated for five hours, the Katikkiro (Prime Minister) of Buganda and his senior ministers. The story was so well crafted, describing how the Buganda officials arrived at the CID offices and how they were ushered in, including purported quotations from officials. But all this was later found to be untrue. In this particular case, the police blamed the media house for not seeking clarification on the information contained in the story despite the fact that the story touched the police, yet the police spokespersons, as well as CID officials were just a phone call away. It is these kinds of false stories that usually cause friction and misunderstandings between the police and the media. In a meeting held between the police and the media in October 2010 in Kampala, police officers expressed the same sentiment, accusing the media of twisting facts to suit their own interest

<sup>8</sup> A group of stick welding men that have been seen whipping participants of political demonstrations.

even where they had sought comment from police officers.

### The Press Reports only cover negative stories about the Police

The Police have sometimes expressed dissatisfaction over the way the media covers its activities. The general feeling is that the police does lots of good things; rescuing victims and arresting offenders, guiding demonstrators and directing traffic, but these are not emphasized or given prominence. Instead, the negative stories of high handedness, individual officers receiving bribes, etc are the ones that make it to the front pages. Police officers tend to think that the media is only looking for faults.

### The Police Arrests Journalists and Prosecutes them

Sometimes when the police arrests journalists and/or even take them to court, this brings conflict. The journalists expect the police to understand their role and leave them to perform it without threat of arrest and prosecution. However, the Police say that journalists cannot be allowed to exceed their limits and commit offences punishable by law.

### Raiding Media Stations

The phenomenon of the police raiding media houses is not uncommon in Uganda. In April 2008, the police raided the offices of the Independent magazine in Kampala and arrested four journalists Andrew Mwenda, Odoobi Bichachi, Njoroge and Joseph Kiggunda; over seditious offences.<sup>9</sup> Several similar raids have occurred at the Monitor newspaper and some radio stations. To the media, this is an unacceptable behavior by the police. The police, however, have a duty to move to any place where an offence has been committed, and arrest suspects, irrespective of whether it is a media house or not.

<sup>9</sup> Morris D.C. Komakech, Uganda: was Sir Baker Rights to Call Us Savages? *The Daily Monitor* of 30 April 2008. Retrieved from <http://allafrica.com/stories/200804301127.html> on 29th Sept. 2010

## Press Freedom as a human right

### What is Media Freedom?

Media freedom is a fundamental principle in a democratic society, and a human right. It is one of the yardsticks used to determine whether a particular state is a democracy or a dictatorship. The media act as the voice, mouth, eye and ear of the society and a medium through which society can express their grievances, demand services and get information to make choices and decisions. In times of political campaigns and elections, the media plays a big role in providing information to the people which they in turn use to make informed decisions of which candidates to elect into leadership positions.



*AIGP Kasingye faces a barrage of questions from journalists in September 2010*

Media freedom is a human right and is directly related to freedom of expression, freedom of speech, freedom of conscience and freedom of association. Press freedom is so central to social existence the world over that the first amendment to the American constitution aimed at protecting it from any kind of violation. It read: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."<sup>10</sup>

<sup>10</sup> *The US Constitution on Line: Amendment 1 - Freedom of Religion, Press, Expression. Ratified 12/15/1791. Retrieved from <http://www.usconstitution.net/const.html#Am1>*





This means that in the American jurisdiction, any law that may be crafted, which infringes on these freedoms would be automatically ruled unconstitutional.

In Uganda's case, Article 29 of the national Constitution provides for protection of freedom of conscience expression, movement, religion, assembly and association. Sub section 1(a) specifically provides: "every person shall have the right to freedom of speech and expression, which includes freedom of the press and other media."

Many international and regional human rights instruments to which Uganda is a signatory protect press freedom. Article 19 of the Universal Declaration of Human Rights (1948) states; "everyone has the right to freedom of opinion and expression. This right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."<sup>11</sup>

In the same vein, Article 19 (2) of the International Covenant of Civil and Political Rights (ICCPR) emphasizes this right. In addition, Article 9 of the African Charter on Human and People's Rights (ACHPR) emphasizes the right of every one to receive information and to express and disseminate their opinions within the law.<sup>12</sup>

Freedom of expression is a fundamental right of every individual and by virtue of the fact that this right extends to the press and other media; it refers to the right to print and publish the truth for good motives and justifiable ends and to be able to do this without any form of restraint.

The essence of the right is to enable the public to voice their grievances and to act as a check against potential governmental abuse. It is in this respect that media freedom is one of the pillars of democracy.

Therefore, all organs of the state, including the Uganda Police Force should respect and promote media freedom. This calls for the police to

understand the role of the media in national life and change attitude towards the media accordingly.

### The Rationale for Media Freedom

Media freedom is the basic principle of public communication and it is regarded as a principle from which other benefits of communication should flow. It is primarily referred to as free expression. It is a necessity for media practitioners. There are three issues that are germane to media freedom:

- Structural conditions: e.g. laws and regulations should not curtail press freedom
- Operational conditions: e.g. Its real independence from people like advertisers.
- Opportunities within communities to gain access to information: Opportunities for people to listen to radios to watch TVs and to read newspapers, and therefore, the opportunity for journalists to collect the information freely which they later disseminate.

### Requirements for the enjoyment of press freedom

- There should be no Censorship: The media has got a right to publish and disseminate news to the public and should have no obligation to publish what it does not wish to publish or to leave out what it does not wish to leave out.
- There should be equal rights of citizens to news.
- There should be access for the press to gain information from relevant sources. e.g. the police or any other government agency, should not hinder some information from the press.
- There should be an active and critical editorial policy and opinion. The editors have a responsibility to decide what stories are newsworthy and those that are not.

### Is Media Freedom Absolute?

Media freedom is not absolute, it can be regulated. However, the term is regulation, not curtailing. And this regulation should be through legislation. In media law, there is legislation which is intended not to be a guide but a legal framework to make journalism a profession.<sup>13</sup> This is in view of the freedom of the press which is derived from the constitution.

This calls for journalists to know that when they are reporting in real life, they should separate facts from speculation, facts from commentary. This is intended to allow the audience to reach an informed opinion or conclusion. Media freedom can therefore be restricted. However, this restriction should be legitimate, reasonable, proportional and acceptable in a democratic society.<sup>14</sup>

### Way Forward

In order to have a smooth working relationship between the police and the media during the forthcoming elections, and indeed at all time, a number of initiatives have got to be undertaken.

#### Journalists need to stick to professional ethics

One of the major causes of conflict between the media and the police is the failure by the journalists to stick to their professional ethics. The public and the police expect journalists to be well trained individuals and to know how to conduct their business professionally. The journalism profession has been invaded by many masqueraders, who have not undertaken any professional training in journalism, but go on and work for the media houses. Today, the electronic media, especially radios, employ comedians and artists as journalists to make jokes that keep the audiences smiling and advertising money coming in. These employees do journalism work in total disregard of professional ethics. They host one sided talk shows, or discuss persons in their absence, without giving such persons a chance to defend themselves. What happened to fairness and objectivity?

<sup>11</sup> Uganda is a signatory to the Universal Declaration on Human Rights 1948.

<sup>12</sup> Uganda ratified the ICCPR in 1995 and the ACHPR in 1986.

<sup>13</sup> In Uganda's Case, the Press and Journalist A and the Electronic Media Act.

<sup>14</sup> See Article 43 of the Constitution on acceptable limitations to human rights.





The truth is very rare in today's journalism as many false stories make their way into print and the air waves. Journalists therefore need to think more seriously about professional ethics if they are going to be helpful to the electorate during these elections.

### Police Officers need to stick to their Professional Ethics

Similarly, police officers need to stick to their professional ethics while conducting their business. That way, they will not be afraid of the media capturing their actions on camera, or publishing them in newspapers. There exist internationally and locally established standards for ethical and legal police conduct. These standards are based on three fundamental principles which demand that law enforcement and the maintenance of public order must be compatible with:

- Respect for and obedience to the law
- Respect for the dignity of the human person
- Respect for, and protection of, human rights<sup>15</sup>

The above principles are expressed in Articles 2 and 8 of the United Nations Code of Conducts for Law Enforcement Officials (1979). This Code is part of the 'creed' of every law enforcement official and is enforced through education, training and monitoring. This Code has 8 articles, summarized as follows:

Article 1 requires law enforcement officials to fulfill the duty imposed on them by law. Article 2 requires law enforcement officials to respect and protect human dignity and maintain and uphold human rights. Article 3 requires law enforcement officials to use force only when strictly necessary and to the extent required for the performance of their duty. The commentary to this article refers to the principles of proportionality in the use of force and asserts that the use of firearms is considered an extreme measure.

<sup>15</sup> UNHCHR, 1997. *Human Rights and Law Enforcement: A Manual on Human Rights Training for the Police*. United Nations. New York and Geneva. p. 37.

Article 4 requires law enforcement officials to keep confidential matters of a confidential nature which come into their possession, unless the performance of duty or the needs of justice strictly requires otherwise. Article 5 asserts the absolute prohibition of torture or other ill-treatment. "It also states that no law enforcement official may invoke superior orders or exceptional circumstances such as war or a threat to war or a threat to national security as a justification for torture"<sup>16</sup>

Article 6 requires law enforcement officials to ensure full protection of the health of persons in custody while article 7 prohibits law enforcement officers from committing any acts of corruption. Article 8 requires law enforcement officials to respect the law and the Code and to prevent any violation of them. They are also required to report any violation of the Code.

The provisions of this code are further translated into the Uganda Police Disciplinary Code of Conduct established by Section 45 of the Police Act Chapter 303.<sup>17</sup> All these provisions, when well followed would guide police officers to conduct their business well, without fear of media coverage. What often brings problems is when the officer is aware that what he/she is doing is wrong and therefore, if the media goes ahead to report it, would cause him/her trouble. The resultant action is the officer refusing the journalist to cover the event, or trying to grab the cameras and remove the film/card, or dismantle the gadgets so as to kill evidence, or harassing the journalist into fearing to publish the materials.

<sup>16</sup> *Ibid.*

<sup>17</sup> *The Code gives the following as obligations of a police officer in Uganda: a) Not to use the authority of his or her office for undue gain; (b) not to take away the liberty or rights of any person without reasonable cause; (c) not to convert property of any person or any property which comes to his or her custody by virtue of his or her office; (d) to treat humanely all persons at his or her disposal without discrimination; (e) not to receive any undue gratification for services he or she is expected to render by virtue of his or her employment; (f) to conduct himself or herself in a most decent and dignified manner at all times as an example for orderliness and law abiding; (g) not compromise law enforcement on account of relationship, patronage or any other influence; (h) to treat all diplomats and foreign nationals with courtesy; (i) not to consume alcohol in a public drinking place, while on duty or in uniform or in possession of a weapon.*

Although police officers have a personal responsibility to observe these codes, the larger responsibility lies on the police leaders, commanders and supervisors to ensure that their charges do not fall short of established ethical standards. In this regard, Ralph (2007) remarked:

Police leaders are acutely aware that police officials under them need guidance and support in order to cope with the various conflicting pressures they face. Police officials need to understand, without any doubt whatsoever, that neither the community, nor their colleagues, nor their senior officers, nor political leaders expect or require them to break the law or to violate human rights in order to do their job. Support for, and insistence on, lawful and ethical policing must come from all of those sources and especially from senior police officers. They have a particularly heavy responsibility to establish and maintain high ethical standards within police organizations. In particular, police leaders need to consider the example they set by their own behavior; the way in which they respond to unlawful and unethical behavior of colleagues or subordinates; the ways in which they can protect subordinates from external pressures to act improperly; and the totality of measures they can adopt to maintain high ethical standards within police organizations.<sup>18</sup>

The police leadership therefore has to be at the forefront of promoting good media/police relations and ensuring that the two institutions work harmoniously. They need to ensure that all police officers understand fully their legal powers as well as the rights of citizens, ensure that police policy and strategy and orders to subordinates take into account protection and promotion of human rights and freedoms, ensure that reports and complaints of harassment of journalists (and citizens generally) are fully and properly investigated, and culprits punished, and develop and enforce codes of ethics, standing orders,

<sup>18</sup> Ralph C. Et al. (2007). *Op cit*



or standard operating procedures that incorporate internationally acceptable human rights and freedoms.

### **Need for a progressive police media relations policy**

One of the main impediments to journalists work is refusal by police officers to speak to them about issues of interest to the media. The police officers often cite restrictions on them to speak to the media, referring journalists to the Inspector General of Police, or to the Police Spokesperson. This emanates from the strict nature of the police organizational discipline which is traditionally similar to the military. Secrecy and confidentiality are key virtues. However, to break this traditional barrier, and to especially facilitate a smooth political campaign and election process, the police leadership needs to give some power to police officers at the scene of events to give comments to the media when required. This can be in form of describing what has taken place at a political rally or a polling station, how many people are injured or dead in case of an accident and what is being done to bring the situation to normal.

The officers in the field should only be prohibited from commenting on policy matters. This calls for a proper police media relations policy within the police. The policy should spell out which level of police command should comment of which kind of events. The Uganda Police Force has done somewhat well in this area by posting spokespersons to all regions, and by empowering Regional Police Commanders and District Police Commanders to speak to the media. However, the police need to extend this authority to lower commanders and should empower even the lowest ranking officer (a police constable) to be able to give comment to the media. Officers can only confidently practice this if it is spelt out in a clearly written policy.

### **Need for Joint Training in Police/Media Relations**

As stated earlier, one of the major impediments to smooth police media relations is the lack of understanding of the workings of either party. The police

do not seem to fully understand the role and workings of the media and continue to view them as antagonistic, while the media too may not understand the police strict code, discipline and bureaucracy. The solution to this is education and training on both sides. Between 1997 and 2004, I run a column Crime Watch in the New Vision, a leading local daily. In one of the issues, I interviewed the chief of traffic about the express penalty scheme for motorists that was about to be introduced. The interview was granted but on condition that the police chief had to see the article before it was published.

Scared, I tried my best to get a copy of the typeset article and brought it to him. Although the article reflected what he had told me, he was not amused about its title. He wanted it changed. But this was a title chosen by the features editor. I had absolutely no means to have the editor change it. So, I resorted to educating the traffic chief about the workings of the media house and how he or I had no power to influence the title of the article. The article came out the following day, and because he had an idea it would run, I got no bashing from him. Quite clearly, this police officer had no knowledge of how the media worked.

Police officers therefore, need to learn about the role of the media and how it conducts its business. The Media too need to learn about the police and how they do their work. Police jargon, if not well used by the media, can bring out a totally different meaning and become problematic. For example, if the police release a suspect on police bond, and the media reports that the police have set free the suspect, this can create problems. It has also been common practice for the media to misrepresent ranks of senior police officers, calling an AIGP and AIP. An AIGP (Assistant Inspector General of Police, is a very high ranking officer) an AIP (Assistant Inspector of Police, is a relatively junior officer). Sometimes the media calls Inspector General of Police, Inspector of Police!

### **Dialogue sessions**

On Monday 4<sup>th</sup> October 2010, the police and members of the media had

a breakfast dialogue on the future of police media relations with focus on the forthcoming 2011 elections. The dialogue took place at Imperial Royale Hotel in Kampala. From the media side was editors and journalists from different media houses whose lead spokesperson was Betty Dindi from NTV. From the Police side were senior police officers from police headquarters, Regional Police Commanders and other senior officers led by Assistant Inspector General of Police Asan Kasingye, who holds the docket of Chief Political Commissar in the Uganda Police Force. In her address, Betty Dindi indicated that some of the perceptions of the media towards the police were that most members of the police are illiterate, ignorant of current issues and of the role of the media; in addition to being intolerant, corrupt and bent on pleasing the current government. AIGP Asan Kasingye on the other hand, said that some of the perceptions of the police towards the media were that the media is there only to criticize the government; and that the media twists facts to suite their own editorial styles and therefore cannot be trusted. At the end of the dialogue, both sides agreed that these were just perceptions which are not necessarily true, but are capable of straining police media relations. Both sides pledged to work together to eliminate these illusions.

This kind of dialogue is healthy and should be encouraged especially throughout the electoral period.<sup>19</sup> It is in these kinds of meetings that falsehoods can be dispelled and solutions sought for any kind of animosity that may arise between the two parties. During the heat of the campaign and election period, the dialogues should even be more frequent..

### **Need for open two-way channels of communication**

During the 2011 elections, and the campaign period that precedes it, there is need for the police and the media to keep channels of communication open at all times. The police may have

<sup>19</sup> *The meeting agreed that the breakfast dialogue should be held once every month, and also suggested a joint retreat between the police and the media.*





to increase its frequency of media briefings from weekly to probably daily. Operational officers should be able to talk to the media when the latter requests for the information. The police should establish telephone hotlines in its Public Relations Department for handling election related information requests. Manning the hotlines should be police officers with proper communication skills and in touch with operational officers in the field in the whole country so as to give details of or comments on events quickly. The media should also be ready to help the police by passing on information, guidelines and appeals that the police may want communicated to the voters, politicians and their agents or to the nation at large. That way, both parties will be able to serve their audiences well and will emerge as stronger partners in the future.

## Conclusion

The police and the media are expected to play a pivotal role in the forthcoming 2011 political elections. The police are expected to provide security and ensure that the whole exercise is conducted in a lawful and orderly manner. The media on the other hand, are expected to inform the public about the available choices so that people cast their votes based on informed decisions. They are also mandated to inform the public of what is going on around the country by reporting on events. These two roles of both parties are very important, and what we want to see is a cordial working relationship other than squabbles and fights.

A harmonious working relationship however, does not come freely. Both parties need to invest lots of energy and resources to achieve this. The time is now to put in place the necessary elements that will facilitate this relationship. Dialogue, smooth flow and quick provision of information and sticking to professional ethics are all crucial in this exercise. Joint training is key in achieving all this. That way, we shall see better police media relations during the campaign and election period and both parties will have meaningfully contributed to the democratization process of Uganda.

## References

- Ahuja B.N. and Chhabra S.S. 2002. Principles and Techniques of Journalism. Surjeet Publications. Delhi, India.
- Bernstein, R.J. (1991) The New Constellation: The Ethical-Political Horizons of Modernity. New York, New York University Press.
- Cambridge International Dictionary of English.
- Donnelly, J. (1989). Universal Human Rights in Theory and Practice. London, Cornell University Press.
- Frank Jefkins 1996. Public Relations. Pitman Publishing. London.
- Gewirth, A. (1982). Human Rights: Essays on Justification and Applications. Chicago, University of Chicago Press.
- Lauren, P. (1998). The Evolution of International Human Rights: Visions seen. Philadelphia, University of Pennsylvania Press.

Goretti Linda Nassanga (Ed.) 2003. The East African Media and Globalisation: Defining the Public Interest. Mass Communication Department, Makerere University, Kampala.

Mackie, J.L. (1977). Ethics: Inventing Right and Wrong. Harmondsworth, Penguin.

Maduagwu, M.O. (1987). Ethical Relativism Versus Human Rights. Vienna. Third World Centre.

Ralph C. Et al. (2007). Human Rights and Policing. Martinus Nijhoff Publishers. Leiden/Boston,.

UNHCHR, 1997. Human Rights and Law Enforcement: A Manual on Human Rights Training for the Police. United Nations. New York and Geneva. p. 37.

### Internet Sources

Komakech, M. D.C. 2010. Uganda: was Sir Baker Rights to Call Us Savages? The Daily Monitor of 30 April 2008. Retrieved from <http://allafrica.com/stories/200804301127.html> on 29th Sept.

The History of Law Enforcement: <http://www.realpolice.net/articles/police-history/history-of-law-enforcement.html>, retrieved on 29<sup>th</sup> Sept. 2010.

The US Constitution on Line: Amendment 1 - Freedom of Religion, Press, Expression. Ratified 12/15/1791. Retrieved from <http://www.usconstitution.net/const.html#Am1>

### Legal Instruments

The Press and Journalist Act

The Electronic Media Act

Law and the Media

The Police Act Cap. 303

The Constitution of the Republic of Uganda

The Electoral Commission Act

The Political Parties and Organizations Act

The Presidential Elections Act 2005 (As amended in 2010)

The Parliamentary Elections Act 2005 (As amended in 2010)

The Local Government Act

The Parliamentary Elections (Election Petitions) Rules 1996

United Nations Covenant on Civil and Political Rights. (1966)

United Nations Covenant on Economic Social and Cultural Rights. (1966)

Universal Declaration of Human Rights. (1948).

African Charter on Human and People s Rights (1981)



# BIMEEZA REVISITED

## Introduction

Uganda is set to hold yet another round of presidential, parliamentary and local council elections in February 2011. The presidential and parliamentary elections will be the fourth since a new constitution for the country was promulgated in 1995, but the second under a multi party dispensation. The presidential and parliamentary elections held in 1996 and 2001 were organized under the movement

*Though now largely banned since the 2009 riots, the Ebimeeza had transformed public debate on critical issues and Adolf Mbaine argues that they should be restored to ensure more citizen participation in public life through open and candid debate on issues of public importance.*

system of governance that did not allow political parties to fully organize and sponsor candidates for national elections. Election time is a very demanding, exciting and packed period for any country and Uganda is not an exception.

There are various institutions and organizations that have to keep a watch over the electoral process on a regular basis; right from those charged with the constitutional duty to organize free and fair elections like the Electoral Commission and the attendant government infrastructure to other societal organs with a public duty to watch over the process on behalf of the citizenry like political parties, civil society organizations, professional groups and the mass media.

The media is as important as these other institutions during election times, given its public and political roles as a channel for strategic information and a forum for political debate (Murdoch, 1996).

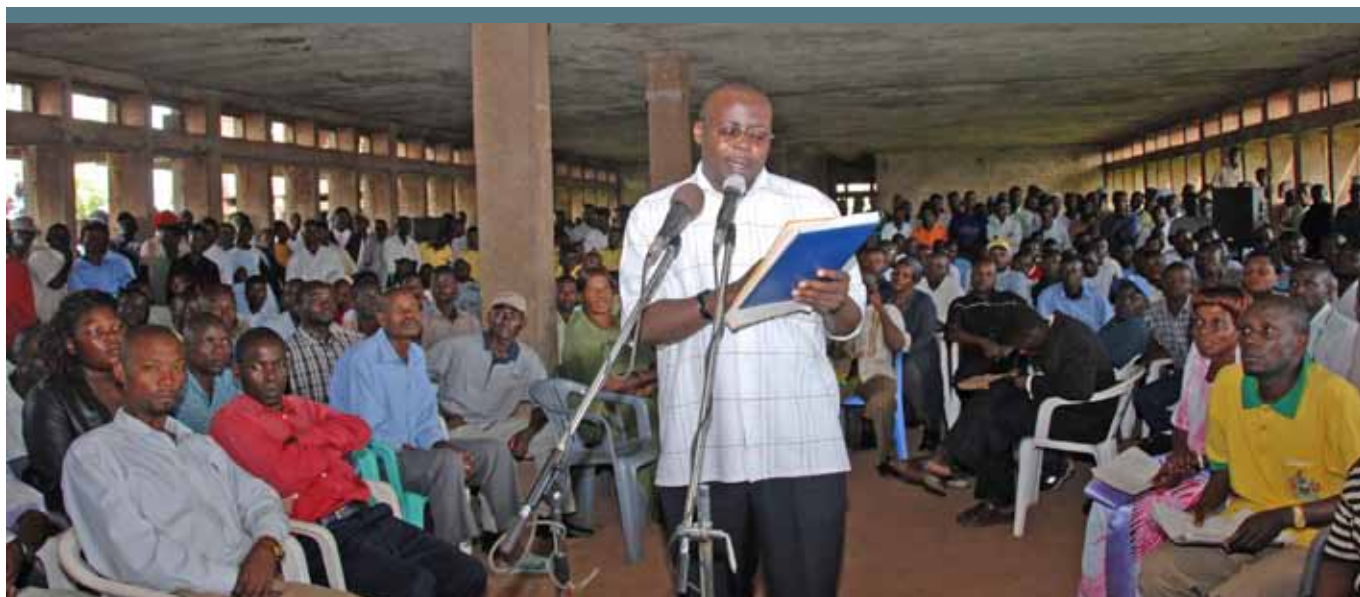
The key functions of journalists during elections have long been identified by Hage et al (1983) to include the following:

- Reporting and interpreting events
- Defining issues

- Portraying personalities
- Investigating support
- Identifying trends
- Checking and analyzing public opinion

It is also argued the media are increasingly making possible mass participation in a social and socialized productive process, the practical means of which are in the hands of the masses themselves (Enzensberger, 1996). It is thus important that reporting elections is a key task for the media in the democratic process and must be underpinned by the belief on the part of the journalists that good, fair, honest reporting will make society a little bit better and will help people.

The Bimeeza experience in Uganda is attributed to the liberalization of the airwaves in 1993 that has seen the proliferation of FM radio stations in the country. The Broadcasting Council has to date issued more 200 radio licences with about 150 stations active on air (Mbaine, 2010). The year 1993 is also about the same time Uganda was making some more progress



Kaddu Mukasa Kironde, hosts the Mambo Bado kimeeza on CBS in a basement of a shell house near the radio station.





in its democratisation process with Constituent Assembly (CA) elections in 1994, which were followed by debates in the CA that culminated in the promulgation of the 1995 constitution. The presidential and parliamentary elections of 1996 were soon to follow. This busy period, and subsequent political developments, required robust debate among the population that invariably led to the emergence of the Bimeeza; first on Radio One and later spreading to other radio stations.

The bimeeza have since 2009 fizzled out following a government clampdown radio proprietors were threatened with non-renewal of broadcasting licences, with government arguing that current radio licences did not cover out-of-studio broadcasts. However, some Bimeeza that are presumably considered less hostile to the government, for instance one run by Radio West in Mbarara on Saturdays, have been allowed to continue. Nonetheless, it is worth looking at the essence and value of Bimeeza as a resource for expression and participation especially in the context of the forthcoming elections and the advancement democratisation in Uganda.

## **Bimeeza and the concept of media freedom**

The origins of the press can be traced from Western Europe from the invention of the printing press by Gutenberg in the 16<sup>th</sup> century. This made easier the dissemination of information and necessitated restriction by the state, through censorship and licensing. The distaste for censorship and licensing started the struggle for press freedom, especially with the introduction of newspapers in Europe and America in the 17<sup>th</sup> century.

Mnangagwa (1995) has defined press freedom as the right of the press to collect and publish news and information as well as organise freely without undue state control and influences. Press freedom emanates from freedom of expression, which has been enunciated in the United Nations Universal Declaration on Human Rights of 1948. Article 19 provides that:

*Everyone has the right to freedom of opinion and expression, the right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers.*

Freedom of expression features in many countries constitutions and its importance has been well explained by Gubbay CJ in the Zimbabwean Supreme Court, In re: Munhemeso as follows:

*“Freedom of expression, one of the most precious of guaranteed freedoms, has four broad special purposes to serve: (i) it helps an individual to obtain self fulfilment; (ii) it assists in the discovery of truth; (iii) it strengthens the capacity of an individual to participate in decision-making; (iv) it provides a mechanism by which it would be possible to establish a reasonable balance between stability and social change”*

Justice Mulenga (2004) in his lead judgement declaring the law on publication of false news unconstitutional also underlined the value of freedom of the media and expression to democracy thus: “Meaningful participation of the governed in their governance, which is the hallmark of democracy, is only assured through optimal exercise of the freedom of expression. This is as true in the new democracies as it is in the old ones.”

The advent of broadcasting in the 20<sup>th</sup> century has resulted into the expansion of the notion of press freedom to media freedom, with radio and television becoming pillars of freedom of expression, in addition to the newspapers and magazines.

Freedom of speech and freedom of the press have been central issues to any organisation of society. In any community where democratic and egalitarian values prevail, it is obvious that the right to free speech and the

right to freedom of the media must be ranked as fundamental values, for without these the possibility of developing and crystallising public opinion, and allowing it to be brought to bear upon the governmental organs of state, is bound to be virtually ineffective (Lloyd, 1987: 151).

While freedom of speech and of the media usually imply the absence of initial censorship, this freedom can hardly be absolutely unrestricted as the law may restrict people from making unwarranted and untrue attacks upon the reputations of others. The law may also draw the line where attempts are made to incite others to take action to overthrow the government or the constitution by violence. The difficulty, normally, is the determination of the ultimate limits of tolerance, which may be required by the established value of the freedom of speech and press (Lloyd, 1987: 152 154).

It has also increasingly become the subject of debate whether journalists, who pride in the calling as a profession, should not be seen to be regularly held to account to the public in terms of ethical standards. As a public duty, journalism has ethics: of truth, accuracy fairness and objectivity, and respect for ethics for professionals tends to amount to adherence for the law for any other citizen.

## **Bimeeza and democratic participation**

The term Bimeeza comes from the Luganda word Meeza (table). The singular form is Kimeeza meaning a platform, rack or work station like a carpenter s work table

The first out of studio political talkshows, by Radio One, were held on a round huge table in a night club compound. The table (kimeeza) became the nickname for the program format.

The media are supposed to provide a forum through which people can access information and exchange ideas, both of which are necessary for a population to be able to participate meaningfully in the democratisation, electoral and



development processes. The role of the media in democratisation has been established by scholars like Jurgen Habermas and his theory of the public sphere that emerged in the 1960s. Randall (1998) has defined a public sphere as “an institutional framework and set of practices which encourage wide and inclusive debate about issues of social and political importance”.

Habermas (1998) traces the evolution of coffee houses in Britain and salons in France in the 17<sup>th</sup> century as alternative arenas of “common concern”. The church and state had formerly monopolised the interpretation of national life. In his defence of the media as a public sphere, Boyd-Barrett (1995) has articulated the role of the media in the democratisation process: “Newspapers, radio and television clearly do serve as a forum for discussion of issues of public interest among people who are knowledgeable, interested, able to speak on behalf of broader social interests, and whose discussions have the potential of being of political influence (p.231).

Curran (2000) also subscribes to the idea of the media as a public sphere and describes the democratic function of the media as assisting the realisation of common objectives of society through agreement or compromise between conflicting interests. He identifies specific roles the media plays in the enhancement of democracy; the watchdog and informational roles and further states that “freedom to publish ensures that all significant points of view are in play in the public domain, and that a wide range of information is made available from diverse and antagonistic forces.”

Keane (1991) holds that “A free press helps control the `habitual self-preference` of those who govern. It exposes their secretiveness and makes them more inclined to respect and to serve the governed. It increases the probability of prudent decisions by making publicly available comprehensive information about the world casts a watchful eye over the bureaucracy, thus preventing the outbreak of nepotism between legislators and administrators.” He argues further that freedom and

equality of communication needs constitutional and other legal protection in which the principle that freedom should be the rule and limitation the exception should be adhered to. Keane also proposes that “ the onus must be placed on governments everywhere to justify publicly any interference with any part of circulation of opinions.”

Tetty (2001) sees a symbiotic relationship between the media and democracy and locates the media among the forces that have shaped, and continue to shape, the establishment of democracy in Africa. He asserts that the media-democracy connection is also manifested in the opportunities that a free press provides for citizens to influence the political process and that a democratic media enables political leaders to be aware of the mood of society so that they can respond appropriately. However, Tetty also notes that a lot of governments on the African continent continue to impose judicial and extra judicial barriers on journalists and media houses, in a manner that defeats the professed goals of democratic governance and the purposes behind constitutional provisions of a free media and freedom of expression.

The emergence of the Bimeeza in Uganda over a decade could be understood within the context of attempts by Ugandans to create that much needed space for people to discuss topical issues openly and candidly without fewer fetters of professional and

commercial considerations on the airwaves. Therefore the Bimeeza had been able to:

- Provide a platform for citizens to debate publicly issues that concern them.
- Enable interaction between the governors and the governed since government officials were often present and afforded an opportunity to explain certain issues and view points.
- Help create a more open society, given that the discussions involved a wide range of issues.
- Help citizens to hold government accountable through open criticism of government and its policies.
- Ensure that leaders get to hear directly what people have to say about the quality of governance and service delivery.

## **Bimeeza Ban: Creating Gaps**

There is no doubt that banning bimeeza has created gaps in public discourses over important issues. The need for feedback is always critical in any communication process. However, in the mass media, feedback is always limited to readers letters on one or two pages, and in the broadcast media select phone calls and sms messages. The Bimeeza had increased feedback in



*Anti-riot Police patrol the Kampala suburbs at the height of the September 2009 riots that led to the banning of bimeezas.*





the media by simply assembling large groups of people in strategic locations, with each afforded the chance to speak.

Mwesige (2006) has hinted on the negative side of talk shows to the effect that they appear to peddle misinformation and distortions; invite adulterated debate that excites and inflames rather than informs; to give the public the illusion of influence; and, arguably, to lead to political inertia. He may be right because in many ways the moderation of the talk shows depended on the clear headedness of the moderator as there appeared to be no generally agreed rules and some of the talk shows easily descended into name calling, outright slander or even close to hate speech. It is probably some of these issues that have prevailed upon the government to order Bimeeza off the airwaves.

However, Mwesige (2006) has also succinctly made the case for talk radio as a civic forum through which citizens acquire information about public affairs, attempt to exert influence upward on political leaders, question, challenge and demand accountability from official power holders, engage in public discourse and debate on collective public problems and policy, or simply let off steam. It is certainly the latter function that Ugandans are missing most as the country enters a full blown electioneering period without the Bimeeza.

Thus the banning of bimeeza on the airwaves may have had to do very little with the inadequacies of the programmes as such. Because while some politicians will often talk about the essence and value of freedom, including media freedom, they do not really like critical coverage and debates. Journalists and media houses will almost always be confronted and threatened for reporting or discussing something critical, especially in the heat of elections when the stakes are rather high.

The campaign debates are definitely poorer without the bimeeza and this is a very critical gap as the vote hunting begins. While the bimeeza did not set the agenda for issues as they were content on concentrating matters raised by the print media, they nonetheless offered Ugandans opportunities to be part of and participate in discussing issues affecting the country.

The absence of bimeeza on most of the airwaves has taken the thunder out of what is likely to be a close campaign. Fortunately there are social networks like Facebook where the majority of the debates seem to have shifted, but then again fewer Ugandans have access to such facilities. The common man/woman has been denied the opportunity to participate to the best of their ability.

## Conclusion

Field campaign and related reports are certainly useful for the electorate to follow what is going on during the campaigns and make their own conclusions as to what the candidates have to offer to the voters. Yet a wide

range of discussions is essential for the voting public to get involved in the discussions or at the very least listen into the discussions and evaluate a wider cross section of views. The banning of the bimeeza on radio stations has taken out of the elections a key component: full participation.

It is acknowledged that sometimes people can abuse freedoms for one reason or another. However the solution should not be the elimination of a facility but working on standards and ensuring their compliance. If government felt that there was need to have minimum standards on holding bimeeza, it could have come up with the guidelines on how best to improve the debates, rather than banning them altogether.

It is our submission that the bimeeza should be allowed to return to Uganda's airwaves. The issues of the quality of moderation and debate, places where they can be held, issues of fairness of parties that are subject to the debates and related matters can be discussed by all stakeholders and agreed on as minimum standard guidelines. At the end of the day, it is important to remember that these debates are at the core of freedom of expression which is a sine qua non for democratic participation.

## Selected References

- Hyden G. et al (eds.) (2002). *Media and Democracy in Africa*. Transaction Publishers. New Brunswick. London.
- Levy M. (ed.) (1996). *Journal of Communication*. Vol. 46. No. 2.
- Golding P, Murdock G. (eds.) (1997). *The Political Economy of the Media*. Volume 11. Cheltenham. Brookfield.
- ARTICLE 19. (2005). *Freedom and Accountability: Safeguarding Free Expression through Media Self-regulation*. London.
- Marris P. Thornham S. (eds.) (2004). *Media Studies: A Reader*. 2<sup>nd</sup> Edition. Edinburgh University Press. Edinburgh.
- Hage et al. (1983). *New Strategies for Public Affairs Reporting*. Prentice-Hall Inc. New Jersey.
- Mwesige, P. (2006). *The Role of Talk Radio in Political Transition in Uganda*. Unpublished
- Curran, J. (2002) *Rethinking Media and Democracy in* Curran, J. and Gurevitch M. (eds). *Mass Media and Society*. Arnold: London.
- Keane, J (1991) *Media and Democracy*. Polity Press: London.
- Tettey, W. J. (2001) *The Media and Democratisation in Africa: Contributions, Constraints and Concerns of the Private Press in Media, Culture and Society*, Vol. 23. SAGE Publications: London.





# THE ACTOR-BROADCASTER, RIOTS AND THE FUTURE



Abbey Mukibi, CBS programs manager on air

## Introduction

Not long after the pro-Kabaka riots that rocked the capital and Buganda last September, I was asked to give a dinner talk to a group of media people on what I thought was the impact of the closure of five radio stations and the general post riot media clampdown on the practice of FM radios in Uganda. The talk was meant to provoke debate and enable media people reflect on the issues at a more intellectual level.

The lively discussion that followed highlighted an important aspect that often lacked among people driven by deadlines--- serious reflection on their own practice, their fears, successes and failings. A year later, it is appropriate to reflect again on the gains and losses in the business of FM radios, the lessons learned and the challenges for the

future especially as the country prepares for general elections next year.

The violent protests broke out in Kampala in September 2009 when security forces blocked the Kabaka of Buganda, Uganda's largest ethnic group, from visiting Kayunga district for a planned rally, according to local news reports. More than 25 people were killed and 846 people arrested in two days of clashes that underscored political tensions between the government and the kingdom, according to official figures reported in the press.

Within hours of the rioting, agents of the broadcasting regulator, the Broadcasting Council, disabled the transmission equipment of the Buganda kingdom-controlled Central Broadcasting Service (CBS), Radio One FM's sister (vernacular) station Radio Two, which is commonly referred to as Akaboozi, Catholic Church-run Radio Sapientia, and commercial, youth-oriented Ssuubi FM. The Buganda kingdom is the largest of several traditional kingdoms

*The 2009 post riots crackdown on media greatly undermined media self-confidence. But, as John Baptist Wasswa argues, they also exposed the new forces in media that had shaped leading Luganda FM stations*

in Uganda that have largely cultural roles, but remain politically influential.

In a statement, Broadcasting Council Chairman, Mr. Godfrey Mutabazi, accused the stations of inciting violence and breaching "minimum broadcasting standards." The Council lifted the ban on Sapientia a few days later and Akaboozi in November 2009, but continued to revoke the licenses of the two CBS stations (88.8 and 89.2) and indefinitely banned popular radio talk

shows commonly known as "bimeeza," for alleged technical shortcomings.

Many journalists in the private media were suspended, banned from practising their profession or taken to court or both. They included: Kalundi Serumaga (Radio One); Peter Kibazo (Radio Simba and WBS TV); Peter Ndawula and Charles Ssenkubuge (Radio Simba); Charles Odongtho (Uganda Radio Network and host on Vision Voice FM); Mark Walungama (UBC); Aloysius Matovu, Irene Kisekka and Ben Mutebi (Radio Sapientia); Moses Kasibante (CBS) and Basajjamivule Nsolonkambwe (Kaboozi Ku Bbiriri).

## Immediate reaction

Almost immediately, most FM stations panicked as owners and managers moved in to rein in their staff, suspend popular talk shows until the situation became clearer and some even shuffled staff, removing the popular presenters to stem off a government backlash. The magnitude of the crackdown was as shocking to the media fraternity as were the extent of the riots to the government. It must be stressed that the Ugandan media, which had enjoyed two decades of relative freedom and vibrancy was finding itself in a completely new scenario. For those two decades, the media had learned to live with President Yoweri Museveni's love-hate relationship with the Fourth Estate, a relationship characterized by many journalists hounded by a regime of anti-media laws on the one hand, and the President repeatedly fraternising with journalists and even supporting some media projects.

The September 2009 riots were unprecedented during the Museveni regime; there has not been such a challenge to the authority of Mr. Museveni in the central region that has traditionally offered him strong support. The excessive force applied by the





security forces to curb the riots and restore order has become the subject of international criticism especially by traditional western backers, human rights organisations and media associations.

The Buganda Kingdom radio (CBS) that has been off air for over a year has just been reopened (23<sup>rd</sup> October 2010) at the time of writing this article. In fact its re-opening was such a political issue involving Cabinet and a team of senior security officials. It must also be noted that CBS re-opening was done just on the eve of presidential nominations on 25<sup>th</sup> and 26<sup>th</sup> October 2010.

The most pronounced effect of the clampdown on FM radios has been a high level of self-censorship across media platforms including newspapers. Journalists from all media houses talk of editors treading carefully and disallowing stories that might annoy the government. Radios in particular took extra care to dumb down or completely avoid stories that concerned the Kabaka of Buganda and the kingdom. But it is also true that this level of self-censorship has led to many journalists fear to handle stories related to serious offences like investigations into abuse of office and human rights abuses by security personnel and people of influence. The safer route is only when these issues come out of privileged sources such as reports of the Auditor General, the Inspector General of Government, Courts or Committees of Parliament.

Some government and security officials argue that the swift crackdown was informed by earlier events in neighbouring Rwanda in 1994 and in Kenya in 2007. In Rwanda, a private pro-Hutu radio, Radio Mille Collines, was accused of using hate speech to rally Hutu soldiers, militia and civilians to massacre the minority Tutsi in revenge for the death of President Juvenal Habyarimana killed in a downed plane in April 1994. In Kenya, the government banned live broadcast of post-election riots which it blamed for inflaming supporters of rival candidates. The Human Rights Watch organization has since blamed politicians for using vernacular radio stations to galvanise

support and denigrate rivals, especially from other tribes.

The main problems that the Ugandan political and military authorities raised with the radio stations that were closed revolved, first, around political talk shows, which were routinely criticized by hardliners in the government and the ruling party. Long before the closures, there were both covert and overt actions that indicated unease over aspects of debates on talk shows. In fact, some stations had already suffered the government backlash with punitive actions ordered from very high levels of government in Kampala, while in remote upcountry towns, the local government representatives moved in to cause action on stations or their journalists. Kfm was switched off in 2005 for over a week. The Daily Monitor, also of the Nation Media Group, had also been closed for ten days in 2002. Choice FM in Gulu was forced by the Resident District Commissioner to cancel a talk show programme with opposition leader Dr Kizza Besigye. Radio Wa and Radio Simba also suffered threats. UBC TV talk show host Gawayia Tegulle had earlier been suspended for hosting opposition leader Dr Kizza Besigye on a programme at the national broadcaster. Threats against the Central Broadcasting Stations were also frequent but the government was initially restrained for fear of opening a war with the influential Buganda Kingdom.

The second argument that government capitalized on was the quality of broadcasters involved in these talk shows, particularly on the local language radio stations and on some other popular programmes on leading stations. Government officials acting behind the scenes employed the Broadcasting Council to question the broadcasting standards of these stations. At a breakfast meeting for media and leaders of political parties in November 2009, Godfrey Mutabaazi explained why he had ordered the radios switched off. He argued that many of the broadcasters at the affected radio stations were not journalists but comedians. Mutabaazi's point might have been rather too blunt. But he insinuated something few can dismiss entirely. The issue of professionalism in

media, especially radio, has in the past been the worry of even media people themselves. This subject often crops up at media events and a few journalists have written about the poor or lack of journalistic training among most broadcasters.

## **Influence of the actor-broadcasters**

Indeed unlike the mainstream print media outlets that are stricter on the quality of their staff, radio proprietors hardly ever demand any form of journalism training for their news staff and related programmes. Instead, radio seems to require those people who have the talent to draw audiences in order to attract advertisers. Many of the leading Uganda FM stations, especially those that broadcast in local languages found ready talent among people in the performing arts.

Radio Simba led the way by recruiting a number of top theatre performers to do programmes. They brought two advantages to radio: they not only moved with their theatre audience but also extended their fun to radio. Other radio stations followed suit, hiring theatre performers, musicians and comedians to spice the top billed programmes like the morning shows. Comedy, fun and pun became part of the requirements for these programmes, which attract huge advertising spend by leading corporations. That made business sense. Joining radio work did not seem to require journalism training or graduates, if you just simply looked at the money issues.

By bringing the theatrical antics into broadcasting, these actor-broadcasters blurred the line between stage and studio, created a new, wider audience of critical infotainment lovers and transformed radio way from format rigidity to freestyle. They made fun all the way, presenting even the most serious issues in a way that made listeners laugh all through. They made themselves indispensable brands at the stations where they worked.

I shall dwell a little more on these hybrid people. I call them hybrid because as actor-broadcasters they fused theatricals with broadcasting, merging



two skills, two formats of artistic production - stage and studio into one. The concept of hybridity is considered in a narrower sense, different from the common one in international journalism studies that seeks to understand the influence on media content, of mergers between different cultures. In many ways these hybrid people the actor-broadcasters - made radio lively and interesting, hence drawing the audience numbers. It is my argument that this hybridity has lent great talent to radio and made it more relevant to the audience. Nonetheless, there is need for a thorough research into the extent to which this hybridity has contributed to journalism.

This hybridity, however, has also brought into journalism a set of problems. In the first place, the lack of professional journalism training among many of the actor-broadcasters made the dramatization of content gradually displace the normative expectations of broadcasting journalism like balance, fairness, objectivity and respect for diversity. Radio confers status and soon the actor-broadcaster became stars of broadcast journalism to the extent that leading business firms dictate the type of broadcaster often from these hybrid people -to do their advertising promotional skits. The actor-broadcaster promote the radio but also their own theatre activities like forthcoming performances. And when the actor-broadcaster performs a political play, then the line between his persona on stage and in studio is blurred.

Without due consideration to the power of radio, owners and programme directors graduated some of the actor-broadcasters to handling more serious programmes like political talk shows and other interactive programmes. The effect was what critics, among them politicians, policy makers and even journalists saw as growing trend of dramatization of small issues into serious concerns and oversimplification of serious national issues into cheap debates. This created a loophole that authorities later exploited to pounce on FM radios.

It should also be pointed out that this hybridity made local language radio especially Luganda radio, very popular

and the fastest growing audience segment in radio, much sought after by advertisers. Against this background, leading FM stations opened channels in Luganda. Radio One opened Radio Two that trades as Akaboozi ku Bbiri; Capital Radio bought Beat FM, CBS had earlier opened another channel CBS 2 on 89.2 FM, The New Vision Group



*Abu Kawenja, Kato Lubwama and Abbey Mukiibi presenting the top rated Kalisoliso breakfast show on CBS.*

opened Bukedde FM, while Uganda Broadcasting Service started Star FM. The competition for this coveted audience segment led to programming that involves a lot of entertainment, particularly comedy and music and little developmental content.

A leading actor-broadcaster and programmes manager at CBS, Abbey Mukiibi, noted at a media event after the station was closed that there is need for more editorial control at radios, and that it was time to consider giving the actor-broadcasters professional journalism training so that they know the limits of what is journalistically permissible on radio. Mukiibi is also one of the presenters at the top rated CBS breakfast show Kalisoliso. He has also featured in award winning films like *The Last King of Scotland*, that won Oscars, and *White Nights* that was presented at the 2009 Cannes Festival, and *Sometimes in April*, a Hollywood movie about the 1990s genocide in Rwanda.

Nothing illustrates the shortage of editorial controls at the FM radios than the framing of other people at a number of Luganda FM stations comedy skits and even advertisements. For instance a character on CBS called Kayibanda who speaks in a Kinyarwanda accent, always acts as daft, misunderstanding everything he

is told. Kayibanda is a Kinyarwanda name. His skits are so popular that he has also taken to advertising brands. Similar comical advertisements for leading telecommunications companies also have characters speaking broken Luganda in Samia or Luo accents. They are rib-crackers. On the surface, it passes as very interesting. But considered from the point of view of diversity, many people will take offence. Indeed it is these little things, perhaps done inadvertently, that rubbed authorities the wrong way. In one of the sharp attacks President Museveni has made against CBS since he ordered its closure, he accused the station of referring to his people (from Ankole ) as long nosed or Nyindompanvu. The radio argued that the comment came from a caller but it could qualify as the first signs of hate speech. That reference would not pass in any mainstream newspaper where tight editorial controls exist. The point here is that local language radio if not properly editorially controlled can create room for dangerous drama and comedy that upsets. It creates easy extension of cultural expression of stereotypes especially in the absence of a clear policy on broadcasting language and content on local language radio.

Chibita (2009) raises this point in her discussion of politics of broadcasting, language and democracy in Uganda. She points out that most existing laws pertaining to media freedoms and diversity in Uganda came into being in the absence of formal policy as they were conceived as emergency measures to legitimize the liberalization of the media while ensuring sufficient protection for government against the media.

Indeed Abby Mukiibi, reflecting on radio during the time CBS was off-air, pointed at an important lesson FM radios had to learn from the brutal clampdown: more editorial control, mandatory professional training for the actor-broadcaster, but also picking the best of this hybridity.

This is not to vilify the hybridity discussed above. Indeed theatrical skills have proved they are effective in audience construction and subsequent revenue generation for radio. But hybridity must be moderated with basic professional journalism training.





Uganda has over 140 licenced radio stations, and over 30 of these broadcast in Luganda language, including the five stations that were closed. The majority of journalists also suspended belong to these Luganda language stations. This begs a deeper interest in the function, performance and influence of local language radio in the democratic process.

Mwesige (2009) has analysed the democratic functions and dysfunctions of political talk radio. In his research, Mwesige raises the point that although talk radio appears to have widened the electronic public sphere, there are



*Patricio Mujuuka and Kato Lubwama in a drama performance in theatre.*

factors in the conduct of the political talk shows that are greatly wanting. These include misinformation and distortions. "Talk radio appears to peddle misinformation and distortions; to invite adulterated debate that excites and inflames rather than inform; to give the public an illusion of influence and inevitably to lead to political inertia."

Mwesige predicted that there were concerns that misinformation and distortions in the poorly controlled political talk shows (and indeed other similar programmes emphasis mine) could undermine their democratic role of information dissemination. The events of September 2009 vindicated him.

The September clampdown on media, especially radio, was to affect programming significantly. On the one hand, stations dumbed down on current affairs programmes, critical comments and anything that appeared to criticize influential people in government. The result was that programming sought refuge in safe zones: more music, religious programming and light content such as emotional programming involving agony-callers, intimate zones and a host of relationship related issues. More time was also allocated to sport. The casualties are evident: a collapse of the investigations, critical engagement and public affairs journalism that seeks to hold leaders accountable.

Many journalists talked to, and those interviewed by human rights organisations and international journalists bodies, describe a climate of fear in radio newsrooms especially for those staffers working on current affairs programmes and talk shows: fear of antagonizing the State, fear for personal safety, fear of possible loss of employment, the fear of professing personal political opinion if they are contrary to the ideology of the establishment, and even seeking comment or sound bite from opposition politicians and persons deemed opposed to the government.

These fears were made more real during the year-long closure of the CBS, which the authorities used as an example to show what can befall those stations and journalists who dare to challenge the authority. Although the CBS workers maintained solidarity, many suffered humiliation as they searched for temporary jobs at other stations. Others went into hiding as banks mounted a hunt for loan defaulters. This fear also spread to radio listeners, particularly talk show callers-in, following the arrest of many of them during the September riots. And the worst fear was losing advertising revenue as leading advertisers slowly shied away from sponsoring the programmes that were deemed controversial.

The clampdown also exposed a number of realities. First, the confusion in roles among broadcasting regulators: the Broadcasting Council and the Uganda Communications Commission

both of which have overlapping functions including the issuance and removal of broadcasting equipment. The second reality is the dangerous manipulation of the regulatory bodies, particularly the Broadcasting Council for political expediency. In this case, the Chairman of the Council, in a number of ways acted outside the mandate of the Council to force the closure of radio stations and the suspension of broadcasters. To date government has not taken any corrective measures to rectify this situation. Radio stations in Uganda are not known to challenge laws and agents of the state in courts of law. They will need to pick lessons from their print media colleagues, who have won several battles in court to scrap infamous anti-press laws, such as the publication of false news and sedition.

Thirdly, the ease with which security forces used extra judicial means to deal with radio personnel, including the dumping of WBS talk show personality Kalundi Sserumaga in a car boot sent stark reminders that where the State feels threatened, even by mere words of journalists, the military will still play a role. This reality became more evident in the prolonged battle of nerves between the State and the Buganda kingdom over the closed CBS where newspapers often reported that some generals were opposed to the reopening of the station. Bukedde, a Luganda daily, published by the New Vision Group, The Observer, and The Red Pepper reported that the generals, led by Gen. David Tinnyefuza, were opposed to moves by Mrs Amelia Kyambadde, the influential former Principal Private Secretary to the President, to persuade the President to reopen CBS. Gen. Tinnyefuza is the coordinator of intelligence services. One wonders if CBS radio would have re-opened if it had not been close to the Buganda Kingdom.

It can be safely argued that the media lost much of its biting power as far as its watchdog role is concerned. Watchdogism has to a large extent been replaced by entertainment and tabloidization of content to win audience but not to check those in authority. According to liberal theorists, once the media become subject to regulation by the state, they might lose their bite as a watchdog (Curran, 2000:



121). Berger (2000) for example writes: "Watchdogism is regarded as the epitome of democratic significance of both journalism and the media. Access to information held by the state is important in this outlook. Watchdogism focuses on the state and strips away its secretive features" (2000:84).

## Fm radios and the 2011 elections

The effect of the September 2009 crackdown on media, particularly radio, will certainly be reflected in the way the media covers the 2011 general elections. In the previous elections in 2006, radio stations made a fortune from hosting presidential, parliamentary and local councils candidates from all political parties. Even President Museveni appeared on nearly every leading radio station in areas where he campaigned. FM radios differed in the amount of coverage they gave to opposing candidates. Radio stations were also influential in relaying results as they came in, sometimes creating parallel structures with the Election Commission. The jury is out on how the radios, yet to recover from the 2009 shock, will perform the democratic function of disseminating election related information.

## Way Forward

There are a few important things owners of FM radio stations can do to cushion their businesses in preparations for the times ahead. In the first place, their association should develop a code of conduct that seeks to instill self regulation. Secondly, a common election coverage guide will go a long way in insulating individual stations and their broadcasters. Thirdly, owners and managers should subject their staff to period training in basic media ethical conduct. Also important is for media managers, development partners and even the government department of information to facilitate a common training course for broadcasters in covering elections. There will be a lot of information about the elections. But what is important is not more information but discussion of issues and promises that candidates make. For this to happen, FM radios need not dilute the quality of debate or abandon political talk shows altogether. Rather media should improve the quality of debate. Like John Stuart Mill posits, it is in debate that ideas are refined and the best positions arrived at.

## CONCLUSION

FM radios have without doubt widened the space of political participation by opening space for more citizens to participate in debate on the way public affairs are run in Uganda. For the last 20 years, however, the running and staffing of FM radios had followed largely the demands of the marketplace without serious consideration put on strict editorial controls. The crackdown on FM stations that followed the pro-Kabaka riots was the first test for the Uganda electronic media, in dealing with the full backlash of the State. The results, as outlined above, left the media feeling boxed in, cornered and surely without any advocates in the executive.

Governments all over the world will pick a quarrel with aspects of media content, but there often exist more civil, more subtle ways of handling media. In the case of Uganda, however, some weaknesses in the FM radio structures created loopholes that the state exploited when the chance arose. One of these was staffing, the other was the profit motive at the expense of tight editorial controls.

Most media and other commentators agree that government overreacted, and in the process undermined the progress achieved since 1986 in the direction of freedoms of the media and expression.

The media in Uganda, and in particular the electronic media needs to work out a dignified exit out of its present predicament. Perhaps most important will be for media to start a campaign for a Bill to operationalize the protection of freedoms of the media and expression. Given the little regard Ugandan security official and powerful individuals have for the rights to freedom of speech and expression, the media must fight its own battle to initiate a draft bill for such an enabling law. If supported and enacted, such a law will counter the tendency by the government to always revise media laws at will, for the sole purpose of taming the media especially ahead of elections. Ghana, which has one, can offer important lessons.

## SELECTED REFERENCES

- Mwesige, P. (2009). The Democratic Functions and Dsyfunctions of Political Talk Radio: the case of Uganda. *Journal of African Media Studies*.(2009) Vol. 1 No.2 pp 221-245. Intellect: Bristol.
- Chibita, M.B. (2009) The politics of broadcasting, language policy and democracy in Uganda. *Journal of African Media Studies*.(2009) Vol.1 No.2 pp 295-305. Intellect: Bristol.
- Wasswa, J.B. (2005) The Exploration of the Impact of State Ownership on Uganda's New Vision's social roles. Unpublished thesis. Rhodes University.
- Curran, J. (2000) *Rethinking Media and Democracy* in Curran, James. and Gurevitch Micheal. (eds). *Mass Media and Society*. 3<sup>rd</sup> Edition. Arnold: London.
- Human Rights Watch: A Media Minefield: Increased Threats to Freedom of Expression in Uganda. May 2010
- Berger, G. 2000. Grave New World? Democratic Journalism Enters the 21st Century. *Journalism Studies*. 1(1)
- Merrill.J.C. (1996) *Journalism Ethics: Philosophical Foundations for News Media*. Bedford/St. Martin s.





# WHAT MEDIA GUIDES FOR 2011?

## Introduction

The need for media guides in election coverage cannot be overstated. When I was asked to write a paper on the usefulness of media guides in covering elections, my mind was immediately fixated by ghastly images of the Rwandan genocide and post-election violence in Kenya. Local media in Rwanda, especially the state owned newspaper Kangura and radio stations like Radio Rwanda and Television Libre des Mille Collines played a prominent role in fanning genocide through the promotion of hate speech and literature.

In Kenya's post election violence in 2007, many community-based radio stations were cited as key catalysts of mass killings through dissemination of hate speech.

Irresponsible journalism has therefore had a very visible hand in the political turbulence that has afflicted the Great Lakes Region during the last 20 years. These sad chapters of our regional history therefore, impose great burden on media in the region to exercise a level of responsibility guided by self-responsibility and sets of codes and guidelines that serve as a media cockpit, especially in the coverage of emotive issues like elections.

The following discussion considers some of the imperatives media need to put in place at institutional level, and the principles, safeguards and responsibilities the individual journalists need to consider in covering the electoral process.

## Resources and guidelines

One of the key yardsticks the world will use to rate the growth of democracy in Uganda in next year's general elections is the extent of media freedom. The media as an institution will be judged on the extent to which their freedom is exercised responsibly, to make society endure. This will require both state-owned and independent houses to invest sufficient resources. Elections are a process that does not happen in one, two or three nights. Ideally, all media houses should allocate resources human and financial – for election coverage at least six months ahead of an election date. That is the first step to ensuring a holistic approach that informs the public of developments across the entire political spectrum.

Media houses are expected to have a specialised election desk---a team of reporters capable of bringing news, as it happens, in each of the country's 117 districts. The extent

of the coverage will obviously depend on resources available but suffice it to say that at least there should be a reporter attached to every presidential candidate. Most media houses in Uganda are however severely impaired by financial handicaps and it is hard to see them fulfilling their role of informing the public. It will take some innovative financial engineering and wise resource allocation, for even leading national dailies, to effectively cover the 2011 elections.

Media institutions are corporate citizens, and as such they need to rise to the occasion in the coverage

*Elections can be a tricky process all the way, that is the reason Allan Ssekamutte makes the case for clear guidelines and rules of engagement and training for media to minimize conflict situations.*

of this national activity by elevating the resource consideration for editorial departments. There has been a regrettable tendency among chief executives of media houses to relegate editorial departments to second position behind advertising departments. This is because the advertising people are considered to be the generators of

revenue. It is common knowledge, however, that advertising only follows good editorial content. Thus, media managers ought to set aside resources; if need be recalled from other budget allocations, in order to ensure they can provide authoritative, in-depth analysis of the 2011 general elections.

Journalists teams covering elections must have enough airtime, dedicated office lines and furniture, computers loaded with appropriate programmes to compute results and generate graphics that help the audience understand and follow the electoral process as it happens; vehicles for easy mobility and enabled cell phones to facilitate journalists employ multimedia coverage. Each media house should have a nerve centre.

Most important is for each media house, or media houses working as teams, to give elaborate guides to journalists on the imperatives of covering the elections. These guides apply to field reporters and to those at the desk as well. The guidelines help to ensure consistency, accuracy, taste, balance of reporting, issues of peace and stability, analysis of the process and interpretation of issues and events as well as contextualization. The following are issues that need emphasis.

## Balanced reporting

Fairness in media coverage is one of the canons of good journalism.. Balance also means that all news clips must, as a matter of policy, contain both sides of an issue, or at the very minimum, contain voices of competing parties.

## Objectivity

Reporters have sometimes got entangled in partisan politics, or even embedded in partisan campaign teams, adversely affecting their ability to deliver objective news. One of the guidelines should put the onus on news managers to scrutinize all news reports for evidence of breach of objectivity.



There will be biased commentaries and analyses but these should only come from people from outside the media houses. These have a right to be biased in favour of a particular candidate, but their submissions must clearly be categorized as comment or opinions. However, editors need to endeavour to ensure there is a good balance between competing parties.

## Endorsing candidates

This is a bit of a minefield, but there is no reason whatsoever why individual media houses should not have the right to back a particular candidate as long as this is done in accordance with the law, and on matters of principle. If a media house is for free market economics, social welfare, universal education and a specific employment policy, it should not shy away from backing a candidate who espouses the same ideals. Obviously media will have to weigh options seriously. Media houses all over the world make a step to endorse a candidate of their choice, to guide their audience in a moment of decision. Endorsement is a sign of media maturity and an exercise of their corporate citizenship rights. Let me also make the point here that government and the ruling party need not take media endorsement of candidates other than theirs as a hostile act.

## Campaign advertisement

Fairness also extends to talk shows and political advertising. No candidate should be denied the right to advertise his agenda on the basis of his or her political beliefs. Guidelines should have built-in provisions for reportage of all sides, all candidates as fairly as possible. Consideration should also be made for the sense of balance and fairness in paid advertorials and advertisements candidates will place in media. It is important that media houses set up strict guidelines as well to candidates and their campaign teams on what is permissible campaign advertising. Scenarios like the 1996 episode in which a national daily allowed one candidate to demonise his rival by publishing a page of skulls and

tying it to him, is a typical example of unacceptable lack of fairness.

## Contextualise results

The importance of accuracy in reporting results, especially partial results cannot be over-emphasised. Uganda's history is littered with examples of cases where candidates prematurely celebrated their victories on the basis of irresponsible reporting. The 1980 elections are a case in point. Some members of the Democratic Party

how parties performed in different parts of the country, in 1996, 2001 and 2006 compared to 2011.

The stakes will be even higher this time around. With various political parties and Non Government Organisations like DemGroup showing interest in setting up parallel tallying centres, it will be pertinent to announce results with caution. Any results received must be corroborated with information coming in from the Electoral Commission who are official custodians of the entire elections



*ICT Minister Aggrey Awori (right) announces the re-opening of CBS radio in October. The radio chief executive Kaaya Kavuma is seated on the left.*

officialdom prematurely celebrated winning the election before the then Electoral Commission had announced results. The interim head of government then, Paulo Muwanga, then usurped the powers of the Electoral Commission and took over the management and announcing of results, reversing the DP's claimed victory and declared Dr Milton Obote of the Uganda People's Congress the winner. During the 2006 presidential elections, I was one of the panelists analysing results as they came it, on KFM, before government halted the process.

An important oversight during the announcement process was failure to provide context. Responsible journalism will require of us to be equipped with data in order to, for example, compare

process. Good journalism would involve pointing out any disparities if any, and when they arise. The events in Kenya's last elections present new dilemmas to the way media announce results. Kenyan politicians employed local language radios to make parallel and rival claims of victory of major parties and presidential candidates, adding to the confusion.

Individual media houses should therefore develop very strict guidelines on how results will be relayed and reported. This is particularly pertinent to radio and television. One way is to always compute quickly each candidate's gain as a percentage of the registered voters in the constituency or district. And this is only possible with prior preparation of the necessary statistics for easy computation.





The Electoral Commission should develop a software which enables media to announce results in a contextualized manner. This singular programme will go a long way to eliminate confusion that the many media might cause to the population.

## Overcoming Fear

Despite our exalted position as the Fourth Estate, the Ugandan media rarely flexes its muscle and has been especially timid since last year's September riots which resulted in the closure and subsequent re-opening of five Luganda radio stations. However, the climate of fear in which most media are operating ignores Constitutional provisions which guarantee freedom of speech and expression as well as the duty to provide a platform for interactive exchange of opinions.

Article 29 of the Constitution of Uganda states that, "Every person shall have the right to a) freedom of speech and expression which shall include freedom of speech and other media." In the run up to next year's elections, journalists ought to be enamored by the Constitutional Court provision which nullified the law on sedition. Authorities can no longer use Penal Code Act sections 39, 40 and Cap 120 to muzzle the press. Under the Penal Code Act, sedition was defined as the utterance and publication of statements aimed at bringing hatred, contempt or disaffection against the president, the government or the judiciary. The Act provided for seven years of imprisonment on conviction. Media houses must therefore use this new-found leeway to deliver news as it is, without fear or favour. Indeed, any media guidelines on the coverage of elections should equip the journalists with the extent of constitutional privileges they enjoy, the necessary defences, but also with the clauses on the legal pitfalls they need to avoid when reporting and writing news.

## Personal Security

The physical security of journalists while on duty should however not be confused with legislation. Whereas it is always important to follow the news as it happens, reporters must be able to assess whether reporting scenes are

not too volatile to endanger their lives. Media houses must procure reporters jackets, preferably in fluorescent shouting colours that clearly mark them as Press. Two journalists were killed this year; one by a mob and another with yet unidentified hit men. Electoral related violence can emanate from all sides, not limited to security forces. Guidelines for journalists must put their safety before anything else. Media should team up to form rapid response units and have dedicated emergency numbers. This is one of those cases where media need to work together.

There have been cases where media houses and individual journalists have been held accountable and sometimes charged for utterances made by politicians in studios. Media managers need to develop ways of disallowing guests in studios to use inflammatory language and to peddle inaccuracies.

## State owned Media

State-owned media houses are frequently caught up in party politics as they give extended, often biased favour to the ruling party. This is contrary to electoral laws which provide for equal coverage to candidates by public media. Article 24 (1) of the Presidential Elections Act, 2005, mandates state-owned media to practice equity. "All presidential candidates shall be given equal treatment on the State-owned media to present their programme to the people," it states. Article 23 (1) "During the campaign period, every public officer and public authority and public institution shall give equal treatment to all candidates and their agents." This includes media houses.

Article 23 (2) is equally categorical. "Subject to the Constitution and any other law, every candidate shall enjoy complete and unhindered freedom of expression and access to information in the exercise of the right to campaign under this Act."

Similarly, United Nations election missions guidelines provide that, "In the case of government-owned media, it is customary that equal access, both in terms of timing and length of broadcast, should be given to the competing sides."

Unfortunately, these provisions were the first casualty of the electoral process, with the State broadcaster abruptly cutting an interview with Uganda Peoples Congress presidential candidate Olara Otunnu on nomination day. No explanation has yet been given. The public broadcaster, Uganda Broadcasting Corporation and the majority owned New Vision Group have added responsibility to abide by the dictates of the presidential and parliamentary elections laws for equal treatment of candidates. In election time candidates enjoy the same treatment. In all previous elections the public media have given overwhelming coverage to the incumbent. One loophole in this law is that it does not have matching sanctions in the Penal Code in case of its breach by public media managers.

## Minding the Issues

Covering the election is not only about counting votes. As earlier stated, this is a process. Media guides should enable journalists to report the issues that candidates use as a platform for their campaigns, and in case of those seeking re-election, journalists should be able to match the current issues against those the candidates campaigned for, and their fulfillment. Often journalists go for horse race reporting forgetting the issues on the table. The media should help the electorate judge the candidates on the basis of issues, not just party lines.

Needless to say, government owned media must take a leading role to inform and educate voters about the electoral process. State media must not ignore their mandate to inform voters about the voting process, including how, when and where to vote.

Other areas of interest to State media managers should be the importance of not selling their votes, privacy of the ballot and functions of the various positions being contested. For example, one of the biggest misconceptions of the voting public in Uganda is their failure to grasp the fact that the principal role of Members of Parliament, is to legislate, with development work mostly the responsibility of local governments.





## Accuracy

Media guides should emphasise accuracy. The election is a hotly contested issue and each word, each statistic matters a lot. Journalists must get everything right: names, time, issues, numbers, percentages, years and dates. Any inaccurate information can tilt the balance and cause confusion and violence. Election editors should therefore prepare an elaborate database of important information about candidates, constituencies, registered voters, dates and have journalists take basic education in working with figures. Indeed media houses need to take their journalists through drills on covering the election, and make them practice speed and accuracy with reporting events and numbers.

The use of elaborate notes and tape recorders should be emphasized and journalists should be trained to always substantiate controversial statements with a quotation or a soundbite. Accurate quotes relayed in the broadcast media ensure there is no ambiguity for news consumers and is good protection against legal liabilities. The use of tape recorders is therefore more than a mere necessity, it is a must. Serious media houses should by election time have compiled a telephone index of all candidates and the leaders of campaign teams for presidential candidates. This will help journalists get quick comments and clarifications before they file reports.

Inaccurate reports about the alleged arrest of the Katikkiro of Buganda and some leading Baganda personalities provoked riots in Buganda and the capital lasting three days and claiming 29 people. The cost of inaccuracy can be very high indeed.

Elections mathematics should also be extended to the reportage of crowds attending. During the campaigns that preceded the 1980 elections, the Uganda Times, a government owned newspaper had this headline: One million attend Obote rally. The rally in question was in a small upcountry town. Surely even in Kampala it is not possible to fit one million people in any open space. Scientific methods must be applied when reporting numbers and media guides should provide some of the standard ways of estimating numbers.

## New Media Guides

Social media platforms like Facebook, Twitter and YouTube have become a useful platform for politicians. Those who argue that Internet penetration in Africa is too low or that social media platforms can be ignored are making a glaring error.

Nigerian President Jonathan Ebele Goodluck, for example, announced his presidential candidacy on Facebook, and his Rwandan counterpart General Paul Kagame created two new websites during campaigns for a new seven-year term in office. The Nigerian leader has 240,000 fans with whom he interacts on his Facebook page which he updates daily.

In the same vein, because it is virtually impossible to control what goes onto the worldwide Web, democracy activists routinely use social media to circumvent press censorship and authoritarian rule.

For instance, in last year's elections in Iran, supporters of opposition leader Mir Hossein Mousavi, who they say won presidential elections -- not only used the Internet to expose police brutality and human rights violations, they also disrupted access to President Mahmoud Ahmadinejad websites through a combination of cyber tricks. Such was the frequency, intensity and influence of the attacks on Ahmadinejad, Twitter was banned by local authorities. To date, Mousavi routinely makes pronouncements and policy statements on influential opposition Website Jaras on Fridays. Twitter's influence on last year's Iranian protests has even led some observers to suggest that its creators should receive a Nobel Peace Prize.

Wikileaks is another Website raising questions about the need for media guides in Internet journalism. Over the last one year, they have caused considerable consternation in Western capitals by releasing 500,000 secret files on the Iraqi war and over 100,000 on the Afghanistan war.

Locally, authorities have for long ignored critical Internet publications like [ugandarecord.com](http://ugandarecord.com), [radiokatwe.com](http://radiokatwe.com) and [abagwanggamujjeinternational@gmail.com](mailto:abagwanggamujjeinternational@gmail.com).

The case in which [ugandarecord.com](http://ugandarecord.com) publisher Timothy Kalyegira was charged for alluding to government involvement in the September 11 bombings, was a first. Unfortunately, I have scanned all the local media guidelines, both internal self censorship guides, and across the board prints, and I am yet to come across definitive guides addressing Internet usage ahead of the 2011 general elections. Indeed because of the nature of new media, it is virtually impossible for any government to set up effective guidelines for its use. What is essential for journalists in Uganda is to treat content of these independent websites with the journalistic suspicion and crosscheck every detail. Guidelines for covering elections should, as a matter of importance, caution against lifting of content from these websites without careful crosschecking.

## Conclusion

As the authors of the August 2010 journal *Blogs and Bullets: New Media In Contentious Politics* note in their summary, like any media, the Internet is not a magic bullet. Scholars and policy makers should adopt a more nuanced view of new media's role in democratisation and social change, one that recognises that new media can have both positive and negative effects."

Uganda media houses need to prepare well in advance for the elections by providing the necessary resources for covering the whole electoral process and by constructing relevant guidelines for use by their journalists both in the field and at office. Much of the success of the election will depend on an informative, responsible and contextualized reportage that the media will give to the public.





# MAKING SENSE OF LAWS:

*Gawaya Tegulle argues that journalists must not only resist the bill, but they should also learn to keep out of trouble and...improve themselves*

The advent of the Press and Journalist Act (Cap 105) in 2000 caused widespread objections and accusations that the government of Uganda was out to muzzle press freedom.

But just when the media was still figuring how to deal with a Cap 105 that had been labeled draconian and unrealistic, up came the Press and Journalist (Amendment) Bill 2010 that made the original Act appear almost innocent and harmless in comparison.

The original Act (Cap 105) had several features. First, section 8 thereof established a Media Council responsible for the regulation of the mass media. Secondly, section 13 established the National Institute of Journalists of Uganda (NIJU) with rather steep criteria for membership, charged with the maintenance of professional standards for journalists. The two bodies are the equivalent of the Law Council and the Uganda Law Society in the lawyers domain.

The quarrel with the institutional framework was two-fold. One, the composition of the Media Council was highly suspect. Section 8 of the Act stipulated that the Council would be comprised of 13 people, the most critical of whom (the secretary) would be from the Ministry of Information and appointed by the Minister thereof. For good measure, four other people were ministerial appointees including two distinguished scholars of Mass Communication and two members of the public.

Two, section 15 of the Act stipulated a minimum qualification for one to qualify as a member of NIJU: a university degree in journalism or mass communication, or a basic university degree and

a qualification in journalism which was mainly understood to refer to something in the region of a diploma or thereabouts.

Section 26 required that on presentation of the basic qualifications above, one would then be enrolled by the Media Council on the register of journalists of Uganda and, in Section 27, would be issued with a practicing certificate. Section 27 (3) unequivocally stipulated that nobody would be allowed to practice journalism unless they were possessed of a valid practicing certificate issued by the Media Council.

At this stage two problems emerged. The first one was that the conditions precedent for licensing of a journalist and membership of NIJU would unduly lock out many journalists. Not many saw the reason why a university degree was necessary to write a basic news story.

Secondly, the configuration of the Media Council and the manner in which key people thereon were appointed suggested the state did not trust the media to regulate itself and it (the state) would be happy to perform that role.

Cap 105 was therefore seen as a tool for the state to control the media and limit its latitude of engagement; rather than enhance press freedom.

In all this, the other noble aspects of the Act were lost, to wit, that for the first time journalism was being recognized and established as a profession and that it would be fairly well regulated, allowing only the aptly qualified to practice.

It was also forgotten that the Act established a decent code of ethics (in



*AIGP Asan Kasingye, in Charge of Community Affairs, NTV's Betty Dindi, Mathias Mulumba of UMDf and moderator Gawaya Tegulle at a Police-Media breakfast meeting in September 2010.*

the Fourth Schedule) the transgression of which would amount to professional misconduct and attract action by the Disciplinary Committee of the Council.

Sections 6 and 7 of the Act set very high standards and responsibilities for the position of editor, in a bid to ensure that those who occupy these positions have the requisite qualifications and are well disposed to manage the high responsibilities they shoulder. Section 30 established the Disciplinary Committee of the Council, with the mandate to handle complains relating to professional misconduct of journalists.

Section 41 of the Act contained a transitional provision, allowing then practicing journalists a grace period to acquire the requisite qualifications upon which they would then be enrolled as journalists and practicing certificates duly issued.

In many ways a keen look at Cap 105 suggested that a new chapter of history for journalism in Uganda had been written; paving way for orderly practice of the trade. But to many Ugandans used to free journalism where anybody could enter the fray and let his talent or



# PROPOSED MEDIA TWO PERSPECTIVES

*Stricter media laws are in the pipeline and Moses Sserwanga says they will conflict with key court rulings, and are simply a means to intimidate the media ahead of elections.*

## Introduction

The government is proposing a new regime of laws in amendments to the existing media laws- that will add more restrictions to the already delicate media environment in Uganda. Legal experts and media practitioners see the new proposed media legal regime as being aimed at beating the media into line ahead of the 2011 elections.

The NRM is credited with creating a climate that enabled a vibrant media to grow in Uganda over the last 25 years. At the same time, influential people in government have

roles by imposing unnecessarily onerous registration and licensing requirements on both the print and electronic media. The Constitution of Uganda in articles 27,41, provides that the people of Uganda have the right to express themselves freely and access information. These rights as stated in the constitution are inherent to the individual and cannot be granted by the state.

But the proposed laws contradict these provisions of the constitution. For instance under the proposed amendments, newspapers are required to apply for annual licensing. Yet the Media Council, the regulatory body, is given broader powers to withdraw licenses at will if it deems the actions of the media house to “undermine national security, stability, or unity,” and are “against Uganda’s foreign relations, and the country’s economy.”

These are contestable constructs that would have to be defined clearly and narrowly if they are to pass the constitutional test for imposing limitations on the right to freedom of expression. Requiring the annual licensing of newspapers by the Media Council puts undue burden on the profession and on the industry, thereby restricting the public’s broader right to freedom of expression and access to information.

Additionally, giving the Media Council the absolute discretion to define those terms as a condition for renewal of a license or as a basis for penal action would make the regulator an absolute determinant of what should constitute media content. This amounts to a “substantive restriction” on freedom of expression as stated in constitutional and supreme courts leading precedents.

In the landmark Supreme Court case of Charles Onyango- Obbo and Andrew Mujuni Mwenda vs. Attorney General (AG) court stated: “It’s difficult to imagine a guaranteed right more important to democratic society than freedom of expression. Indeed, a democracy cannot exist without that freedom to express new ideas and to put forward opinions about the functioning of public institutions.”

Court emphasized the fact that press freedom and the individual’s right to express ideas and thoughts freely cannot



*Police boss Kale Kayihura at a media event in October 2010*

maintained a marked suspicion of the media, and have often acted to curtail or even disrupt this freedom the media has hitherto enjoyed.

Constitutional and media experts have argued that if the amendments are passed as drafted, they would restrict freedom of expression in Uganda and impede the ability of journalists and media outlets to fulfill their democratic

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Continues from Pg 26

hard work speak for itself, Cap 105 was declared unwelcome.

Aware of the rejection, Government did not implement most of the controversial provisions. The Media Council remained largely inactive and invisible; only rearing its head when it deemed it necessary. NIJU was active for a few years and then died a natural death. The requirement for licensing of journalists was never activated. Cap 105 therefore became more or less only a tool for use whenever Government needed to crack down on any journalist they figured was 'stepping out of line'.

### **Draconian amendment bill**

The Press and Journalist (Amendment) Bill 2010 introduces unforeseeable changes to the legal parameters.

First, amendment 4A (i) provides for registration of newspapers and subsection (ii) makes it an offence to operate a newspaper without registration. The sanction is a fine not exceeding UGX 960,000, or imprisonment not exceeding two years or both.

Secondly, Section 6 of the proposed amendment to the Act stipulates that in addition to the functions outlined, an editor and proprietor, shall ensure that what is published is not prejudicial to national security.

Thirdly, Section 8 on the composition of the Media Council is amended to the effect that it is the Minister to appoint the chairperson of the Council; and instead of two distinguished scholars of Mass Communication, only one will be required to sit on the Council; and that person will be nominated by the Minister in consultation with NIJU. Instead of two representatives of the private newspaper operators, the new Council will have only one.

And whereas in the original Act, the Council had four members of the public, two of whom were appointed by the private newspaper operators and the other two by the minister, the latter category are to be wiped out, leaving only the former appointed by the Minister.

And instead of a lawyer nominated by the Uganda Law Society, the lawyer under

the amended Act will be nominated by the Minister in consultation with the Law Society.

In short, the amendment of the Act seeks to put the Media Council almost wholly and firmly under the control of Government in what government terms as the rationalization of the Media Council .

Amendment 9A is a thunderbolt out of a clear sky it provides for the licensing of newspapers by the Media Council. The license is valid for one year and is renewable on proof that the applicant is a resident of Uganda or a locally registered partnership or company and has adequate technical facilities. The Council shall also inquire into the social, cultural and economic values of the newspaper. Whatever this means is anyone's guess; but what's for sure is that given the seeming spirit behind these letters, Government has no intention to use that provision to enhance press freedom.

Moreover, the license can be revoked by the Media Council for reasons such as publishing material that is prejudicial to national security, stability and unity ; is injurious to Uganda's relations with new neighbours or friendly countries ; amounts to economic sabotage .

The amendment gives no yardstick or barometer for measurement of what amounts to prejudice of national security, stability or unity.

Anyone who offends this provision by operating without a license or is deemed to abuse the license in the ways outlined above commits an offence and is liable on conviction to a fine not exceeding UGX 960,000 or imprisonment not exceeding two years or both.

Section 30 of the Act is amended by increasing the membership of the disciplinary committee from six to 11. Apart from the Chairperson, Secretary and four members elected from the Media Council, the new Disciplinary Committee will have five other members. These will include a lawyer nominated by the Uganda Law Society, a representative of the private newspaper proprietors, two members of the public who are non-journalists and a distinguished scholar of mass

communication nominated by the minister.

It is not too clear how a bigger Committee will be useful; the only positive seeming to be that there is a lawyer on board, the private newspaper proprietors are guaranteed representation and the general public will have a say as well. Hopefully that could cause more liberal decisions, and avoid high handedness.

The more positive of the proposals is the amendment of Section 31 which provides that the Committee shall ensure that the hearing does not take more than two weeks after the date



*A High Court Scuffle in Jinja*

fixed for the hearing. This is meant to provide for the expeditious disposal of complaints before the disciplinary committee. The assumption of course should be that the Committee will be fair and just in its deliberations.

The other important amendment is a transitional provision to the effect that any person operating a newspaper immediately before the commencement of the Act shall apply for registration and for a license within six months after the commencement of the Act.

### **How the amendments could impact on practice**

First, it could act as a freeze upon the practice of journalism in upcountry areas. Most correspondents of the major media houses in the city and most of those who report for media houses upcountry have none of the



requisite qualifications stipulated by the original Act. Enforcing the amendments, if approved, will mean that even the provisions of the original Act will be enforced, which will effectively lock out many correspondents, mostly those outside Kampala.

Secondly, the spirit within which this law is being amended seems to be riddled with bad faith and is being packaged as 'the final solution to deal with the media once and for all'. This strong-arm maneuver could work to intimidate the media and cow them into a corner, instilling timidity and enhancing and endorsing undue repression of the Fourth Estate. That should cause plenty of undue self-censorship by the media, fearing that the State could crackdown on them at anytime if they are deemed to be out of line.

The amendment will also make it practically difficult to practice journalism in Uganda, because every newspaper will be wary of violating licensing conditions. Extreme fear and sheer cowardice will set in.

An equally dangerous possibility is the economic side to this proposed law. No bank will think much of offering

loans to newspapers unless of course the loans can be repaid within one year. That means two things: first, journalists will find it hard to access credit as individuals, since their survival as practitioners is not guaranteed. Secondly, loans to media houses as institutions will not be a wise move, since their survival beyond just a year is not guaranteed. This should ensure a steady exodus of good journalists to less volatile vocations and cause journalism to be left to those willing to be martyred for their beliefs.

The sum total of the impending amendment is that the gains made by journalists in abolition by the Constitutional Court of the offences of publication of false news (*Charles Onyango Obbo and Andrew Mwenda v Attorney General*, Supreme Court Civil Appeal No 2 of 2002) and *Andrew Mwenda and Eastern Africa Media Institute v Attorney General* Constitutional Petitions No 12 of 2005 and No 3 of 2006) will have been reversed. The mischief that the court decision sought to cure by ruling the two offences unconstitutional to wit, giving the state dubious means of muzzling press freedom at the slightest excuse will in all likelihood be

resurrected through the amendment of Cap. 105.

It means that the Media Council which will be effectively in the hands of Government - will be able to get back at offending media houses by simply refusing to renew their licenses.

On the whole, the Press and Journalist (Amendment) Bill is no less than a harbinger of doom for freedom of the media in Uganda. It must be pointed out that the spirit in which this law is being proposed means that even the draconian and unreasonable provisions of the original Act, including and especially, the licensing of journalists that have never been enforced, will surely be enforced together with these even more draconian provisions proposed in the amendment.

If this Bill is allowed to pass into law in its current form, the media in Uganda will have effectively kissed their freedom goodbye. On the civil and political aspects of basic human rights, Government has nicely cornered the media into a corner with this Bill. More critically however, the economic side of it is what will bite the media most: that the livelihoods of journalists will not be guaranteed anymore.

## Any Remedies?

How should the media prepare for future engagements in the political domain, especially election time, in the light of this impending law?

First, the media must not take this lying down. Journalists must be proactive in resisting this Bill; engaging all stakeholders in the media industry and the general public to raise awareness about the danger that this document poses to press freedom. The freedom of the press is the freedom of the people; nothing less and certainly nothing else.

Secondly, in all fairness, the media must exhibit a high degree of responsibility in its reportage so as to make a good case for self-regulation. Like any other profession, the media can regulate itself. But it must exhibit evidence of that ability, rather than indulge in sometimes downright reckless and irresponsible acts that undermine its integrity and raise fundamental questions about its ability to regulate itself.

Thirdly, the media must embark on solid and sustainable training programmes at both individual and institutional level to build its capacity to manage the ever-changing and

increasing challenges. Journalists should get solid training both academically in varied disciplines and also emphasize continuing journalism education through proper workshops and seminars that build their skills and their confidence.

Fourthly, the media has a duty both to the profession and to their community to stay out of trouble. That means one should not go out of their way to break the law.

Furthermore, one ought to read the signs of the times correctly and appreciate that even though arguably within the parameters of legitimate conduct, certain reckless and unnecessary acts may unduly infuriate the state and cause undue crackdowns on the individual journalists or their media houses. The conduct of a journalist should never compromise the safety of the media house. At the end of the day, the media house is both a national service and a business. When the business side is ruined, the other wing of national service inevitably collapses as well.

Lastly, if efforts to fail this Bill do not yield fruit and it is passed into law in its current form, the media should explore the possibility of pursuing court action in a bid to have the law declared unconstitutional.





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be suppressed unless the situations created by allowing the freedom are pressing and the community interest is endangered. This means that the anticipated danger to national security and public order should not be remote, conjectural or farfetched.

However it should be noted that in Uganda and with the new proposed amendments, the government continues to treat press freedoms as a matter of strategic public bluster and not a constitutional guarantee. This is because the state functionaries are averse to public criticism because of the sometimes irrational and, in some cases, undemocratic manner in which they run government.

But the primary objective of freedom of expression is to empower people to participate in decisions that affect their livelihood. And this empowerment cannot be over-emphasised especially now that we are heading into the general elections. This is especially true in the context of the forthcoming elections where candidates seeking elective national political offices should address the issues that are central to the Ugandan public. In other words, freedoms of speech, expression and the media are intended to promote accountability and transparency in governance.

In the same Supreme Court case cited above, the judges cemented this principle of the law by stating that "in a free democratic society, it is almost too obvious to need stating that those who hold office in government and who are responsible for public administration must always be open to criticism." Any attempt to stifle or fetter such criticism amounts to political censorship of the most insidious and objectionable kind.

But a democracy means that there will always be two or more competing views-political and otherwise- to allow those who are governed the freedom to make a free choice on how they should be led. The media is just a vehicle by which these democratic ideas are conveyed.

The proposed amendments therefore go against the wisdom of the court judgment in the Onyango Obbo case.

Yet on the balance, government has the largest share of the media platform in this country. By having a national radio and television network with the widest reach, and owning majority shares in the Vision Media Group that boasts of two daily newspapers, regional publications and a string of radio stations, the government far

legal committee, the civil society organizations, the public, journalists and managers of media houses.

The existing legal framework governing the media laws also put in place disciplinary procedures and measures that can be taken against errant media and journalists. The problem is that the state has done very little to enforce these laws to ensure fairness on part of the media and the aggrieved public.



*Launch of the Free Media Campaign in Kampla, November*

And when they have chosen to apply the provisions of the law the enforcing agencies, in this case, the Media and the Broadcasting Councils have done so -albeit selectively and on political instigation. And their decisions have been generally outrageous. In the recent two cases of State vs Red Pepper in the Gaddafi-Tooro Queen Mother case and suspension of journalists and closure of radio stations following the September riots, the accused persons and management of the closed radio station were never given a hearing.

outcompetes its political rivals in having its political philosophies and policies disseminated to the masses.

In any case, governments all over the world can only sell their policies to the public and the media for support. They can force public or pro-government media to toe the official line to manufacture consent but they cannot force the audience to buy those policies wholesale.

Thus the principle of fair trial and rule of natural justice which allow for an accused person to be heard before an impartial tribunal were never followed.

And one wonders why government is pushing for the amendments just months to the general elections when there is already a broad legal regime to govern the media in this country, which is restrictive enough. The Press and Journalists Act and the Electronic Media Act are laws which provide for regulation of journalists in practice and set ethical standards for their conduct. These laws, though some of their provisions are objectionable, were enacted after consultations with all the stakeholders who included among others, government officials, members of parliament on the parliamentary

No wonder there continued to be agitation since the bloody September riots for the opening of the Central Broadcasting Station (CBS). Government on October 23 2010 agreed to re-open the radio without any conditions, a year after it was closed down. The closing of the station led to loss of jobs for many young people and deprived the public of vital information needed to make informed decisions. The country does not need to go back to these dark days since neither party in the CBS case has gained anything in the radio s being off air for this long.

The law should be employed to protect the public good and not political ambitions of a few people in leadership. There are also other laws that impact on the work of journalists in a negative way and could be invoked by the state especially in the coming general elections. These include the Anti-Terrorism Act and the Access to Information Act. Under the Anti-Terrorism Act, there is a lacuna (legal



gap) about the definition of who a terrorist and publication is. This lacuna in the law is a cause of serious concern among the media professionals in the country, largely because many government officials including President Museveni have in the past openly equated journalists to rebels or labeled them government enemies.

Most worrying is the fact that the law hands out the death penalty to journalists found guilty of publishing or airing information or material deemed to promote terrorism. The threat of the death penalty is enough reason to lead journalists into self censorship.

The Access to Information Act unnecessarily gives enormous powers to a public servant not to release information in the custody of the state if he/she deems it to be prejudicial to national security. And there are already cases where this power has been abused. In the case of Charles Mwanguhya and Angelo Izama vs State, now being heard in the constitutional court, government refused to release the oil contracts after the two journalists applied for the information under the provisions of the Act. The government officials invoked the powers given to them under the Act to decline the release of information by citing threats to national security. Some of these laws therefore, need to be revisited and the repugnant sections repealed.

The Uganda Newspaper Editors and Proprietors Association (UNEPA) has rightly objected to the state's attempts to gag the media. In their recent statement, the association has called for dialogue between the government and the media to ensure that there are only the regulations that will not impinge on the fundamental rights of press freedom and the freedoms of free speech and expression.

It is a fact that journalism is no easy task at the best of times- especially when questions are raised about the workings of journalists and the capacity of the media, especially those outside the realm of government- to provide accurate, reliable and timely information on the conduct of those who are in charge of running the government.

The role of the media in a young democracy like Uganda is very crucial in highlighting and exposing the

wrongs and excesses of government officials and the widespread corruption in public service.

And while media firms and journalists' groups like UNEPA should promote higher professional standards among journalists, it is also the duty of the media as the Fourth Estate to expose abuse of power by those who are in authority. This is the watchdog function, which is a true democratic mandate of the media.

It is now an accepted international legal norm that a free media is essential for creation of democratic societies. This is a universal and fundamental right.

It is pertinent to point out at this stage that the government maneuvers to gag the media through legal and other means is inconsistent with the rapidly changing media technologies. Government's strategy to target formal media ignores the new media which has proved far more widespread than earlier believed. The advent of digital reporting, text news messages and global phenomena of the dot-com journalism and citizen journalism has changed the speed and reach of news.

The total newspaper daily print run in Uganda is less than 100,000 copies. But there are six million mobile telephone subscribers in the country. Any news that government would not wish printed can easily be circulated over the phone to six million Ugandans.

Despite the fact that freedoms of media and expression are constitutionally guaranteed, there are agents of the State who continue to treat media freedom as a punching bag, something to hit at whenever they are not happy. This is particularly true where state officials are averse to criticism in cases where journalists have been harassed or treated using unconstitutional means.

Cases have been recorded where security officials harass, beat and lock-up journalists for a mere spoken or written word. The ideal would be for government to use its vast media outlets to make counter arguments or clarifications, or even follow legal channels to counter the media. The government has a teams of well paid media and public relations advisers and strategists

it can use to counter the alleged falsehoods by private media through public sensitisation and provision of the correct information without resorting to underhand methods and macho manoeuvres against journalists.

It is a contradiction in terms for state officials to intimidate the media and at the same time brandish democratic credentials. A vibrant and free media environment is but the hallmark of civil liberties. It is also true that some elements in the media are guilty of partisanship, corruption, lack of professionalism due to little or no professional training. But these shortcomings should not be the basis for government censorship. Rather the government should encourage more self-regulation and better training of journalists.

Even if complainants opted to use the existing law, there is an elaborate appeal process right up to the Supreme Court and, better still, aggrieved members of the public can sue to recover damages and be compensated for the wrongs suffered at the hands of journalists. Increased criminalization of misdemeanors and increased punitive action against the media have created a situation where security officers exceed their mandate when dealing with perceived media offences.

Some of the provisions of the law governing the media in this country including the proposed amendments are largely aimed at muzzling free speech and expression rather than guaranteeing it. In this situation, security officers do not consider it their duty to protect media freedoms but come in only to curtail them.

More anti-media laws mean the State no longer considers media vital in exposing rot in its systems and this is a reflection of the perceived lack of political will to tame vices like corruption and abuse of office or even possible electoral malpractices in forthcoming elections.

A media strategy that encourages intellectual discourse, openness on part of government, dialogue and tolerance for divergent views will go a long way to grow our democracy. The media being the last frontier to realising civil liberties should never give in to state patronage, let alone harassment.





# DEPTH REPORTING TAKES FLIGHT

## When the media do not interrogate the issues

“Pupils can’t read,” read the headline in the Daily Monitor on 13 October 2010. The story went on to say that, “The findings indicate that 98 percent of P3 children sampled could not read and understand a story text of P2 level difficulty. Also, 80 percent in the same class could not solve at least two numerical sums of P2 level correctly.”

I read this story a week after the teacher of my five year old had politely and rather ashamedly told me that the school had “run out of work” for my son because his reading level was already above that of primary one. “His reading and numeracy are for primary level and we are only biding time before he joins primary one next year (in January). Otherwise, our work here with him is done, only that he needs to “wait” for his peers so that he can be in a class with his age mates,” she said.

“What a contradiction, considering that the average P2 child in Uganda is seven years old, and my son is five,” I said to myself. But are issues ever closely analysed thus for us in the media in Uganda? Is public affairs journalism in a place where it can go beyond the news and report the relevance of the news? What are the chances that my son’s peers will be able to compete favourably with him at the primary leaving exams? What are the chances that those children will grow to their full potential; or that someone will take the “illiterate” children’s plight seriously? After all they do go to school, remember?

In the days that followed I looked for an interrogation of the education mess in the country; I waited patiently for a political party to come up and tell us their plans for addressing the problem. I looked out for a journalist, a newspaper, a radio commentary that would pay attention to the muddle that is an excuse for universal primary education, and nothing came up. The attention shifted quickly from the children who daily go to school but know nothing, to Moses Kipsiro, the athlete who had won two gold medals for Uganda in the 2010 Commonwealth Games. Yes, Kipsiro deserves his spot in the sun but so do the seven year olds who do not know the difference between “there” and their” after six years in school.

What the readers deserve are public affairs journalists who do not just string together a few sentences to make a story. The public needs journalists who define, understand and examine the key issues that get into the news. Most importantly, we need public affairs journalists who ask the right questions and hold those responsible accountable

*Uganda's vibrant media does well on providing information, but as Ann Mugunga explores, they may not be connecting with the citizens to highlight those issues that pain the people most. Focusing on events deprives the public of vital information for enhancing citizenship*

through accurate, insightful and analytical reporting.

Public affairs journalism is a broad field, which in some instances includes areas such as investigative journalism and muckraking, where these serve the public interest and the public’s right to know. Public affairs reports often focus on unethical activity, or aim to interrogate social evils that are of public interest and generally hurt the voiceless masses. These may include mismanagement of public

funds, bad government policies and lack of accountability, alleviation of human suffering, mismanagement of the electoral process, among others.

Therefore, public affairs journalists have got to be able to appreciate key issues of public concern; these should cover all spheres: political, economic, social, cultural, religious or otherwise. The journalist should then appropriately package this information for inclusion on the media and communication agenda. The public affairs journalist should get insight into

what those who are supposed to be accountable to the people are doing and not doing. They should know the concerns of the public. As people privileged to have access to centres of power, they should be of help to those who do not.

Michael Killenberg (2008) said that journalism is a service to the public, and so public affairs journalism should be a service that is beyond information, stretching as far as information application.



*Journalists should interrogate public concerns like the epidemic of potholes on Uganda roads to give the big picture.*





“This concept of public affairs journalism is embedded in the historical and principal role that the media has to play for society, and is still relevant and much needed even at a time when its application in modern day journalism is increasingly becoming a challenge, and where merely providing information is no longer a sufficient role for journalists to play in public life.”<sup>1</sup>

Public affairs journalism greatly relies on the journalist's ability to identify issues of public interest, which is the outcome of a process of democratic debate and decision-making. Public interest is however, never fixed but always changing, developing and subject to negotiation. This assumes that journalists are working in an environment where reference can be made to some widely held values. But this is daily being challenged both by new media and its application by the various users.

Community or public journalism is the philosophy that media organisations should try to solve civic problems as well as report the news.

Al Neuharth who created USA Today in 1980 said: “It is my belief and my hope that the journalism of the future can and will deliver news that people can use but more important, that they believe and that has a place in their lives every day, whether it is in the board room, in the class room or on the refrigerator door.”<sup>2</sup>



*Garbage, garbage everywhere...and we bury the story in the garbage pit too.*

The journalist, therefore, is confronted with the task of ensuring accuracy and fairness in filling that role in society; yet it is also true to say that there is a continuing need for practicing and would be journalists to master the basic skills of reporting and writing no matter what tools one uses or how one's report reaches the public.

In Uganda public affairs journalism, just like investigative reporting, is a challenge to the media houses and the journalists who have to strike a balance between sales and service. “The world that reporters cover is now more dangerous, complex and ambiguous. People's lives have changed to be more confusing, dangerous, and troubling and they depend on journalists to report news of import to their lives.”<sup>3</sup>

Issues like the electoral process in Uganda need curious and enlightening interrogation for the public to be able to understand the process and participate in it in a way that will produce the best results for society. “Democracies depend on journalists to keep the citizens informed and hold the public and private institutions accountable. Unfortunately, the traditional, civic-rooted role of journalism has suffered as news organisations, at times, pander to the perceived public appetite for spectacle, sleaze, and sensation in search of audiences.”<sup>4</sup>

<sup>1</sup> *The Two Ws of Journalism: the why and what of public affairs reporting.* Davis Merrit, Maxwell E. McCombs. 2004. Lawrence E.A. Publishers.

<sup>2</sup> *McQuail's Mass Communication Theory. Fourth Edition.* Denis McQuail. 2000. Sage Publications.

<sup>3</sup> Michael Killenberg (2008) *Public Affairs Reporting Now: news of, by and for the people..* Focal Press.

<sup>4</sup> Michael Killenberg (2008) *op.cit*

Journalists will, however, argue that although the public “needs” the interrogation of issues, rarely does it “want” it. Many practicing journalists hold the view that often people will buy the newspapers with the sleazy gossip columns and pay little attention to exposes that take weeks, sometimes months to investigate and report on. Coupled with that is the competition among the media houses to sell more copies, attract more listeners, or draw more viewers.

Other reasons advanced for the absence of indepth public affairs journalism include the cut throat competition, which leads to the production of infotainment and the light stuff that will win audiences and increase sales.

## Challenge

Michael Killenberg holds that, “Competition alone does not explain journalism's diminishing role as public servant. Everyone, it seems, with a talk show plays the game of make-believe journalist. Although they bring politicians and policy makers on for chats, they provide a safe haven - a civic duty free zone where no one demands accountability and no one challenges or contests what the high profile guest says or does.”

The new media advances also offer challenges to the media in Uganda. As it attempts to interrogate issues, it finds an audience already scampering for alternative sources on the Internet via Face book, and quick updates on their phones. That leaves them (audience) with little attention dedicated to mainstream media of radio, TV and the newspapers who now have to either play catch-up or get alternative means of reaching a fickle and ever shifting audience.

“The Internet too has spawned a slew of imposters who operate without allegiance to codes of ethics and values that guide responsible journalists. Americans, young and old, find it liberating to access news online and frequently search for news in non-traditional places.” The challenge is for the professionals to venture into the non-traditional news arena and bump out the masqueraders.”<sup>5</sup>

<sup>5</sup> *Public Affairs Reporting Now: news of, by and for the people.* Michael Killenberg. 2008.





UPE under spotlight: What is the quality? Who is failing this great initiative?

## More space, fewer discussants

New media arenas especially in broadcasting and the Internet are in Uganda infiltrated by a number of masqueraders and so trained journalists need to storm them with informed, insightful and well researched presentations so that the audience can have alternative sources of information that are plausible enough to assist them make informed decisions.

Another challenge that is especially posed by new media is that it is becoming increasingly difficult to ascertain social consensus on various issues of concern. With a segmented audience, what is considered as generally acceptable to the audience becomes a moving target for the journalists. "The second requirement for democracy to function is a method or place for the citizens to discuss the information they have acquired. Technology has also expanded, and complicated that task. Whether on talk radio or television, in Internet chat rooms, through e-mail or personal websites, the opportunities for exchange of views have multiplied at a breathtaking pace. The dilemma is that increased opportunities for separate conversations do not automatically mean more people are involved in "common" conversations. This fragmentation makes social consensus difficult to recognise."<sup>6</sup>

There is general increase in knowledge among the people in Uganda. Access to more advanced technology and faster speed of news have widened the scope for choice among the audiences.

*Focal Press*

6 *Public Affairs Reporting Now: News of, by and for the People. Michael Killenberg. 2008. Focal Press.*

The easy and relatively cheap means to access information has made public affairs reporting even more challenging to journalists in Uganda, who often abandon the field for easier tasks. The few who stick to the trade are prone to mediocrity. The audience, now more demanding and sophisticated is left with no option but to abandon local media and switch to more in-depth stories from abroad, that is on the Internet, on international television channels, radio stations..

The above, coupled with self censorship, the fear to antagonise those in authority, inadequate training of the media practitioners, and ignorance by the journalists of their full mandate and responsibility, further diminish the role of the journalist, making it harder for the specialised, interpretative reporter to penetrate the market and make a strong point. However, that does not excuse poor exposition of public affairs.

The Daily Monitor, on 22 October 2009, said that a report commissioned by the NRM Secretary General, Amama Mbabazi, discovered that there are one million ghost voters on the national voters' register. The report said, "The NRM investigators were stunned that although multiple voter registration was widespread, EC officials in the western Kasese and northern Lira districts would register the same voter as many as 20 different times. It was intriguing that in Rubanda West constituency, Kabale district, at least 630 of the 1,600 voters in Mushanje, Ikumba sub-county, shared similar names and birth date of January 1," the researchers said.

"This matching, the researchers suspected, is being used by the election officials as a common denominator to identify "ghost voters" to inflate tallies for preferred candidates."

The report's conclusion was that, "There was no merit for many in the 2006 election. This unfortunate disease was created in the Movement system by individuals whose ideological thinking did not fit in with the Movement. Having said that, the errant individuals seem to know where all these "ghost" voters are."

The story further talks of how the opposition is planning to take advantage of the ghost voters in the system as well, "to bring the NRM candidate's 2011 score below 50

percent, forcing a re-run." And although there are various suggested reforms such as disbanding the Electoral Commission and prohibition of the involvement of the army and other security agencies in the elections, little is given by the journalists in form of solutions for the many voters that read the story.

Subsequent media reports, however, made an analysis of the above report, and what it means for the fate of elections in the country. Frederick Ssali in the New Vision of 11 November 2009 said that exorcising voter ghosts from register calls for united effort: "All key stakeholders in Uganda's electoral process should uphold and respect the Electoral Commission Act, 1997; and to give confidence to all the stakeholders, the EC should hold regular consultative meetings with all representatives of political parties and update them on the process on a regular basis."

The growing discomfort with the workings of the Electoral Commission (EC) in Uganda perhaps draws from the fact that the blotted voters' register has never been fully explained. "It is a public secret that our voters register is fundamentally flawed. There are concerns from the NRM as well the opposition about ghost voters on the register. A report by the NRM last year discovered that one million registered voters were non-existent. The EC has also discovered that 159,419 people have registered more than once.

Following the completion of the registration update exercise a few months ago, sections of the public raised doubts about the genuineness of the statistics published by the EC. The point of contention was that the number of registered voters is inconsistent with the Uganda Bureau of Standards (UBOS) statistics. The EC, however, maintains that UBOS' figure was a projection of population increase while what it has published is the actual figure. Precisely, that is why the register display is crucial. It is important that we, as citizens of voting age, do not remain spectators. We expect that with everyone's constructive input, the ghosts on the register will be identified and recommended for immediate deletion.

As political parties and the civil society join efforts to push for electoral reforms, the introduction of fair electoral systems must start with a thorough clean-



up of the voters register. Without a clean register, this country cannot have an effective electoral process that is acceptably free and fair to all participating political parties. We have little time left to get it right," said the New Vision editorial of Tuesday, 12 October 2010. And on the guessing game goes with the public wondering who will do the job of cleaning up the register, and the journalist sitting on the fence and throwing in a few lines but not clearly helping to solve the problem.

In a few months time the country will vote for new leaders in all political offices in the country. Virtually all issues that affect the public are now electoral questions. This is the work of the public affairs journalist to examine the issues and put them on the media agenda; to scrutinize the candidates manifestoes; to challenge the incumbents on earlier promises made; to interrogate those new comers are making. In the end, the public affairs journalist should help the voters get the important information needed to assess candidates on the basis of real issues, and not merely to be persuaded to sell their birth rights for a bar of soap or a glass of waragi from the candidates..

The closest that media houses have to a specific person handling public affairs reporting is the political editor. However, even these are short changing the audience by focusing on the political figures, covering the personalities and not the issues. In August 2010 the Movement political party held its primary elections and a lot of emphasis was laid on personalities. Often comments of "so and so is a new comer, we should vote for a historical" were heard, as opposed to "so and so can help the local farmers increase their yields, or sort out other problems". Rather surprisingly, the voters seem to be more interested in who can buy them a bottle of beer than who can ably approach the Ministry of Health to ensure that there are drugs in the health centre next door. Is that because they know that all the politicians in elective offices are unable to get things done the way they should so the electorate have begun to focus on getting something personal out of the campaign trail.

Many other issues that are not treated with the seriousness expected of the media include the poor transportation system especially in urban areas. Kampala for example was scheduled to have a bus system by 2006. Four years down the road, the boda bodas are still

unleashing terror on the citizens; the commuter taxis are uncontrollable with fares increasing during peak hours; and the promised organised bus system is a forgotten plan. The politicians do not want to enforce the ban on boda bodas in the city centre for example, because they fear to lose out on the accompanying votes. The sad reality is that while everyone else in the public is turning a blind eye, or has ceased to notice the ills, the journalists too do not play their part.

Whereas Uganda is largely an agricultural economy, fewer people are engaging in agriculture. Programmes like the National Agricultural Advisory Services (NAADS), which are meant to benefit the poor farmers, do not accomplish their intended purposes. The Democratic Party leader N Robert Mao was quoted by various media on Monday, October 19th 2010 saying that the government had turned NAADS into a project that benefits only the rich farmers while neglecting the poor ones. Journalists are not questioning why the government seems to have abandoned to the private sector core responsibilities like provision of agricultural education, investment and stabilization of produce prices. Journalists have not established correlations between this abandonment by government and the growing rural to urban migration.. The Uganda media has not dissected these issues for the public to understand them and thereby call for corrective action.

Daniel Kalinaki, Managing Editor of the Daily Monitor raised issues with the quality of media coverage of important topics. Kalinaki argued that, "There is generally growing attention and space devoted to coverage of public issues such as health, environment, corruption, as literary and civic engagement grows. However, a lot of the coverage remains shallow and event-based, rarely joining the dots to help identify patterns. As a result, journalists rarely give citizens full functional information with which to make informed decisions."

A good attempt at public affairs journalism was in the Saturday Monitor of 09 October 2010 entitled, "How money deals are killing roads", by Chris Obore. Uganda has had an enduring problem of

potholes on most roads in the country and despite various budgetary attempts to address the problem, it persists. Therefore, a thorough investigation into the matter was a break from the routine.. The journalist revealed how the roads ministry had received the biggest slice of the national budget last financial year 2009/ 2010 but roads across the country are dotted lines of massive potholes.

"In some places road works go no for ages. The Auditor General's report highlights failure by UNRA to adhere to procurement regulations



*Journalists are yet to dig below the showcases to get to the bottom of the NAADS scandals*

and supervise road works. An insider (whistle blower s) account to the World Bank accuses Uganda National Roads Authority executive director Peter Sebanakitta and the board Chairman, Chris Kassami, of creating the mess by interfering with decisions made by the technical committees and the continued attempts to circumvent the laws and award contracts to favoured companies."

The story on the mess in the roads sector followed weeks of investigative research and a concerted effort by the reporter to get to the root cause of the problems of the poor roads.

The journalist and his editors put the roads issue on the media agenda employing the name and shame strategy. This approach will probably see a change in the way things are done, bringing about long awaited relief for the road users in Uganda.

Altogether, on the media still has a lot of work to do to bring other burning issues





to the agenda for candidates. The media should use public affairs reporting projects to hold public servants accountable and make candidates from all political groups put these issues on their campaign platforms..

The list of issue is tall: poor garbage collection, very high costs of education in private and government aided schools and at university. education where government sponsorship is limited, there are no drugs in the majority of health centres in the country, the poor pay of medical officers, poor observance of human rights by the security agencies, failure by the local governments to enforce by-laws leading to issues like jigger infestation in Busoga; and unemployment, among many other issues which only get minimum attention from the media.

### Some attempts

Every media house can decide on the best way to execute public affairs projects. At the moment, segmented platforms in newspapers can work as good space for interrogating relevant issues. For instance, the Education Guide in the Daily Monitor of October 18<sup>th</sup> 2010 suggested parental involvement in class as one of the remedies to the poor learning delivery in UPE. Various other lifestyle and special interest pull-outs on health, farming, sports, business, motoring and transportation, women and others approach social issues from a more inquisitive angle. There do attempt, but they are still neither deep nor broad enough. There is still work to do there.. When the media do not

interrogate issues, the public greatly loses out not just on promises made by those in public offices, but also on what is rightfully due to them in the first place.

### Some suggestions

To deal with the problem of poor exposition of public affairs by the media, a number of things need to be done:

The public affairs journalist should become more familiar with the functioning of government, because this is the major focus of press scrutiny. Often, there are more documents available, and more officials willing to talk, than the journalists believe. Therefore the public affairs journalists need to know how to follow the paper train, and how to do in-depth interviews. Although public affairs reporting is hard work, and gathering information is a tiresome task, the relentless journalist is soon rewarded with credibility and reputation.

The media can also tilt the nature of political campaigns by generating issues and putting them on its agenda so that candidates are judged on how they intend to solve these problems. That way, the media can influence the construction of manifestos so that parties and candidates seriously consider the concerns of the people in their various locations.

Media houses can also design public affairs journalism projects similar to investigative reporting projects, whereby the journalists take up issues

and report on them indepth, considering all perspectives of the story.

The over-dependence on event based stories without interrogating the processes, causes, consequences and other related stories devalues the profession and does little to promote citizenship and democratic practice. If anything, the breaking news, the events should only serve as triggers to further interrogation of issues.

The biggest challenge, however, goes to the journalism schools. The absence of good public affairs journalism is a major statement on the effectiveness and relevance of college journalism education to newsroom realities. Makerere University's department of Journalism and Communication will next year conduct clinics for practicing journalists in investigative reporting techniques as part of a bigger program to enable journalists engage in depth reporting.

In conclusion, the media must stand up and perform its watchdog and public education roles to make a difference to this campaign. Media can indeed radically alter the nature of campaigns if they raise public concerns into real campaign issues. And indeed the media should do that because the masses are resigned to not demanding better service, to just looking on and listening to the candidates (sometimes empty) promises. Another election, another campaign. This time the media should take on the challenge.

### References:

1. McQuail's Mass Communication Theory. Fourth Edition. Denis McQuail. 2000. Sage Publications.
2. Public Affairs Reporting Now: News of, by and for the People. Michael Killenberg. 2008. Focal Press.
3. The Two Ws of Journalism: the why and what of public affairs reporting. Davis Merrit and Maxwell E. McCombs. 2004. Lawrence E.A. Publications.
4. Writing for the Mass Media. Sixth Edition. James Glen Stovall. 2002. Allyn and Bacon.
5. The Daily Monitor, 13 October 2010.
6. The Daily Monitor, 22 October 2009.
7. The New Vision, 11 November 2009.
8. The New Vision, 12 October 2010.
9. The Saturday Monitor, 09 October 2010.
10. The Education Guide in the Daily Monitor, 18 October 2010.



# A CASE FOR SELF REGULATION IN UGANDA

## Introduction

The last 20 years of relative media freedom in Uganda led to a boom characterised by the proliferation of media outlets, a considerable increase in the number of journalists and the evolution of various genres of media outputs. This boom, on the other hand, also created a situation where the quality of journalism and the level of



ethical conduct have come under the spotlight of public scrutiny.

The State has taken advantage of this situation to rein in errant journalists through legal frameworks and direct attacks, including arrests and intimidation. The State has the means to exact desired proper conduct, but the majority of ordinary citizens do not. At the same time, the State has been selective in the way it reprimands journalists preferring to deal with issues that concern government, public order and security but remaining unconcerned about demanding ethical conduct from media practitioners.

How can the media be brought to order, to account for their actions and to be responsible institutions and individuals? This is a debate common

in many jurisdictions across the world, especially on the thorny issue of who should do this job; the State or the journalists themselves? In Uganda, government has always been ahead of the journalists, regulating media conduct through sets of laws prominent among which are the Penal Code Act and the Press and Journalist Act.

The last decade saw an increase in media related offences, which led journalists into countless battles in court. Relations between the media and government hit its lowest levels in 2009, when government ordered a crackdown on radio stations. Before that, mainstream newspapers had suffered a series of sanctions including suspension of publication and forced removal of senior editors, notably at The Monitor newspaper. All this was presumably done to ensure that the media reports responsibly.

At the same time, media monitors continue to record many cases of breach of standard ethical conduct by journalists, ranging from mere factual errors, intrusion into private space, to more serious breaches like indecent exposure of near nudity that have come

*The State will continue to legislate against media with often painful consequences to media people. However, Haruna Kanaabi calls for media to commit to more self regulation as proof of professional maturity*

to characterise the tabloidization of sections of the media.

This calls for a soul searching and an inquiry into the performance of the media. A few questions will guide us through this discussion.

- Do journalists and their editors fully grasp the extent of responsibility expected of the profession?
- What type of training do journalists receive and how are they nurtured in newsrooms?

- Do media houses have ethical principles which guide their work and their staff?
- How can we avoid the growing trend of state regulation of media work and litigation?
- Do media practitioners have to account to anyone? Do they have societal obligations?

These questions have enriched the debate among Ugandans about whether we should continue with State regulation of media or whether the media practitioners can put their act together and move along the path of self-regulation. If it were to be put to a vote, it would appear that the majority of Ugandans would support increased State regulation because they do not see the media as accountable to the people.

## Key Questions

Professional standards, ethical conduct, accountability to the audiences and freedom of expression continue to remain key issues to the public in general and the media in particular. Many media consumers continue to grapple with the question of how media gather and disseminate news and whom they are accountable to.

When challenged over these key aspects of their performance, journalists take offence of criticism. They like to occupy the moral high ground, but rarely show the humility and moral courage needed to admit mistakes, to take responsibility for their actions and to make amends to those they offend.<sup>1</sup>

And this explains why most Ugandans would vote for statutory regulation. Statutory regulation is any measure taken by the parliament or government towards the management of the media.

<sup>1</sup> See *The Ethical Journalism Initiative* page 38  
By Aidan White Secretary general International federation of Journalists (IFJ)





The government and the legislature under this mechanism take over the responsibility of holding journalists accountable. Government initiates media bills and Parliament passes them into law. Some of these laws are stringent and, in Uganda's case, have clauses like; "to exercise disciplinary control over journalists, to coordinate and exercise control over, to supervise and to exercise any function that may be authorised or required by any law"<sup>2</sup> Some of the clauses in the laws give government wide powers to do anything it deems necessary in enforcing media accountability. Some laws call for punitive measures like revoking licenses, shutting down media houses, court sanctions, imprisonment and death<sup>3</sup>.

Uganda is one of the many developing countries that still have stringent anti-media laws. Through this mechanism, authorities create offences and penalties for media where they do not exist. For example one of the aims of the proposed Press and Journalists (Amendment) Bill 2010 is "to provide for offences and penalties."

## Limitations of statutory control

Although statutory control has the legal backing which helps in enforcement, it is less flexible and less adaptable to change, and it can divert from its original mandate and become less effective in achieving its goal.<sup>4</sup> The type of media responsibility provided by the statutory regulation does not do much to promote professional standards development and ethical conduct as well as promoting press freedom.

Statutory regulation is narrow in scope in terms of media accountability. Opponents of statutory regulation argue that it may be very hard for either politicians or jurists to accept, but there are areas of professional specialisation where the law is out of place. These include religion, artistic expression such as poetry and news gathering. Any statutory regulation would only relate to matters that affect the State but would not cover issues

<sup>2</sup> See the Press and Journalists Act and the Electronic Media Act

<sup>3</sup> See The Anti Terrorism Act 2002

<sup>4</sup> See Review of the New Zealand Press Council report by Ian Black and Lewis Evans page 8 [www.presscouncil.org.nz](http://www.presscouncil.org.nz)

of moral conduct expected of persons working in these areas. In short, it would be a hard and futile exercise for the State to legislate morality.

Article 19, a media advocacy group, submits that: "The judicial system's crude alternatives of guilt or innocence are simply inappropriate amid the nuances of daily news production. The courts are blunt instruments. They frequently demand standards of proof, which may be appropriate in a legal setting but which stifle political discourse. Some judges expect journalists to prove everything they write as conclusively as a lawyer would, with forensic evidence, witnesses and concrete proof. They forget that journalists do not have the power of arrest and that people lie to reporters with impunity.

"Journalists find out as much as they can about a given assignment before the next deadline. They know from experience that tomorrow's findings may well disprove today's great discovery. The "truth" you find on the airwaves or among newspaper pages is a tentative thing and comes with the implicit warning: This is it, so far as we know".

"The law can prevent good journalism, but no law can create it. That is because good journalism is a matter of responsibility and you cannot force that down anyone's throat. It is impossible to set rigid, exacting rules and practices for journalists. How do you set a norm for the level of journalistic diligence in covering a corruption inquiry or in describing some horrific tragedy? It is possible to specify exactly how much and what sort of preparation is necessary before covering a major football match?"

## The benefits of self regulation

If the statutory regulation provides less benefits, then who will watch over the watchdog in order to protect the public good and maintain harmony in diversity?

The second mechanism, self regulation provides the answer. But what is self regulation? Article 19 in a report titled *Freedom and Accountability: Safeguarding Freedom of Expression Through Media Self Regulation* says:

"Self regulation in any profession or sector entails the development and enforcement of rules by those whose conduct is to be governed, with the ultimate aim of improving the service offered to the consumers, claimants or-in the case of the media the public at large. It requires standards to be set and agreed on by the individuals and institutions to which they will apply and the development of procedures and mechanism for enforcing them.

"Fundamental to self regulation is the principle of voluntary compliance. Law courts play no role in adjudicating or enforcing the standards and those who commit to them do so not under threat of legal sanctions, but for positive reasons, such as the desire to further the development and credibility of their profession. Self regulation relies first and foremost on a common understanding by members of the values and ethics at the heart of their professional conduct ."

As far as the media is concerned, self regulation is built on the following principles:

- Respect for the public's right to know
- Accuracy in news gathering and reporting
- Fairness in methods to obtain news, photographs and documents
- Non-discrimination in relation to race, ethnicity, religion, sex and sexual orientation
- Sensitivity in reporting on vulnerable groups such as children and victims of crime
- Presumption of innocence in reporting on criminal procedures
- Duty to protect sources of information obtained in confidence
- Duty to rectify published information found to be inaccurate or harmful<sup>5</sup>

Self regulation in the media seeks to protect journalists and to hold them and their media houses accountable to their profession and the public. One of the key instruments of self regulation is a code of conduct established by the members of the profession, and which serves to show the public that the media profession is accountable;

<sup>5</sup> See *Freedom of Accountability: Safeguarding Free Expression Through Media Self regulation*



that it will act responsibly towards the people it serves as well as protecting professional integrity.

As a control framework, self regulation is an easy, quick, free and accessible-to-all mechanism, unlike the legal system which is most accessible to the powerful, rich and elite. Media self regulation promotes maintains and encourages professionalism and accountability by allowing everybody to challenge the conduct of the media. It builds people's trust in the media, unlike the regime of laws whose intention is not to build, but restrain the media.

Self regulation has been tested and proved to be effective in many countries. It is established by the media industry out of conviction that they are accountable to their consumers.

When the journalists willingly subject themselves to quality check based the rules of the profession, it helps to keep at bay the power of the state in regard to free speech and free media which power could lead to unjustifiable interference in media content and curtail the public's right to know.

Mechanisms of self regulation also make more realistic distinctions than statutory regulation between which media workers, who are journalists and those that are not.

Because it operates on the rules or codes of conduct developed and agreed upon by the industry, it carries greater authority and respect among journalists than externally imposed legal regimes. When media practitioners subscribe to self regulation, and voluntarily adopt a code of conduct, that is a sign of professional maturity. Journalism, like banking, thrives on public trust. Any erosion of that trust leads to disastrous consequences and eventual collapse of business.

However, self regulation has also faced some challenges especially since the system lacks the coercive power to enforce proper conduct in journalists or even compel them to make amends to those they negatively affect by their work.

In early 2007 the British House of Commons Culture, Media and Sports Committee was tasked to make an inquiry into media self regulation after concerns were raised on how media was obtaining and using information. One of the issues they had to determine was whether media self regulation offered enough protection against unwarranted invasions to privacy and if the public and parliament should continue to rely on this mechanism.

Currently there is a huge debate in South Africa about government's attempts to create a statutory body on the ground that self regulation is toothless, and, additionally, that the press ombudsman had failed to prevent a sustained attack by the powerful media houses on the ANC government. After sustained campaigns by the South African press organisations, schools of journalism and an international coalition of media activists, the South African government is backing down. But threats to media freedom and attempts to cause more statutory regulation continue in many countries, especially in the developing world.

The African Union's Commission on Human and People's Rights in its 2001 Declaration on principles of freedom of expression in Africa resolved that: "Effective self-regulation is the best system for promoting high standards in the media." Uganda is signatory to these principles.

The Speaker of Parliament, Mr. Edward Kiwanuka Sekandi, the Second Deputy Prime Minister, Mr. Kirunda Kivejinja, the former minister of Information the Late Basoga Nsadhuh and the Uganda Human Rights Commission (UHRC) have all supported self regulation as the best mechanism to resolve disputes between the media consumers and the practitioners.

"The media fraternity, Government and the public should support the media practitioners of self regulation that is already in place as a way of enforcing ethical standards. Effective self regulation is the best system for promoting high standards in the media. Independent media regulatory frameworks should be strengthened to promote a free but responsible media." The Uganda Human Rights Commission, stated in its 11th Annual report to Parliament released in October 2009.

Aidan White, the Secretary General of the International Federation of Journalists, has succinctly captured the essence and value of self regulation not only to the journalists and media



*The Rolling Stone Story that sparked worldwide debate on issues of exposing gays. A witch-hunt or public interest?*

The Committee chaired by Mr. John Whittingdale after its inquiry concluded that: "We do not believe that there is a case for a statutory regulation for the press, which would represent a very dangerous interference with the freedom of the press. We continue to believe that statutory regulation of the press is a hallmark of authoritarianism and risks undermining democracy. We recommend that self regulation should be retained for the press, while recognising that it must be seen to be effective if calls for statutory intervention are to be resisted."<sup>6</sup>

<sup>6</sup> House of Common Culture, Media and Sports Committee Self Regulation of the Press Seventh report of the session July 2007 pg 26





houses, but also the wider cause of democracy thus: "But when applied to regulation of how journalists work, the law can undermine freedom of expression and the right of media to scrutinise power. Self regulation will never be as ruthless and efficient as the law in keeping journalism under a tight rein, but if it is credible and seriously applied it can be a working example of democracy, particularly if it involves bringing journalism into the heart of the community and giving people access to media without government interference. For that to happen, self regulation must become part of the culture of journalism and media management, running through the operation of the newsroom and the business department. It must be credible; it must be rooted in the defence of editorial and media freedom; it must defend journalists; it must promote the highest quality and standards; and it must deliver trustworthy results"

For journalists that means constant self questioning about how journalism should be practised - striving for accuracy and good conduct in the telling of compelling and engaging stories while dealing with the complexities of editorial decision making. Each day hundreds of thousands of journalists reporters, editors and backroom staff - make judgement calls on major ethical questions:

- Have I accurately and fairly reported what this person said?
- Have we dealt with personal trauma and grief with sensitivity and discretion?
- Was it right to pay for information?
- Is this interview with a child appropriate and properly organised?
- Has privacy been invaded and was it right to do so?
- When is it right to deceive and to use subterfuge?
- Have we reached the limits of tolerance and decency?"<sup>7</sup>
- These are very critical questions in media practice.

## The road to self regulation in uganda

In February 2006 42 Uganda media houses and associations voluntarily formed the Independent Media Council of Uganda (IMCU) through which the public can hold them accountable. They agreed on a journalism code of ethics as basis on which to hold them responsible for their deeds. This Code takes care of the three principles on which self regulation thrives: truth telling, independence and fairness, humanity and solidarity.

The Independent Media Council's primary role is to receive and adjudicate complaints against media practitioners. An individual or organisation directly or indirectly affected by the work of a journalist and/or media house can lodge a complaint free of charge with the Council.

The process is simple; an aggrieved party picks a complaints form from the Council office or from any of the member organizations or download it from the Council's website, fill in the nature of complaint, forward it to the Council or email it. Verbal, telephone or sms complaints are not allowed.

The complaint is studied by the Ethics Committee to see if it warrants adjudication. If the Committee is satisfied, a letter will be sent to the media house concerned and requesting to resolve the matter amicably with the complainant. If the two parties don't agree, the Ethics Committee proceeds to adjudicate and pronounces itself on the matter publicly. If the Committee is convinced that the Journalism Code of Ethics was breached, it orders the publication or station concerned to publicise its pronouncement and must accord it the necessary prominence.

Legal representation is not allowed and the information derived from the adjudication process cannot be used as evidence in the courts of law. No costs are awarded to the complainants. IMCU is not complementing the judicial system, it is an alternative and the only sentence it gives is public shaming which no media house would love. It is a court of honour.

## How does IMCU differ from the media and broadcasting councils?

The two are set up by law and they are coercive in nature. They are not self regulatory bodies but creations of government through Parliament. They are not owned by the media. They are authoritarian similar to what the Portuguese created in their former colonies known as the High Authority for the Media. It is also important to note at this point that in the pending proposals for amending Press and Journalist Act, the Media Council will be made more powerful, and certainly more authoritarian.

Self regulation under the Independent Media Council seeks not only to prevent the frequent confrontations between the State and the media, but to also promote the protection of the public against media abuse and excesses. There are countless things in the Ugandan media today that would ideally offend the public: errors of fact, misquoting, misrepresentation of facts and issues and failure to contextualise. Others include abuse of minors and improper portrayal of children, obscenity and near nudity, use of gruesome pictures of the dead and injured and the mainstreaming of sex-related stories.

## Conclusion

The campaign for self regulation in Uganda is in its early stages but it demands the appreciation and support of all media houses and journalists. If fully developed, there is no doubt self regulation will strip away the State's tendency to legislate against the media.

It is also important to submit that it is time the State gave chance to the media to put its act together and develop self-regulatory mechanisms. That will help reassure the media, which was badly shaken by the government over the last decade, that its role in the democratisation of the country is being appreciated.

<sup>7</sup> THE Ethical Journalism initiative by Aidan White pg 140





# TWITTERING THE 2011 ELECTIONS

*Social media interactivity is spreading like bush fire in Uganda. Denis Jjuuko dares to say that it will replace legacy media in breaking and delivering timely news about the 2011 elections.*

While running for nomination as the flag bearer for the Democratic Party for the presidential elections of 2008, Barack Obama dispensed with tradition and embraced social media. He created a social networking website as well as a blog <http://my.barackobama.com> where people would learn everything about him and his candidature. He embraced Facebook, YouTube, and Twitter which enabled him beat Hilary Clinton, who had been preparing for this nomination for at least 20 years. Obama went on to become the 44<sup>th</sup> president of the United States of America.

In his book, *The Audacity to Win*, Obama's campaign manager, David Plouffe talks about the importance of social networking in Obama's election repeatedly and how it helped them organize and recruit volunteers. In this election, the legacy media learnt a lot from social media about Barack Obama. Even his announcement of Vice President Nominee, Joe Biden was first distributed by mobile phone text messages requesting people to learn more from the social networking website as well as asking them to attend the event of his (Biden) unveiling in Springfield, Chicago.

Since Obama's ascendancy to the Holy Grail of politics, many politicians across the world have embraced social media particularly Facebook, Twitter and video streaming YouTube and picture sharing Flickr even though there are so many other sites including MySpace and Hi5. As an indicator of what is expected in the near future, even North Korea, according to the BBC, launched on Twitter (@uriminzok) to probably improve its image. They also have a YouTube account.

Even electoral commissions organizing elections have tried to do so. Prior to the 2010 election that brought David Cameron to the office of British Prime Minister, Facebook was used for British citizens to register as voters. All one needed was a Facebook account and would be registered instantly to vote thereby tapping into social media's vast abilities in electoral organisation.

## But what is social media?

According to Wikipedia<sup>1</sup>, social media are media for social interaction, using highly accessible and scalable publishing techniques. Social media use web-based technologies to transform and broadcast media monologues into social media dialogues.

Similarly, Andreas Kaplan and Michael Haenlein (2010) define social media as a group of Internet-based applications that build on the ideological and technological foundations of Web 2.0, that allow the creation and exchange of user-generated content." A common thread running through all definitions of social media is a blending of technology and social interaction for the co-creation of value.

As social media continue to grow, the ability to reach more users globally has also increased. Facebook and Twitter, for example, have expanded their global reach to Uganda, China, Japan, Indonesia, and Mexico, and, surprisingly, even North Korea. This means that information is able to reach a broader range of consumers. Social media have become the new tool for effective distribution of information.

<sup>1</sup> <http://en.wikipedia.org/wiki/Twitter>. Adapted on August 25, 2010. Wikipedia is a free online encyclopedia.

It should be noted that social media are media designed to be disseminated through social interaction, created using highly accessible and scalable publishing techniques as seen already. Social media uses Internet and web-based technologies to transform broadcast media monologues (one to many) into social media dialogues (many to many). It supports the democratization of knowledge and information, transforming people from content consumers into content producers. This is done using social networks.

*Social networks will become lead providers of timely election news*

## And social networking sites?

These are sites that allow content to be published and shared among other users. A social network service, according to Wikipedia<sup>2</sup> focuses on building and reflecting of social networks or social relations among people, e.g. who share interests and/or activities. A social network service essentially consists of a representation of each user (often a profile), his/her social links, and a variety of additional services. Most social network services are web based and provide means

<sup>2</sup> [http://en.wikipedia.org/wiki/Social\\_networking\\_service](http://en.wikipedia.org/wiki/Social_networking_service)





for users to interact over the internet, such as e-mail and instant messaging. Social network service usually means an individual-centered service. Social networking sites allow users to share ideas, activities, events, and interests within their individual networks. In journalistic speak, they allow practitioners to share sources, get tips for stories, verify sources and build their source bases among others.

Posetti (2010) has observed that social media sites, including blogs, are now essential items in journalists' kitbags. "They are tools for newsgathering and dissemination; for investigation and crowd-sourced fact-checking. Perhaps most importantly, though, they are platforms for engagement with what NYU's Jay Rosen famously dubbed "the people formerly known as the audience" -- each one of whom is a potential source." Posetti, 2010

In Uganda, as we gear up for the 2011 general elections, some politicians have joined social networking sites. Democratic Party president Norbert Mao, Vice President Gilbert Bukenya, Forum for Democratic Change officer Mugisha Muntu, even President Yoweri Museveni among others all have Facebook accounts. These accounts, although mostly dormant for the better part of the year, will become busy during the campaign trail. I envisage them mobilizing potential voters and updating them on the progress of the campaign. I see some politicians trying to use them for fundraising drives.

Because these politicians are aware of the numbers that have access to these sites, expect them to use them to their advantage. There is going to be a lot of campaigning on social networking sites as well as mobile phones. Every political strategist working for any of the candidates will recommend social media and go ahead and design a plan for their clients. Because social media will be used to campaign, there is need for journalists to "attend" these campaign rallies.

Social media in Uganda has been growing at terrific speeds as a result of, partly, data wars between the telecommunication networks ever since the landing of the sea cables at the East African coast coupled with the

liberation of the telecom sector that saw the launch of companies such as Warid Telecom and Orange Telecom. As a matter of fact, some telecom companies such as MTN Uganda and Orange allow their users to access Facebook on their cell phones free of charge.

This has made Facebook very popular among Ugandans who have taken on the role of breaking news which was previously a monopoly of legacy media. For example, I only learnt of the July 11 Kampala bombings from my Facebook account. I was tucked away in the North West Province of South Africa as I watched the World Cup final. When I signed into Facebook, the news was right there. Immediately, I wanted to check how fast the legacy media had been in breaking this story. There was nothing on the websites of New Vision and Daily Monitor until very many hours later. There were also no immediate footage on all TV stations until the following day.

In the UK, results of a survey of 1,000 people carried out by iCD Research suggest that 18.5 per cent of respondents selected use social networking sites and 3.3 per cent RSS (Really Simple Syndication) for breaking news, showing a growing trend towards aggregated and personalised news streams through Twitter and Facebook. A slightly higher percentage of female respondents (105 compared with 80 males) chose social networking sites as a news source (Oliver, 2010). The numbers maybe low but they are significantly growing meaning that journalists will have to tap into this base.

This scenario will continue to happen during the elections where social networking sites will be breaking news ahead of legacy media. This makes it imperative for journalists to follow the tweets on Twitter and the posts and/or updates on Facebook. There will be pictures taken using cell phones and other mobile devices and uploaded immediately. Being present on these sites, will enable journalists to get clues of events happening elsewhere which they would never have had access to without social media.

There will also be people on social networking sites that can collaborate this information and act as witness sources. When an American Express

airline crash landed in the Hudson River, the first images were posted on a social networking site, where reporters from cable networks had to ask the person who posted the picture about what had happened. A similar situation during the 2011 elections is highly envisaged.

Social networking as witnessed in America during the 2008 elections is mainly used by voters between the ages of 18 to 35. This means that voters who were born in 1986 when the current government took over power will be 25 year olds who may be heavily involved in the determination of this general election. These are people who will be breaking stories during elections on social networking sites on what they have witnessed within their communities and polling stations.

The Uganda Electoral Commission with support from the USAID has launched a website that will inform voters regarding the election. A lot of people will link these results to their pages thereby sharing information. Debates will ensue and this will be similar to a local debate in a community hall. Journalists should simply be in a position to "watch" these debates for new angles and insights. Journalists should make no mistake about the ability of social networking sites to report violence, crowd turn up, or even delays in delivery of electoral materials. All this will be information that professional journalists will be interested in.

Social media will also enable journalists publish stories that their respective editors may find hard to publish given the political circumstances in Uganda during political elections. Since the closure of CBS radio, editors privately admit that the state will do anything to them to limit their influence. Legacy media journalists and owners will fear to lose their jobs and assets resulting in self censorship. For social media, stories that may endanger the lives and businesses of editors and owners, will be easily publishable on social media sites and blogs. This is because social media have proved difficult to ban as we saw in the last elections in Iran.

In order for Ugandan journalism to fully embrace social media not only during political elections but across the board, editors must be immensely



interested and should stop looking at Facebook and Twitter among other social networking sites as a tool for kids and meaningless interaction.

## Challenges

There are several challenges some scholars have alluded to regarding the usability of social media by journalists. The key one most people mention is the verification of the story being told. I find this unnecessary because journalists will always have the duty of verifying information and sources before it is published. Though unverified information will always be posted on such sites, journalists will have to consider this as a challenge that needs address. As the old adage goes, if your mother says she loves you, you will have to verify that.

“Journalists ought to be among those who embrace these challenges make them part of what they think about and do every day, and have their experimentation go beyond their own participation as individuals in this social sphere. We ll learn by trying new ways of doing what we ve done with news, by putting ourselves visibly in the social media mix, and by using the emerging tools of daily communication in all aspects of our work. It s not enough to watch from the sidelines or even to try to mimic what kids do” Doctor (2010).

Ugandan journalists must learn how to use social media as well as embracing it as tools that ease their work and provide them with a reach that legacy media may only dream about. Social media will not replace any of the tools that journalists use such as face to face interviews, but it will significantly add to them.

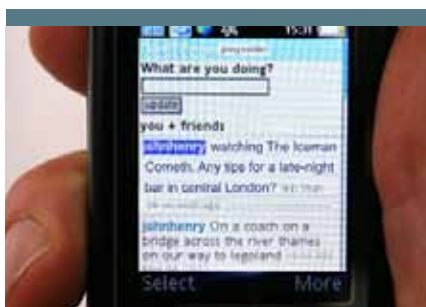
It is also important for journalists to note that the use of social media in executing their mandate does not exonerate them from their ethical responsibilities. Journalistic codes of ethics should still be followed as social media is simply a tool that empowers journalists in more ways than before.

## Cell phones as new media. The case of Kenya in 2007

It is hard to tell whether social media will define the 2011 elections and cynics will always allude to literacy levels and

low Internet connectivity among the majority of Ugandans. Although this position is valid, we cannot simply rule away the role social media will play in the 2011 elections. However, we should also think about the cell phones after all they constitute what is called new media (it is now debatable whether we should continue referring to cell phones and Internet as new media as they have been here long enough already to be called “new”).

In unpacking this stratum of thinking, let us look at Kenya during their last general elections in 2007. Cell phones became such a big phenomenon in the distribution of news. Individuals exchanged text messages on what was happening elsewhere in the country. Text messages became popular as



*Cell phone citizen journalism will surpass radio and newspapers in delivering election news*

disseminators of news and information shortly before the elections when the population realized that legacy media were being monitored by the government. Even Kenyans living abroad would read and monitor news from international news channels about their mother country and send to their relatives who had no access to other forms of communications.

However, even in circumstances that don't require any government intervention in the way news is spread, SMS will be a popular avenue through which people will share information during the elections. For democracy to take root especially in Africa where cell phones are widely used, SMS will prove to be powerful tools for citizen participation where the populace moves from consumers to makers. But most importantly, viral spread of information via SMS and other cell phone functions such as ring tones can lead to legacy media pick up and mass dissemination. As journalists covering elections, it

is important to be alert to this kind of information to like, said earlier, get news tips and sources.

Also, candidates will use SMS as a means of reaching voters with their manifestos and general update of the campaign trail. Learning from Barack Obama s use of cell phones, it is not farfetched to presume that candidates will try to connect with voters by making serious announcements using text messaging. For journalists, this is something that they will have to consistently monitor.

## Conclusion

Social media and cell phones may not constitute the main media story of the 2011 general elections but it will be the first time in Uganda that legacy media will stop enjoying the monopoly of breaking the news. It will be the first time that Ugandans will be empowered to make their own stories of what s happening without any form of censure. And this information will go beyond relatives and friends into a global sphere whose reach cannot even be imagined. Journalists will have to be super alert.

## References

- Doctor, K. 2010. A Message for Journalists: It s Time to Flex Old Muscles in New Ways. Nieman Reports. <http://www.nieman.harvard.edu/reportsitem.aspx?id=102415>.
- Kaplan A. M., Haenlein, M. 2010. Users of the world, unite! The challenges and opportunities of social media, Business Horizons, Vol. 53, Issue 1, p. 59-68.
- Oliver, L. 2010. Social networks rivalling newspaper sites for breaking news, survey suggests. <http://www.journalism.co.uk/2/articles/540071.php>
- Plouffe, D. 2009. Audacity to Win; The Inside Story of Barack Obama s Historic Election. New York: Penguin.
- Posetti, J. 2010. Journalism Education 2.0: Training in an Age of Radical Change. <http://www.pbs.org/mediashift/2010/08/journalism-education-20-training-in-an-age-of-radical-change217.html>.





# WATCHING OVER THE WATCHDOG

In early 2004, when a section of senior journalists who had quit Monitor Publications Ltd started The Weekly Observer newspaper, they also introduced an innovative medium for their reporters to interact directly with readers. A reporter was required to append their email address at the end of each article and, in cases where a story was deemed too important, a mobile telephone number.

Reporters were able to engage directly with their readers long after the newspaper hit the streets. Through the reporters' emails, readers criticised the stories published, offered new information for follow-up articles, and sought additional information about the subjects of their interest that had been covered by the reporters. The emails generally ensured that there was increased interactivity between the newspaper and its readers.

James Tumusiime, the Managing Editor of now bi-weekly The Observer says the direct email interaction, which remains active to-date, added more responsibility to the reporters to get it right in every article because the feedback often went to them first in cases where they made factual and other errors. He added that it also helped the newspaper get a better understanding of its readers.

The idea is to get feedback and get to know what people say about your piece, explained Tumusiime. It is supposed to make you do better next time because the temptation to feel that you can just do your stories, [publish] them and not be accountable to anyone is erroneous. We should be accountable for whatever we put out there.

When The Observer turned bi-weekly in March 2009, the paper's management launched a new website through which it once again pioneered another interactive multimedia application in Uganda; readers could now submit comments directly below the stories on the website.

Tumusiime says the online comments application helped expand the realm of debate beyond the letters pages in The Observer. However, as comments increased and the debates became more heated, Tumusiime says the newspaper's skeleton operation was soon overstretched especially when they decided to edit all comments to avoid legal possible pitfalls.

When you are still small like us, it is a lot of material and therefore I have at one point been almost tempted to shut it down because we don't have enough staff to edit the comments, said Tumusiime. You see, what goes into the newspapers gets edited, but you would need a full time staff if you are to cope with the online editing.

For many burgeoning print and broadcast media houses in Uganda, like The Observer, this is an everyday challenge. Media



Most media now use websites to interact more with audiences, keep track of changing tastes and receive criticism of performance

managers are willing to try out new ways of assessing their performance, sustaining them often becomes a challenge.

Thanks to the liberalisation of broadcasting that started in the early 1990s, there are now over 122 FM radio stations and more than 10 television stations in the country. There is also a vibrant and competitive press: three daily English newspapers, a bi-weekly newspaper and more than 10 weekly papers, some of them in local languages. Most of the media houses are privately owned.

That rapid expansion, according to Michael Wakabi, a veteran journalist and president of the Eastern Africa Media Institute-Uganda Chapter (EAMI-U), accounts for some of the problems that the media faces in its attempts to develop because it is not matched with an injection of the requisite resources.

Wakabi, who is currently the Bureau Chief at The East African, a regional weekly newspaper, believes that while

*What is the best way to assess the performance of media? As media managers tell Benon Oluka, ownership, market pressures and constant emigration of good people out of journalism are keeping the profession stunted.*



this problem affects the entire industry, its negative impact is greatest in the private broadcasting sub-sector which has a shorter tradition than print. The first privately owned FM radio station, Sanyu FM, went on air in Kampala in 1993.

Radio is relatively young in the country and it has grown so huge, he said. The [journalism] schools can't even supply sufficient manpower so there is that over-reliance on anybody that can walk in and improvise. Then, with ownership, at least the print media has organisations and people with backgrounds in journalism trying to run the show. But radio is such a mixed bag of businessmen, politicians, all and sundry owning, managing and controlling it. Print has a longer tradition and is slightly more stable so you find generally better conditions of work in print than in broadcast.

In 2008, two senior Ugandan journalists produced an audit report of FM radio stations in Uganda, in which poor remuneration of radio journalists was identified as the leading cause of the growing culture of journalists extracting money from newsmakers as pay packages exchanged for publicity. The report, prepared by Peter Kibazo and Haruna Kanaabi, indicated that most FM radio stations especially in the countryside pay reporters between Shs500 and Shs700 per news article.

Kanaabi, however, says that many of the problems faced by private radios mainly stem from the structural arrangement of the media houses – an issue not addressed by the legislation that was hurriedly put together to create a semblance of order in the sub-sector.

It is very unfortunate that the kind of legislation we have in the media in Uganda looks more at controlling, instilling discipline, and exercising control rather than encourage proper set up of a media house. There are, for instance, very lax benchmarks for somebody to own a radio station. Besides registering your name and paying the required fees, the regulator does not demand your business plan or whether you are able to pay your workers or that you have the capacity and the experience. This explains

the prevalence of low quality media firms especially in the radio sector,' Kanaabi explains.

In a situation where FM radio journalists have low professional and technical capacity, lack equipment, are poorly paid, and face massive interference from proprietors, advertisers and news sources, the first victim is the quality of the editorial output. And with the radio stations failing the first test, it is unlikely that they can then have the internal capacity to carry out self criticism and assessment with a view to improving performance.

But such issues are not the reserve of the broadcast media. Although the print sub-sector has relatively better working conditions, it is not out of the woods yet and is liable to the kind of internal failings more prevalent in radio.

Dr. Peter Mwesige, the Executive Director of the Africa Centre for Media Excellence, thinks one of the weakest links in journalism in Uganda, and on the African continent generally, is the predominance of straight news or the he said-she said format of reporting.

I call this stenography or megaphone journalism. That is, the media merely provide a platform for politicians, government officials, and other newsmakers to say whatever they want to say without any attempt by the journalists to provide context and perspective. Stenography journalism does not question what the newsmaker says; it simply records it verbatim and relays it to the public, noted Dr. Mwesige, who is also former head of the Mass Communication Department at Makerere University and former Group Training Editor at the Nation Media Group.

Many media practitioners agree. They concur that there is a professional experience gap within the media industry in Uganda, which has an effect on the quality of the work that is produced in both the newspapers and the broadcast sector.

The packaging and content are all dictated by the quality of the people you have. You can have great ideas but if you don't have the right raw materials, it becomes very difficult

to execute those ideas. We could obviously do much better, explains Tumusiime. Most of the media practitioners in our newsrooms and studios are young; some very promising with a lot of potential but still very inexperienced.

The general consensus, especially among editors, is that the inability of the current crop of journalists to interrogate issues and package them well is partly a result of failure by media houses to recruit, motivate and retain the best available talent. As a result, journalists who are promising and talented get frustrated before they have blossomed due to many factors, especially poor pay and stressful working conditions.

We are not investing enough to make people sufficiently interested; to motivate people well enough to be devoted and to love their work so we are getting the civil servant kind of mentality in the media as well. People do the very basic minimum they need to do to earn money and I think that needs to change if we are to go an extra mile, said Wakabi. Consider investigations in the context of the way deadlines are approached in this industry. An assigning editor gets an idea today and tells a reporter to produce the story the same day. So we don't even devote enough time to stories that we do. We are always in a hurry to go to press, adds Wakabi.

With the current conditions forcing many of the experienced journalists to emigrate from the industry or creating apathy among those who continue to practice, Wakabi argues that the media has failed to grow beyond the level where it is currently stuck.

The problem begins with failure to motivate and retain talent so the best people this industry has produced are no longer in practice or very few of them still are. That has left us in the constant cycle of immaturity where almost all the time we are getting new people that are less motivated and more desperate and less inclined to excel; that is the major problem, argued Wakabi. "You find very high levels of frustration. Even the most committed people are grumbling;





**there is that feeling that workers are not getting a fair balance of returns.**

Wakabi also believes the media is sacrificing quality on the altar of cost-cutting, which he says is the main reason that even some of the mainstream newspapers are adopting the tabloid look and style of reporting.

**The newspaper is not what it should be in Uganda. There is too much focus on cutting costs. There is little interest in improving presentation; they are focusing too much on the physical appearance of the product but the content and style are still pretty much the same old thing. So reading a serious newspaper in Uganda is a torturous experience. You suffer the experience of reading that paper whose presentation is not good, and I think that sometimes accounts for the low sales.**

This impasse is the result of a struggle between business success and journalistic excellence, according to Tumusiime.

**In the ideal world, the two should go together because you must succeed as a business to be able to perform well your journalistic duties as a media house. What we are seeing is the business aspect weighing heavier than the journalism aspect in the big media houses. The pressures of them succeeding as businesses are greater than those of succeeding as a journalism entity in the traditional sense.**

Despite the challenges, there have been attempts within individual media houses to find ways of encouraging self-assessment and self criticism. Three years ago, the Nation Media Group, which has newspaper, radio and television outlets in Uganda, started a Media Lab in a bid to purge the quality gap. Every year since then, Nation Media Group takes seven Ugandans to its headquarters in Nairobi for an intensive nine-month training programme, after which they return for the company's outlets in the country.

Within Monitor Publications Ltd,

the papers editorial managers also introduced an open forum, named kimeeza after the open air radio debates that have been banned, in which journalists and the papers managers from all the other sections meet once a month to speak candidly about the editorial performance and ways of improving it. Many of the proposals from the kimeeza have been adopted by the management of Monitor Publications.

The search for feedback from their readers, listeners and viewers is increasingly becoming important as media houses look for a business edge over their rivals. As a result, several media houses now provide full-time short message services (sms) numbers through which they receive feedback about every programme aired or article published. Many media houses are also taking advantage of new media forums like Facebook, Twitter and YouTube for consistent and constant interaction with their audiences.

However, while individual media houses have made attempts to address some of the problems blighting the industry and consequently affecting their performances, the fragmentation of the industry had made the resolution of cross-cutting issues much more difficult.

In September 2010, as the campaign season gathered pace, the media industry was thrust into the spotlight when some journalists were exposed for demanding "their share" of the money which officials of the ruling National Resistance Movement (NRM) had budgeted for their delegates conference. This incident stocked flames for a hitherto stifled debate on "brown envelope journalism," where reporters and in some cases editors are paid by news sources to either not publish a story, promote their agenda or write negative stories about their competitors.

In this election campaign season, addressing corruption in the media has taken on special significance. The Chairman of the Electoral Commission, Eng. Badru Kiggundu, put it aptly at a media event in early November that,

"politicians aim to win elections, and some will employ some unconventional approaches, like compromising journalists. Journalists should therefore resist "brown envelopes" and other forms of gifts from politicians, to avoid being compromised. Media house owners should therefore strive to adequately facilitate their reporters, to shield them from such facilitation traps .

However, save for the leading print media houses, The New Vision and Daily Monitor, which have consistently published public reminders about the integrity of their journalism and the fact that no one should pay for coverage, many of the other media houses have not taken any action.

Yet, according to Dr. Mwesige, this is one of the issues that needs stronger than usual self-regulatory mechanisms within the industry. He calls on other local media houses not only to emulate the two papers and routinely remind the public that their journalists are not allowed to accept money from the sources they cover, but to also adequately facilitate the reporters that they send to the field.

Such debates however seem to have passed below the radars of many local journalism associations whose mandates on paper at least are to address such issues, of professional practice and integrity. The Uganda Journalists Association (UJA), one of the oldest associations, was at the centre of controversy last year when its leaders accepted a Shs150 million offer from President Yoweri Museveni. The purpose of the money has never been explained nor has its accountability been published,

As Daily Monitor Managing Editor Daniel Kalinaki noted in a recent online discussion about the controversial UJA elections, journalists have formed different media organisations, associations and fora, each claiming to represent some constituency of sorts, but none really doing much to help the industry in a meaningful and sustainable manner.



The problems facing the industry are diverse. They include, in my view; poor skills, unprofessionalism, poor pay, poor working conditions, lack of job security, unclear career growth prospects, a somewhat hostile legal framework, intimidation from state actors, bribery and influence-peddling from state and non-state actors, and a general falling of standards in the quality of journalism in the industry and the ethics that are fundamental to our credibility. Why aren't we discussing these matters? What is more important? Agreeing on common positions, say on benchmark pay or a code of ethics, or on who runs what organisation, or who goes for which trip and appeals to what donor? In fighting for high office and its trappings, we have lost our souls and taken our eyes off the things that really matter, he noted.

Kalinaki thinks the brains behind the plethora of media associations approached the issue the wrong way when they set up the organisations and sought financing before identifying the problems facing the industry, which kind of organisation is best suited to lead such a process, what calibre of people need to run it and what skills/competencies they need to have.

As one way of finding a solution to the problems affecting the industry, Kalinaki recommends that the various media associations in Uganda organise a series of consultative fora to identify what the key problems facing the industry are and then jointly start working on a strategy to address them.

This strategy should include proposals to merge some of the organisations to avoid duplication, or setting up an entity or consultative forum through which different organisations can work together for the common good, he noted.

The strategy should also include proposals on how to fund some of these activities. We, the journalists, must make the first contribution from our meagre resources to demonstrate our belief in the cause and we must then set clear guidelines, should we require grants or donations, on what

kind of people or organisations we can accept help from, in what form, and under what conditions.

There has not been any follow-up on Kalinaki's views. However, even before Kalinaki made his proposals, some 42 media houses had come together to form the Independent Media Council of Uganda (IMCU) as an industry self-regulator. Formed in 2006, IMCU has a governing board chaired by former Prime Minister, Kintu Musoke. Members include journalists like Dr. Mwesige and New Vision editor John Kakande, Rev. Canon Grace Kaiso a civil society activist, lawyer Kenneth Kakuru, and former East Africa Legislative Assembly member Sheila Kawamara, in addition to Rosemary Kemigisha, a former Editor of the Sunday Vision now working with the Uganda Human Rights Commission.

Tumusiime considers self regulation under an organisation like IMCU a concept that media houses should prop-up. "I think it is a good idea which we media houses should embrace because we are better off under self regulation rather than statutory regulation," he said. "Of course implementation will always be difficult but it is still worth attempting to do. The IMCU offers the best way for media practitioners to resolve differences. It has worked in other countries and, if we lent our support to them, we can have a chance."

However, according to the IMCU interim Executive Secretary, Haruna Kanaabi, the council has not yet taken off. He said since it was formed four years ago, IMCU is yet to receive a single complaint from the public about the media.

We have waited to see if people come forward to complain. We are encouraging them to come forward. Maybe they are not aware of our existence, which may be one of our weaknesses but we are trying to encourage them, he said.

One of the key roles of the IMCU is supposed to be to adjudicate between the media and the public. If an individual reported a media house or journalist to the council, it would

arbitrate to ascertain whether a media house has breached the journalism code of conduct/ethic. If this is found to be true, the media house would then be required to compensate the injured party and make a renewed commitment to uphold the code.

IMCU has already developed the code of ethics in a collaborative effort with media houses. However, according to Kanaabi, that is as far as they have gone mainly because media houses have not provided support beyond lip service.

We have not been able to have a consistent publicity campaign to create awareness among the population that there is an opening for them to seek redress free of charge and quickly when they feel aggrieved by the media. We had thought we would have had a consistent engagement with the media practitioners especially in times of crises where the challenge of ethical behaviour normally comes up. For example, when we had the bomb blasts in Kampala [on July 11th 2010], there was a lot of stereotype reporting and statements, unnecessary publication of people in grief. Unfortunately, we have not gone that far, says Kanaabi.

Indeed the case of four journalists, from leading media houses, charged with extortion at the beginning of November 2010 has brought the whole issue of professional conduct, abuse of journalism practice and media regulation under fresh spotlight. Whatever the outcome of the court proceedings, the image of journalists and the media generally has been tarnished profoundly.

Nonetheless, the existence of IMCU and other self regulatory measures by individual media houses, shows that there are avenues through which the media can set benchmarks, carry out self assessment of its performance, and improve self regulation. All it will take is commitment to the cause.





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