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Media Accountability in Tanzania's Multiparty Democracy

Does self-regulation work?

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INTRODUCTION

Chapter 1   Background

This dissertation interrogates the effectiveness of voluntary and non-statutory (non-governmental) media councils in promoting self-regulation of mass media in the context of Africa's democratization. With the reintroduction of multiparty democracy in Africa in the early 1990s, external initiators and sponsors of Africa's democratization – donor countries, multilateral aid organizations[1], as well as internal media stakeholders and activists, campaigned persistently for a free press on the grounds that it was an integral part of pluralistic democracy. This new condition for multiparty democracy meant a departure from direct control of media through restrictive laws, to a freer, diverse and self-regulated media regime common in liberal democracies.

The major postulation in this paradigm shift was that since African countries had adopted Western[2] liberal democracy, with its free market fundamentals, then it followed automatically that the media sector also had to adopt and reflect the ideals of that democracy. This trajectory is supported by a notion that a free media is both desirable and necessary in a democracy for holding the government accountable to citizens, promoting diversity of views and creating an informed citizenry through free flow of information and unfettered debate (see Curran 2002; Gurevitch & Blumler 1990, 1995; Christians et al. 2009). It was this conceptual position that inspired media activists, policy advocacy groups and civil society since early 1990s to demand for press freedom and self-regulation of mass media as a way of enhancing their role in the democratization process.

Nevertheless, the import of Western notions of liberal democracy into Africa without sufficient interrogation of their relevance and effectiveness continues to invite critical discourse and the need for further scrutiny into what is best for the continent (see Berger 2002). Accordingly, the focus of this study – the effectiveness of a voluntary and independent media council in spearheading self-regulation in Africa's democratization – necessitates critical discourse that could lead to a new theory about media role and accountability in democratization. As such, this research problem invokes the need to understand historical context as well as current realities in which Western liberal democracy – with all its fundamental ideals – is being transplanted onto Africa. The conceptual approach in this study has been to understand the historical context of media and communication roles as well as regulation in Africa; to understand the nature and origin of Western liberal democracy as well as the role of media in it; to get views of journalists and other groups of experts in Tanzania about the role of media in democratization, media accountability as well as the effectiveness of the Media Council of Tanzania (MCT) in spearheading self-regulation and lastly, to

1   See, for example, Killian (2010: 41–55) on the role of the West in promoting democracy in East Africa.
2   In this dissertation the term West or Western will be used to refer to developed capitalist democracies in Western Europe and Northern America – also referred to as donor countries.

interrogate the claim that the MCT is effective because there has been compliance in 97 percent of its arbitration decisions.

As a point of departure, this introduction provides background to the establishment of MCT which includes a brief review of Tanzania's – including some references to Africa's – democratization process to help explain the context under which self-regulation of mass media is discussed. Accordingly, a critical reflection on concepts such as democracy, press freedom and self-regulation is also crucial to understanding the relevance, applicability and efficacy of self-regulation of media in Africa in general and Tanzania in particular. The MCT was established in 1995 by media stakeholders after protracted struggles that culminated in the rejection of the government's plan to form a statutory council meant to presumably address increasing unethical tendencies among media practitioners. The abiding argument for rejecting the government's move was to align the country's media regulatory regime with liberal democratic reforms that ushered in free market capitalism and multipartysm.

Yet, there has been a scarcity of serious reflection on the relevance, applicability and efficacy of these new concepts to Africa's political, economic and social context. For example, although Africa's democratization resulted from both citizens' discontent on one hand and pressure from Western donor countries and multilateral aid agencies on the other, it was the latter's dictates that largely shaped the entire transformation (Killian 2010: 53). Arguably, the same way the colonial project in Africa began with the Berlin Conference in 1885 deciding the fate of the continent, without considering social, economic and political realities of the indigenous people, twenty-first century democratization followed a more or less similar path.

As a result the Western liberal democratic ideals that are manipulatively transplanted onto postcolonial Africa's soil tend to clash with the local realities on the ground the same way they did before and during colonial periods (see Wasserman 2011: 4). It is not surprising, then, that calls to free the mass media from government control have, knowingly and probably by choice, overlooked the danger of the same media falling under the control of those seeking to promote the interests of capital in the free market's liberal democracy (See Ronning 1994; McChesney 1999; Curran 2002). At this juncture it is necessary to revisit, briefly, the history to see factors that have influenced media role and regulation, particularly after independence in the 1960s.

1.1   Mass media after independence

In retrospect, it is significant to note that in the 1960s post-colonial Africa inherited colonial institutions of state and government, including the media law regime, which were not necessarily democratic (Sturmer & Rioba 2000; Kasoma 2000; Hyden and Okigbo 2002: 30). Although multiparty system had been introduced in the colonies before independence it was soon to be replaced by one party regimes or military dictatorships that were to characterize politics in most of the continent in the ensuing decades. The relationship between governments and mass media became even more precarious under one-party and military dictatorships, leading to closure of critical media outlets and imprisonment or disappearance of bold journalists. South African communication scholar Guy Berger (2011) aptly describes the post-colonial political situation in Africa:

> Many post-colonial African states had freed themselves from foreign rule in the 1960s only to evolve in the 1970s into systems where an authoritarian ruler controlled every key institution of power – including parliament, the security and all civil services, the electoral machinery, and often even the judiciary as well. In this context, it would have been highly unusual if, not just the state-owned media but also the privately-owned media (where it existed), could somehow have been exempt. (Berger 2011: 3)

Nonetheless, the post-colonial period needs to be analysed carefully, in order for it to be understood in the right context. It is a period that portends a complex and challenging epoch in the history of the colonised which should not be simplistically generalized. The post-colonial era was a period of awakening and rebirth to nationalists, intellectuals and citizens alike, who saw independence from colonial domination as meaningless if it did not aim at transforming society. South African media scholar Pieter Fourie (2007: 62), echoing the views of another scholar, R.J.C. Young (2001), pertinently describes the post-colonial discourse as follows:

> Post-colonialism is a concept that marks the realities of nations and peoples emerging into a new imperialistic context of economic and sometimes political domination. As a social-justice project, post-colonialism attacks the status quo of economic imperialism but also signals an activist engagement with positive political positions and new forms of political identity. (Young 2001: 57–58)

It was not necessarily a purely ideological issue that *Africanists* such as Frantz Fanon based in Algeria then, Julius Nyerere of Tanzania and Kwame Nkrumah of Ghana thought that Africa needed a rebirth and a breakaway from total colonial domination after independence. It was more a question of self-determination and a necessary move for African people to chart an independent development course that would not anymore be dictated by foreigners who had controlled Africa's destiny since the beginning of the Trans-Atlantic slave trade. Again, quoting Young (2001), Fourie (2007) presents the thinking that prompted nationalists like Nkrumah to be wary of 'neo-colonialism':

> Not only were export and import trade, banking, insurance, transportation, and communications essentially in expatriate (i.e. mainly British) hands, but the country's major source of foreign exchange, cocoa, was surely tied up in a maze of international financing, marketing and processing arrangement. (Young 2001: 45)

Tanzanian economist Justinian Rweyemamu (1974) argues that political independence did not necessarily mean economic independence, namely control over economic decision-making and the national economy, the establishment of a firm industrial structure leading to a self-generating and self-sustaining growth, and a diversification of external economic contacts consistent with the nation's economic interests:

> On the contrary, the institutional framework diligently erected by Britain during the colonial period ensured Tanzania's economic dependence on international capitalism in general and on Britain's in particular. Habit, acquaintances, specifications, lists of firms asked for quotations and similar semi-institutional heritages continually made Tanzania importers biased towards the United Kingdom. (Rweyemamu 1974: 38)

It was this particular background that worried some post-colonial leaders and intellectuals prompting them to seek a political ideology and an economic path that would help to free

their countries from post-colonial domination. The nation-state therefore became the primary agent for planning and implementing development projects in modernization discourses which aimed at addressing 'backwardness', poverty and inequalities, as noted by Amin Alhassan and Paula Chakravartty (2005). Furthermore:

> The post-colonial state in much of Asia, Africa and Latin America successfully has legitimated itself, not as an outcome of a negotiated product of civil society and capital as, for instance, John Galtung (1999) will have it, but as an institution that found its primary purpose of existence upon the discourses of national development planning and modernization. (Alhassan & Chakravartty 2005: 366)

Many African leaders therefore struggled to build a sense of national unity and identity and mobilized citizens to support new development projects from which the state largely drew its legitimacy (Alhassan & Chakravartty 2005: 370). As such, in the euphoria of independence, different countries came up with new politico-ideological roles for mass media such as to mobilise citizens and to support development projects (Wasserman 2011: 5–6). Even strict media law regimes were justified by the need for the new post-colonial governments to forge national unity and to mobilise people to support development projects. In Ghana, for example, Kwame Nkrumah introduced an ideological slogan: *African Personality* which also was to guide the media in mobilising Ghanaians for national development through a *Pan-African* system of values. In Senegal Leopold Senghor came up with *Negritude* which, like Ghana's *African Personality*, was meant to promote African thinking in national development.

In Tanzania Julius Nyerere introduced *Uhuru na Kazi* (freedom and hard work) and later in 1967 *Ujamaa[3] and Self-reliance*, while Kenya's Jomo Kenyatta introduced *Harambee* (let's pull together) to promote a spirit of national unity and working together to bring about development. In Zambia President Kenneth Kaunda came up with *Humanism* while his neighbour Mobutu Seseseko of Zaire introduced *Authenticite* both of which sought to enhance psychological rebirth of a people freed from years of foreign domination. All these ideological idioms and slogans for political mobilization were meant to inculcate a sense of national unity, identity and independence. Communication for development therefore provided a basis for newly independent governments to control, and to assign, mass media specific roles (Fourie 2007; Wasserman 2011: 5–6). Colonial media legislations were retained or 'improved' to ensure mass media and journalists worked within the political and ideological framework of the time.

Consequently, such well intended initiatives had also negative repercussions on the existence and functioning of the mass media. In fact, postcolonial communication policies based on theories by Western scholars such as Daniel Lerner in the 1950s, justified the use – and abuse – of mass media by the state as tools of communication for development and modernization (Wasserman 2011: 5). As a result, critical media were forced to close down or, in other circumstances, they were nationalised. The number of media outlets on the continent dwindled by half in just two decades of independence and the few that remained were cowed down to submission or co-opted to play the roles assigned to them by the state (Kasoma 2000; Rioba 2009; Mwangi 2010). This authoritarian use of mass media continued almost unchallenged up until the late 1980s when deep economic crisis, overwhelming foreign debt,

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3   Ujamaa simply means communal way of thinking and living in Africa.

worsening terms of trade as well as balance of payment had eroded most countries' ability to provide public services, hence forcing these countries to succumb to economic and political reforms of IMF and World Bank (Chachage 1997, Amani et al. 2006; Kasoma, de Beer, Megwa, Steyn 1995: 211). The section below reflects on how economic and political reforms altered media environment and necessitated regulatory changes as well.

1.2 Media role and regulation in democratic reforms

A paradigm shift from the post independence era to a redemocratization period became manifest in the early 1980s when most countries in Africa succumbed to pressure from international financial institutions to implement macro-economic reforms to address crumbling economies and attendant civil unrest. It seemed almost inevitable that societies with centrally planned economies and one party-political system required extraordinary measures to change old politics and the way they managed their economies (Maliyamkono & Mason 2006: 30).

In Tanzania, for example, by 1983, already a debate was raging about the need to change the constitutions of the United Republic (URT) and that of Zanzibar to enhance democratic space. These debates, to a large extent, exposed a number of inadequacies in the constitutions with regards to human rights and democracy.[4] President Julius K. Nyerere who had been in power since independence in 1961 stepped down in 1985 and was succeeded by Ali Hassan Mwinyi who seemed set to implement badly needed reforms. Consequently, Tanzania, like many other African countries, embarked on major political, economic and social reforms which also meant liberalising the information and mass media sector (Rioba 2009: 4–6).

A major turning point in the direction of reforms was the formation of a presidential Commission[5] headed by Chief Justice Francis Nyalali to seek views of citizens on the kind of political system they preferred. The Commission's final report indicated that over 77% of respondents had favoured a one-party system (Malyamkono & Mason 2006: 30). However, the report also revealed that the one-party political system was lacking in a number of fundamental democratic ideals such as: (i) respect for rule of law upheld by an autonomous judiciary; (ii) respect for human rights as contained in the Universal Declaration of Human Rights, which Tanzania as a member-country of the United Nations had sanctioned; (iii) free and fair elections in accordance with international standards which give an adult person the right to secret balloting and (iv) free dissemination of information through independent newspapers, radios and television (Nyalali Report 1992: 4).

Although majority of citizens had indicated preference to one-party system, retired president Julius Nyerere – who was still the chairman of the ruling party Chama Cha Mapinduzi (CCM) – intervened and advised Tanzanians to read "signs of the time" and embrace change which, he said, was inevitable. On July 1992 the amendment to the Constitution of the United Republic of Tanzania ushered in political pluralism and soon

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4   See Nyalali Report (1992: 3).
5   It was officially known as: The Presidential Commission on Single Party or Multiparty System in Tanzania: Report and Recommendations of the Commission on the Democratic System in Tanzania (1992).

over six political parties were registered. The gist of the Nyalali report in terms of what it recommended with regards to regulatory and legal reforms is captured in paragraph XXV of the report:

> ...the Commission recommends that Articles/Sections and laws which constrain democracy and rob the people of their rights, should be repealed or amended with immediate effect. The laws in question are: Preventive Detention Act, 1962 (CAP 490), Societies Ordinance, 1954 (CAP 337), Tanzania News Agency Act (Act No. 14 of 1976), The Newspapers Act, (Act No. 3 of 1976), Deportation Ordinance, (CAP 38), Regions and Regional Commissioners Act, 1962 (CAP 461) and the Area Commissioners Act, 1962 (CAP 466 and Articles 3 and 10 of the Union Constitution and Section 10 of the Zanzibar Constitution. (Nyalali Report 1992: 11)

Subsequently, in 1993 the government introduced the Broadcasting Services Act to liberalise the airwaves for the first time since independence. Later the News Agency Act (1976) was also repealed although other inadequate laws, such as the Newspaper Act, continued to operate. While the media sector appeared to have suddenly found a breathing space due to a proliferation of privately owned media outlets (both print and electronic) the euphoria was to be shortlived because Tanzania, as was the case with several other countries on the continent, continued to keep – and to use – the strict media laws that were regarded inimical to multiparty democracy. It is vital, at this juncture, to situate Tanzania's reforms as well as media regulation processes in the context of other countries on the continent which have also undergone similar economic and political reforms since 1980s.

Berger (2007) who conducted a comparative legal survey on media laws in 10 countries in Sub-Saharan Africa argues that countries like Ethiopia which has maintained a tight legal reign on the entire media landscape remain at the bottom of the list in terms of media diversity, and hence in the per capita information services available to the citizenry. But still, even in countries where minimum reforms have led to an increase in variety, critical media outlets are not tolerated by authorities who appear to prefer the status quo. This persistent negative attitude towards critical media significantly explains the contradiction that continues to exist between what member countries of the African Union (AU) have committed themselves to do[6] and what is happening on the ground in terms of democratization and the role of media in general.

One of the main explanations that African ruling elites provide for the government's continued control of mass media is that in young democracies like their own, irresponsible media can be a source of conflicts and civil strife rather than promoters of progress and peace (see Berger 2011). This position is not without reasons. Ruling elites argue that in Africa, pluralistic democracy itself, on one hand, and a free press on the other, can be a menace to the maintenance of authority, order and progress given poverty levels and the fragile nature of the continent's multiethnic, multi-religious and multiracial societies (see for example Blake 1997; Kasoma 2000; Nyamjoh 2005). But under the veil of this argument, and the 'controlling' attitude of ruling elites, are experiences of corrupt, inept or illegitimate regimes that do not want to be scrutinised, or held accountable by their own citizens.

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6   Member countries to AU and other regional bodies are signatories to Declarations and Charters meant to enhance economic and political reforms on the continent, one of which is: Democracy, Elections and Governance (2007).

Despite the contradiction alluded to above – of governments agreeing to undertake democratic reforms but still keeping draconian media laws – there are two stories to tell about the role the mass media have played in redemocratization. The first story is about the media outlets that have let down democratization process either for their unprofessional practice or for serving narrow interests that tend to contradict wider societal interests (Kasoma 2000; Nyamjoh 2005; Rioba 2009). The second story is about media outlets which, against legal and other odds, have stayed the course in playing their professional role, exposing corruption and defending wider interests of society (Kasoma 2000).

The last two decades of reforms have also demonstrated that the quantitative increase of media outlets has not necessarily matched qualitative performance the same way democratic reforms in general have not necessarily improved social justice and general welfare of citizens (see Killian 2010: 53). For example, immediately after political reforms began in the 1990s, there was an unprecedented explosion of privately owned media outlets in many countries on the continent. In Gabon over 200 newspapers were registered a few months after multiparty system was reintroduced while in Zaire, between 1990 and 1995 there was over 630 registered titles. The number of registered newspapers in Cameroon, for example, was 1,300 by the year 2000 (Berger 2011). In most of these cases, however, fewer titles sustained regular publication.

In Tanzania the number of newspapers had increased from barely six in the mid 1980s to over 400 registered titles in the early 1990s. By 1994, however, there were 43 newspaper titles that came out on a regular basis while private radio and television stations had also been established for the first time. Yet this period also saw an adversarial relationship between governments and sections of mass media which sought to independently question those in authorities or to provide space to the public for the free expression of dissenting views. In what could be regarded as the paradox of democratization in Africa, even in countries where the opposition had replaced the post-independence regimes, the press freedom situation did not necessarily improve as Berger has again noted:

> In many instances, the second democratic wave was short lived. New predatory and kleptocratic regimes replaced ousted ones, often exploiting ethnic or regional identities to secure and maintain their power... Elsewhere, many other newly elected governments also retained, and even intensified, media controls, and there were infamous remarks like that of the then Malawian President Bakili Muluzi who spoke ominously of dealing with "watchdogs that display symptoms of rabies". (Berger 2011: 4)

Berger observes, for instance, that in Cameroon more than 100 journalists were imprisoned between 1990 and 2003 while in the Democratic Republic of the Congo (DRC) 160 journalists were jailed between 1997 and 2001 when Laurent Kabila came to power. He also refers to a study detailing how in six African countries, elections and liberalization of the media in the 1990s were followed by an explosion of violent conflict of which journalism had contributed in fanning hatred. In Rwanda, for example 48 journalists from both ethnic groups were murdered during the period of the genocide in 1994 (ibid: 5). Also the Committee to Protect Journalists[7] provides a record of 102 journalists killed in Africa between October 1992 and September 2010, most of the fatalities occurring in countries that were at war.

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7   www.cpj.org

Furthermore, governments also moved to ensure that they had in place some meek media outlets on their side which permanently projected them positively in the face of constant exposure by critical media (Nyamjoh 2005: 245; Kilimwiko 2009). Some of the methods employed by the governments to keep friendly media on their side include indirect ownership of influential private media, the use of advertisements as carrot to friendly media as well as rewards to 'good' journalists and editors in the form of positions in government or frequent trips abroad. In some cases, the 'watchdog media' have had their way in forcing government accountability although, in others, media outlets have had to either compromise[8] or risk their journalists being victims of state brutality or imprisonment (Kasoma 2000; Rioba 2009).

1.3   A critical glance at democratic reforms in Africa

It is, nonetheless, important to note that although reforms in the media regulatory environment are deemed necessary to free the sector from the shackles of government control, as well as to create conducive public space for democracy to flourish[9], the outcomes are not necessarily – or automatically – desirable as some scholars on media and democracy in Africa and elsewhere have cautioned (Blake 1997; Ugbonda 1997; Kasoma 1997; Tomaselli & Dunn 2001; Mfumbusa 2006; Nyamjoh 2005; Gadzekpo 2010). This caution is further sounded by John M. Barker (2001) who argues that the outcome of liberalization in southern Africa has been an opening of markets to private enterprise, often in complete policy vacuum, with no regard for the promotion of diversity of ownership and information pluralism. Such a situation, Barker (2001) argues, has resulted from the fact that many donor countries and multilateral agencies insist that development assistance be tied to observable progress in establishing a free press and other signs of good governance, ignoring the outcomes in terms of limitations to plurality and independence of private media. And the outcome has been a media landscape which no longer expects the threat to press freedom to come from the government alone but also from the corporate world which has financial stakes in the communication process and communicated products.

Barker (2001), also concurring with Thompson (1995), argues that it seems an unregulated free market may develop in a way that effectively reduces diversity and limits the capacity of most individuals to air their views. This view is augmented by Berger (2002) who posits that the liberal pluralism paradigm is too narrow to be a universal analytical framework much as it is deemed to be the dominant normative framework in all democratizing countries. He further argues that even in those historical places and times when the paradigm provides its greatest insights, it is criticised for overlooking monopolization and elite congruence (ibid: 23). In his review of recent concerns by Western scholars about the declining civil culture and the role of media in liberal democracy, Nordenstreng (2001: 57) highlights what Robert McChesney (1999) has referred to as 'the media/democracy paradox'. First, is the view that in an age of breakthroughs in communication and information technologies Western democracy

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8   Compromise, in this case, is not necessarily out of fear of consequences; it is also partly due to the need to survive economically. The government is often the major advertiser and can easily use adverts as the means to suffocate critical media economically.

9   As stipulated in the African Charter on Democracy, Governance and Elections (2007).

is increasingly depoliticised leading to what Robert Entman coined as: 'democracy without citizens'. Nordenstreng further refers to Anthony Giddens, the President of London School of Economics who in 1999 argued that the media cannot be left out of the equation because they, especially television, tend to destroy the very public space of dialogue they open up, through relentless trivialising and personalising of political issues. Furthermore, Curran (2002: 219) faults the traditional liberal theory of media which emphasizes 'watchdog' arguing that this critical role has since become irrelevant to what the mass media actually do. He argues that the conventional view of 'watchdog' derives from the eighteenth century when the principal 'media' were public affairs oriented compared to contemporary media that focus on entertainment. Curran further argues that even many so called 'news media' allocate only a small part of their content to public affairs – and a tiny amount to disclosure of official wrong doing. Another argument, also shared by Curran, is that traditionally the liberal theory held that the government was the sole object of press vigilance because at the time governments were considered to be the 'seat' of power. But as Curran has aptly observed, this tradition overlooks the fact that the contemporary private sector too with its shareholders and managers wield enormous power that also needs to be checked by mass media (ibid).

This new trend – of media slowly abdicating on its watchdog role and focusing more on entertainment and business – is therefore exacerbated by the growth of giant multinational media corporations that have made unelected business tycoons exceedingly powerful. Furthermore, scholars such as Noam Chomsky, Edward Herman (1994) and Robert McChesney (1999) have argued that the digitization of all forms of communication enabling easy transferability of media content, convergence of technologies and concentration of media in fewer hands has led to the creation of 'a genuinely global commercial media market' dominated by three or four dozen large transnational corporations (TNCs). According to the authors such a monopoly by giant TNCs is inimical to the notion of democracy (see also Mason 2001: 84; Curran 2002: 220).

In this context, the freedom of media to play a watchdog role in a democracy has become more abstract and far fetched than the reality on the ground appears to demonstrate. Consequently, what is now at stake in democracy and democratization is what Denis McQuail (2003) has outlined as the benefits of independence and plurality of media which include:

i. The willingness to scrutinize the actions of those with political and economic power;
ii. The provision of information that enables citizens to form sound opinions and a critical viewpoint;
iii. Active participation in the political, social and cultural arena of society; fourthly, promotion of cultural and social innovation through information and amplification, and;
iv. Provision of access channels for diverse voices and purposes and investigations of failure, injustice, and wrongdoing of all kinds.

This dilemma of private media – which are theoretically regarded as independent – not being able to automatically guarantee the benefits of a free press because of private economic interests – portends a challenge especially to young democracies which are struggling to free the mass media from state control. A critical question here is: in which ways, and to what extent, is press freedom and self-regulation of media effective if freeing media from government control

only places them under the control of profit concerns in the free market environment? It is also imperative to ask: who controls the free markets in Africa and whose interests are the markets serving? In other words, to what extent can self-regulation be effective in promoting press freedom and in ensuring that mass media perform their roles professionally and in ways that respond to the genuine needs of African countries such as Tanzanian which, as noted above, have been overshadowed by the imperatives of international capitalism?

By and large, Africa's democratization in general does not appear to have legitimately responded to democratic needs of the majority of citizens (see Mafeje 1999; Killian 2010). This argument is augmented by the fact that although the basis for re-democratization – including the promotion of freer mass media – is laid out clearly in the continental, as well as regional, bodies such as the African Union (AU), the Southern Africa Development Community (SADC), East African Community (EAC) and the Economic Community of Western African States (ECOWAS) there is a glaring mismatch when it comes to what is officially being implemented. One plausible explanation for the inconsistency is that the concepts and ideals in these policy documents are sponsored largely by neoliberal capital and do not necessarily reflect the genuine thinking of most of Africa's ruling elites. As such, since some of these ideals are a threat to the political survival of the rulers, they are implemented selectively or superficially to satisfy superfluous indicators and benchmarks set by donors (see for example Mafeje 1999; Ocitti 1999).

Still, it is important to emphasize again that whereas pressures for economic and political reforms had come from both within and outside Africa during the 1980s and 1990s, it was the Western financial institutions and donor countries that drove and funded the reform process. As such, it appears that African ruling elites, apparently desperate to hang on to power, accepted the reforms agenda and funding from the West, on the hope that they would control the democratization process and thereby protect their own interests. But what has largely happened is what communication scholar Jimmy Ocitti, refers to as 'formalisms' of democracy such as organising periodic elections and liberalising the economy to meet donor conditions (Ocitti 2009: 1).

1.4   Framework for self-regulation in democratization

As already noted above, there is a serious dilemma facing mass media accountability in the context of Africa's democratic reforms. Also as observed above, while freeing the media from government control is deemed healthy for democracy, relying mainly on self-regulation for accountability renders the media vulnerable to negative influence of private ownership and free market interests. The experience in many parts of Africa, for example, show that self-regulatory systems were established only after governments had threatened, or made a move, to form statutory councils to control 'irresponsible media' (Bussiek 2008: 2). At the beginning of re-democratization, several self-regulatory councils were established in countries like South Africa, Kenya, Uganda, Botswana, Zambia, Namibia and Swaziland, to name just a few, but soon governments moved in with threats to establish statutory councils (ibid). In 2008, governments in Kenya, Uganda and Botswana, for example, formed statutory councils despite the fact that self-regulatory ones existed already. Governments on their part want to form a

statutory body on grounds that self-regulatory councils are weak and ineffective in addressing falling journalism standards as well as in taming reckless media outlets (see for example Wasserman et al. 2012: 4–5).

In April 2008 a regional workshop in Johannesburg, South Africa, brought together representatives of media councils in the Southern African Development Community (SADC) countries to share their experiences in using self-regulatory bodies as mechanisms for spearheading media freedoms and accountability. It was evident at the workshop that they all aimed at promoting professional standards and to further 'excellence in journalism' (Bussiek 2008: 2). However, most of them appeared to face similar challenges in addressing the following key questions:

i.   What should be the limits of a self-regulatory council's mandate? Should a council embark on other activities such as lobbying and training? How would such arrangement affect its neutrality and credibility?

ii. Should the self-regulatory councils also regulate advertising in media? If so it means advertisers would also be part of the council board. How would this arrangement affect the mandate of the council, particularly with regards to editorial matters?

iii. Should online media also be under the mandate of self-regulatory councils? How practical would this be?

iv. Should the self-regulatory councils be pro-active? And how can monitoring be organized to avoid the possibility of voluntary councils being perceived as 'Big Brother' watching all media outlets?

v.   Since self-regulatory councils are voluntary organizations, how does a country deal with media outlets that refuse to be a member of such a council?

vi. How should membership to the council's board be constituted? How many representatives should constitute the council board or complaint committee and who should they represent?

Bussiek (2008: 5) observes that Angola and Mozambique have a different regulatory regime because of their Portuguese colonial history. In Mozambique there is a Statutory Media Supreme Council set up in 1991 under the Press Law to protect the public against 'media excesses' and to ensure rights of the media. The author notes that in all cases the Council is 'pro-active' and lambasts media outlets for alleged contravention of professional ethics even without any complaints from the public (ibid: 6). Bussiek further observes that relations of most voluntary councils with governments remain precarious although in some countries the councils are recognized, and appreciated, by the government. Nonetheless, he notes that in most countries, the public at large is not aware of the existence as well as functioning of the voluntary councils. Lastly, Bussiek observes that most media councils charge membership fees, although – with the exception of South Africa where the Council is funded fully by print media – funding is always inadequate. He cites the Media Council of Tanzania, for example, which has, since its inception, continued to rely on donor funding to cover its expanding mandate.

This then suggests that a practical framework for self-regulation – or media accountability in general – has to be thought out to address the dilemmas and complexities

emerging from these democratic reforms and experimentations. While AU declarations and documents mentioned above only prescribe the 'ideal' democratic reforms, without suggesting, for example, how self-regulation can be made effective, some scholars, particularly in Africa, continue to explore such questions as how to make the media effective in promoting democratization. Audrey Gadzekpo (2010), for example, posits that while efforts directed at insulating media from government control may appear desirable for increased media freedoms, such freedoms may not necessarily guarantee better media performance:

> However, greater media freedoms and protections, while inherently desirable catalysts for media performance, do not in themselves necessarily guarantee qualitative developments in the media. Other reforms are needed in order to have a well-functioning and responsive press capable of protecting the public interest and helping to build a democratic and development-oriented culture. (Gadzekpo 2010: 4)

Gadzekpo maintains that there is a need to deepen the conversation on the media's role in consolidating democracy and to do so by turning the "bright lights of scrutiny inward onto the profession itself" (ibid). Other scholars, for example, Mak'Ochieng (2000), Shaw (2009) and Mwangi (2010), posit that the media in the context of Africa's redemocratization can only be effective and accountable to the citizenry if they are part of the civil society – that is, independent from both the government and the market. Yet there is lack of clarity about how to address the nature of ownership patterns or institutional framework through which the media can work as part of the civil society. Besides, civil society, particularly in Africa, is still weak and even its definition is equally fluid (see Mason 2001; Berger 2002; Shaw 2009; Mwangi 2010).

South African Andy Mason (2001) defines an environment under which mass media that are independent from governmental or commercial controls can be developed. He posits his argument in the notion that 'civil society' appears best suited to play an effective role in the democratization process since within a strict (civil society) definition, there is no space for state organisations or profit making concerns. Also citing Thompson (1990), Simon (1991) and Bourgault (1995) Mason defines civil society, from the perspective of the writings of Italian Marxist Antonio Gramsci, as comprising all "the so called private organisations such as churches, trade unions, political parties and cultural associations which are distinct from the process of production and from the public apparatus of the state". Mason argues that the definition of civil society excludes public broadcasters and press conglomerates, "the two sources to whom we have most often looked for solutions to the problems of media access and diversity".

This, the author rightly maintains, is due to the fact that while state owned public broadcasting offers unparalleled opportunities for information transmission to remote populations, this model only works as long as the public service ethos can be defended from encroachment by the state. Likewise, he argues, media owned by international conglomerates which operate above the nation state also tend to fall outside the ambit of civil society. He therefore concludes:

> Truly democratic, participatory and independent media forms can only emerge from the civil society terrain, however hemmed in and vulnerable, and however, problematic the definition of this terrain may be. (Mason 2001: 95)

Beyond Mason's view on the importance of public service broadcasting to citizens in remote areas are other opportunities such as traditional 'oramedia' and community radio stations, owned and operated by communities themselves. Furthermore, this view of media alignment with civil society in democracy is further elucidated by Nordenstreng (2010: 419) in his description of the shifting places of media in the history of Europe from being close to both the state and markets during the beginning of feudal-patronage to the era of mercantile capitalism. He reminds that with the rise of modern democracy and party structures, the press became part and parcel of the civil society, but with broadcasting remaining closely tied to the state. But since the twentieth century, Nordenstreng points out, both print and electronic media have shifted towards capital-driven markets. In this respect it is only logical that the democratization process in Africa would benefit more from a press that is tied with the civil society as was the case with Europe during the rise of modern democracy. Below is a conceptual media role in democracy model by the Norwegian social scientist Johan Galtung (1999: 7):
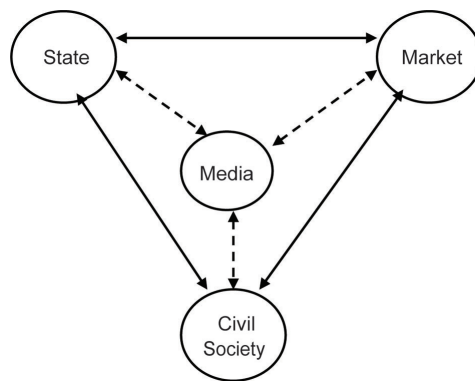
Basically the model conceptualizes the key pillars in liberal democracy whereby the state, market and civil society function separately though towards common goal while the media provide a functional linkage to all of them. The media, in such a democracy, becomes free in the sense that it largely regulates itself. Although self-regulation spearheaded by independent media councils is deemed as a better alternative than government control of media through legislation, there is still lack of clarity about how effective it is, or can be, in the context of young democracies such as those in Africa. Indeed there are various ways in which mass media are regulated in society of which self-regulation is just part. Nordenstreng (2010: 428), for example, makes a distinction of categories under which media are regulated and argues that self-regulation is not an automatic panacea for ethical violations among journalistic professionals (see also Mfumbusa 2006). The four categories of regulation as presented by Nordenstreng (2010: 426) are:

Law enacted by Legislatures and other state bodies and executed by courts;

Market based on private property, commercial advertising and consumer choice;

Public thorough citizens associations and public opinion; and

Media themselves through journalists and managers.

While Nordenstreng admits that all four have a role to play in the regulation of media professional conduct, he sees self-regulation as the weakest form of them all because of professionals' inclination towards more autonomy, which leads to what he terms as 'fortress journalism'. He therefore advocates different mechanisms of self-regulation, particularly professional codes of ethics, independent media councils as well as a monitoring mechanism to determine how self-regulation itself is working.

In the case of Tanzania, for example, self-regulation is practiced at two main levels. The first level entails newsroom mechanisms which include in-house policy, professional code of ethics, morning post-mortem, reporter/news editor consultations about a news story and evening editorial meetings to determine lead stories and other editorial issues. At the second level there are associations or institutions that deal with promoting professionalism in the mass media sector and journalism profession. It is at this second level that the MCT becomes a professional partner in promoting responsible journalism mainly through arbitration.

Nonetheless, Tanzanian communication scholar Bernadin Mfumbusa (2003) sees self-regulation in Africa generally as ineffective. The author provides a number of reasons for the ineffectiveness of self-regulation. Firstly, he argues that "a *laissez-faire* newsroom culture hampers recourse to codes of ethics as instruments of professionalism and self-regulation". According to him, the *laissez-faire* culture refers to the tendency by journalists and editors "to gloss over ethical problems by lack of sustained professional outrage in the face of ethical violations; by lack of adequate institutional mechanisms to address quality problems; and by a sense of entitlement among journalists that encourages aversion to hard work". Secondly the author refers to his study in which most reporters he interviewed admitted that they could accept 'freebies' and 'junkets' and still remain objective. Thirdly, "weak peer-pressure makes it hard to express collegial disapproval for morally repugnant behaviour by journalists" and in addition, poor working conditions also contribute to violation of ethical tenets. Furthermore, Mfumbusa cites poor and irregular pay as necessitating or encouraging moonlighting practices which include acceptance of bribery. He notes that journalists are among the worst paid professionals in Tanzania and that it takes up to six months before correspondents are paid for their work. Lastly, the author argues that job insecurity tends to force editors and reporters to respond more to whims and interests of their employers than to ideals in the codes of ethics.

The section below describes the process that led to the establishment of the MCT as a self-regulatory mechanism recognised by the government and working alongside the existing restrictive legal regime.

1.5   Self-regulation in Tanzania's redemocratization

As pointed out earlier, the Nyalali Report in 1992 called for a repeal or review of 40 laws[10] which would stifle the new democratic dispensation. Among these 40 laws were the Newspaper Act of 1976, the Tanzania News Agency (SHIHATA) Act 1976 and others which restricted media and citizens' rights and freedoms necessary for them to participate fully in the democratic governance of their own country.

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10   These came to be popularly known as '40 bad laws'.

In principle, the constitutional change of 1992 necessitated reforms in many other laws, institutions and procedures – including the two Acts cited above – to enable the new pluralistic culture and democracy to function harmoniously. Instead, the government became more concerned about the behaviour of the newly started newspapers which were unwittingly critical in their content and at times exceedingly punchy in their reportage. It is significant to note that indeed, the sudden nature with which the media environment changed did not allow for preparation of professional media personnel who were adequately trained to run the newsrooms competently. Whereas some media outlets had qualified editors and experienced journalists, there were also several newspapers that were run by unprofessional individuals (Rioba, 1995). While serious newspapers were actively playing their role as agenda setters and watchdogs, engaging the public in critical thinking on issues of governance, the other papers were gaining notoriety for reporting half cooked stories, attacking individuals without substantiated facts or filling their pages with inaccurate reports (ibid).

In 1993 the government announced new information and broadcasting policy[11] which replaced the socialist mass media policy of 1970[12] and set the ground for a new regulatory framework for the sector. The new policy set the ground for the enactment of the Broadcasting Services Act of 1993 which liberalised the airwaves and provided for the establishment of privately owned radio as well as television stations. The first privately owned electronic media such as ITV, Radio One, DTV, and CTN stormed the airwaves from 1994, disarming the monopolistic RTD its special place in the air. It is also important to note that in 1993 when the new information and broadcasting policy was unveiled to free the airwaves, the government was taking other steps to curb what it termed as 'irresponsible journalism'. When information reached the public that the government was planning to form a body that would control the media sector, journalists and civil society activists joined hands to oppose the move as loudly as they could. The MCT publication *Self-regulate or Perish* (2010: 4) puts it aptly:

> Whether by design or default, government circles felt a sense of discomfort, they wanted to remain on top of the state of affairs. They sought a mechanism to regulate not only private media houses, but journalists too. The task fell squarely on the shoulders of the then minister for information and broadcasting, Dr. William Shija who, according to Government sources, almost single-handedly drafted the obnoxious, controversial bill to form a statutory media council. At the same time, he worked out the foundation of a new media policy in consultation with government operatives.

Events and processes of this period are instructive in understanding the extent to which self-regulation – which is now spearheaded by the MCT – can be an effective mechanism in enabling the mass media to play their roles more effectively. It was from this period that the conflict, and indeed the contest, between the government and the media stakeholders started over how the media sector should be regulated. In 1994 the then minister for information and broadcasting Dr. William Shija prepared a bill seeking to establish a statutory media council. The bill, which came to be known as Dr. Shija's draconian law, was rejected by journalists and other civil society stakeholders because it sought to entrust the minister responsible for

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11   Information and Broadcasting Policy 1993.
12   Information and Mass Media Policy of 1970.

information with arbitrary powers to ban publications, and close radio or television stations by the stroke of the pen. The MCT publication: *Publish or Perish* (2010: 4) explains why media stakeholders rejected the proposed government council:

> The statutory media council was to be run by government appointees who would not necessarily be professionals or persons of stature in society. These, journalists worried, would be people who, as tradition demands, survive on some kind of official patronage with little or no independence of the mind, given the circumstances imposed by the appointing authority.

Ideally, the move by the government was aimed at responding to calls, and the need, to reform the media sector following other democratic reforms in the country. But the spirit of its proposed reforms still reflected the post-colonial paradigm under which mass media remained under a close watch of the government and not vice versa.

1.6   Establishment of MCT to spearhead self-regulation

The campaign by journalists and the civil society to reject the government's proposed media body culminated in the formation of the independent, non-statutory and voluntary Media Council of Tanzania (MCT). This section describes the formation of the Council, its mandate, mission statement, vision, objectives, administrative structure as well as arbitration procedures.

MCT's mandate

The MCT is an independent, voluntary, non-statutory self regulatory body established by the media stakeholders on June 30th 1995 but started operations on May 22nd 1997 when it was officially registered under the Societies Ordinance, 1954. The mass media in Tanzania are supposed to voluntarily subscribe to MCT as members and are obliged to pay annual membership fee to run the institution. MCT's mission is to create an environment that enables a strong and ethical media that contributes towards a more democratic and just society. The vision of MCT is to see a democratic Tanzania with a free, responsible and effective media.

Objectives of the MCT

The objectives of the MCT included; to assist, safeguard and maintain freedom of the media in the United Republic of Tanzania; to oversee that journalists, editors, broadcasters, producers, directors, proprietors and all those involved in the media industry in Tanzania adhere to highest professional and ethical standards; to consider and adjudicate upon complaints from the public and amongst the media against infringements of the code of ethics.

Other objectives include; encouraging development of the media profession in Tanzania by undertaking activities including, but not limited to, training of journalists, overseeing press clubs development, to conduct various media freedom campaigns, seminar, workshop and/or symposia; to maintain a register of developments likely to restrict the supply of information of public interest and importance, keep a review of the same, and investigate the conduct and attitude of persons, corporations and governmental bodies at all levels, towards the media,

and make public reports on such investigations. Other MCT objectives are; to promote and defend the interests of readers, viewers and listeners and to promote gender sensitivity, equality, equity and balance. Furthermore, the MCT's objectives include to raise funds for the purposes of the Council and to publish papers, journals, newsletters and other materials.

The MCT was to start operations effectively on May 22, 1997 after official registration and upon acquiring funding from the Swedish Embassy in Tanzania, which enabled it to form a secretariat and set up an office in Dar es Salaam (Rioba 2009: 110). Since then, the MCT has conducted arbitration of complaints; trained journalists in ethics and investigative journalism; organised workshops and symposia to discuss ethics; prepared codes of ethics for journalists and produced a number of publications addressing issues of quality journalism and accountability.

On average, the annual budget for the MCT stands at 1 million US Dollars of which only less than 10 percent comes from media, the main stakeholders. With such budgetary implications sustainability as well as independence of the MCT raises questions from circles of critical observers. In terms of arbitration, MCT receives an average of 25 cases per year, clears an average of 10 cases at the secretariat level while the Ethics Committee of the MCT arbitrates an average of 14 cases. Complainants are varied and they mainly include politicians, professionals, business persons, ordinary citizens, institutions and the government. Almost all media houses are MCT members and over 97 percent of arbitration decisions are adhered to by parties to disputes. Still, underneath such impressive statistics are experiences of hassles that complainants have to go through especially with uncooperative editors in newsrooms before their complaints are settled by the Ethics Committee. Again the trend of cases handled by MCT every year shows that the arbitration by itself has not deterred editors from repeating the same ethical flaws from which complaints arise.

Furthermore, whereas the MCT constitution requires the arbitration of cases to be finalised within three months, some cases take over a year to conclude because of, among other factors, editors who are unwilling to cooperate. It is against this background that this dissertation seeks to understand the efficacy of an independent media council as a strategic mechanism in spearheading self-regulation of mass media so as to promote press freedom and accountability in young democracies like Tanzania.

In this research I use three key approaches to analyse Tanzania's experiment with self-regulation of media. Firstly, I study theories and concepts on the role of media in democracy for a deeper understanding of concepts such as democracy, press freedom and self-regulation and how they relate to the experiences of democratization in Africa in general and Tanzania in particular. Secondly, I study views of Tanzanian journalists and influential persons on the role of media in democracy as well as how they regard self-regulation of media in the country. This is important for one main reason that the views of media professionals and other stakeholders about the media' role and regulation are crucial in establishing how they regard concepts such as self-regulation in the context of a young democracy like Tanzania (see White 2008). Thirdly, I study the functioning of the MCT itself which has been in existence for the past 15 years to see its effectiveness as a leading mechanism in spearheading self-regulation in the country. I analyse such aspects as the process of arbitration; profiles of complainants; types of complaints; frequency of complaints; duration of cases; costs in arbitration process and nature of decisions.

1.7   Research context

The effectiveness of an independent council in spearheading self-regulation of media can best be understood in the context of media and democracy theories as well as historical social, economic and political realities on the continent of Africa. For several centuries Africa's destiny has been influenced, and affected, by foreign policies as well as interventions that have largely ignored the people's shared history, values, needs and aspirations. Even the democratization process which started about three decades ago has responded more to the dictates of Western liberal democracy than to genuine transformative needs of the African people. Self-regulation is a liberal democratic ideal which presupposes government hands-off in regulating a sector and leaving the regulation to the dictates of the markets.

As the next chapters will show, while the focus of my research has been the extent to which the MCT has been successful as a mechanism for fostering self-regulation of media in the country's nascent democracy, I have also argued that concepts such as democracy, role of media in democracy, media freedom, democratization and self-regulation must be understood in the context of Africa's historical realities. The argument I am putting forward in this research is that while economic and political reforms of 1980s and 1990s were practically inevitable and even necessary, they still seem to have largely responded to the dictates of liberal democracy rather than to the transformative needs of Tanzanians.

Consequently, given the new patterns of ownership the media are increasingly serving the narrow interests of the free markets thereby faltering in their role of promoting and enhancing transformative democracy. Yet there has been a glaring shortage of scholarly endeavour in examining critically how a non-statutory council can be effective in spearheading self-regulation of mass media in the context of democratization. It is in this context that this dissertation seeks address the research problem stated in detail in the following chapter.

Chapter 2   Research problem

This dissertation interrogates the effectiveness of voluntary and non-statutory (non-governmental) media councils in enhancing media self-regulation in the context of Africa's democratization, with a specific focus on Tanzania. To understand the context of the problem in this research it is crucial to provide a brief background to information and media policy issues which have had a bearing on the behaviour of mass media since independence. Such background seems imperative for enhancing the necessary understanding of the context out of which MCT emerged to spearhead self-regulation of mass media in the country. A Presidential Charter titled: "The Socialist Paper for the People" of February 5, 1970, imposed upon the press the role of supporting the socialist ideology. *The Standard,* the leading English daily in the country, had been nationalized and renamed, *The Daily News.* The Presidential Charter defined the new mass media motto as "the socialist equality and dignity of man".

2.1   From *Ujamaa* media to neoliberal conglomerates

During the post-colonial period the government opted for *Ujamaa and self-reliance* as the new socio-economic and political paradigm for the country's development vision. *Ujamaa*[13] philosophy was anchored in what was regarded as Africa's historical communal or social values, needs and aspirations shared by most people on the continent (Nyerere 1962). The government therefore took deliberate measures to assign the mass media the role of promoting *Ujamaa/*socialistic ideals and also to train media practitioners periodically for their new role. According to Nyerere (1962) Ujamaa values included human dignity, equality, including equal sharing of resources where nobody is allowed to exploit others to get rich, hard work and caring for the welfare of community rather than the interests of the individual.

As documented by Nordenstreng and Ng'wanakilala (1987), the then ruling party, the Tanganyika African National Union (TANU), embarked upon periodic mass media seminars which aimed at turning media personnel into ardent believers and crusaders of the socialist ideology. Seminars were held in Arusha (1973), in Mbeya (1975), in Mwanza (1978) and again in Arusha (1983). During the first seminar the President of the Republic, (the late) Mwalimu Julius K. Nyerere, underlined the purpose of the mass media in Tanzania as "to defend the Party policies". Thus the socialist ideology of 1970s and 1980s prepared a cadre of journalists who believed in government-initiated socialistic policies – which aimed at unifying people, promoting equality and addressing "the major enemies of the people": poverty disease and ignorance.

Nonetheless, critics have argued that the government used the excuse of promoting unity, equality and implementing socialistic policies to gag the media and conceal

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13   *Ujamaa* is a Kiswahili word for African Socialism.

information. A seasoned Tanzanian journalist and activist Ndimara Tegambwage (1990: 16) details examples of how the government controlled information in those years, the classic cases being the manipulation of information about the killings of the sugar factory workers in Kilombero in 1986; the fire that gutted the Bank of Tanzania in 1984; the killings of miners in Nyarugusu gold mines and the signing of the International Monetary Fund accord in 1986. Chachage (1997: 8) also observes that "in general, the functioning of the government was concealed from public scrutiny, thereby allowing corruption, abuse of power and oppression of citizens to go unchecked". Indeed it was in this context that the rumour industry flourished and became a formidable media industry of its own prompting Tegambwage to make a collection of 87 examples of politically related rumours covering a period of 15 years from 1973 (Chachage 1997).

But to be able to keep journalists on the socialistic path the government enacted a number of laws to regulate the functioning of mass media. These include: The Newspaper Registration Ordinance[14], The Newspaper Act[15], The Tanzania News Agency (SHIHATA) Act[16], The National Security Act[17] and the Films and Stage Plays Act[18]. The Tanganyika Broadcasting Corporation inherited from the colonial government was also replaced by the Radio Tanzania Dar Es Salaam Act,[19] which turned Radio Tanzania Dar Es Salaam into a government and party mouthpiece. The laws empowered the ministers responsible for information to refuse registration or prohibit or ban a publication "whenever they deemed it in the public interest to do so". Such was the media and information policy that characterised the post-colonial socialist era during which the media was supposed to be almost part of the government and the ruling party.

2.2   Neoliberal media in multiparty era

Tanzania, like many other African countries, embarked on major economic, political and social reforms beginning in the mid 1980s following, among other factors, the global economic crisis that was facing communist and socialist countries across the globe. As Chachage (1997) has observed, with the crisis of *developmentalism* (premised on concentration of powers in the executive arm of the state and promises to bring about social services, industries and infrastructure in exchange for a high degree of economic control and undivided political loyalty) by 1980s the state legitimacy was in limbo. The 1980s therefore saw an increase in active and passive resistance from workers and civil society, mostly in response to the implementation of International Monetary Fund (IMF) and World Bank Structural Adjustment Programmes (SAPs). Economic hardships, made worse by the cost of the war Tanzania entered into with Uganda in 1978, forced the state to open a debate on constitutional amendments in 1983. During these debates, which were at first controlled by the ruling party, citizens went far beyond

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14   Cap. 229 of 1952.
15   Act No. 3 of 1976.
16   Act No. 14 of 1976.
17   Act No. 3 of 1970.
18   Act No. 4 of 1976.
19   Act No. 11 of 1965.

the issues to challenge the legitimacy of the ruling party itself. Indeed, these debates invited extremely critical voices which called for, among other things, independent social organizations that operated outside the ambit of the state, including a free and independent press. It is pertinent to emphasize that the issues raised in these earlier debates – which gained popular coverage in the few private media outlets that existed – related to how the economy and society in general were to be organized (Chachage 1997).

For the first time the private media outlets, some of which were established from the second half of 1980s, began to focus more on issues of abuse of power, corruption, embezzlement and fraud[20]. As Chachage has again pointed out white collar and corporate crimes had become quite common, and involved financial fraud and violation of trust, restraint of trade, misinterpretation in advertising, rebates, forgeries, tax evasion, etc. With the media exposing incidences of tax evasion and dubious tax exemptions, donors began to threaten cutting down their assistance if the government did not act. In fact the government itself admitted in Parliament that in 1994 alone tax evasion and tax exemptions amounted to Tshs 70 billion and Tshs 30 billion respectively (Chachage 1997: 6).

Indeed, although the newly established media outlets had been freed from specific roles and purposes they were supposed to perform in socialist Tanzania they were still walking with difficulty on a new path of freedom albeit under the old legal regime. Nonetheless, the most important changes in the media sector during initial stages of reforms included aspects such as: media ownership, multiplicity of media outlets, the changing process in gathering and dissemination owing to new technology, and the changing values and tastes of media consumers due to neoliberal reforms. The most notable changes in the media sector included the following:

Firstly, change in terms of numbers: The media outlets grew from barely 12 prior to 1990, to a total of more than 50 publications, 64 radio stations and 24 television stations[21] by 2005. Secondly, change in terms of diversity: whereas prior to 1990 the content of the media and mode of presentation mainly reflected the view of the state and socialist ideology now there were varieties of broadsheets, tabloids, radio and TV stations with a diversity of opinions, approaches and presentation. Thirdly, change brought about by economic liberalism and political pluralism: the media were now moving from being providers of an information service to the public to fully fledged businesses seeking profits. Fourthly, whereas in the past journalism was a haven for a few, more trained individuals with a nose for news and a craft for creative writing, it now invited swarms of individuals, including school dropouts, who wished to eke out a living through writing or photojournalism.

Fifthly, proliferation of journalism training institutions: a number of journalism institutions were established, again as businesses, to offer courses that ranged from three months certificate to degree levels. Most of journalism colleges lacked qualified trainers, learning facilities or serious curricula for producing competent journalists. Sixthly, most media

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20   For example, cases of fraud and embezzlement (those exceeding 10 million Tanzanian Shillings) reported in the newspapers from January 1989 to July 22nd, 1991 amounted to a total of Tshs. 6195.4m (NBAA/TAA Joint Seminar on the Role of the Accountant in Controlling Fraud and Embezzlement, Keynote Address by Mr. H.K. Senkoro, Zanzibar, 19th–21st September, 1991).
21   There could be more radio and television stations in the registrar's book just like there are over 550 registered newspapers and other publications.

owners seemed to have established media organs as commercial investments – placing profit motives above everything else – ready to publish anything just to sell. The post-mortem in many of these newsrooms tended to focus more on how much revenue yesterday's newspaper or programme brought into the media company than on issues pertaining to professionalism. Whereas the new press was expected to bridge the gap that had been created by the previous official press, it slowly began to focus on sensationalism just to sell.

The new (transitional) press found itself characterized by a number of both structural and ethical lapses, as outlined by Rioba (1998): Firstly, there was overwhelming excitement over the new freedom which was not necessarily utilized responsibly. Secondly, there was lack of adequate experience in running media 'business'. Thirdly, there were inadequate numbers of trained journalists to run the media professionally. Fourthly, the public, having been brought up in a closed and docile society, reacted in both trepidation as well as excitement over new sensational media content.

These factors led to lack of direction and the private press, having failed to articulate critical issues of the day, ended up swimming with the tides of check-book journalism, sensationalism, shallow reportage based on facts that are slanted or distorted to suit the reporter's or newspaper's subjective stand. Yet, unlike in the 1970s when the government took deliberate steps to train journalists on their roles in the new socialist Tanzania, this did not happen in the 1990s. The government lacked a deliberate programme of orientation to media practitioners about their new roles in democracy, as was the case in the 1970s. Even training programmes for journalists, for example on economic reporting and investigative journalism, which were carried out starting from the 1990s onwards, were funded by donors, especially the World Bank and through civil society organisations.

2.3   Taming neoliberal media with self-regulation

As pointed out in the introduction the Media Council of Tanzania (MCT) was established in 1995 to spearhead self-regulation of media in Tanzania after media stakeholders had foiled the government initiative to form a statutory council to 'control' media outlets that were 'behaving badly'. Prior to this period self-regulation in the way of newsroom mechanisms to present truthful, fair, balanced and objective reality of the world existed alongside strict media laws. But with looming political reforms the Nyalali Commission had recommended a repeal, or review, of 'draconian' media laws to reflect new values of liberal democracy (Nyalali Report 1992). Accordingly, the reforms would create a policy environment that encouraged the mass media to self-regulate through newsroom mechanisms as well as through MCT's arbitration.

Nonetheless, as Mfumbusa (2006) has observed, the rationale for self-regulation is to ensure that the quality of journalism in terms of truth, accuracy, fairness, balance and objectivity is sufficiently high to enable the media to play an effective role in a democracy. Mfumbusa's argument (also shared by Gervas Moshiro during indepth interviews in February 2011) is that theoretically in a democracy, if self-regulation of media is effective in guaranteeing quality then there would be no need for the government to intervene through statutory control. In this context, self-regulation primarily refers to mechanisms put in place in the newsrooms to ensure that journalists and other media practitioners adhere to

professional ethics before there can be any need for external intervention (see Gadzekpo 2010). But, Tanzania, like most African countries, is still in the early stages of democratization and the role of mass media – freed from state control only in the advent of democratic reforms – needs to be critically re-examined. While it may sound quite desirable, as observed above, that the media be freed from state control, two critical problems appear to complicate this objective.

On one hand, Tanzania, as is the case with other countries on the continent, is still in the process of democratization with ruling elites trapped between the old nostalgic past and the new alluring neoliberal indulgence. The ruling elites have uncritically adapted to neoliberalism while at the same time holding onto the one-party culture of controlling the mass media. The ruling elites find it difficult to accept a free media – which goes along with free market democracy in the liberal sense – mainly to prevent negative exposure which would undermine their authority in the eyes of the public (see for example Blake 1997: 253–264; Hyden et al. 2002; Nyamjoh 2005; Berger 2007). However, on their part, the ruling elites maintain that African democracies are still fragile such that allowing media freedom as is the case in advanced democracies could be inimical to national unity, harmony and progress.

On the other hand, the liberal traditional role of mass media in a democracy is to act as a watchdog on power holders, particularly the government. The mass media are therefore supposed to be owned and operated in a free market model where it is possible to ensure their complete 'independence' from government control (Curran 2002). However, as Tanzanian political scientist Bernadeta Killian (2011: 2) has observed, the liberal traditional role of the media has been criticized for assuming that the twenty-first century media is still keenly interested in public affairs or its watchdog role:

> Reporting on public affairs is no longer a key interest of many media organizations that have turned to more entertainment coverage and allocate only a small portion for public affairs. The traditional role of scrutinizing public officials has been watered down by the fact that many decisions affecting people's lives are made not only by elected officials and their appointees but also by private entities and the un-elected officials.

Indeed, in many cases, private entities have also become part and parcel of governing elites hence making the traditional element of 'independence' of the privately owned media irrelevant. Killian concurs with Curran (2002: 225) that as a result of market-driven pressures, information on public affairs may be sacrificed in favour of sensational and entertainment content as investigative journalism automatically gives way to profit concerns or political favours. This then leads to a conclusion by Curran that the "market does not guarantee critical scrutiny of either public or private power" (see also Herman and Chomsky 1994; McChesney 1999; Christians et al. 2009).

But it was this liberal thinking that inspired media activists, policy advocacy groups and civil society on the continent to echo demands for press freedom laws and self-regulation of media as a way of enhancing the sector's role in the democratization process. Consequently, apart from the Windhoek Declaration of 1991 which called for a free, independent and diverse media in Africa, other policy documents[22] by the African Union (AU), as well as

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22   Such as Charters, Declarations and other policy instruments.

regional bodies, speak the same neoliberal language: "enhancing democracy, promoting free press and self-regulation of media". Unfortunately, the uncritical recitation of these notions and concepts has, for quite some time, been allowed to sail smoothly on the rough waters of Africa's social, economic and political discourses, to the extent that they have now been taken for granted as representing universal truth (see for example Berger 2002; O'Neil 1998; Mwangi 2010).

Scholars may disagree on whether or not democracy – as practiced in the West – can be a sufficient condition in accelerating development in Africa considering significant failures of several political and economic projects initiated after independence in the 1960s. On the surface most democratizing countries on the continent may appear to have recorded some progress since the 1990s particularly in instilling a sense of accountability among the ruling elite. With guaranteed periodic multiparty elections on one hand, and media exposure of corruption and mal-governance on the other, democratization may be seen as a panacea to Africa's development challenges (see Kasoma 2000; Hyden et al. 2002; Ocitti 1999).

But a closer scrutiny of democratization reveals that such superficial indicators do not present the whole picture about the quintessence of liberal democracy itself and the role of media in it. For example, while the role of private media in challenging the ruling elites and mobilising citizens for change was highly pronounced at the beginning of reforms (see Kasoma 2000; Rioba 2009) the situation is increasingly changing as liberal democratic culture gets more entrenched. Indeed, the ownership of private media in Tanzania, as in the rest of Africa, is increasingly reflecting the behaviour of corporate media conglomerates in Western liberal democracies with their insatiable focus on entertainment and profits. The negative influences of corporate media are encroaching on press freedom in equally profound ways much like the draconian laws that are being fought by proponents of neoliberalism. This then calls for a deeper understanding of underlying implications in the ongoing media regulatory reforms in Tanzania and on the continent in general.

2.4   Rationale for the study

So far theories about the role of media in liberal democracy have faced critical scrutiny from scholars such as Herman and Chomsky (1994), McChesney (1999) and Curran (2002). While the importance of the role of media in democracy has been articulated by many scholars both at descriptive and normative levels (see Gurevitch & Blumler 1990; Hyden et al. 2002, Nyamjoh 2005, Tomaselli 2001; Christians et al. 2009), there are few studies that have focused on the nature of regulation and its impact on the ability of the media sector to play an effective role in promoting and sustaining democracy in Africa (Berger 2007; White 2008).

Increasingly, however, scholars tend to agree that even in democratization the role of government in regulating media should be minimal (see Blake 1997; Hyden et al. 2002; Tomaselli et al. 2001). Guy Berger (2007: 146) for example, concurs that for the media to play an effective role in a democracy the ideal regulatory framework must keep the government out of direct control:

Indeed, it is increasingly accepted around the world that especially as regards media issues, governments should concentrate on policy development plus drafts of law, and

parliament on debating and amending laws. The actual implementation in the form of regulation (and micro-policy) should be delegated to a separate and independent authority.

Berger argues that the institutional and functional separation is warranted for several reasons. The first, he argues, is the nature of communication as encompassing basic human rights to be enjoyed by all, and the corresponding need in a democracy to have a diversity of voices rather than everything being under the control of a government. The second reason, which is quite relevant to the situation in Tanzania and other countries on the continent, is that governments are also players in the communication arena as media owners, which would disqualify them – in any fair competition – if they also play the role of referees. Berger (2007: 146) concludes that "at any rate, the over-involvement of government in mass communications is an anachronistic characteristic that needs addressing". Like Berger, Blake (1997) also proposes an independent authority constituted of members from different media stakeholders, including government, to regulate both print and broadcast media. Such bodies – particularly for the regulation of broadcast media – have since been established in most countries though their 'independence' remains a subject of contestation.

2.5   Situating research problem

Since leading theories in media and democracy tend to characterise the government as the monopolistic controller of the communication sector a presupposition emerges of an alternative regulatory mechanism as Blake (1997) and Berger (2007) have rightly pointed out. But theories on the role of media in democracy, including on self-regulation, have mainly dwelt on developed countries with more mature democracy while very little is available about the role of media in democratization of young democracies. Besides, while the idea of less government involvement in controlling media behaviour appears to gain dominance and appeal in developing countries, the dilemma of the negative influence of free markets on mass media has not been addressed adequately. Although theoretically free markets are said to guarantee media diversity and 'independence', experiences even in advanced liberal democracies indicate that trends towards merger, acquisition, and conglomeration of corporate media are killing both diversity and independence (see for example, McChesney 1999; Chomsky 1995; Baker 2001; Curran 2002; Christians et al. 2009). More airtime and space in media are increasingly dedicated to entertainment and promotion of consumerism while little time is spared for public affairs and engagement of citizens on governance issues. It is against this background that a scholarly need arises to investigate the effectiveness of independent media councils that are established as mechanisms for spearheading self-regulation of media in young democracies like Tanzania.

2.6   Summary of research problem

While many countries in Africa are turning to Tanzania to learn from the experience of the MCT in spearheading self-regulation of media, there appears to be a conspicuous lack

of comprehensive knowledge about the effectiveness of the mechanism in ensuring media accountability. Two critical questions emerge:

i.   In which ways do historical realities in Africa support notions such as liberal democracy and self-regulation introduced to Africa from the early 1990s?

ii. Is there any evidence which suggests that self-regulation, spearheaded by a voluntary media council like MCT, can be effective in promoting media freedom and accountability in a young democracy like Tanzania?

This dissertation attempts to address the two questions above by interrogating views of journalists and expert stakeholders on the problem and through a scrutiny of MCT's arbitration process for a selected period of ten years (1997–2006).

2.7   Research questions

In this dissertation therefore I have attempted to address the following specific questions:

i.   How do deeply rooted values and historical circumstances that distinguish African societies from the West feature in the frameworks for communication / media policies and regulation in Africa?

ii. In which ways is the Western conceptualization of the role of media and its regulatory framework in liberal democracy relevant to Africa's democratization?

iii. What are the views of journalists, and other stakeholders, on the role of media in Tanzania's nascent democracy? How do they view media accountability and, specifically, the notion of self-regulation?

iv. What are the views of journalists, and other stakeholders, on the effectiveness of MCT in spearheading self-regulation?

v.   How effective is MCT's arbitration process? Is compliance in all, or most of, the arbitration decisions a sufficient explanation of the effectiveness of voluntary media councils in spearheading self-regulation?

To be able to address the research problem and questions above, I provide a theoretical background and explore issues pertaining to the role of the media in democracy. I then try to relate theories about the role of media in democracy to the situation in Africa's historical realities as well as democratization process since the early 1990s.

The objective is to gain a deeper understanding of democratic reforms on the continent[23] and how the roles and regulation of mass media feature in the process. This understanding is crucial in the debates that continue to characterise policy and regulatory issues with regards to the role of the media and communication sector in the new democratic dispensation. Crucial knowledge of the history, theories and processes of democratization is key to understanding the nature and effectiveness of an independent council in fostering self-regulation which is deemed necessary in enhancing and sustaining democracy in the West.

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23   The study does not cover all countries in Africa but rather gives a panoramic view of several countries particularly those in the SADC region to which Tanzania belongs.

Chapter 3   Methodology

This dissertation is an offshoot of the research I started in 2006 using desktop research, field survey and revised papers I had presented at conferences previously, which resulted in a Licentiate degree titled: Media in Tanzania's Transition to Multiparty Democracy: An Assessment of Policy and Ethical Issues (2009). Whereas the Licentiate thesis gave a general assessment of policy and ethical issues, including views of journalists on their roles in Tanzania's democratization process, this study focused on the efficacy of an independent, voluntary and non-statutory media council in spearheading self-regulation of mass media in a young democracy.

To be able to adequately articulate the results of this study it was imperative, first of all, to study how deeply rooted African values have featured in communication / media policies and regulation from pre-colonial times. Likewise, it was equally important to reflect on key theories about the role of media in democracy as well as on the concept of self-regulation. Furthermore, as a way of deepening my preliminary analysis I conducted another survey of journalists on their roles regarding media freedom and accountability in democracy as well as their views about self-regulation. This time I also involved other stakeholders in indepth face-to-face interviews as well as focus group discussions to get their insights about the role of media and the effectiveness of MCT in spearheading self-regulation in Tanzania. I also analysed the MCT's complaints and arbitration process from 1997 to 2006 to examine, among other variables, whether the claim that compliance with MCT's rulings stands at 97 percent measures up to the effectiveness of self-regulation in general.

This research has employed multi-methods on the basis that to understand the meaning, essence and relevance of self-regulation it was important to turn to historical, theoretical and empirical facts to test the assumption, or possibility, that such notions can apply freely in Africa without inconsistencies or contradictions to local values and other realities. Hammersley (1996) for example classifies the ways in which different methods are brought to bear in a multi-methods research:

i.   Triangulation: whereby quantitative data, for example, can be used to corroborate another type of data, for example, qualitative in which case theoretical insights from one set of data are used to test another type of data;

ii. Facilitation: whereby, for example, a qualitative method is employed at a pilot stage to help design a large-scale survey;

iii. Complementarity: when two different sets of data are employed to complement each other in similar aspects of an investigation. For example a qualitative approach may be used to understand social processes while quantitative data helps to examine associations and statistical generalizability to parent populations (Brannen 2010: 284).

Julia Brannen (2010: 284), also concurring with Smith and Heshusius (1986), posits that it is preferable to treat qualitative and quantitative data as complementary, though not necessarily at ontological, epistemological or theoretical levels, and that each dataset needs to be interpreted in relation to both the conceptualization of the research question and the method by which it was generated.

I employed both qualitative (observation, literature/document review, indepth interviews and focus group discussions) and quantitative methods (survey) to complement each other. I opted for the multi-methods approach because while the survey was more appropriate to a large sample of journalists across the country, in the Tanzanian case it also had potential limitations. Firstly, although the survey was more suitable in capturing a large sample of journalists across the country, I was aware of a tendency among journalists to not pay enough attention to research which involves questionnaires. Apart from running to meet deadlines, often a journalist finds herself with two, three or more questionnaires demanding their attention at the same time. While I am not discrediting the information obtained through such surveys, I wish to argue that in such circumstances, complementing survey results with another approach, such as indepth interview or focus group discussions, is of critical importance. Secondly, as will be noted in Chapter Four, most societies in Africa are still orally oriented in their communication approach. In other words, one is more likely to gain more honest, truthful and unique information when involved in a natural setting of conversation with a relaxed and trusting respondent. It is mainly for this reason that although data from the survey is highly valuable and can be generalized, data from indepth interviews and focus group discussions generate very useful and unique insights that enhance the understanding of research results in general. Below I present sections describing in details the research methods I used, starting with the literature review, the survey, the focus group discussions, the indepth interviews and the review of MCT arbitration documents.

3.1   Review of literature

As stated in the previous chapter, a review of literature on theories about the role of media in democracy – and democratization – as well as self-regulation, was central to a deeper understanding of concepts as well as issues around the topic of this dissertation. It was also important to undertake conceptual linkages between these theories while making summative as well as formative evaluation of previous work on the topic (see Hart 1998: 13).

The focus on literature in this research was twofold: The first one was to understand theories of democracy and democratization as well as their variants or strands. This was important in that since the beginning of democratization, liberal democracy was taken almost uncritically as the only ideal and automatic option for Tanzania – as in the rest of Africa. This, as shown in part two, is fundamentally problematic in terms of relevance to countries that are democratizing. This argument arises from the fact that the success or failure of self-regulation of media in Tanzania would not necessarily be the exact reflection of its applicability in Western liberal democracies. The enormous differences in terms of history, culture and levels of development between Western democracies and African countries make copying and pasting of liberal democratic ideals on the latter highly problematic.

The second focus in literature was to find theoretical as well as conceptual linkages between the roles of media in Western liberal democracies and historically determined conditions in Africa. It is an established reality that historically, most African societies have mainly used oral tradition to meet communicative needs of community (Ugboajah 1985; Bourgault 1995; Shaw 2009). Although this cultural framework for communication was interrupted by the advent of missionaries' newspapers and later on colonial radio, they have largely remained at the core of most societies' way of life. In other words, despite drastic social, economic and political changes that have taken place following the advent of missionaries and later colonialists, the basis of oral tradition and communal way of life is still very much prevalent among most of the populations on the continent. Even with pervasive cultural imperialism intensified through policy initiatives emanating from the West and enhanced by contemporary neoliberal mass media there are still deeply rooted values among many African societies which are refusing to go away (see for example Bourgault 1995; Kasoma 2000; Nyamjoh 2005). While the aim of this research was not to show the relevance, or otherwise, of liberal democracy to Tanzania, it is nonetheless important to scrutinise how it can serve as a basis for self-regulation of mass media under an independent and non-governmental council.

The question then is: in which ways do such deeply rooted values that distinguish African societies from the West form a framework for communication policies and regulation? Put differently the question would be: how does self-regulation – in the context of liberal democratic dispensation – reflect, as well as attend to, the values, needs and aspirations of the African people? For example, could the communal way of life – the essence of which is captured by *ubuntu* philosophy – serve as a basis for self-regulation among professionals? But even if *ubuntu* was the basis for self-regulation, could it be successful in an environment where liberal thinking, which characterizes economic and political life of elites who control mass media, is increasingly becoming pervasive. (See Christians 2004; Fourie 2008; Nordenstreng 2000.)

By and large, literature has been reviewed to enhance my understanding of research methodologies as well as theoretical background to my research problem. Theoretical background is widely covered in Chapters 4–7 and focuses on three key concepts: democracy, media and self-regulation. The review provides a discussion of the origins and developments of media/democracy relationship and how media regulation has reflected specific inherent needs of the evolving liberal democracy. The review of literature further provides an exploration into the 'still' new territory of media accountability in Africa's democratization, particularly Tanzania since the 1990s.

My initial approach to selecting literature was snowballing. I read one book or journal paper which gave me titles or authors that covered the same topic. At first I searched for literature on the role of media in democracy and ended up with plenty of materials. But following more intensified discussions with my supervisor – including his suggestions of titles and authors that are considered authoritative in media and democracy theories – I began to get through a circle of literature that define, explain, debate and theorize on the issues that are central to this dissertation. My primary objective was to understand the origin and nature – as well as developments – of relationship between media and democracy and to link these to my research problem.

3.2   Survey

Surveys basically aim at revealing characteristics – attitudes, opinions, values, needs, traits, and other emotive reactions to an issue or problem (see Mason & Bramble 1997: 323). Surveys usually employ questionnaires and interviews administered to a sample picked from a larger population. Surveys are versatile methods which allow a researcher to collect many types of data from respondents such as personal characteristics, socio-economic data, attitudes, opinions, experiences and expectations; they allow a researcher to draw generalizations about large populations on the basis of representative sample; they allow the researcher to use various methods such as observation interviewing and mailing (Krishnaswami 2003: 63). They are useful instruments for verifying theories; they can also enable the researcher to cover a wider population area compared to other methods.

Although surveys are useful scientific methods for gathering data, they too have potential limitations. Limitations may stem from sample design defects to shortage of resources in covering the selected sample (Kothari 2004: 55–68). Other limitations may have something to do with nonresponse from selected sample population (Mason & Bramble 1997: 325). Surveys also primarily depend on willingness and cooperation of respondents at the time when the study is conducted; it is subject to sampling error; it is subject to response error; it is subject to measurement error and is expensive in terms of time and costs (Krishnaswami 1993: 63–64). Another difficulty in surveys relates to the use of concepts – such as "effectiveness" which require a clear understanding of how to operationalise them (see Kumar 2005). In this case, it is necessary to translate or break the concepts down into variables that can easily be measured (ibid: 56–58). Whereas in in-depth interviews the interviewer interacts face-to-face with the respondents, enjoying the privilege of explaining the questions (if necessary) and asking follow-up questions in questionnaires the respondents are left alone to read, interpret and respond. This then suggests that questionnaires must have clear, concise and direct questions that are easy to grasp with a layout that is easy to read and pleasant to the eye (Kumar 2005: 126). Krishnaswami (1993) posits that the survey method alone is inadequate to analyse adequately the complex fabric of social organization (ibid: 64). It is for this reason that in this study, I have used survey along with other methods described in this chapter.

I considered it important to use survey method, which is versatile and has the potential to get responses from many respondents across the vast country, given the fact that this study is anchored on journalists' views on the role of the media in Tanzania's young democracy as well as on the effectiveness of MCT in spearheading self-regulation. I first prepared the questionnaire in August 2010 and distributed it to 30 journalists, including students of the School of Journalism and Mass Communication (SJMC) of the University of Dar es Salaam (UDSM) to test the clarity of questions and the nature of responses. From questionnaires that were returned, I reworked the questions to ensure they were as brief and clear as possible because journalists tend to have difficulties in responding to loaded questionnaires, partly because they are often rushing to meet deadlines or, as Weaver (2008: 107–109) has observed, they are simply used to questioning others and not the other way round. The questionnaire used in the survey between December 30, 2010, and January 30, 2011, is reproduced in **Appendix 1**.

The objective in this research was to reach as many journalists as possible in print, electronic media, in newsrooms as well as in press clubs in the regions outside Dar es Salaam, the headquarters of most media houses. It was the objective of the research also to reach all profiles of journalists in terms of age, experience, education, mode of employment and viewpoints. A journalist in this case meant any person who was employed in media or whose income and livelihood largely depended on the work of gathering, processing and disseminating news or doing any other journalistic work in print or broadcast media (definition from MCT Code of Ethics, 2002).

The Tanzania Union of Press Clubs (UTPC) puts the number of its members in all the 23 press clubs at 3000. This number, however, includes anyone who once registered with the press clubs, regardless of whether they are employed as journalists (or earn their livelihood largely through journalistic work) or not. However, in a new list sent to me in Finland by the President of the Union of Tanzanian Press Clubs (UTPC) Kenneth Simbaya on July 2011, the total number of press club members stood at 1009. My selection of Press Clubs considered the following criteria: In total there are 23 press clubs in Tanzania, including two in Zanzibar. On average each press club has about 50 journalists although the most active and serious practitioners would be a little less. The target was to reach at least 15 journalists in each of the selected press clubs. I therefore selected a cluster of press clubs from each corner of the country; i.e., two from Northern Tanzania, two in central regions, two in Southern regions, two in Lake Nyanza zone (including Western Tanzania) and one in Zanzibar.

At first I obtained a list and addresses of all the press clubs in Tanzania which is available on the MCT website and sent questionnaires through emails to all the addresses I had selected. I identified a journalist (press club leader) to help in the distribution of printouts to active press club members. Knowing that my initial target was at least 15 respondents in every press club, I asked the press club contact persons to print out and distribute an average of 25 questionnaires. Then I was also able to personally travel to Morogoro, Dodoma, Singida, Mwanza, Kagera, Musoma and Tarime where I had the opportunity to talk at length with a number of journalists there while I waited for their colleagues to fill in questionnaires. These chance discussions – which were frank and open – were also valuable in my appreciation of the different environment under which journalists in different press clubs in the country operate. They were important in enabling me to contextualise what different responses in different regions (press clubs) meant. As for the media houses I distributed the questionnaires myself to a number of newsrooms, identifying a contact person to help remind respondents to fill-in and return the questionnaires on a particular deadline. Two academic colleagues from the School of Journalism and Mass Communication (SJMC) worked as research assistants to help in the collection of filled-in questionnaires.

My population therefore consisted of all journalists working for both the print and electronic media, including those who work as freelancers outside Dar es Salaam, the headquarters of most media houses:

- Public media, both television, radio and newspapers;
- Major private media houses in the country, both print and electronic;
- Small media houses, including partisan newspapers;

- Press clubs, from where most freelance journalists operate from (Mwanza and Singida Press Clubs did not return their questionnaires even after many reminders). Nonetheless, the number of press clubs that returned questionnaires is about half of all the press clubs in the country and hence still constitute meaningful sample.

The sample of journalists came from 12 media houses and 8 press clubs. The target was to reach at least 300 respondents in the survey (average of 15 respondents per media house/ press club). I distributed questionnaires aimed at approximately 600[24] respondents knowing there would be a considerable number of journalists who would not respond for failure to find time or for other reasons. At the end of the survey exercise I received back a total of 240 questionnaires which were over 70% of my initial target (300 respondents). For details about number of journalists in each media/press clubs, number of questionnaires distributed and those filled-in see **Appendix 2**.

Once I had collected the 240 questionnaires from the survey, I went through all of them just to get an orientation of responses. Altogether 19 questionnaires were incomplete and I therefore left them out, choosing to work with 221. Having gone through a sample of questionnaires, I identified patterns of responses and clustered similar ones together for coding purposes. I requested a colleague from the Department of Statistics at the University of Dar es Salaam to assist me with the coding, tabulation and cross tabulation of the results using a computer programme. Two colleagues from the SJMC joined him in the coding and cross tabulation process because they had also been my research assistants during the survey and had a grasp of the research problem as well as issues.

Profiles of journalists

Sex and age

Out of the total 221 respondents in the survey 144 (66%) were male journalists while 74 (34%) were female. Of these, 74 (34%) were under 30 years of age, while the largest age group of 102 (46%) respondents constituted those between the ages of 31 and 40. There were 11 (5%) journalists between the ages of 41 and 50 followed by two (0.9%) whose age was above 60 years. One respondent did not indicate age.

Education attained

The largest group constituted 107 (48%) respondents who indicated they had attained college diploma[25], followed by 60 (27%) respondents with a university degree. Respondents with only secondary school education were 36 (16%) while 11 (5%) had a postgraduate diploma or degree from a university. Two respondents indicated they were primary school drop-outs.

Journalism training

The largest group of 67 respondents (30%) had attained a two-year diploma in journalism followed by 53 (24%) with a one year certificate in journalism. The third group of 39 (17.6%)

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24   This is an approximation because almost half of the press clubs, for example, received the questionnaire online.
25   In Tanzania polytechnic level colleges can only offer a two (or three) year diploma course and not degree courses, hence the distinction between college and university qualification.

respondents had attained a university degree in Journalism or Mass Communication. The group of university graduates was followed by 18 (8%) respondents with a three year Advanced Diploma in Journalism; 21 (9.5%) with a three months Certificate in Journalism; five (2.3%) with a Masters in Journalism or Mass Communication. Two respondents (0.9%) indicated 'other'.

Journalism experience

The experience of respondents was almost evenly distributed with 70 (31.7%) having worked for five to ten years, followed by 67 (30%) who had worked for one to four years. There were 51 (23%) journalists with eleven to twenty years of experience followed by 16 (7%) who had worked for over 20 years. One respondent did not indicate experience.

Type of media house

Most of the respondents (147 or 66.5%) work for print media followed by 36 (16.3%) who work for television and 35 (16%) who work for radio and two for online publishing. One respondent did not indicate type of media.

Mode of employment

Majority of respondents (122 or 55%) indicated they were permanent and pensionable employees, followed by 33 (15%) who identified themselves as correspondents and 32 (14.5%) who were freelancers. There were 19 (8.6%) respondents who indicated they work on a part-time (or retainer) basis and 15 (7%) who did not indicate their mode of employment.

Salary and income levels

The largest group of 83 (37.6%) respondents indicated they earned below 200,000/– per month[26]. There were 37 respondents (16.7%) who indicated they earned between 200,000/– to 500,000/– per month; 55 respondents (25%) indicated they belonged to a category that earned between 500,000/– to 1,000,000/– while 25 (11.3%) respondents earned between 1,000,000/– and 2,000,000/–. There were two respondents who indicated they earned over 2,000,000/– per month while 19 respondents did not indicate their salary levels.

3.3   Focus group discussions

The objective of the focus group discussions was to extract in-depth qualitative information and rich details that could not be obtained in the extensive survey using questionnaires. Although the results may not necessarily be generalised across the entire population of journalists in Tanzania, they still provided invaluable information that, to a large extent, concur with results of the survey and intensive interviews.

According to the literature, focus group is a method in which a group of between 6 to 12 participants is engaged in in-depth discussion about a topic specified by the researcher, normally conducted by an interviewer or moderator (Hughes & DuMont 1993: 776). Smithson for example argues that from the 1990s focus groups regained popularity and wide use in marketing and in political science as tools for gathering 'opinions' (Smithson

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26   Exchange rate is 1 Euro for 2,230 Tanzanian shillings (/–).

2008: 357). While the focus groups are supposed to be relatively homogenous and of a predetermined sample there are difficulties related to organising the right number and mix as well as in moderating, transcribing and analysing data (ibid: 358).

Smithson (2008) further observes that it is important to consider ethical issues arising from group dynamics. For example she notes that some members may be uncomfortable with talking about their concerns in a group context, whether with strangers or even with people who are familiar to them and that sometimes some members may not respond appropriately to other member disclosures. This is particularly important with regards to the setting in most African cultures where individuals' views may be influenced by the need to create harmony with other members of the group. Besides, in cultures where the right to speak with authority is determined by age seniority this, in a focus group setting, may create some problems. One would then agree with Smithson that for topics which may be considered sensitive among participants it is better to opt for another approach. On justification of samples selected for qualitative research, Mabry (2008: 223) argues that cases and subjects may be selected for their representativeness of a larger population but are also more likely to be chosen for their informative nature. Generally, focus group discussions, as are intensive interviews, may be more effective in settings such as in many parts of Africa because they employ an oral approach. But, it can be argued, they tend to work more effectively when the researcher or interviewer is a familiar person to the group or individuals being interviewed. Familiarity becomes an incentive for cordiality and conviviality and hence openness and honesty. This is important for any researcher because the objective of any method is to maximize the possibilities of getting the truth about, not only the way things appear, but the way they are.

In this research I conducted two focus group discussions, one comprising of 10 post-graduate journalism students at St. Augustine University of Tanzania (SAUT) and another one with 26 editors at an Editors' Forum (EF) event. For more details about participants in the two focus groups, see **Appendix 3**. While the first one was appropriate in terms of the number of participants, the one with Editors Forum was a little over twice the maximum number. The problem with such a bigger number is that within the limited time of interviewing, some participants do not get a chance to speak and even those who stand to speak tend to rush – or be rushed – to make their point so as to give a chance to other speakers. Nevertheless, since it was almost impossible to get at least six editors at once for a focus group discussion, the only practical option was to request them to slot my session in one of their meetings to which they offered less than two hours.

Both discussion sessions were conducted in Dar es Salaam on different occasions. While the focus group with SAUT lasted for two hours and eleven minutes the one with editors lasted for one hour and twenty minutes. In both cases a neutral and perceptive moderator was identified to moderate the sessions while the researcher only provided guidance in the specific questions to be addressed. The focus group discussions provided invaluable input to my understanding of the context, intensity of ethical problems, challenges and prospects of self-regulation even when they were confirming what I already knew from my own experience.

The SAUT group

The decision to approach post-graduate journalism students at SAUT for a focus group discussion was based on the fact that the respondents were better placed to have an invaluable

in-depth input into my research because of three main factors: Firstly, almost all of them were middle level journalists who had worked in a newsroom for some years and had obtained considerable experience in the profession. Secondly, they were post-graduate students of Mass Communication who had had the opportunity to reflect more on such issues as the role of media, media accountability and self-regulation during the course of their studies. Thirdly, their scholarly base in Dar es Salaam, the commercial city (and de-facto capital city) provided them with opportunities to follow important events, debates, discussions and interactions between media and power holders in the country.

The focus group discussion at SAUT was conducted on February 2, 2011 from 5.05 pm to 7.12 pm at the Dar es Salaam campus of the University at Msimbazi Center. The focus group was comprised of 10 participants who were pursuing their postgraduate studies and two PhD members of staff, with one of them serving as a facilitator. The list of participants was comprised of two students pursuing PhD in Mass Communication and eight students of MA in Mass Communication. The age group of participants ranged between mid twenties to mid forties. Their working experience ranged between four to eighteen years.

The facilitator was Dr. Joseph Matumaini of SAUT, who is a lecturer in Mass Communication at SAUT and Chairman, Board of Directors of SAUT media. He introduced the topic and stated objectives for the focus group discussion, including expectations from participants, and encouraged them to freely give their honest and candid views about the topic. After a brief introduction of the topic, as well as guidelines for the session, the facilitator invited participants to introduce themselves by stating their names, the course they were pursuing and a brief background in journalism practice. The modality for participation was such that the facilitator gave each participant in a row a chance to react to a question he had posed earlier, to allow for full participation and to avoid domination by a few. This approach allowed all participants to contribute before the floor could be opened for any participant with additional response to come in. The researcher recorded the session, and took notes, throughout the discussions. The transcription of the same has formed the basis of Chapter 9.

Editors Forum group

I chose to use the Editors' Forum as a focus group for a number of reasons. Firstly, the forum brings together almost all editors of media organisations and outlets in the country to discuss issues pertaining to ethics and editorial independence. Secondly, editors are the gate keepers who determine what content gets published and shoulder the blames whenever media are accused of unethical practice. Thirdly, most editors are knowledgeable and experienced hence in a better position to talk about the role of media in democratization as well as on journalism ethics. Fourthly, editors are in a position that allows them to interact at a certain high level with owners, advertisers, politicians, and other institutions that seek to influence editorial independence and have invaluable input about how these interactions affect their work. Fifthly, it is the editors who would normally be required to respond to complaints filed at the MCT against a newspaper; hence they too have knowledge of the workings of the MCT. Editors also appear in courts of law to respond to charges of defamation and sedition and therefore have first-hand grasp of media regulatory issues. Lastly, editors manage journalists on a daily basis, assigning them tasks, listening to their problems and going through their

work in their gate keeping role. This role, which empowers them to enforce codes of ethics, also gives them a grasp of the challenges that journalists in the country go through.

The focus group discussion for editors was conducted on February 24, 2011 from 10.40 am to 12.00 noon at the Peacock Hotel in Dar es Salaam. The focus group comprised of 27 participants who had prior information about my intention to discuss with them the role of media in democracy and self-regulation. One limitation in this case is that the number of editors was bigger than would normally be appropriate for a focus group discussion. The second limitation is that editors availed to me only one and a half hours for the session unlike in the previous focus group session where I had more than two hours with only 10 participants. However, the discussions that developed in the session were worthwhile and contributed useful insights to this study.

The facilitator, Absalom Kibanda, the Chairman of the Editors Forum, introduced the topic and stated objectives for the session, including expectations from participants. Having introduced the topic, as well as guidelines for the session, the facilitator invited participants to state their names and the media they represented. The modality for participation was similar to the focus group discussion in SAUT. The researcher recorded the session, and took notes, throughout the discussions. The transcription of the same has resulted in Chapter 9.

3.4   In-depth interviews

There were two major objectives in approaching these selected groups for in-depth interviews. The first one was to learn how these groups, which are consumers of media products as well as beneficiaries of the facilitative role of media, view the role of media and self-regulation in the context of Tanzania's democracy. The second objective was to compare the groups' views with those of journalists in the focus group discussions as well as in the survey.

Categories of interviewees in the in-depth interviews

The number of in-depth interviewees in each of the six categories selected for this research are as follows:

	Category	Interviewees
1	Government	4
2	Politicians/Political organizations	4
3	Civil Society/Human rights	4
4	Academicians	8
5	Senior journalists	6
6	MCT staff	7
	Total	**33**

This approach enabled the researcher to scrutinize answers and especially to explore interviewees' responses in greater depth using questions such as *Why* and *How,* an opportunity that is technically limited in the survey questionnaires. The individuals were selected on the basis of their roles in society and especially their involvement with issues that relate to media activities. This combination of experienced activists, politicians, academics and journalists

provided a valuable terrain of information for cross analysis and synthesis of the bigger picture in a range of views about the role of media and the efficacy of self-regulation in Tanzania.

I was advantaged because I was familiar to all the interviewees; they knew the motive of my research and were more candid in the discussions. Of practical importance was the issue of theories and guidelines on the social science method of interviewing. For example, to what extent is the interview likely to end as more of a *social encounter* between the interviewer and the interviewee rather than the topic itself? Rapley (2010: 16), for example, posits that interview-talk can be viewed as the joint production of *accounts* or *versions* of experiences, emotions, identities, knowledge, opinion, truth, etc. He sees interview-talk as something that *speaks to* and *emerges from* the contemporary ways of understanding, experiencing and talking about specific interview topic only that these ways are contingent on the specific local interactional context. In my view the choice of interviewees, the setting of interviews and the nature of conversation itself is very important in determining the quality of information to be gathered.

In total I interviewed a group of 33 seasoned journalists, academicians, civil society activists, politicians and government officials in Tanzania about the role of media in democratization and the concept of self regulation. For details of names and profiles of in-depth interviewees, see **Appendix** 4. Among seasoned journalists were media owners, editors, activists or managers of media institutions. In civil society I approached individuals who have made tremendous contributions to the democratization process in such areas as women's rights and human rights in general. In the category of academicians, there were individuals whose academic endeavours have also contributed directly, or rather conspicuously, in the democratization process in Tanzania. In this category, I also spoke to academicians in journalism and mass communication at the University of Dar es Salaam. The other category I found important was that of government officials at political and bureaucratic levels. Although I was able to meet with the Minister for Information, Culture and Sports, Emmanuel Nchimbi, he could not grant me an interview on the grounds that he preferred to respond to questions sent to him via email. I sent him questions via email and also made subsequent follow-up by email but to no avail.

Another government official who became elusive throughout my pursuit of appointments with him was the then Director of Information Services, MAELEZO, Clement Mshana who has since been appointed to head the Tanzania Broadcasting Corporation (TBC). I fixed appointments with him, at his own convenient time, but he could not be available on the grounds that he was attending to some official emergencies. We ended up postponing appointments more than four times and it became clear his busy schedule was not going to ease. I managed to speak to the Deputy Minister for Information, Culture and Sports Fenella Mukangara; the immediate former director of MAELEZO, Kassim Mpenda and his predecessor who served in the early years of independence, Willy Mbunga. Another group I interviewed in this category comprised of MCT staff whose views as well as experiences about self-regulation I found valuable to this research. The selection of interviewees was made in consideration of the individuals' prominent roles in their specific groups as well as their knowledge of the topic of my research. The interviews took place in Dar es Salaam and lasted an average of 30 minutes each.

3.5   Document review of MCT arbitration

This approach aimed at unearthing, collating, linking and analysing data at the MCT particularly that which relates to its arbitration process. Document review is a research method which is considered valuable when it comes to understanding the history or phenomenon from background information and data. It is considered inexpensive, unobtrusive and with the potential to bring up issues not captured in other methods. However, it also has its shortcomings which include unavailability of some crucial data or piece of information necessary for the better understanding of phenomenon or issue being studied. It can also take too much time to put together data and to analyse. Mason & Bramble (1997) argue that documents (e.g. minutes of meetings, letters, the administrative files, of an agency, the archive of an institution or library, etc) may be used in a variety of ways by a qualitative researcher in order to gain insight into the context and social processes underlying events. The authors further maintain that documents might be explored for any implicit or explicit messages they might contain. For example, Mason & Bramble (1997) argue that documents "might be looked at in the context of other messages, events or information" and that they might be analyzed chronologically to understand relationships within a temporal perspective (ibid: 307).

As such, I used document review in this research to study MCT's mandate, procedures and handling of complaints, the number of cases each year (and the verdicts reached), the profiles of complainants, types of complaints, types of media brought before the MCT, costs involved in resolving cases, duration of cases and explanations for unethical practices that result in complaints. Although the MCT has other activities including the training of journalists, organising media symposia and dialogue among journalists, providing annual prizes for best journalists, supporting press clubs and Editors' Forum, this chapter rather focused on the details of arbitration. Arbitration is a process that engages the public directly in the exercise of media self-regulation and accountability as the MCT publication: *Conciliation Cases (1997–2006)* has put it: "Among the activities of the Media Council of Tanzania (MCT), arbitration is the most visible, attracting interest of people from all walks of life" (MCT 2010: 5).

Although MCT's booklet was published to mark 10 years of promoting media ethics and accountability, it contains just a fraction of all the cases in the period. The publication also lacks analysis that explains the nature of ethical problems, trends of complaints and effectiveness of arbitration process as a significant aspect of self-regulation.

The study of MCT arbitration cases involved spending time in the Council offices going through the dusty files which had been plunked in a container outside the premises to provide office space. The task of compiling and analysing all the cases in the period under study was not an easy one for two major reasons. The first difficulty related to the poor record keeping of files containing the arbitration cases. Some files were missing because in the course of writing the booklet mentioned above – or other assignments – the files used were not returned to their original place. The other explanation was that the relocation two years ago of MCT from its original premises at Kijitonyama, along Ali Hassan Mwinyi Road, to Mwenge area, had somehow disturbed the storage of files. The second difficulty related to lack of a systematic

way of recording and storing data about arbitration cases. In some cases although the files were available, some necessary data, such as the dates of arbitration or the verdict of the cases were missing. As such, a research assistant in Dar es Salaam had to go again through the MCT newsletters, records of proceedings and annual reports of the period in question to ascertain the number of cases in every year and the dates or verdicts that were missing. However, since the approach in this case was not of a selected sample of cases but rather a population of all cases, the data collected provided substantial amount of arbitration information from which crucial assessment and compelling conclusions could be drawn.

From February 20 to March 12, I studied arbitration cases at the MCT offices in Dar es Salaam to draw lessons about the functioning, as well as effectiveness, of its mandate. Files studies ranged from 1997 to 2006. On average, in the selected period of study, 25 complaints were brought before the MCT every year while on average 10 of these cases were handled at the secretariat level either for lack of merit or after parties to a dispute agreed to settle outside the Ethics Committee. On average the Ethics Committee handled 14 cases a year. It should be noted that although some files were not readily available at the MCT archives the majority that were present provided an invaluable amount of information for analysis. Since no research had been conducted to systematically analyse all raw data about all the cases since 1995, I had to go through all the files in the archive to retrieve information page after page. The cases examined are listed in **Appendix 5**.

The objectives of studying MCT cases were to explore variables that are key to understanding the workings of the MCT as well as MCT's effectiveness as a self-regulatory mechanism. I was interested to know how the MCT functioned and whether in its various functions, it was possible to identify variables that I could use to measure the effectiveness of self-regulation. For example, advantages that had been touted to justify self-regulation included the following:

Firstly, that self-regulation through an independent council shortened the time that complainants spent in courts of law if they filed their cases there. It was therefore important to study the length of time arbitration cases take at the MCT.

Secondly, that an independent council was a friendly institution that sought to settle disputes without necessarily slapping huge fines common in the courts. It was therefore important to study the kind of settlements as well as costs involved in the arbitration of disputes at the MCT.

Thirdly, that while the courts were almost inaccessible by ordinary individuals then an independent council like MCT could be a popular institution to address media ethics transgressions. It was therefore important to study the categories of individuals who had sent their cases to the MCT.

Fourthly, that since an independent council was established to promote media freedom – partly by not slapping media with hefty fines once found guilty of ethical transgressions – then media houses and outlets would give the MCT full support. It was important to find out the extent of this support.

Fifthly, it was also important to find out what were the leading ethical trasngressions about which individuals or institutions sought remedy through MCT arbitration.

Lastly, that self-regulation through MCT had been successful because compliance to its arbitration was over 98 percent; thus it was important to scrutinize whether compliance alone was sufficient to explain MCT's effectiveness. The following variables were identified:

- procedures for filing a case (whether there was consistency);
- average number of cases per year;
- categories of complainants (politicians, business, ordinary people, etc);
- categories of complaints (ethical provisions that are breached most);
- average time it takes for a filed case to be decided;
- average costs of cases incurred by complainants and the remedy offered; and
- outcomes (percentage of compliance).

PART TWO

CONCEPTUAL AND POLICY ISSUES

Chapter 4   Background to African media and democracy

This chapter revisits the history of mass media in Africa with a view to exploring the role of media and their regulatory framework, in the different historical phases which include pre-colonial, colonial, as well as post-colonial time. The main objective is to discover deeply rooted values and realities on the continent that still have relevance to contemporary media and communication policies. Indeed, a review of pre-colonial Africa's forms of public communication appears to be very crucial in this respect given the fact that even in contemporary circumstances old forms of communication still remain relevant and applicable, particularly in rural areas (see Ugboajah 1985; Berger 2002; Shaw 2009). Again in an attempt to critically examine the relevance of notions, such as self-regulation of media, it is crucial and logical to understand the local realities from a historical perspective. I wish to argue that any discussion of the role of media in democratization in Africa which leaves out old forms of communication is bound to be perpetually irrelevant. Nigerian scholar Frank Okwu Ugboajah (1985: 166) puts it more aptly:

> In the circumstances of cultural domination and political and economic dependence the suppressed society loses its rights to self-determination and becomes written out of history. The corollary is that societies which have cultural independence survive, continue, accommodate change and renew, in conditions of rapid social change by a selection and rejection process.

Ugboajah goes on to argue that such is the case because "inbuilt regenerative facilities freely function as media for communication, participation and socialization ... a process of cultural conscientization which is a prerequisite for self-identity and cultural development" (ibid). As will be noted in chapter six, democratization in Africa has tended to suffer the import of notions and ideas from colonial countries including some that do not resonate well with local values and realities. From this perspective then, the media and communication history in Africa serves as a window through which the democratization process can critically be examined.

Nevertheless, it is important to point out from the outset that Africa is a huge continent with varied ethnic cultures, levels of economic progress, political organisation and historical backgrounds. It is not the aim of this chapter to treat pre-colonial Africa as a monolithic entity whose history can be generalised to explain everything about the continent and its people. As this chapter will show, the common fate that befell Africa from the period of slave trade to colonialism had more or less common consequences to all the people of the continent even after political independence. It is this common fate that often dictates generalisations in discussions about socio-economic and political fortunes and misfortunes of Africans as a people. For the purpose of this chapter, Africa's communication and media history can be categorised into four distinct phases which include: i) pre-colonial period, ii) colonial period,

iii) post colonial period, and iv) re-democratization period (see also Mfumbusa 2006; Fourie 2007). The four phases are examined below while at the end of this chapter is a conceptual model which summarises the evolution of journalistic roles and regulation from pre-colonial period to the present era of democratization.

4.1   Pre-colonial Africa: Communication as a way of life

Most of the literature on mass communication and media in Africa has tended to discuss the role of mass media starting from the advent of Western missionaries and colonialists. It has therefore been taken for granted that there probably was no journalism worth examining prior to Africa's contacts with aliens (see Ugboajah 1985: 165). The problem appears to be the narrow perspective from which the subject of communication and mass media has been approached which automatically tends to exclude non-literate forms of communication. In defining media, Berger (2002: 1) makes a significant clarification which takes note of Africa's pre-colonial forms of mass media:

> Thus while language, design, facial expressions etc., function as vehicles that mediate communication (they all entail sign systems), they become media in a conventional sense when they appear on a platform (like print, television, radio and billboards) which is dedicated to a communication function. The same process and functions are also present in mass rallies, communal story tellers (griots), singing, plays, spectacles, meetings – and our thinking needs to be ready to recognise such media, especially in Africa.

In his protest to this lack of literature on journalism and media in pre-colonial Africa, Cameroonian communication scholar Ibrahim Seaga Shaw (2009: 5) observes that Communication scholars, like other social scientists, have tended to treat Africa at the onset of colonialism as *tabula rasa*. Shaw and other scholars (Ugboajah 1985; Ansah 1988; Louis M. Bourgault 1995, among others) have attempted to walk back to pre-colonial Africa to retrace the forms of journalism that existed before the advent of foreign explorers, slave traders and colonialists. Shaw has termed these pre-colonial forms of communication as 'journalism of belonging' – or 'journalism as public way of life'. There is an agreement among these scholars that pre-colonial journalism took the form of communication norms characterized by oral tradition and folk culture with communal story-tellers (griots), musicians, poets and dancers playing the role of the modern day journalist (Shaw 2009: 5). Among scholars that have studied, discussed and theorised pre-colonial Africa's oral media, Frank Ugboajah (1985: 166) stands out for his contribution in what he termed as 'oramedia':

> In Africa ... there is the usual interplay of custom and conflict, harmony and strife, social cohesion, social process; and historical continuity are largely maintained through the symbolizing codes of oral tradition which include mythology, oral literature (poetry, storytelling, proverbs), masquerades, rites of passage and other rituals expressed through oracy, music, dance, drama, use of costume, social interplay and material symbols which accompany people from womb to tomb and much beyond.

Essentially, Ugboajah's central argument is that 'oramedia' or folk media are grounded on indigenous culture produced and consumed by members of a group and reinforcing the value

of the group: "They are visible cultural features, often strictly conventional, by which social relationships and a world view are maintained and defined. They take on many forms and are rich in symbolism" (ibid: 166). Ugboajah further provides a description of what oramedia means both symbolically and socially to African traditional societies:

> Oramedia are made up of dialogue and verbal exchange, a feature that is provided by the almost constant presence of one or more surrounding listeners. They may be defined as functional and utilitarian. Their most important purpose is to provide teaching and initiation, with the object of imparting traditional aesthetic, historical, technical, social, ethical and religious values. They provide a legal code of sorts which rests on stories and proverbs generated through the spoken word. They also play other roles in the village society such as mobilizing people's awareness of their own history, magnifying past events and evoking deeds of illustrious ancestors. Thus they tend to unite a people and given them cohesion by way of ideas and emotions. (ibid: 167)

Since most of pre-colonial African societies always embraced the values of group orientation, continuity and harmony then the central role of the form of journalism that existed was to work within – and to promote – those values. Society's worldview was premised on *Ubuntu*, ancient African ethics which encapsulate what it is to be human. In one of the Southern African languages, *Ubuntu* ethics is summed up in one sentence: *Umuntu, Ng'muntu, Ngabantu,* meaning: a person is a person through other people (Shaw 2009: 5) or that an individual can only be complete when in association with – or in the eyes of – others. The essence of ubuntu philosophy is that it extends the recognition of the individual's humanity to those of others with whom he or she must associate in society or as Murithi (2005: 341) aptly puts it: "I am human because I belong, I participate and I share." The oramedia therefore was meant to affirm – as well as reflect – this philosophy of belonging and sharing which characterised communal life in pre-colonial Africa.

According to Ugboajah and Shaw, the way reality was constructed and presented by the bards, story tellers (griots) and village historians in the narrative was then the way people experienced existentially the events and persons depicted in the stories. Shaw further points out that pre-colonial journalism used stories to recount the genealogies of people; to tell their histories and struggles; to recount stories of the Gods and to impart moral lessons. He posits that those who carried out these functions saw themselves as informers, entertainers and, sometimes as satirists depicting some hard realities about life. Shaw is critical of scholars such as Bourgault who mistake this oral discourse style – particularly its oral praise poetry – with the culture of praise singing and of creating 'personality cults' which became common in post colonial Africa (Shaw 2009: 7). However, Shaw still notes that Bourgault (1995: 205) has admitted that griots who were employed as praise singers were permitted to criticise their patrons provided the criticism bore the weight of group norms and values. Furthermore, Shaw (2009) makes another observation which is central to the topic of this research; that group norms and values guiding pre-colonial African journalists did not necessarily bar them from playing their watchdog role (Shaw 2009: 7).

A few points have to be made in this discussion. First, societies in pre-colonial Africa had their own forms of journalism (or communications) and media which played their roles in informing, educating, enhancing continuity, cohesion, harmony and also acting as watchdogs. Second, these forms of media were 'owned' by society to promote societal interests *vis a vis* any

threats be it from within or outside the community. Third, members of these societies, which were much smaller and more homogeneous compared to today's countries, were expected to abide by a set of norms and values that guided the thinking and actions of everybody. Understandably, the presence of a set of group norms and values presupposes experiences of deviations or antisocial behaviours in the society in question. And since individuals were expected to observe established norms and values for the benefits of all in society then a system of watching social deviants, in whatever strata of society, must have been in place to ensure safety, harmony and continuity. Logically, lack of such a system (watchdog) would presuppose the absence of social deviations which would mean the norms and values were irrelevant altogether and that the society was static. Hence Shaw's position that pre-colonial journalists in Africa did play a watchdog role seems to be convincing not only due to historical evidence but also because of the credence it receives from logic.

4.2 Colonial period: Communication for civilizing the natives

This section does not give a detailed picture of the press throughout the entire continent; rather it presents an overview of particular cases in some parts of Africa, but which helps to elucidate the history of the press on the continent. Before delving into a brief overview of the press in colonial Africa one anecdote by Sturmer (2000: 31) serves to bring to mind a mental picture of what the colonial establishment in Africa largely looked like:

> The African continent was split up among European powers during the so called "Congo Conference" in Berlin from November 15th 1884 to February 26th 1885. Even before the final declaration was signed by representatives of the involved countries, Carl Peters, the pioneer of German East Africa, had already obtained a territory comprising 140,000 square kilometres by fraud (Herzog 1986: 39; Loth 1985: 32). Then on February 27th 1885, the German government handed over a protection letter to the Society for German Colonisation which put the territory under the supremacy of the Kaizer. On April 2nd 1885, an organisation of imperialist agitators led by Karl Peters was officially recognised. After border agreement with Great Britain, Portugal and the Sultanate of Zanzibar, the German administration was confronted with the so-called "Bushiri riots". In 1888, rebels occupied the most important towns along the coastline, except Bagamoyo and Dar es Salaam. The German government headed by Chancellor Bismarck decided to recruit mercenary troops which put down the revolt after a bloody campaign in 1890.

This anecdotal account provides historical circumstances under which Africa was cheated, defeated and colonized by European powers thereby setting up colonial rule over the people of the continent. As Wilcox, D. (1975: 1) has noted, it would be illogical to ignore the colonial past if one wishes to understand the nature of the contemporary African Press and the controls exerted upon it. Modern journalism as practiced in Africa today was introduced to the continent by missionaries and later colonialists around the eighteenth and nineteenth centuries. In Eastern Africa, one of the first publications, *Msimulizi* (Storyteller) was published by the Anglican Universities' Mission to Central Africa (UMCA) on Zanzibar in 1888 (Sturmer 2000: 29). But around the same period the German administration established the *Zeitung* newspaper in Tanganyika and elsewhere in Southern Africa.

In Kenya the oldest publication *Taveta Chronicle,* appeared in 1895 and was published by the Church Missionaries. It was followed by an English weekly called *The Leader of British East Africa* in 1899 which identified itself more with colonial and settler courses (Mak'Ochieng 2000: 111). The objectives of early colonial publications are instructive in our efforts to understand the workings of contemporary media on the continent. Although Wilcox notes that these newspapers, and others like them throughout Africa, were officially used by colonial officials to promote mass literacy, rural development, and perhaps more important, to counter nationalist activity (Wilcox 1975: 2), a Tanzanian seasoned journalist, Nkwabi Ng'wanakilala (1981: 26) argues that colonial media were propaganda tools for the missionaries as well as the colonial regime. Or as Ainslie (1966: 99) put it: "Newspapers in East Africa were from the beginning vehicles of the culture and concepts of the rulers, with considerable resources of White capital at their command".

In essence, as Mwangi (2010: 1) has observed, "under the colonial structure (1898 to 1960) the media were used to integrate African economies and peoples into the international market economy for the benefit of the colonial rulers". However, to avoid the risks of generalizations, scholars such as Francis Kasoma (2000: 12) observe that the different colonial policies of the various colonial powers affected the development of the press in the colonies differently. He argues that the press in the Belgian colonies was largely underdeveloped due to the policy of paternalism which discouraged development of a local press for black people. The author also notes that the press which served the Portuguese colonies, such as Mozambique and Angola, was imported from Portugal to serve the information needs of Portuguese settlers in those countries. Kasoma also observes that the Portuguese did not entertain any idea of developing a press for the indigenous people such that even local radio stations were meant for the settlers. Nonetheless, it is important to point out that there were different experiences with regards to the timing and nature of development of indigenous press in different parts of Africa. A good example is Ghana where the indigenous press began to flourish alongside colonial media long before the country's independence.

By and large, although the colonial governments finally made efforts to increase local content in the press, a time came when indigenous people felt they needed media outlets that would articulate their emancipatory voices and aspirations (Mak'Ochieng 2000). But a number of factors hindered, or rather limited, efforts by indigenous nationalists to establish newspapers of their own. Hindrances included high illiteracy rates, economic costs of operating an indigenous newspaper as well as newspaper ordinances that required execution of bonds for any regular publication (Konde 1984: 27). Yet from early 1920s when the heat of decolonization began to swell, African nationalists took the risk and used indigenous newspapers to voice their concerns as well as a case for self rule. In Ghana, for example, during colonial rule the press was largely indigenous and was to become instrumental in struggles for the country's independence. In Nigeria Nmandi Azikiwe edited a political newspaper called *West Africa Pilot* and several others in the 1930s (Ocitti 1999). In Kenya Jomo Kenyatta had become the editor of *Mwigwithania* in 1928 (Kasoma 2000) while in 1957 Julius Nyerere of Tanganyika was the editor of *Sauti ya TANU* (The Voice of TANU) (Sturmer 2000: 66). All the three nationalists above were later to become presidents in their respective countries following independence. Although the colonial press was also regarded as 'free' or

'independent' its operations were within the parameters of colonial imperial interests, which also explains the difficulties that nationalists faced in trying to set up newspapers to agitate for the rights of indigenous people or to agitate for self-rule.

4.3   Post-colonial period: Communication for development

Soon after independence the new governments increasingly became concerned with how to redress colonial patterns of development infrastructure which had focused only in urban centres – or areas that had economic relevance to the colonizers – leaving out over 75 percent of the population in the periphery. Below is how Kivikuru (1990: 88) describes the situation in Tanzania in the early years of independence:

> The Tanzania socio-economic structure is labeled with subsistence agriculture: some 85 percent of the population lives in rural areas. These are some 8,000 registered villages trying to provide the population of 21 million with safe water, health care, primary and adult education; for a developing country, the literacy rate is exceptionally high, around 80 percent... though, simultaneously, functional literacy tends to deteriorate due to lack of reading material.

Many new governments therefore fell for arguments by American development communication scholars of the 1950s and 1960s that mass media influence could be a magic multiplier of development knowledge to areas with limited infrastructure (Lerner 1958; Schramm 1964; Rogers 1967 in Mwangi 2010: 3). The thinking in those days was not directly about promoting democracy in Africa but rather socio-economic development based on an assumption that democracy was supposed to be preceded by modernization (Hyden and Leslie 2002: 2). Furthermore, Berger (2009: 29), drawing on White (1994: 250), refers to four paradigms that explained the role of media in development which, he argues, still makes sense today despite the historical context they were intended to explain at the time. The four paradigms are:

i.   *Modernization*: that the media could be vehicles for spreading ideas, attitudes and behaviours, as well as technologies from developed countries;

ii. *Disassociation*: quite critical of colonial linkages, this national independence paradigm links media to cultural imperialism and a factor in perpetuating underdevelopment. It turns to the state as the determinant of the role the media should play to promote indigenous development and cultural identity;

iii. *Liberatory*: while the commercial and mainstream media are regarded as supporters of neo-colonial interests, focus has developed on alternative or traditional media such as folk, grassroots, etc., which are expected to promote cultural independence of indigenous people.

iv. *Negotiation and Integration Model*: in this case, the media are seen as playing a dependent and supplementary role in development rather than as an independent cause of development.

But the hype for media for development ideals was short-lived or soon overshadowed by the ruling elites' desire to use media to consolidate their grip on power, though in the name of national unity and development (Fourie 2007; Wasserman 2011). Berger (2009), for example,

argues that the modernization paradigm's focus on infrastructure, for wider dissemination, ended up hitting a dead end because the media fell short of reaching the majority of rural and marginalized populations in much of Africa. He remarks:

> From a political point of view, the media in the South tended historically to serve the narrow interests of the colonial power and/or local settlers and – since independence – those of an indigenous ruling group. Media in this paradigm is of little help in terms of mass democracy. Indeed it is very often in direct contradiction to democracy, if one utilizes the focus of the Disassociation paradigm in looking at the content of this media. (Berger 2009: 30)

As Berger has rightly put it, to understand this shortcoming one has to go back to the roots; the nature of colonial media systems, which was both parochial and selective in terms of content and reach. Basically, in many countries the colonial regime attempted to use mass media to contain the 'natives', not to liberate them, and as a result it employed stringent legislation as well as economic sanctions to stifle the indigenous press (Mak'Ochieng 2000; Mwangi 2010). Even nationalist leaders such as Nmandi Azikiwe in Nigeria, Jomo Kenyatta in Kenya and Julius Nyerere in Tanganyika had to grapple with frequent court cases emanating from 'seditious' material that appeared in their publications. Yet, indeed, it is a contradiction that while nationalists in Africa had demanded a free media, which they needed as a tool to mobilise citizens for self-rule, they resorted to muzzling press freedom soon after they had replaced the colonial administrators. Ogundimu et al. (2002) point out more aptly a contradiction that accompanied efforts by Africa's independence governments to control media on the pretence of using modernization theory to bring about development:

> As applied at least in the African context, modernization theory in the 1960s did not really do much to help expand communicative space, especially in the political domain. Reading some of the early accounts of the role of communications in political development (Pye 1963), one is struck by the relatively uncritical position that scholars took on the role that the government should play in the use of communications for national development. The latter was viewed as such an important overarching objective that other considerations, such as the right to criticize policy or strategy, were deemed as improper interferences.

In most cases the state media in these countries resorted to playing the same role the colonial press had played in promoting the interests of the ruling regime as Kasoma (2000: 13) has also observed:

> By independence time in early 1960s, for many of the countries, the press in Africa had been firmly established to continue playing a role in politics which was mainly as a government information tool. As the newly independent countries grew older and their governments took a more centralized authority, which was soon to culminate in one-party or military rule, in the 1970s and 1980s much of Africa's independence journalism died, leaving a sycophant press which glorified the leaders into deities of sorts.

Nonetheless, a closer look into specific cases of countries may generate interesting insights into some positive experiences with regard to press freedom in Africa. There is the case of Botswana which maintained multiparty democracy as well as a diversified, and relatively free, media since its independence. Botswana with a population of 1.8 million people and rich in

diamonds has continuously enjoyed a prosperous economy with a growth rate of 8 plus per cent annually (Ayittey 1992). Secondly, there is South Africa which had a relatively free press, though within the context of the Apartheid system that marginalized the majority of citizens on the basis of colour. But Botswana, which is a relatively small and more homogenous country, hardly provides lessons that can be generalised to explain the link between multiparty (liberal) democracy and press freedom in post-independence Africa.

There were post-independence leaders who realised the countries they had inherited from colonialists were divided along ethnic and religious lines, which posed a threat to future national cohesion (Lamb 1984). In order to forge national unity and accelerate development, these leaders settled for a one-party system and moved to control mass media. In 1967, Tanzania came up with a blueprint, *Arusha Declaration*[27], which set out *Ujamaa na Kujitegemea* (Socialism and Self-reliance) as its national vision and guiding philosophy. The Arusha Declaration subjected all major means of production under the control of peasants and workers. The major means of production and exchange were defined as: land, forests, minerals, water, oil and electricity; *news media*; iron, steel, machine tools, etc. Tanzania therefore moved to abolish the multiparty system and settled for TANU as a sole political party that was to steer the development process of the nation. In 1970 therefore the leading English newspaper, *The Daily News* (formerly owned by Lohnro Group) published a signed editorial from President Julius Nyerere proclaiming the role of media in socialist Tanzania in this way:

i.   support the country's policy of Socialism and Self Reliance;

ii. initiate and join in debates for and against any particular proposals;

iii. freely initiate discussions on any subject relevant to the development of a socialist and democratic society in Tanzania;

iv. freely criticize any particular acts of individual Party or Government leaders;

v.   supply the people with all domestic and world news and quickly and as fully as possible.

The new media policy proclaimed that the 'watchwords' of the mass media of Tanzania will be: "The Socialist Equality and Dignity of Man... in that spirit they (mass media) will seek to serve the citizens of Tanzania without distinction on grounds of race, religion, sex, or tribe". In a way, this new role of mass media in Tanzania was to reflect the *Liberatory* as well as *Negotiation and Integration models* of communication by functioning like any modern newspaper, but with an ideological focus on the socioeconomic and political aspirations of a people freed from colonial domination. Studies have cited Tanzania's radio broadcasts as having been successful with daily programmes on *Ujamaa* ideals which reinforced a sense of brotherhood and nationhood (Eribo & Ebot 1997; Mwangi 2010). Likewise in Ghana, the mass media were asked to play the role of partner, with the state, in development and not to engage in traditional (Western-style) journalism (Mwangi 2010: 3). The minister of information in Ghana spelled out the new role of the mass media thus: "What we need in Ghana today is a journalist who sees himself as a contributor to national development; this country does not need watchdogs" (ibid).

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27   Named after the town of Arusha in Northern Tanzania where the Declaration was pronounced.

Despite its good intentions, such an ideological role of the media automatically justified certain forms of media ownership, control as well as censorship. It has been noted that although journalists often carried out investigative journalism or critical editorials, their work was always within the confines of acceptable socialist behaviour. This regulatory framework is a typical reminder of pre-colonial journalists (griots, singers, performers) who were supposed to be critical to their employer or community leader, but within the confines of established group norms and values. Consequently, this authoritarian control of mass media had serious repercussions. A report in the London based International Press Institute recorded that although by mid 1960s African countries had a total of 299 newspapers, in less than two decades the number had dwindled to 150 while nine countries were without a single newspaper. Lamb (1984; in Mwangi 2010: 4) offers a description of the state of mass media government relationship in Africa:

> President Banda of Malawi jailed virtually the whole non-governmental press corps in the mid seventies. President Kenneth Kaunda appoints and fires editors in Zambia; In Uganda and Zaire, journalists shuttle in and out of jail so regularly that their wives don't even ask where they have been when they reappear after an absence of several days. Equatorial Guinea's president Marcias Ngwema went a step further; by the time he was overthrown and killed in 1979, all journalists of note had been executed or were in exile.

In 1989, the Ghanaian government revoked registration of all newspapers and magazines and called them to reapply for licences and complete details of their publishers, editors, names, addresses and sources of funding, a typical way of governments of the time to show who was in control (Mwangi 2010: 5). The results, as Mwangi has observed, was the unwritten media rule that journalists had to toe the official line or resort to self-censorship and those who refused had to suffer the consequences (ibid). Even sections of the so called independent press in Africa did find themselves supporting military or one-party governments either voluntarily or otherwise (Kasoma 2000). A study conducted by Kasoma and others, found out that private publishers such as the London Rhodesia Company (Lonrho) and the Agakhan sought political favours from military or one-party leaders. Editors and journalists who refused to 'toe the official line' were replaced by more 'obedient' ones who could take orders from above. Mwangi (2010: 5) has added a critical dimension to the cost of media censorship to the economies of Africa as follows:

> Such censorship of the press and literary personnel exacted a heavy price on African countries and their national development. First, it meant that there were fewer voices discussing home grown solutions to local and national problems. Second, it led to an overreliance on foreign or external prescriptions for internal woes, such as the application of Western paradigms, which were not always in line with Africa's internal structures and heritage. Third, it meant that African countries relied more and more on expatriates who were heavily compensated for services that locals could comfortably provide.

Mwangi further observes that by 1992 African countries were spending $ 4 billion from donor funds to pay expatriates and that "it is perhaps not a coincidence that Botswana, which has allowed a relatively free press to operate since it gained independence, enjoys a prosperous economy with a growth rate that has averaged 8.8% annually" (ibid: 5). Nevertheless, unlike

the smaller and ethnically homogenous population in Botswana, most African countries were characterised by diversity in terms of ethnic, regional, racial and religious differences – some of which had been exploited by colonialists to control the 'natives'. Such a porous situation meant that most governments had a responsibility to forge national unity to avert concomitant civil conflicts. The leading casualty in this effort was press freedom, as was freedom of expression. Indeed, most of the civil conflicts that exploded after independence in many of these countries were perpetuated by ethnic diversities and contest for power and resources (Onadipe & Lord 1999). It is probably in this context that in examining the application of the concept of freedom Nordenstreng (2007) argues that freedom, which is a modernistic concept, must also ensure or aim at general objectives such as peace and democracy. In this case, some deliberate measures taken to limit – at least for some time – media freedom in order to attain a much higher value, such as national unity, cohesion and progress can be exceptionally understood.

4.4   The paradox of post-colonial Africa's woes

Three decades of independence in Africa, from 1960 to 1990, were not impressive in terms of the relationship between the mass media and the state. Military and one party regimes had become accustomed to pillaging, not only national resources but also, the rights and freedoms of their citizens, including that of the press. Nevertheless, it is inadequate to explain the failure of post independence regimes in Africa without inviting other contributing factors that played an important role in the process. Firstly, as noted above colonial structures of governance, which post-colonial governments inherited at independence, were not in tune with democratic norms against which they have always been measured (see Berger 2002). African leaders at independence cannot be solely blamed for not 'learning' the norms of good governance from their predecessors who only 'taught' them how to run a country in an authoritarian manner. Secondly, economic and geopolitical interests of former colonial countries as well as powerful nations had a hand in many of Africa's failures. The first and quite critical interference in the political affairs of an independent African country, mainly due to the cold war rivalries at the time, occurred in the Congo in 1960 when American and Belgian operatives conspired to have the first democratically elected prime minister, Patrice Lumumba, murdered "to avert the disaster of him taking the country the communist way" (de Witte 2005). Since then, Africa experienced a succession of one military coup after another, including internecine civil wars that devastated both human lives and hope for the continent. Meanwhile, Western democracies continued to work with, and provide financial support to, the likes of former president Mobutu Seseseko of Zaire, just because they had chosen the capitalist way. Some dictators in Africa learnt that by choosing capitalism they could easily institute political repression, pillage the economy, impoverish their citizens and still expect support and protection from the West.

Since then Africa's conflicts have mainly been understood through the frameworks of struggles for power, ethnicity, militarism, alienation of people, and deep-rooted historical, socio-economic and cultural elements (Onadipe & Lord 1999). Distinguished African scholar Ali Mazrui (1999) has emphasised how colonial boundaries, which disregarded ethnic communities across countries, became the source of conflicts between nations. But somehow

some scholars, particularly in the West, tend to provide an ideologically loaded description of these conflicts as well as the attendant failure in governance. Critical factors such as economic and geopolitical interests of powerful nations rarely feature in crucial discussions about Africa's failures and way forward (See Mafeje 1999). To find answers to political and economic woes in Africa would require critical analysis of causative factors, including economic and geopolitical interests of powerful nations. Indeed, it would be inappropriate and inadequate to focus on Africa's failures while at the same time, continuing to suggest solutions that are irrelevant to local situations.

Nonetheless, in retrospect it is easy to see that despite experiences of bad governance in post independence Africa most countries did make initial progress in some areas in the first decade of independence. In the education sector, for example, enrolment figures rose from about 40 per cent at independence to 75 per cent within ten years while by the 1980s the sector was being allocated between 25 to 35 per cent of the national budgets (Mazrui 1999). But the global rise of oil price, which went hand in hand with increased interest rates for borrowers in global financial markets, affected Africa's young economies tremendously. Africa's external debt increased from $ 11 billion in 1970 to $ 120 billion in 1980s and even by 1995 after a decade plus of Structural Adjustment Programmes (SAPs) Africa's external debt had reached $ 340 billion. African countries, most of which relied on export of primary products, were advised by global financial institutions to increase supply of their products in the global market in order to secure funds to service their debts – something that pushed the prices of their exports even lower. Whereas in 1975 a new tractor cost the price of eight tonnes of coffee, by 1990 African countries had to sell 40 tonnes to buy one tractor. Consequently, the so called Highly Indebted Poor Countries (HIPC) found themselves spending a third of their tax revenues to service their debts. This consequently led to worsening economic conditions which rendered most African governments vulnerable to civil unrest, protests, riots, and strikes on one hand and intervention from World Bank and IMF on the other. The solution package of the Breton Woods institutions for Africa aimed at reducing the role of the state in production as well as service delivery and encouraging the deregulation of public enterprises. The emphasis was on maintaining macroeconomic stability, lowering inflation, cutting deficit spending and reducing the scope and cost of government.

A review of the Economic Commission for Africa (2004: 2) titled "Public Sector Management Reforms in Africa: Lessons Learned" shows that although reforms to minimize the role of the state in running the economy had produced some positive results, "the retreat of the State in social areas (health, education and housing) was detrimental for many African countries". In its objective, though rather generous, assessment, the report points out that the experiences of these reforms have, in retrospect, revealed the flaws in the SAPs strategies of the 1980s:

> The lessons of experience have shown some limitations of the Structural Adjustment Programmes (SAPs) of the 1980s, and have pointed to the need to broaden the agenda of public sector reforms. It is now being acknowledged that states with weak institutions are not well prepared to face the adjustment of globalization. Without complementarities between domestic strategies for institutional reform and strategies for opening up to global market forces, African countries risk exposing themselves to the kind of crises from which some have just begun to recover.

So far, African countries have undertaken a number of initiatives to address political and economic challenges of the past few decades. In 1980, for example, African leaders adopted the Lagos Plan of Action for the Economic Development of Africa which was designed to restructure the economy based on the principles of self-reliance and self-sustaining development. In 1985 another initiative, the African Priority Programme for Economic Recovery (APPER) was again adopted to set up measures for reduced external debt burden and preparing a common platform for action at sub regional, regional and international stage. This initiative was adopted by the United Nations at its thirteenth session. Many other initiatives have followed, under the determined guidance, and funding, from international financial institutions and donor countries.

4.5   Democratic reforms: Media policies and regulation

With both foreign and local pressure to implement political and economic reforms, virtually all countries in Africa have made constitutional provisions that guarantee freedom of expression. Even countries that had such provisions during one party era have moved to refine the clauses to reflect the spirit of multiparty democracy. However, as Ogbondah (2002: 26) has noted, the language of contemporary constitutions is as liberal as in other developed countries except that in Africa there is the lack of a political culture that supports the same values. Another aspect of equal importance is access to public information of which there are glaring differences from one country to another. In recent years, there has been a lot of efforts from international financial institutions as well as donor countries and from civil society organisation (among others) to force the governments to enact Freedom of Information or right to information legislation. Governments are however dragging their feet, citing – as an excuse – lack of resources to implement the straining requirements for access to information provisions.

In 2005 the Media Institute of Southern Africa (MISA) and the Friedrich Ebert Stiftung (FES) initiated an exercise in which Africans themselves use home grown criteria to assess their media environment *vis avis* press freedom. The benchmarks, which are largely drawn from the African Commission for Human and People's Rights (ACHPR) are used to evaluate performance and progress of media in the region on an annual basis. Generally, there have been improvements over the last three decades in terms of increase in the number of media outlets; diversity, and mounting pressure on governments for accountability. However, save for a few countries where media freedom is indeed taking shape, in many countries the ruling elites increasingly appear to be uncomfortable with the degree of boldness displayed by some of these media outlets. As a result, there has been a growing trend to muzzle the press by revoking the draconian pieces of legislation or by exerting threats on journalists (see Ocitti 1999; Berger 2007). Incidents of harassment to journalists and use of draconian laws to punish media or journalists have been on the increase since Africa ushered in reforms in early 1990s as Ocitti (1999: 1) observes:

> The proliferation of political institutions, the liberalization of the economic and political landscapes, the regularity of elections hitherto unheard of in certain African countries, and a decline in military coups in the 1990s, have all signalled that a

momentum towards democratic consolidation on the continent is on the increase. Yet, these formalisms of procedural democracy have also concealed a much more profound pattern of declining press freedom on the continent, as African governments, under the guise of constitutional rule, have resorted to the enactment of suppressive laws against an increasingly critical media. In most of the new democracies, as this paper attempts to show, new parliamentary bills that are hostile to the media are increasingly being promulgated, and this includes countries that have traditionally been considered democratic.

The cost to media and journalists has somewhat been alarming. From 1989 when *The Daily News* of Zimbabwe exposed the Wallow Gate scandal which shook the government of Robert Mugabe and pushed a cabinet minister, Morris Nyagumbo, to commit suicide, the media and journalists in Africa have faced untold persecution. In Mozambique, one of Africa's finest journalists, Carlos Cardosso, was murdered in a cold blood shooting on November 22, 2000 after he had exposed a series of scandals in which billions of dollars were being siphoned from national banks to pockets of some business tycoons with connections to the ruling elite. In Kenya, the media has exposed a number of huge corruption scandals – including two that were notably known as Goldenberg and Anglo Leasing – in which billions of shillings were siphoned into pockets of politicians and cronies in what appeared to be dubious circumstances. Likewise in Tanzania three cabinet ministers resigned, during President Benjamin Mkapa's administration, after they were implicated in scandals exposed by the media. The most recent case of the media's contribution to accountability in Tanzania occurred in 2007 when three cabinet ministers resigned after they were implicated in scandals exposed, or investigated further, by the press. Currently, two former cabinet ministers in Tanzania and a permanent secretary are in court charged with misuse of their positions. From Liberia, Ghana, Nigeria, Uganda, Malawi to Ethiopia, the media have been exposing corruption and misuse of power on a scale rarely experienced before.

But with increasing incidents of media exposure of corruption, human rights abuses and inefficiencies, governments are also coming up with strategies to control such 'inconvenient' media as Ocitti has noted above (see also Blake 1997; Kasoma 1997; Ogbondah 1997). Whereas Zimbabwe is taken as a good example of countries in Africa that have enacted outrageous legislation to control media, similar threats exist elsewhere on the continent in such countries as South Africa, Botswana and Uganda. In 1997, the government of Botswana, regarded as relatively more prosperous and democratic than the rest of her neighbours, enacted a broadcasting legislation which set forth provisions that are meant to control media and journalists altogether. In the same year, Swaziland enacted a Media Council Act which empowers the government to register journalists and punish them whenever they breach a code of ethics put in place by the same government (Ocitti 1999). In Tanzania, Ethiopia, Uganda, The Democratic Republic of the Congo, Cameroon, Togo and in a host of other countries in the region, draconian laws against defamation or sedition still impose wanton and hefty fines, as well as jail sentences, on media and journalists that cross professional parameters defined by the governments.

Nonetheless, in what appears to constitute a fundamental contradiction, continental as well as regional bodies such as the African Union (AU), the Southern Africa Development

Community (SADC), East African Community (EAC) and the Economic Community of Western African States (ECOWAS) all profess to build societies that are committed to the ideals of liberal democracy.

For example, the *African Charter on Human and People's Rights* (1981) clearly a replica of the Universal Declaration of Human Rights was adopted in Banjul on June 17, 1981 and started to be implemented on October 21, 1986. It contains several provisions which commit African governments to principles of good governance and human rights, including the right to, and freedom of, information. The preamble of the Charter partly reads:

– Considering the Charter of the Organisation of African Unity (now African Union) which stipulates that 'freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspirations of the African peoples;

– taking into consideration the virtues of their historical tradition and the values of African civilisation which should inspire and characterise their reflection on the concept of human and peoples' rights;

– firmly convinced of their duty to promote and protect human and peoples' rights and freedoms, taking into account the importance traditionally attached to these rights and freedoms in Africa.

Then the Charter goes on and on reproducing almost all the provisions enshrined in the *Universal Declaration of Human Rights*, including the right to information and to freedom of expression. Two decades later, the AU came up with the *Declaration of Principles on Freedom of Expression in Africa* which was adopted by the African Commission on Human and Peoples' Rights in Banjul, The Gambia on October 23, 2002, affirming the following:

● the right to freedom of expression, protection of individuals from interference with their freedom of expression;

● obligation of authorities to promote diversity, pluralistic media; access to information by all groups and promotion and protection of African voices.

The declaration also provides for the establishment of a diverse, independent and private broadcasting sector, stating categorically that state monopoly over broadcasting was not compatible with the right to freedom of expression and that an independent statutory body shall be responsible for issuing broadcasting licenses. Furthermore, the Declaration provides for the promotion of community radio and transformation of all state broadcasters into Public Service Broadcasting, governed by an independent board that is not answerable to government. Again the Declaration states that any regulatory bodies for broadcast and telecommunications shall be governed by an independent multiparty body that is accountable to the public. Furthermore, the Declaration provides for the protection of print media – including those published by public authority – from state restrictions and interference. In a spirit of promoting the independence of private media, the Declaration states that media owners and media professionals shall be encouraged to reach agreements to guarantee editorial independence and to prevent commercial considerations from unduly influencing media content.

It was this Declaration that affirmed the principles of self-regulation of media by stating that a public complaints system for print or broadcasting be available in accordance with the following principles:

- complaints shall be determined in accordance with established rules and codes of conduct agreed between all stakeholders; and
- the complaints system shall be widely accessible.

The provision further states that any regulatory body established to hear complaints about media content, including media councils, shall be protected against political, economic or any other undue interference. Furthermore, its powers shall be administrative in nature and it shall not seek to usurp the role of the courts. The third clause in this provision states as follows: "Effective self-regulation is the best system for promoting high standards in the media". Furthermore, the Declaration states that media practitioners shall be free to organise themselves into unions and associations and that the right to express oneself through the media by practising journalism shall not be subject to undue legal restrictions. Berger (2007) confirms this ominous contradiction that characterises the ideals in the policy documents and what is on the ground in terms of local legislation and implementation.

The Declaration on Principles of Freedom of Expression was followed by another one on *Democracy, Elections and Governance* adopted in Addis Ababa, Ethiopia on January 30, 2007. The objectives of the Charter which are stated in chapter two include: to promote adherence, by each State Party, to the universal values and principles of democracy and respect for human rights; to promote and enhance adherence to the principle of the rule of law premised upon the respect for, and the supremacy of, the Constitution and constitutional order in the political arrangements of the State Parties; to promote the holding of regular free and fair elections to institutionalize legitimate authority of representative government as well as democratic change of governments; to prohibit, reject and condemn unconstitutional change of government in any Member State as a serious threat to stability, peace, security and development; to promote and protect the independence of the judiciary. Other objectives include:

- to nurture, support and consolidate good governance by promoting democratic culture and practice, building and strengthening governance institutions and inculcating political pluralism and tolerance;
- to encourage effective coordination and harmonization of governance policies amongst State Parties with the aim of promoting regional and continental integration;
- to promote State Parties' sustainable development and human security; to promote the fight against corruption in conformity with the provisions of the AU *Convention on Preventing and Combating Corruption* adopted in Maputo, Mozambique on July 2003;
- to promote the establishment of the necessary conditions to foster citizen participation, transparency, access to information, freedom of the press and accountability in the management of public affairs.

In addition to the AU declarations, in 2001 African countries formed the *New Partnership for Africa's Development (NEPAD)* secretariat (now an agency of the AU since 2010) to pursue new priorities and approaches to political and socio-economic transformation of the

continent. It was through NEPAD that the *African Peer Review Mechanism* (APRM) initiative was started to help AU member countries voluntarily carryout self-assessment and evaluation of progress made in meeting their commitments to agreed good governance principles in four key areas which are: (i) democracy and political governance (ii) economic governance (iii) corporate governance and (iv) socio-economic development[28]. Each year, every country carries out an objective assessment of its own progress using set criteria for evaluation and the results are shared among member countries.

In principle, both home grown initiatives such as NEPAD and provisions in the AU policy documents cited above, clearly mirror the values of democracy or mass media in advanced Western democracies. They are provisions that mimic the ideals of liberal democracy such as freedom of expression; mass media freedoms and independence, plurality and diversity as well as self-regulation but without assessing their relevance to local realities and needs. Accordingly, whereas pressure for economic and political reforms had come from both within and outside Africa during the 1980s and 1990s, it was the Western financial institutions and donor countries that drove and funded the reform process. Consequently, African ruling elites appear to have simply accepted the reforms agenda and funding from the West but remained steadfast in their desire to control the process and to protect their own interests.

But what has largely happened with democratic reforms is what professor of communication, Jimmy Ocitti, refers to as 'formalisms' of democracy such as organising periodic elections and liberalising the economy to meet donor conditions (Ocitti 2009: 1). Political and legal reforms were carried out in ways that did not create a level playing field for all political players in the democratic arena (Hynes 2001). Widespread experiences of opposition candidates contesting election results and the increasing trend of post-election violence – leading to power sharing – attest to this anomaly (Berger 2011). Of more concern to the reform process in most of Africa is the fact that the ruling elites, who had powers to control the process, manipulated the economic liberalization exercise to their personal advantage. Privatisation of non-performing public parastatals was carried out in ways that benefitted the ruling elites and their local, or foreign, cronies hence providing them with economic advantage over the opposition political parties.

The ruling elites appear to be interested in controlling both the public as well as the private media sector which inevitably leads to automatic control of public opinion. In Tanzania, again, out of the six major media conglomerates, four are owned by politicians from the ruling party Chama Cha Mapinduzi (CCM), three of whom were members of parliament on the ruling party ticket until recently. The remaining two are owned by individuals who, apart from being members of the ruling party, have very strong connections to the ruling elites (Kilimwiko 2009). But from a neoliberal point of view –in the eyes of those who have driven, and funded, the reforms – the existence of privately owned media, just like periodic multiparty elections, is regarded as a positive milestone in democracy.

As a result, in Tanzania where media stakeholders participated and contributed their views to the formulation of a bill to enact Freedom of Information legislation, the government has shown little, or no, political will to pass the law. The new law would have replaced

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28   www.aprm-international.org

the existing draconian media legislation such as the Newspaper Act of 1976 and others which empower the government to censor media as was the case during and after colonial administration. Nonetheless, these reform initiatives have also been promoted by sections media freedom stakeholders in a more or less uncritical manner the same way liberal economic policies have been implemented in Africa disregarding unique challenges and realities on the ground.

Although the Windhoek Declaration, for example, took note of the need to promote media diversity and independence very few steps were taken to promote smaller and independent media in the region or to promote a truly public service broadcasting. This is important to note because initiatives such as the establishment of the Southern Africa Media Development Fund (SAMDEF), initially funded by donors to support smaller private media in the region, have proved less successful by way of sustainability.

It was in the spirit of the Windhoek Declaration that in 1995 Tanzania established an independent MCT to spearhead self-regulation of media. Many countries in the region are establishing similar councils apparently to do away with governments' control of media through draconian legislation. Journalists have also set up editors forums to address issues of editorial independence as well as responsible journalism. There are also many other associations ranging from those bringing together media owners to those that address professional issues, including gender equity in media and society in general. However, Mfumbusa (2006) has sounded a warning that self-regulation mechanisms in Tanzania have not yet proved to be as effective as they are thought to be in advanced democracies.

4.6   Summary

To conclude this chapter it is important to highlight some key issues that have a bearing on the first research question: How do deeply rooted values and historical circumstances that distinguish African societies from the West feature in the frameworks for communication / media policies and regulation in Africa? It has emerged in this chapter that pre-colonial African societies had modes of communication (or oral form of journalism) which were meant to address fundamental needs of society such as survival, continuity and harmony. Such communications, which Ugboajah has termed 'oramedia' took the form of mythology, oral literature, storytelling, poetry, songs, drama, dance, proverbs and rites of passage. The communicators worked within the framework of groups strata and were free to criticise authorities though within the parameters of societal norms and values. But the central role of communication was to serve broader societal interests even when it was practiced within groups. Communal way of life and societal moral codes provided a framework on which regulation of communication was premised.

With the advent of missionaries and later colonialism, modern mass media such as newspapers and radio were introduced on the continent to serve communication needs of the colonial project. The main objectives of missionaries and colonial media were: to civilise and Christianise the natives; to glorify the colonial countries, values and traditions; to justify the colonial project and to promote literacy among the natives. A few decades towards independence the educated nationalists started indigenous newspapers which they used to

agitate for independence. But indigenous newspapers faced three major hindrances, namely strict colonial laws, financial hurdles and illiteracy among majority of its target audience. Missionary and colonial objectives in the colonies as well as the colonisers' values therefore provided a framework on which media laws and regulations were premised.

In the post-colonial period most governments opted for the 'communication for development' paradigm under a popular notion then that the mass media could be vehicles of development and modernization (Mwangi 2010). But still, while 'modernization' theory of media appeared to appeal to most scholars and ruling elites alike, there were other more radical theories such as 'dissociation' which went along with the thinking that post-colonial Africa would be better off in severing economic relations with former colonial masters. This theory was in the same spirit with 'liberatory theory' which saw modern mass media as linked to the colonial economy as well as philosophy. The liberatory theory emphasised a return to traditional or grassroots modes of communication to enable total cultural liberation of Africans. The fourth theory was 'Negotiation and Integration' which held that the media played a dependent role, rather than independent, in the process of development.

But suffice it to say, most post independence leaders with their new developmental projects ended up muzzling the press thereby instituting a culture of impunity amidst corruption and abuse of power. Journalists were jailed and over half of the media were closed just in two decades of independence. On the other hand, former colonial masters and other powerful nations continued their pursuit of economic and geopolitical interests on the continent in ways that worsened economic conditions and political stability of many countries. The need to unite citizens and to foster state-led development programmes using Western thinking provided a framework on which media laws and regulations were premised.

The advent of liberal democratic reforms in the 1980s and 1990s came at the backdrop of economic and political crises in most African countries following failure by the state to provide for citizens' welfare. Nonetheless, the intervention by international financial institutions to restructure the economies provided only cosmetic solution which pushed majority of citizens to the periphery of destitution. The reforms ended up benefitting a few elites, particularly those in power and foreign companies which scooped investment opportunities offered them in the new economic dispensation. Critics have argued that democratic reforms have merely been a reincarnation of dominant and exploitative relations that had existed since pre-colonial times (Mafeje 2002; Mamdani & dia Wamba 1996; Chachage 1998). As such, economic and political reforms along the lines of liberal democracy, forced onto Africa by donors and international financial institutions, have failed to respond effectively to the genuine liberatory needs of majority of citizens in Africa because they are not in tune with local values and needs as well as historical realities on the continent. The need to promote liberal democracy as well as international capitalism using Western values and thinking appears to have provided the framework on which media regulation are currently premised.

To summarize the media and communication in Africa's different historical phases, the following table provides a typology describing the role of media as well as their regulatory framework in most of Africa since from the precolonial period to re-democratization:

Period/guiding philosophy	Role of media and communication	Policy/ regulatory framework
Pre-colonial African societies (Prior to 1880s) Philosophy: *Communication as a way of life*	–Surveillance: inform; –Transfer knowledge; –Chief/administration communications; –Entertain, amuse; –Warn (watchdog); –Stimulate debate, mobilisation; –Continuity of values and norms; –Cohesion in community	–The Chief/Council of elders; –Societal norms and values; –Self-regulation (to conform); –The community as a whole –Occasional needs of society
Missionaries/ Colonial Period (1880s–1960s) Philosophy: *Communication for civilizing the natives*	–Inform, entertain settlers; –Government communication; –Christianise, civilise, educate natives; encourage reading; –Entertain, amuse natives; –Glorify colonial project; –Promote colonial values –Advertise	–The Church (missionaries); –Self-regulation (for missionary and colonial press); –Colonial government laws, decrees (mainly for non colonial press); –Colonial interests in colonies
Post-colonial Period (1960s–1990s) Philosophy: *Communication for development*	–Inform, transfer knowledge; –Government communication; –Mobilisation; emancipation, promotion of African values, unity and nationhood; –Entertainment	–Government laws, decrees, regulations (mostly inherited from colonial era); –Ruling party policies –Cold war politics –Self-censorship
Multiparty Democracy Period (1990s – onwards) Philosophy: *Communication for democratization*	–Provision of surveillance, information on events; –Setting agenda on issues of interest to the general welfare of society –Provision of civic education, comments, guidance and advice on events and context; –Forum for diverse views and for political, advocacy; –Provision of a two-way channel between citizens and government; –Acting as critic or watchdog, holding power holders to account.	**Current regulatory framework** –Government laws, regulations (authoritarian) –Government economic sanctions (i.e., use of adverts, taxation, price of media products, etc to punish critical media); –Free market mechanism (Economic interests of media owners, i.e., advertisers. interests); –Self-regulation (MCT) and newsroom mechanisms **Proposed regulatory framework** –Minimum government regulation / involvement for improved infrastructure, frequency allocation and guaranteed access to media by all; –Public Service Broadcasting; development of community media; internet media); –Self –regulation (professionalism, codes of ethics, media councils, media reviews, constant training); –Conducive environment for other forms of community expression and communication that have played an important role throughout history and are still relevant today to most rural and urban communities.

Source: Author

The next chapter reviews the origins of concepts such as democracy, the role of media in democracy and issues of media freedom and accountability in order to situate the current reforms in the context of Africa's historical background presented in this chapter.

Chapter 5   Media and democracy

This dissertation is anchored on the question about whether a voluntary, independent and non-statutory media council can be effective in enhancing self-regulation of media as a mechanism for accountability in young democracies like Tanzania. This chapter, therefore, attempts to explore the meaning of democracy and its origins; its characteristics and strands as well as historic connections between liberal democracy and free press. A clear understanding of these issues is, indeed, imperative in enriching discussions about the role of media and regulation in Africa's democratization. It is also crucial to trace the relationships between the role of media in different stages of democracy and the nature of regulatory framework in those stages. Curran (2002: 217) maintains that discussion of the media's democratic role is intimately bound up with a debate about the media's organization and regulation. The author rightly posits that even the classic liberal theory of a free press was refined and elaborated in the nineteenth century as a part of a political campaign for press deregulation.

5.1   Democracy and its origins

As American scholar of politics Robert Dahl (1998) has observed, twenty-five centuries during which democracy "has been discussed, debated, supported, attacked, ignored, established, practiced, destroyed, and then sometimes re-established" have not produced agreement on some of the most fundamental questions about what it is – or supposed to be (see also Held 1987, 1995, 1996, 2006). Dahl observes that during long periods in human history "democracy disappeared in practice, remaining barely alive as an idea or a memory among a precious few" and that even in the rare cases where a 'democracy' or a 'republic' actually existed, most adults were not entitled to participate in public life (Dahl 1998: 3). Dahl argues that it is the very long history of democracy that has rendered it susceptible to "confusion and disagreement because 'democracy' has meant different things to different people at different times and places" (see also Beetham & Boyle 1995: xiii).

To understand the essence of principles of democracy one has to trace the origin of the term 'democracy'. The term democracy – certainly not the notion itself – has its origins in ancient Greece and was formed through a combination of two Greek words *demo*, meaning *people,* and *kratos*, meaning *rule* (Arblaster 1993: 13; Dahl 1998: 11: Held 2006: 1; Christians et al. 2009: 20). However, according to some scholars, although the term demo referred to *people* generally, sometimes it meant the *poor* who were the majority in society (see for example Dahl 1998; Arblaster 1993). Dahl argues that the word *democracy* was sometimes used by its aristocratic critics, to show their contempt for the common people who had removed the ruling aristocrats from power. Arblaster (1993) on the other hand, elaborates that democracy in Greece meant rule by the people or the many; "but because the many were also poor, it was often taken to mean rule by the poor, or by the rabble". He observes that

Aristotle was particularly clear about the contrast between democracy and oligarchy in that whereas the latter meant government not simply by a few, but by a few of the "rich and well-born"; democracy was government by the many poor (Arblaster 1993: 14). Arblaster further refers to how the conceptual application of aristocracy in Greek society characterized what could be termed as class struggles that led to democracy:

> There is a similar ambiguity and complimentary ambiguity about the term 'aristocracy'. Literally, this meant the rule or power of the best, but the meaning it has since acquired is not at all accidental. For it was assumed that the few who were rich and/or well-born were also, morally and politically, 'the best'.

Arblaster (1993) observes that writers such as Aristotle, and a century before him the so called Old Oligarch, who were unsympathetic to democracy, normally used the terms such as 'the virtuous', 'the noble', 'the best', 'the few', 'the notables', 'the wealthy', almost interchangeably, and contrasted this elite group with another one referred to variously as: 'the mob', 'the poor', 'the mass', 'the worse' and so on (ibid). The political developments in Greece were replicated in the city of Rome, where a democratic system was also introduced and named republic. According to Arblaster the word republic came from *res,* meaning 'thing' or 'affair' in Latin, and *publicus,* for public. The author further notes that the governing of the Republic which had, at first, been restricted to the patricians or aristocratic class was only changed to include the common people (known as the *plebs* or plebeians) after much concerted struggle. Yet, like in Greece, the right to participate was restricted to men, a practice that was inherited even in all later democracies and republics until the twentieth century (Dahl 1998: 13).

Again to understand the context in which struggles between the poor and the aristocrats occurred in Greek city-states, leading to the establishment of democracy it is important to examine critically the nature of the society itself, the mode of production and economic activity that existed at the time. According to Held (2006) Athens of the time comprised of 'many small, often tightly knit communities' along the coastline, with few of them scattered inland. He observes that initially, these cities were typically controlled by local kinships although after violent conflicts governance ended up under 'clan' and 'tribal' hierarchies'. Arblaster (1993) also observes that "the polis or city-state was usually a small, self-governing, self-sustaining entity which, apart from its political autonomy, possessed very few of the characteristics of modern states". According to Held (1987: 14) it was the formation of slave economy – in mining, agriculture and certain craft industries – that is attributed to the sudden flourishing of Greek urban civilization. Held further describes the political and economic conditions that contributed to struggles for democracy in the Greek city-states as follows:

> The political continuity of the early city-states was broken by the rise of the 'tyrants' or autocrats (c 650 – 510 BC) who represented the interests of those who had recently become wealthy through either landownership or commerce and trade. The clan and tribal order gave way to more tyrannous regimes. But the stability of these regimes was vulnerable to shifting alliances and coalitions. The growth of wealth for some was not matched by improvement in the conditions of the poorer classes, particularly those who were landless or owned small farms and peasant holdings. An expansion of population increased pressure on the privileged, and a period of intensive social struggle ensued. (Held 1987: 14)

Furthermore, Held (1987) notes that in the complex and intensive conflicts of the cities, the conflicting parties had to make concessions often to preserve a balance of power. He argues that these concessions strengthened economic autonomy of small and medium-sized farmers as well as of some categories of peasants, leading to the elevation of the status of these groups especially after important changes in military organization which made, among others, moderately prosperous farmers and peasants central to the community's defense. Held (1987) holds that it was this particular change that affected the future political structure of city states and that "it was perhaps the conjunction of the emergence of an economically and militarily independent citizenry in the context of relatively small and compact communities that nurtured a democratic way of life" (see also Beetham & Boyle 1995: 6).

Although classic Athenian democracy was characterised by imperfections as observed by a number of key political thinkers from Plato's era to Renaissance period (see again Held 1987; 1993; 2006), its central political ideals such as equality among citizens, liberty, rule of law and justice, continued to inspire most political thinkers in the West for many years later. One of the major imperfections of classical democracy, which transcended into the 20th century, was that the concept of citizenship was restricted only to men, of Athenian descent (although occasionally it could be granted to non-Athenian men on approval by the Assembly). Interestingly, in ancient Greece – and later in the West – the concept of equality, which is central to democracy, continued to exclude women and slaves in a political environment where duty to public life was given an upper hand.

But the idea of direct citizen participation in government affairs seems to have received enduring criticism from such great Greek thinkers as Thucydides (c. 460 – 399 BC), Plato (427–347) and Aristotle (384–322) (ibid). The three thinkers, for instance, believed that democracy worked well so long as it was led by those with knowledge. They noted that the problem with Athenian direct democracy was that it allowed the rabble (the poor) to make decisions on some of the crucial matters of which they had no sufficient knowledge or wisdom. Arblaster (1993: 16) refers to the story cited by critics of the trial and execution of Socrates (399 BC) on charges of impiety and corrupting the young, which a commentator used as a point of reference to criticise mob decisions in Athenian democracy: "Here is the proof; it is said, of the tyranny of the majority... of the common man's hatred of the man of genius".

During the renaissance, political thinkers such as Niccolo Machiavelli also regarded the idea of direct citizen participation in government affairs somehow flawed even though he subscribed to the principle of civic virtue. Machiavelli, for example, argued that all singular constitutional forms, be it monarchy, aristocracy or democracy, were flawed and unstable. He held that the degeneration of Athens' democracy resulted from its inability to protect itself from 'the arrogance of the upper class' and the licentiousness of the general public' (Held 1987). Considering that political conditions in societies were dynamic and characterised by potential chaos he suggested that only a governmental system combining elements of each of the three (monarchy, aristocracy and democracy) could promote a political culture upon which civic virtue could depend (Held 1987: 44). To him, such a government would not only compensate for the defects of singular constitutional forms but it would also be in a better position to balance the interests of rival communities, particularly between the rich and the

poor. His point of reference was Rome which had endured because of a mixed government system that combined consul, senate and tribune of the people (Held 1993: 17).

The renaissance period therefore introduced republicanism, the idea of constitutional involvement of citizens in their civic virtue, as an extension of the original idea of direct democracy. But the centrality of the republican democracy was what Held again describes as follows:

> The core of the renaissance republican case was that the freedom of a political community rested upon its accountability to no authority other than that of the community itself. Self-government is the basis of liberty, together with the right of citizens to participate – with a constitutional framework which creates distinct roles for leading social forces – in the government of their own common business. (ibid: 17)

Nonetheless, according to Held (1993: 58) from the fifteenth to the eighteenth century two forms of political system became dominant in Europe: the absolute monarchies of France, Prussia, Austria, Spain and Russia, among others, and the constitutional monarchies and republics of England and Holland. Held further describes events and processes that contributed to the emergence, and development, of liberal democracy:

> Struggles between monarchs and estates over the domain of the rightful authority; peasant rebellions against the weight of excessive taxation and social obligation; the spread of trade, commerce and market relations; changes in technology, particularly military technology; the consolidation of national monarchies (notably in England, France and Spain); the growing influence of Renaissance culture; religious strife and the challenge to the universal claims of Catholicism; the struggle between church and the state... (Held 2006: 56)

The author argues that the idea of a legally circumscribed structure of power separate from ruler and ruled with supreme jurisdiction over a territory, could not predominate while political rights, obligations and duties were closely tied to religious tradition, monarchical powers and the feudal system of property rights. Likewise, Held observes, the idea that human beings were 'individuals' or a 'people' with a right to be citizens of their state, could not become widely established until the constraining influence of the monarchy and the aristocrats was weakened. It was, according to the author, these political circumstances that led to the emergence of liberal tradition of which Thomas Hobbes (1588–1679) and John Locke (1632–1704) were among the leading exponents. Held argues that while Hobbes marked a point of transition between a commitment to absolutism and the struggle of liberalism against tyranny, Locke signalled the clear beginnings of the liberal constitutional tradition which were to influence both European and American politics in the eighteenth century (ibid: 59).

The two philosophers, Hobbes and Locke are credited for having clarified and promoted ideas that produced the liberal democracy of today. It was, as Held has observed, the liberal tradition that weakened the powers of the Church, on one hand and the powers of 'despotic monarchies', on the other in attempts to promote individual's rights and freedoms as well as the private sphere. These attempts, as Held has pointed out, went hand in hand with freeing the state from religious control on one hand and civil society (personal, family and business life) from political interference on the other. These changes led to emergence of a liberal tradition which maintains that individuals ought to be free to pursue their own preferences in religious, economic and political affairs. Held further observes that while different 'variants'

of liberal tradition interpreted this objective differently, they all converged around the advocacy of a constitutional state, private property and the competitive market economy as the blueprint for coordinating individuals' interests.

Overall, the history of democratic theory appears to have been characterised by a deeply rooted conflict about whether democracy should mean some kind of popular power (a system in which citizens are engaged in self-governance and self-regulation) or a system whereby citizens delegate authority to representatives voted into office periodically (Held 1993). The history of these political ideas and forms of democracy have been subdivided into three to four classic models and four twentieth century models as indicated in figure below (Held 2006: 5):
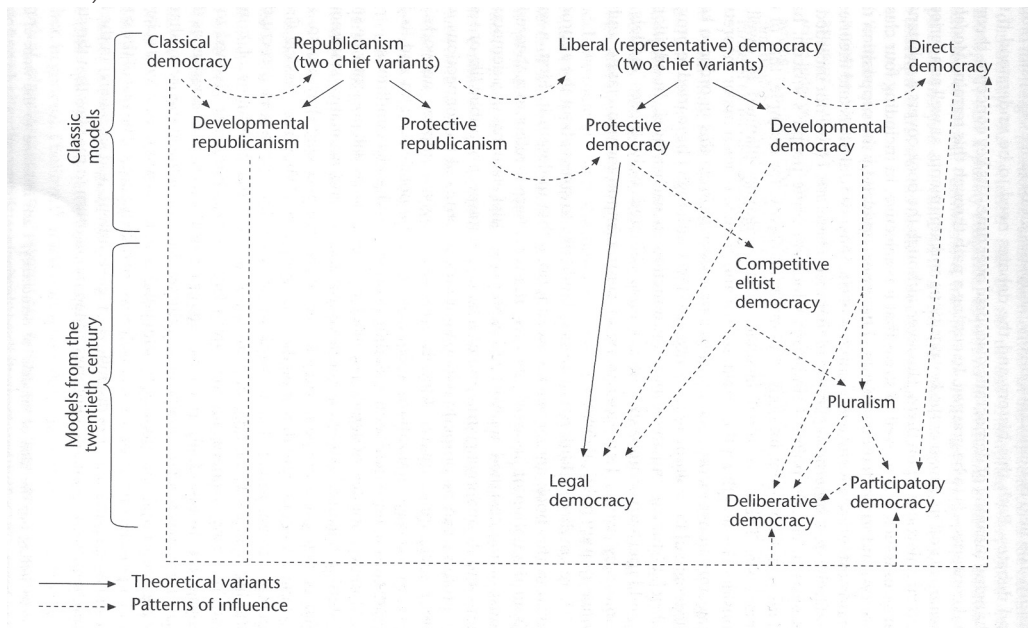
However, according to Held, the conflict above can be summarised in three basic models or variants of democracy. The first one is direct or participatory democracy which refers to a system whereby citizens are directly involved in decision-making about public affairs. The second one is liberal or representative democracy in which elected representatives are involved in decision-making, on behalf of citizens, within the framework of the 'rule of law'. The third variant is based on a one party model like the one that applied in the former Soviet Union and other communist as well as socialist regimes before the 1990s (see also Held 1993: 15; Nordenstreng 2000: 32; Beetham & Boyle 1995: 15).

Broadly speaking, definitions of democracy tend to constitute the following: effective participation in the political affairs of governance; equal voting rights and free, fair and frequent elections; respect of the rule of law where everyone is equal before the law; respect of majority decisions but also taking into account the views of the minority; presence of institutions to ensure the necessary checks and balances of political power which should include a free press, parliament, the judiciary and the executive; freedom of expression leading people to express their opinions about government and freedom to form their own

political parties and other civic organisations to oppose or advice the governing party with which they should compete to win the citizens' favour; a government which is transparent, accountable and responsible; and a government based on the principles of good governance and the respect for human rights (see Beetham and Boyle 1995; Dahl 1998; Held 1993, 1996; Christians et al. 2009).

5.2 Is democracy universal or a Western invention?

South African communication scholar Guy Berger (2002) has argued that democracy is not just a political system; it is about the distribution of decision making power and key resources in society, and about checks, balances and limits on how such power is used in various instances. This view highlights three key issues that form an important aspect of discussions about democracy: political organisation for decision making, economic arrangements in society and communication framework that supports the functioning of the system (see also Mukandala 2001: 4). This approach to democracy already appears to render to it some universal relevance. However, in tracing the origins of democracy a lot of the literature starts with the Greek city states around 500 BCE which in essence situates the concept, geographically speaking, in Europe where it evolved. But if the basis of democratic rule in Greece and Rome was the struggle of the poor against the political and economic domination of the aristocrats and the wealthy class; and if it was human nature that prompted common men in Greece and Rome to force the upper class in their society to submit to a more participatory, inclusive and just political and economic system; then it follows logically that any societies anywhere could have had similar struggles regardless of the variations in terms of modality or scale as Held (1993: 16) has observed:

> Athenian democracy has long been taken as a fundamental source of aspiration for modern Western political thought. This is not to say that the West has been right to trace many elements of its democratic heritage exclusively to Athens; for, as recent historical and archaeological research has shown, some of the key political innovations, both conceptual and institutional, of the nominally Western political tradition can be traced to other civilisations in the east.

Held observes that the city-state or *polis* society, for example, existed in Mesopotamia long before it emerged in the West. However, controversially though, Held argues that the political ideals of Athens – equality among citizens, liberty, respect for the law and justice – have been taken as integral to Western political thinking, and that it is for this reason that Athens constitutes a useful starting point. Also Christians, Glasser, McQuail, Nordenstreng and White (2009: 18) observe that "it is quite clear that different societies have developed their own practices of democracy, according to variations in historical circumstances and political cultures". Another argument in support of this view comes from Robert Dahl (1998: 7) who also suggests that struggles for 'democratic' rule are, indeed, universal:

> Like fire, or painting or writing, democracy seems to have been invented more than once, and in more than one place. After all, if the conditions were favorable for the invention of democracy at one time and place (in Athens, say about 500 B.C.E), might not similar favorable conditions have existed elsewhere? I believe that democracy can be independently invented and reinvented whenever the appropriate conditions exist.

And appropriate conditions have existed, I believe, at different times and in different places. Just as a supply of tillable land and adequate rainfall have generally encouraged the development of agriculture, so certain favorable conditions have always supported a tendency toward the development of a democratic government.

The staggering of democratization in Africa has often been attributed to 'cultural' factors suggesting that, generally speaking, Africa's pre-colonial history was characterised by tyranny, brutal competition for survival and patriarchal systems that suppressed the rights of the weak, including women and children. But it does seem to me that these democratic deficits – which are part of societal evolutionary dynamics – have characterized the various historical stages of all the other societies, including the West. Again within the African continent different societies appear to have evolved differently with some demonstrating forms of autocratic governance while others practicing certain elements of democratic principles. Ghanaian communication scholar Paul Ansah (1988: 4) observes that even in pre-colonial Africa, different communities applied some principles of democracy in making decisions on issues of common concern to public welfare:

> There was...a clear conception of the right to free self-expression and freedom of association as attested to by the numerous proverbs, court practices and oral traditions. The structure of the traditional society itself was meant to guarantee civil and political rights. There was devolution and decentralization of authority such that, in practical terms, the king or chief was basically a *primus inter pares*.

Citing some anecdotal accounts from his study, Ansah (1988: 5) refers to a member of the Akan ethnic community in Ghana who provides credence to his argument about freedom of expression in the traditional African society:

> The members of a traditional council allowed discussion and a free and frank expression of opinions and if there were disagreements, they spent hours, and even days if necessary, to argue and exchange ideas until they reached unanimity.

Another similar example is traced in pre-colonial Botswana where a system known as *kgotla* (plural *dikgotla*) which basically referred to a system of bringing people together to make decisions of common concern, to make laws, punish offenders and get information. David Kerr (2001: 256) observes that *kgotla* can refer to a physical place of assembly, described by Ngcongco (1989: 44) as "a simple windbreak of stout poles", in a village or ward, or it can refer to the institution of the assembly, that is "the body people assembling there". Kerr further observes that the leader of the *kgotla* was the *kgosi*, alternatively titled, *mong wa kgotla* and that as the community (*morafe*) grew bigger, more wads were created to accommodate more *dikgotla,* a process seen as a 'political tradition' that emphasises decentralization of authority to the local units. Furthermore, Kerr (2001: 256) defines the functions of the *kgotla* as follows:

> The function of the *kgotla* was sometimes to promulgate new laws, but more frequently it provided an opportunity for the *kgosi* "to advice or admonish his followers...(or) to impart information to them" (Ngcongco 1989: 44). In addition, the *kgotla* provided a legal forum where complaints could be heard and solved, restitution made to offended parties and punishment (fines or flogging) administered to offenders.

Furthermore, Kerr, referring to Ngcongco (1989) observes that the role of the *kgotla* in pre-colonial Botswana was such that: "With the exception of ... restrictions in terms of ethnicity

and gender on free participation, the Tswana *kgotla* as a public assembly operated in a fairly democratic fashion...in...that it checked and restrained the powers of the leaders" (ibid: 257). It is interesting to note that Botswana's *kgotla* system with its restrictions based on nativity and gender appears similar to ancient Athens which is widely recognised as the origin of democracy in the world. Botswana which was under the British rule as a protectorate was allowed to continue with the *kgotla* tradition which probably may have contributed to its uninterrupted democratic political culture even after independence.

Still it is important to point out that notwithstanding the variations in scholarly viewpoints and arguments with regards to democratic rule in pre-colonial societies, historical accounts suggest that pre-colonial, colonial and post-colonial Africa has always been characterised by citizens' struggles for a more just and equitable society as Mukandala (2001: 3) has aptly put it:

> There are two tales of democracy in Africa. One is as old as Africa herself, the other is younger, more recent, less than a century old. One is the tale and record of the African people's struggle for liberation, popular sovereignty, genuine independence and people's state. The other one is a tale of liberal democracy.

Mukandala, quoting Yash Tandon (1979: 1) concurs with a position that democracy is not just an idea but a material question which concerns the lives of people in their daily struggles for material existence. South African distinguished Pan-African scholar Archie Mafeje (1999: 1) augments this view, arguing that the terms such as 'democracy' are socially – and historically – determined in the sense that 'each social epoch raises particular questions about human conditions and the value of social existence'. He argues that since issues of democracy and forms of governance are normative, they are normally highly debatable among different societies in space and time.

Nonetheless, many scholars, especially in the West, have concluded that liberal democracy – led by capitalism as its exclusive economic system is a Western creation. Such scholars even suggest that liberal democracy has appeared superior over other forms of governance throughout history, and the world. Anthony Arblaster (1993: 1) while referring to the 'self-congratulatory celebrations' following the end of Cold War and the fall of European communism, amplifies this view from the West:

> ...The West has won. Democracy has defeated authoritarianism. Capitalism has finally and definitively proved its superiority to Communism as an economic system. What room is left for doubt or argument?

In a rather controversial conclusion, Arblaster (1993) asserts that although capitalist democracy has not yet been realised on a global scale, "and perhaps may never be"; it still remains the goal to which all developing and modernising societies tend to aspire, 'however fiercely the tendency may be resisted by reactionaries on the one hand, and socialists and communists on the other'. The triumphant interpretation, Arblaster (1993) adds, has been supported in a more philosophical vein by a former US State Department official, Francis Fukuyama, whose article "The End of History" in 1989 suggested that capitalist democracy represented the final and highest stage of development of human political and economic institutions.

But this 'celebratory view' has not been without critics. Held (1993: 1), for example, disagrees with this conclusion pointing out that this thinking is inadequate in the first place. He argues that for instance the 'liberal' cannot be treated simply as a unity because of varied traditions in the conception of the individual agent, of autonomy, of the rights and duties of subjects and the proper nature and form of community. Secondly, he argues, the 'celebratory' view of liberal democracy neglects to explore "whether there are any tensions, or even perhaps contradictions, between 'liberal' and 'democratic' components of liberal democracy". He cites, for example, the tension between the liberal preoccupation with individual rights or 'frontiers of freedoms' which "nobody should be permitted to cross, and the democratic concern for the regulation of individual and collective action for public accountability". Furthermore, Held argues that there is not simply one form of liberal democracy because "contemporary democracies have crystallized into a number of different types, which make appeal to liberal position vague at best" (ibid: 2). He concludes therefore that uncritical affirmation of liberal democracy essentially leaves unanalysed the whole meaning of democracy and its possible variants. Held's concern is also augmented by Mafeje (2002: 11) who observes that while liberal democracy has come to be treated as "universally valid and everlasting", the emergence of the concept of 'neo-liberalism' is indicative of the need to revise classical notions of liberal democracy:

> For instance, while liberal democracy upholds the principle of equality of all citizens in front of the law, it does not address the question of social equity. Accordingly, it is unable to deal with some of the major issues that have come to haunt contemporary society such as increasing poverty globally and intolerable social injustice within nations and among nations.

Mafeje further argues that liberal democracy is highly handicapped because the theory of *laissez-faire* on which it is founded "obliges it to accept such phenomenon as poverty and social inequality among citizens and nations as a natural outcome of the right of the individual to choose". As such, Mafeje aptly observes, it is obvious that in the modern world liberal democracy cannot satisfy political and economic demands that result from new forms of social awareness. Mafeje (2002: 1) also questions the authenticity of the West's intentions in pushing liberal democracy throughout the world:

> ...does democracy mean freedom; or is "human rights" a celebration of anthropology of all humanity or is it self-glorification by the West at its moment of absolute triumph, an affirmation of its discretionary power which allows it to pick and choose in Bosnia, Somalia, Rwanda, South Africa, The Congo, Nicaragua, Ecuador, Palestine, Afghanistan and now Kosovo? Apart from the obvious political implications and unmistakable cynicism, this is an indication that these concepts, despite their universalistic pretensions, are subject to more than one interpretation i.e. they are subject to manipulation.

Mafeje's criticism of 'neo-liberalism' echoes many voices, particularly from the developing world, that view the push on all countries of the world to adopt liberal democracy as a continuation of the same historical patterns through which the West has undermined the prerogative of other societies to decide befitting destinies for themselves. Another leading scholar, from the West, who also points out inherent contradictions in liberal democracy, Macpherson (1973), argues that the notion of individual freedom in the libertarian sense

meant that each man was to become free to exert and develop his uniquely human capacities and that what was to be asserted was the *equal* right of every man to make the best of himself. Then Macpherson (1973: 21) makes the following assertion:

> The conditions for this society had never existed in any class-divided society before the market society. Nor did they exist in the market society once the right and the incentive of unlimited appropriation had taken effect, for this produced a new form of transfer of powers. The unequal properties acquired in market operations became the means by which some men increased their powers by acquiring the powers of others. The earlier moral idea of maximizing each man's human powers gave way to the market idea of allowing and encouraging each to try to maximize his power by engrossing some of the powers of others.

Macpherson further posits that "this kind of maximization of powers cannot serve as the criterion of a democratic society: it has no better standing than the maximization of utilities, of which it is only an ideological inversion". (ibid)

Indeed, the notion of democracy itself, as embodying a struggle of citizens to have a better organised society where equality and justice prevail, appears to me to be driven by human nature and hence universal. But the appendage of individualism and the free market economics that Dahl has added as a favourable condition, in his articulation of favourable conditions for democracy, appears to be a creation of the West, reflecting a historical triumph of the wealthy class sustained throughout the struggles for democracy since the fifth century Athens. The liberal aspect of democracy, which emerged in the seventeenth century, carries with it the baggage of a history that is also characterised by inherent contradictions to its core values of equality and freedom as Mafeje and Macpherson have observed.

5.3   Media and democracy: Theoretical origins

Since the main focus of this dissertation is to examine the effectiveness of an independent media council in spearheading self-regulation of mass media in the context of young liberal democracies, it is important to review the origins of the notions of a free press in order to establish the linkages. From a Western liberalist point of view, one of the necessary requirements for any democracy to function properly, as noted in the definition above, is a free press. And a free press would simply mean one that is unhindered in its institutional, regulatory as well as operational set up. 'Freedom of the press' or 'media freedom' is another concept that requires scrutiny in this chapter. From a liberal point of view, media freedom implies two things: the first one is freedom meant to be enjoyed by individuals, for example, freedom to start a media business. The second implication is freedom of individual journalists to gather and disseminate information to their perceived publics without hindrance of coercion (see Mak'Ochieng 2000). Nonetheless, a classic distinction of the concept of freedom by Isiah Berlin (1969) is worth revisiting. Berlin (1969) argues that there is 'freedom for' which entails the right of media organizations and individual journalists to collect, process and disseminate news and information (see Matumaini 2011: 231–232). According to Matumaini (2011) 'freedom for' implies such right – and obligation – of media and journalists to present facts fairly, accurately by respecting professional conscience; freedom to empower and promote the marginalized and voiceless sections of society so they can participate effectively in the

democratic process. It also entails freedom to establish independent media that can offer support to a variety of civil society as well as political movements. Furthermore, Matumaini observes, it entails freedom to open up public discussion on issues crucial to democratic decision making and involving all stakeholders in a given issue; also freedom of journalists to speak out according to their conscience and needs of the public as well as freedom to enhance their professional competence (ibid).

On the other hand, 'freedom from' implies negative freedom, the right of media organizations and individual journalists to provide news and information without interference from other powerful entities (Matumaini 2011: 232) This freedom, Matumaini maintains, entails the right to be independent of government censorship, political pressure, economic monopolies, social pressure, advertisers, media owners and consumers; freedom to make judgments about truth, facts and importance without coercion; the right of individual journalists to bring forward issues they regard important without restrictions from editors; freedom from forces within the society which exert pressure, threats, or other forms of vulnerability on the part of journalists as well as freedom from the limitations of technology, working resources or lack of professional knowledge (ibid).

The origins of the role of the press in democracy can be contested depending on one's views and interpretation of history. Christians et al. (2009: 10) approach the role of a free press in a democracy by tracing its origins, and chronological development, from ancient Greece where such central concepts as 'democracy', 'ethics' and 'rhetorical modes of communication' were first introduced in the debates. The authors argue that each historical stage of the debate usually takes up three key levels – the philosophical underpinnings, a system of just and responsible governance, and the concrete modes of carrying on 'good' public communication. They further argue that each configuration of normative values, such as the insistence that all citizens have a right to participate in the democratic process, tends to be linked with the search for what *good* and *just* public communication consists of in a particular historical context (ibid: 20).

Also enlightenment scholars who in the sixteenth and seventeenth centuries, argued that freedom of expression provided the best protection against tyranny and excesses of arbitrary rule present to us useful incentives for understanding how far back in history the struggle for free press goes. Sierbert (1956: 70, quoted in Nordenstreng 2007: 17) for example, attributes the origins of notions of free press to enlightenment philosophers in his summary of the libertarian theory in *Four Theories of the Press*:

> The libertarian theory of the function of the mass media in a democratic society has had a long and arduous history. This history has paralleled the development of democratic principles in government and free enterprise in economics. The theory itself can trace a respected lineage among the philosophers of the ancient times, but it received its greatest impetus from the developments in Western Europe in the sixteenth and seventeenth centuries. From Milton to Holmes it has stressed the superiority of the principle of individual freedom and judgment and the axiom that truth when allowed free rein will emerge victorious from any encounter. Its slogans have been the ":self-righting process" and the "free market place of ideas". It has been an integral part of the great march of democracy which has resulted in the stupendous advancement of the well being of humanity. It has been the guiding principle of Western civilisation for more than two hundred years.

The basic assumption underlying the 'free marketplace of ideas' philosophy was that where the truth is allowed to surface without restraint, falsehood would possibly be detected, enabling society to choose 'right' from 'wrong' ideas (solutions) a necessary condition for making appropriate decisions. However, Nordenstreng (2007: 17) challenges the carefree attribution to Milton and Mill, of such notions as 'free market place of ideas' and 'self-righting truths' but retains credit to the two philosophers for having advocated for unhindered freedom of thought and speech. This is how Nordenstreng (2007: 18) elaborates on Milton's position on freedom of thought and speech:

> Milton was passionately opposed to forbidding anything to be published, comparing censorship to murder: "He who destroys a good book, kills reason itself, kills the image of God". In his main work *Paradise Lost*, 1667, Milton elaborated the struggle between truths and falsehood and made fervent appeal to challenge official truths, including God's commandments, with an invitation even to commit sins as a means to acquire knowledge and to achieve human growth and development.

This initial call by Milton to challenge authority in the name of seeking and finding the truth represents an important historical milestone during which philosophers, authors and artists believed that freedom of speech and expression was not only good for self-gratification but necessary as well for societal growth and development.

However, some historical events in parts of Europe help to illuminate significant factors that gave rise to the notion and practice of press freedom in Western democracies. James Curran (2002: 79) asserts that the British press, for example, became free partly as a consequence of a heroic struggle against state control where the first major breakthrough came between 1649 and 1660 with the abolition of the Court of the Star Chamber, followed by the scrapping of press licensing in 1695 and introduction in 1712 of a less repressive legal regime based on press taxes (ibid). Furthermore, Curran cites concessions secured during the reign of King George III including relaxation of restrictions on the reporting of parliament in the 1770s and Fox's Libel Act of 1792 which empowered juries to rule on seditious libel suits. An independent press, according to Curran, emerged during the Victorian era, which saw the libel law reformed in 1843 and 'taxes on knowledge' repealed ten years later.

Another important contributing factor to claims for press freedom is captured by Curran (2002: 63) in his account of developments in the nineteenth century when the prestige and influence of press proprietors grew as a result of expanded newspaper circulation and an increased measure of political autonomy in Great Britain. According to Curran, leading proprietors and editors were perpetually cultivated by government ministers, resulting in a growing number of them entering parliament. The author argues that the proprietors' increased political weight was reflected in the substantial legal privileges awarded to the press between 1868 and 1888 during which the role of the press was reinterpreted as that of an independent fourth estate thereby giving it a respectable place in the British political system (ibid). Apart from these developments, Curran argues, it was the growth of profits, largely from advertising, that freed newspapers from state and party subsidies thereby developing an independent organization for getting news (ibid). It is interesting to note here that the same mechanism – advertising – that freed the press from state control, would later replace the state as the new controller of mass media in liberal democracies.

Another scholar that is widely noted for his articulation of a theory about the historical origins of the relationship between free media and democracy is Jurgen Habermas who, drawing from the struggles of the seventeenth and eighteenth century for free public expression of views and ideas, argued that it was the development of competitive market capitalism that set conditions for the growth of both theory and practice of liberal democracy in the eighteenth century Britain (Mak'Ochieng 2000: 75). According to Habermas this was made possible when the new political class, the bourgeoisie, found both time and resources to create a network of institutions within civil society such as newspapers, learned and debating societies, publishing enterprises, libraries, universities and polytechnics and museums, within which a new political force, *public opinion,* could come into existence (ibid: 75, also see Deane 2005: 178).

Critics have rejected Habermas' rosy picture of the history of the 'public sphere' arguing that strong political and economic forces controlled and manipulated it (see Curran 1991a; Dahlgren 1991; Gilwald 1993; Mak'Ochieng 2000; Christians et al. 2009) and Habermas himself has admitted that the development of monopolistic tendencies in capitalist economy contributed to uneven distribution of wealth and the rising costs of access to the public sphere (Mak'Ochieng 2000: 76). In later writings Habermas (1992) highlights the importance of a *political public sphere* to democratic theory and praxis, emphasising an interplay between a constitutionally instituted formation of the political will and the free flow – unhindered by power – of information, within a public sphere aiming at discovery and problem resolution (ibid: 79).

Curran (1991b: 83) further elucidates the causal relationship between the public sphere theory of democracy and the role of mass media within it:

> From (Habermas) work can be extrapolated a model of a public sphere as a neutral zone where access to relevant information affecting the public good is widely available, where discussion is free from domination by the state and where all those participating in public debate do so on an equal basis. Within this public sphere people collectively determine through the process of rational argument the way in which they want to see society develop, and this shapes in turn the conduct of government policy. The media facilitates this process by providing an arena of public debates, and by constructing private citizens into public body in the form of public opinion.

The liberal democratic theory proposes that mass media play a pivotal role in availing relevant information to the public and providing spaces for a full range of arguments and policy to be debated (Mak'Ochieng 2000: 81). And as already noted, the liberal democratic theory also advocates private ownership and free market principles, including 'free market place of ideas' and 'self righting truths' in the belief that: "the nearest approximation to truth will emerge from the competitive viewpoints and progress for society will depend on the choice of 'right' over 'wrong'" (McQuail 1987: 113; Siebert et al. 1956; in Mak'Ochieng 2000: 81–82). Some of the assumptions in the 'free market place of ideas' theory have not been without critics, particularly those subscribing to a social democratic school of thought. In his discussion about free marketplace of ideas and the legacy of liberalism, Nordenstreng (2007: 18) highlights misconceptions attributed to Milton and Mills' positions on the subject, and goes on to illuminate the flaws in the liberal democratic theory about a 'free marketplace of ideas'. Nordenstreng posits that John Stuart Mill, who had minutely scrutinised what Milton

had written two centuries earlier, shared the position about the free encounter of ideas and the inadmissibility of censorship. He cites Stuart Mill's book *On Liberty* as providing a fine elaboration of the same theme but saying nothing about markets, 'let alone about free marketplace of ideas...'. Nordenstreng further argues that for a liberal, Stuart-Mill was far from dogmatic for he maintained that state intervention may well be necessary in ensuring social justice and other higher values.

Nordenstreng also points out that to Stuart Mill, freedom of opinion and its expression was not an end in itself since he viewed it as "the necessity for the mental well being of mankind (on which all their other well-being depends)". Nordenstreng further highlights the fact that Mills also held a contrary view to the notion of 'self-righting truth' with an argument that it was quite possible for the truth not to prevail in a freer encounter; and falsehood to become a dominant public opinion (ibid: 19). Nordenstreng argues that the legacy of original liberalism rather represents social democracy and corresponds to a social responsibility theory of the press like that which was proposed by the Hutchins Commission in the USA in 1947. The Hutchins Commission on Freedom of the Press was named after its Chairperson, the Chancellor of the University of Chicago at the time, Robert Meynard Hutchins. The Hutchins Commission released a report on the state of press freedom and the conduct of media which resulted in far reaching recommendations. The report titled: *A Free and Responsible Press* called for structural and substantive improvement in the American press, emphasising more accountability and a more responsive character to the public interest (Dennis 1995: 699). The report also expressed concern that concentration of ownership of media institutions in the hands of a small number of firms could result in the monopoly of ideas (Da Silva & Paulino 2007: 140).

It is from the same perspective of social responsibility that Nordenstreng maintains that the concept of freedom in the original liberal philosophy was positive rather than negative: freedom *for* something, not *from* something as it has been emphasised by neoliberal theorists (see also Andren 1993: 57–66). This critique of the neoliberal theory of the role of the press is important in understanding as well as in finding a more appropriate normative media role that addresses unique challenges in Africa's democratization process.

In more recent work on the origins of concepts of press freedom, Christians et al. (2009) identify four traditions in the history of debate on the norms of public communication: *corporatist*, *libertarian*, *social responsibility* and *citizen participation*. The authors argue that the first tradition known as *corporatist* refers to the direct democracies of the relatively small Mediterranean city states, especially in the political culture of Athens, some 250 years ago and the tradition is referred to as corporatist because it rests on a cosmic world view of organic harmony in the universe (ibid: 22). They further argue that in most cases the corporatist tradition expects the media to be cooperative in matters of national interest and in relation to other social institutions such as religion, education and family, which is still common today, especially in Asia and Islamic cultures. Christians et al. further argue that the corporatist tradition could seek a high degree of centralized political control or, as in ancient Greece; it could encourage a free and open debate among privileged male citizens.

The second tradition *libertarian* has also been referred to as 'liberal-individualist' because it places the principle of freedom of expression at the top of the mass media's hierarchy of

values (Christians et al. 2009). According to Christians et al. (2009: 23) the libertarian ideal of public communication emerged in the late Middle Ages and the Renaissance as a reaction to deeply entrenched monarchies and religious institutions in Europe, which had teamed up to resist any challenge to their authority. It was, the authors argue, the repression of religious and political dissidents – especially when they stood for principles of justice or true religion – that planted the seeds for new claims to freedom of expression. This period, was also characterized by works by great philosophers such as Thomas Hobbes (*Leviathan* 1651) and the puritan author John Milton whose book *Areopagitica* (1644) became a strong proclamation against censorship. However, Christians et al. (2009: 23) highlight a crucial aspect – of commercial consideration – of the struggles for freedom of expression and of the press, an aspect that has had a bearing even in contemporary neoliberal thinking about press freedom:

> Many of the central libertarian values were also the values and thinking of the entrepreneurial class. An article of faith was that individuals could freely own, and owners could use, the media for whatever purpose they wished within the law. Accordingly the interests of all participants would be best served by a free media market and the benefits to the whole community would be maximized. There was no public right to publish nor any collective "right to know". The enemy of liberty was government and the state, and no good could come from public intervention to secure some supposed public objective.

Christians et al. observe that to libertarian thinking, the claim to liberty was absolute and that external accountability was unnecessary despite the potential for failings. Libertarians believed that any interventions to freedom could only be justified if they assisted the better functioning of the free market. Christians et al. further observe that since there had been growing suspicion toward the church and the state, the libertarians believed that organic unity could only be found in the inborn rational capacity and conscious choice of the individual and not corporatist authorities. According to the authors, the libertarian tradition came of age in the nineteenth century, especially through the writings of John Stuart Mill (*On Liberty* 1859), in which he elevated freedom as being the superior path toward uncovering the truth and utilitarian benefits – greatest happiness for the greatest number – that accrue from the free flow of information and ideas (ibid: 23).

The third tradition, *Social responsibility* came about in the twentieth century to address negative results of unrestrained entrepreneurial freedom of the nineteenth century. Basically it was a new paradigm developed out of necessity to help balance freedom with responsibility (Christians et al. 2009: 24). Social responsibility tradition upholds freedom as the basic principle for organizing public communication, which includes the media, but equally upholds the public's rights and legitimate expectations of adequate service. The authors argue that in this tradition freedom of the press is justified as long as it meets societal expectations short of which legal interventions to supplement or control the media market is deemed necessary. Furthermore, the authors argue that within this framework there are varying views about how far the state may legitimately intervene to achieve an acceptable level of public service. There are different versions of suggested interventions in this tradition, the minimalist of which expects the media themselves to develop self-regulatory mechanisms of accountability, based on voluntary promises in response to demands from the public or the government. In this approach the development of professionalism is left to play a key role in

ensuring mass media are responsible to the public. A more interventionist approach, according to Christians et al., employs press subsidies and laws to ensure diversity or innovation, and establishment of public service media.

The fourth tradition is *citizens participation* which has a history of three or four decades though it has distant roots in the religious and political movements of the sixteenth century and in the struggles right to freedom of the press in the eighteenth century (Christians et al. 2009: 25). Citizen participation involves the media that are typically engaged in some form of struggle for collective rights until when political challenges in question have been met upon which they are forced to cease or change operations though without being tied to the market or government authority. According to Christians et al., this tradition draws its legitimacy from the basis that the mass media belong to the people, for emancipatory, expressive and critical purposes. The authors observe that although the tradition is more recent, its roots are found in the dissident religious and political movements of the sixteenth century and in the struggles for free press in the eighteenth century; the radical press of the early labour movements in the nineteenth century Europe and the alternative media such as the free radio of the 1960s and 1970s as well as the grassroots activist media in many protorevolutionary situations in much of the twentieth century (ibid: 25).

5.4 Media accountability in 21st century democracy

In the last six decades studies have dwelt on such topics as whether the mass media do have an important role to play be it in influencing the masses, promoting development or sustaining democracy as well as how they are to be held accountable (Siebert et al. 1956; Gurevitch & Blumler 1990; Held 1993; Ronning 1993; Dahl 1998; McChesney et al. 1999; Kasoma 2000; Hyden et al. 2002; Curran 2002; Hallin & Mancini 2004; Nyamjoh 2005; Christians et al. 2009). In 1956 Siebert, Peterson & Schramm produced their classic work, *Four Theories of the Press*, starting with the question: "Why do mass media appear in widely different forms and serve different purposes in different countries?" Their conclusion was that the press always takes on the forms and correlation of social and political structures within which it operates; especially if it reflects the system of control where social relations and institutions are adjusted (Christians et al. 2009: 3). But one of the central issues since then – the subject of continuous intellectual discourse on the role of media – became the question: What kind of mass media (under what kind of regulatory framework?) are needed in which kind of society to play which roles and to meet what expectations (Christians et al. 2009). Or as White (2008: 270) has observed: "over the past few decades, media theory has come to focus on the development and maintenance of political democracy as a central *normative* role of journalistic media and public media in general – that is, what the role *should be*".

Indeed, many scholars from different backgrounds (see Kasoma 2000: 37; Lichtenberg 1990; 1999; Splichal & Wasko 1993; Ocitti 1999; Mak'Ochieng 2000; Gurevitch et al. 1991, 1993; Berger 2002: 7; Christians et al. 2009) seem to agree about the (normative) place of media in democracy but differ in the way they articulate media roles in different societies. Key among issues of agreement, however, is the role of media in facilitating self expression of views, public debates and scrutiny of those who hold power. Nordenstreng (2000: 30),

for example, observes that the concept of democracy today looms around discussions of media policy almost in all platforms, both intellectual and political. He cites the European Commission's report on audiovisual policy which begins with the following premise that a modern democratic society cannot exist without communication media which:

– are widely available and accessible;
– reflect the pluralistic nature of such society and are not dominated by any one viewpoint or controlled by any one interest group;
– make available the information necessary for citizens to make informed choices about their lives and their communities;
– provide the means whereby the public debate which underpins free and democratic societies can take place, means that the market will not necessarily deliver on its own.

This view of the role of media is augmented by Beetham and Boyle (1995: 11) who argue that all governments in whatever type of political system seek to win for their policies the support or acquiescence of the populations and that such large number of citizens can only be reached through the means of mass communication such as newspapers, radio and television[29]. The authors add that in a democracy, however, the media do have other important functions apart from being conduits for government propaganda. These include: to investigate government, to inform the public, to provide a forum for political debate and to act as a channel for public opinion to, and for popular pressure upon, the government.

American and British scholars Gurevitch and Blumler (1990: 270; 1995) present seven specific functions and services of mass media in a democratic society, almost summing up the wide range of ideas around the topic:

i.   Performing a surveillance role of the socio-political environment and in the process reporting developments which are likely to hamper the welfare of citizens;
ii.   Setting meaningful agenda. This includes the task of identifying the key issues of the day and also contending forces within the society;
iii. Initiating dialogue in society across a diverse range of views from the public which also includes those in power;
iv.   Producing mechanisms for those in power to respond and account for on how they exercise their power;
v.   Assuming the role of platforms for politics and civil society to air their views for the betterment of society;
vi.   Providing incentives for citizens to learn, choose and become involved in the political process rather than merely following without knowledge of what is going on;
vii. Resisting efforts of the forces outside the media to subject their independence, integrity and ability to serve the audience.

Nonetheless, Gurevitch and Blumler identify four constraints to the effectiveness of mass media in these functions and services. Firstly, there is conflict, and compromise, in democratic values such as retaining editorial autonomy while at the same time being expected to provide

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29   Today governments around the world are increasingly turning internet based (or online) media such as social media to reach their audiences, particularly the young.

access to wide ranging viewpoints. Secondly, there exists structural inequality between political elite and ordinary citizens. Thirdly, there is the need for media to balance political objectives with other socioeconomic needs and tastes of society. Fourthly, there are economic as well as institutional constraints in the way media are run. Nonetheless, in a more recent work Christians, C., Glasser, T., McQuail, D., Nordenstreng, K. and White, R (2009) revisit key theories and ideas about the role of media in democracy, since Siebert et al. (1956) and sum up the roles of media into four categories:

i.   Monitorial (more or less the traditional surveillance, informational, awareness);
ii. Facilitative (Providing communicative space and the means to individuals and institutions for exchange and flow of messages, including commercial messages);
iii. Radical (Watchdog role, protecting common societal interests, including ideals of free society);
iv. Collaborative (correlation, supportive, engaging and mobilisational).

The significance of this new scholarly work is its exploration into the foundation of normative and political theory in addressing critically the fundamental question: "What is, and should be, the media's role in a democratic society?" Christians et al. (2009) recognize the contribution by such celebrated works as Siebert et al. (1956) *Four Theories of the Press* but also take note of the fact that its typology of press systems around the world collapsed into one three levels of analysis: philosophical approaches, political systems and press systems. The authors therefore make a methodological departure from the prevalent paradigm of analysis to discuss philosophical approaches, political systems and press systems separately, but while trying to show how they are intimately related (Christians et al. 2009: 16). Nonetheless, as the authors have noted, the challenge of explaining the media's role and task in a world where cultures are clashing and media are converging is exorbitant and calls for continuous exploration into the unknown (ibid: viii). Moreover, there is need to define the form and characteristics of democracy that are ideal for societies such as in Africa whose historical and cultural backgrounds do not seem to benefit automatically from the import of liberal democracy. This need has prompted scholars such as Berger (2002: 22) to be critical of views that take for granted the dictum that the media have an important role to play in Africa's democratization:

> Most striking of all is the reliance in much of this writing upon unreflective, conventional wisdom about the way that 'media' is an important element in 'democracy' – which 'wisdom' in turn tend to be limited to a liberal pluralist paradigm (see Chole 1995: 17–18). This is problematic for several reasons. Not only is this paradigm itself under challenge on its own Western home turf, its suitability to Africa is questionable.

Berger posits his argument in the fact that in the liberal pluralist paradigm, the model's assumption is that competing elites will utilise media to articulate their interests, yet, he argues, liberal pluralism is too narrow to be a universal analytical framework much as it is deemed to be the dominant normative framework. He further argues that even in those historical places and times when the paradigm provides its greatest insights, it is criticised for overlooking monopolization and elite congruence (ibid: 23). In his review of recent

concerns by Western scholars about the declining civil culture and the role of media in liberal democracy, Nordenstreng (2001: 57) highlights what Robert McChesney (1999) has referred to as 'the media/democracy paradox'. First, is the view that in an age of breakthroughs in communication and information technologies Western democracy is increasingly depoliticised leading to what Robert Entman coined as 'democracy without citizens'. Nordenstreng (2001: 58) further refers to Anthony Giddens, the President of London School of Economics who in 1999 argued thus:

> The paradox of democracy is this: On one hand, democracy is spreading over the world... yet in the mature democracies, which the rest of the world is supposed to be copying, there is widespread disillusionment with democratic procedures. In most Western countries the levels of trust in politicians have dropped over past years. Fewer people turn out to vote than used to, particularly in the US. More and more people are saying they are uninterested in parliamentary politics, especially among the younger generations.

Commenting on media in Western liberal democracies, Giddens argues that the media cannot be left out of the equation because they, especially television, tend to destroy the very public space of dialogue they open up, through relentless trivialising, and personalising of political issues while on the other hand, the growth of giant multinational media corporations have given unelected business tycoons enormous power. On a global level, as scholars such as Noam Chomsky, Edward Herman and Robert McChesney have argued, the digitization of all forms of communication enabling easy transferability of media content, convergence of technologies and concentration of media in fewer hands has led to the creation of "a genuinely global commercial media market dominated by three or four dozen large transnational corporations (TNCs), with ten mostly US based media conglomerates towering over the global market" a situation apparently seen as inimical to the notion of democracy (Mason 2001: 84). This view is also shared by Curran (2002: 220) who argues thus:

> A growing section of the world's media has been taken over by major industrial or commercial concerns such as General Electric, Westinghouse, Toshiba, Fiat, Bouyges and Santo Domingo groups, in a development that extends from the United States and Japan to Hungary and Colombia... A number of media organizations have also grown into huge leisure conglomerates that are among the largest corporations in the world. The issue is no longer simply that the media are compromised by their links to big business: the media *are* big business.

Furthermore, Curran (2002: 219) faults the traditional liberal theory of media which emphasizes a 'watchdog' role arguing that this critical role has since become irrelevant to what the media actually do. He argues that the conventional view of 'watchdog' derives from the eighteenth century when the principal 'media' were public affairs oriented compared to the twenty-first century media that focus on entertainment. Curran further argues that even many so called 'news media' allocate only a small part of their content to public affairs – and a tiny amount to disclosure of official wrong doing. Another argument put forth by Curran is that traditionally the liberal theory held that the government was the sole object of press vigilance because in early days the government was considered to be the 'seat' of power. He posits that this tradition fails to take into account the fact that the private sector too with economic power of shareholders and managers needs to be checked (ibid). Curran also notes

how profits interests of corporate media and governments' yearning for media support lead to corruption or how corporate media creates a world view not based on reality or on values but on profit needs of the free markets (ibid: 220–221).

5.5   Summary

This chapter has attempted to review the origin and development of concepts that are central to this study – democracy, the role of media in democracy and media regulation. The aim of this chapter was to address the question: In which ways is the Western conceptualization of the role of media and its regulatory framework in liberal democracy relevant to Africa's circumstances?

The chapter has shown that recorded ideals of democracy are commonly traced in Europe, particularly in the fifth century Greece where struggles for freedom and equality among men produced a political system that embodied citizens' participation and deliberations. Participatory democracy was to transmute into representative democracy in Rome while liberal democracy evolved in Europe from the sixteenth century. These changes were marked, as well as influenced, by two major factors: first there were struggles for power among social groupings such as monarchs, aristocrats, peasants and later on the Church. The second factor relates to the role played by political thinkers who were also greatly influenced by political ideals of Athenian democracy. These developments influenced ideas about the rights of individuals in society, including freedom of expression and of publication. Although there were variations of views and doctrines relating to democracy, neoliberal ideals appear to have survived and continue to expand tentacles throughout the world. It is the doctrine of free market economics – under liberal democracy – that lay emphasis on concepts such as press freedom and self-regulation. Nevertheless, free press in the neoliberal sense appears to face criticism even in the West due to the fact that corporate media are increasingly serving the interests of individuals who control the free markets and focussing on entertainment, advertising and consumerism. The traditional liberal theory therefore provides a weak basis for the role of media in modern democracy thereby rendering self-regulation of media fundamentally ineffective as the main regulatory mechanism.

Chapter 6   Media and democratization

This chapter reviews theoretical, policy as well as practical issues regarding the role of mass media and accountability in democratization. The main argument here is that the role of media, including media environment and the regulatory framework, in advanced democracies may not necessarily share similarities with media role and landscape in democratizing countries. And although the focus of this research is self-regulation in Tanzania, it is practically vital to broaden the scope of analysis to cover other African countries with similar historical, social, economic and political circumstances.

As stated in the preceding chapters, the basis for establishing a voluntary, independent and non-statutory council to spearhead self-regulation of media in Tanzania was the re-introduction of multiparty democracy in the 1990s. The main argument by drivers of democratic reforms in Africa has been that self-regulation is the ideal mechanism for promoting press freedom and accountability in a democracy (see Blake 1997; Berger 2007). But Tanzania, like most African countries, is still in the early stages of democratization which suggests that even the role of mass media – freed from state control only in the advent of democratic reforms – has to be critically examined.

The underlying argument in this chapter is that the mere reintroduction of multiparty politics just two decades ago does not necessarily turn Tanzania – or other African countries – into fully fledged democracies. This being the case, it seems then that the role of media in Africa's re-democratization has to be studied in its specific context for it to be clearly understood. It is in this respect that this chapter addresses two key questions: The first one is: how can we explain the democratization process in Tanzania or in Africa since 1990s? The second question is: what role do the mass media play in democratization and what are the regulatory challenges? While the focus of this research is the effectiveness of MCT in spearheading self-regulation of media in Tanzania, a grasp of broader theoretical arguments on democratization and the role of media in democratization, particularly in Africa, is a necessary foundation for understanding the context in which self-regulation is supposed to be the leading regulatory framework.

Almost all countries in Africa had exercised some form of multiparty democracy right after independence from colonial powers. But multiparty democracy in these countries was shortlived following successive military coups or decisions by some nationalist leaders to form one party political system to consolidate national cohesion. Multiparty democracy was to reemerge in Africa following what has come to be referred to as: 'the wind of change' that was sweeping across the globe in the 1990s. Multiparty democracy in Africa is therefore still at formative stages that are commonly referred to as transition or consolidation (Jeff Hynes 2001).

6.1   Democratization: Theoretical perspectives

According to Hynes (2001) – who has explored theoretical perspectives on democratic *transition* and *consolidation* – the sudden increase of democratically-elected governments around the world from a quarter in the early 1970s to about three quarters towards the end of the 1990s opened up a new area of concern for political scientists which they termed as *transitology*. Hynes observes further that whereas *transitology* referred to the study of democratization or the process of becoming democratic, with time another area – *consolidology* – opened up for political scientists to investigate the difficulties of consolidating democracy (ibid: 1).

In his review of theories and arguments about democratic transitions, Hynes defines *transition* as the period between an authoritarian and an elected government, 'an empirically verifiable, self-contained phase of democratization which can occur quickly or slowly depending on a number of factors, key of which is the nature of interactions among the leading political players'. The author also refers to Pridham and Vanhanen (1994: 2) who define transition as a "stage of regime change commencing at the point when the previous non-democratic system begins to collapse leading to a situation when, with a new constitution in place, the democratic structures become routinized and the political elites adjust their behaviour to liberal democratic norms". He further refers to Bratton and van de Welle (1997: 24) who maintain that the 'motivations, preferences and calculations of political actors are of great significance at the democratic transition stage (ibid: 18–19).

These definitions, however illuminating, portend some significant concerns with regards to democratic transition in Africa. The definitions, for example, raise a number of other questions particularly on the use of terms such as 'authoritarian', 'elected government' and 'regime change'. For instance, in post-colonial Tanzania, as in other countries referred to as non-democratic there were periodic elections which involved competition among party members for representative posts. In fact even before the first multiparty elections in Tanzania in 1995 the government referred to in the definition as 'authoritarian' was also 'elected'. Again the first multiparty elections in 1995 brought to power a 'newly elected government' but which belonged to the same party that had been in power since independence. How would such a government be referred to in the definition above? Would such an 'elected government' be referred to as 'authoritarian' because the same 'authoritarian party' continued to stay in power? Or would a multiparty election that brings the same 'authoritarian' party to power be considered to have effected 'regime change' as per Pridham and Vanhanen's definition of democratic transition?

Of equal concern here is the emphasis on regime change and strategic manoeuvres of political elites, who are expected, on their own, to automatically become liberal democrats henceforth while ignoring concerns of majority of citizens and other actors, such as civil society or media who also have an important stake in the democratization process. The botched 2007 elections in Kenya provide an interesting lesson to these definitions. While ruling and opposition elites were busy in Nairobi's five star hotels, trying to negotiate how to share the spoils of power during the stalemate after post-election violence, thousands of poor citizens were killing each other in the fields and streets with machetes, arrows and other crude weapons. The Kenyan experience is a microcosm of several other cases of similar

nature where negotiations among ruling and opposition elites, which are considered part of 'democratic consolidation', tend to disregard the general welfare and interests of majority of citizens altogether.

Nonetheless, Hynes (2001) rightly argues that during democratic transitions there is always a risk of reversion to authoritarianism because "political institutions of the old regime necessarily coexist with emerging post-authoritarian ones, while authoritarian and democrats share power either as a product of conflict or by tentative agreement". Again, sharing views with Karl and Schmitter (1991: 270), Hynes maintains that "transition is a stage with varied forms contingent upon unforeseen circumstances; unfolding processes and unintended outcomes". He further affirms that the cut-off point between authoritarian regime and democratic rule is usually the first free and fair elections that symbolically establish the new, post-authoritarian order. However, 'free and fair elections' appear to be the most elusive terms in political science, particularly with regards to how they are applied in Africa.

There are many structural and contingent factors that quite fundamentally affect the 'freeness and fairness' of most elections in many African countries. First since independence, state machinery has been tied to the ruling regime and exercises loyalty that borders on dogma. As such almost all state apparatus are deployed during election campaigns to help ensure the ruling party does not lose an election. Quite often Tanzanian prime ministers have come out publicly threatening district commissioners to make sure their districts do not lose constituencies to opposition candidates or else they would also lose their jobs. Secondly, the ruling regime would have all state resources at its disposal before and during campaigns for election, gaining a clearly unfair advantage over the opposition. Even in cases such as Zambia, Malawi or Kenya where the opposition have unseated the ruling regime, there were complex factors to explain the change other than the 'freeness or fairness' of elections (see for example Teshome, W. 2009: 287–301; Ikpe, U. B. 2009: 300–310).

Thirdly, the levels of illiteracy and election corruption – compounded by poverty of the electorate – render the 'freeness or fairness' of multiparty elections obsolete. Illiterate voters are easily manipulated to vote for the candidates of those with powers to manipulate them just as many poor citizens fall prey to monetary bribes or meals (Teshome, W. 2009: 287–301; Ikpe, U. B. 2009: 300–310). Fourthly, even though there have been reforms to align several laws and procedures with democratic norms, there are still many subtle loopholes that ruling elites use to their advantage. For example in Tanzania the electoral laws demand that once the National Electoral Commission (NEC) has announced results of presidential elections no one can challenge them anywhere, not even in a court of law.[30]

It is in this context that one would agree with Hynes' views that democratic transitions are characterised by 'intense political uncertainty; struggle between competing political forces over the rules of the political game and the spoils of victory and its attendant resources as well as the nature of future political competition'. Once a young democracy has outgrown the exigencies of the transition phase, the country then moves towards democratic consolidation which entails the firm establishment of political institutions, processes and behaviour. Bratton and van de Welle (1997: 279) maintain that a consolidated democracy requires

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30   Elections Act No 1, 1985.

that democratic institutions are strengthened and valued at the same time because while democracy can be instituted without democrats, it cannot be consolidated without them:

> Democracy may even survive in the short run under the force of these kinds of strategic calculations, but democracy will truly last only when political actors learn to love it. Until elites and citizens alike come to cherish rule by the people and exhibit a willingness to stand up for it, in Africa as elsewhere, there will be no permanent defence against tyranny.

There are forces that affect democratic consolidation which Samuel Huntington (1991) has categorised into four: the first one is *transformation* which occurs when the ruling regime initiates the process on its own. There are probably very few cases in Africa where the ruling regime initiated the democratization process and where it occurred, it was because those in power were either wise enough to see the consequences of not acting or had realised earlier they could easily control the process. The second force is *transplacement* in which both the old regime and the new opposition lead the process together as the case has been in several countries. The third one is *replacement* whereby popular pressure leads to a forced transition which ends up driving the ruling regime out of power as has been the case recently in Tunisia and Egypt. The fourth force is when *foreign intervention* instigates a transition as was the case in Libya in February 2011.

But the question that arises here is: how do we know that democracy is being consolidated? Tanzanian political scientist Rwekaza Mukandala (2001) reviews numerous yardsticks that are used to determine whether a country has transited to democracy safely and if it is consolidating its democracy. The first view in the list of yardsticks is by Valenzuela (1992) *second election* test*, meaning if a post-authoritarian regime has survived until the next election which is also held in a 'free and fair' environment. One issue that elicits curiosity in this category is whether in the case of Tanzania which has held four 'post-authoritarian' elections while bringing back the same ruling party since independence, can also be considered as consolidating democracy. The second view quoted by Mukandala (2001), from Huntington (1991) and Przeworsky (1991), is *alternation in power* hypothesis, meaning that there has to be constitutional, and peaceful, change of power between two political parties. Again Huntington and Przeworsky's definition excludes Tanzania, for example, from countries that are consolidating democracy because alternation of political parties has not taken place since independence.

The third view (cited in Mukandala 2001) is by D. Rustow (1970) namely *longevity test*, which means the post-authoritarian regime has survived long enough (which some commentators estimate to be twelve years, and others for longer periods). Lastly, Mukandala (2001) refers to the fourth view (from Linz 1990) as democracy as "the only game in town", meaning none of the major political actors, parties or organised interests, forces or institutions, consider any other alternatives to a democratic way in seeking power, and that no political groups or institutions has a claim to veto the decisions of democratically elected decision makers (Mukandala 2001: 3). While the first three definitions appear plausible, one would agree more with Juan Linz whose definition emphasizes the strengthening of democratic culture as the true test of democratic consolidation.

Furthermore, Linz and Stepan (1996), also cited in Mukandala (2001: 3), observe that democratic consolidation refers to "a particular, institutionalised form of democracy which allows open political competition, multiple parties freely competing, and an impressive array of civil and political rights – guaranteed by law". Or as Hynes again has argued, a consolidated democracy requires "generally accepted, democratically oriented political rules; stable, durable, democratic institutions; and a wide range of state-guaranteed civil and political rights, upheld by the rule of law" (Hynes 2001: 38).

There are crucial factors that influence or aid democratic consolidation in a country in transition which, according to Hynes (2001: 38), include: Firstly, *political factors,* such as the legacy of colonial traditions and foundations; political culture and elites, legitimacy and post-authoritarian regimes; political society; and the form of government, whether parliamentary or presidential. The second factor, according to Hynes, is *economic growth and social welfare*. The third factor is *international dimension* which in the case of Africa's democratization remains quite central. Hynes also analyses the importance of the role played by what he refers to as *structured contingency*, that is, the interplay between political actors and structural institutions.

Whereas some commentators see structures as playing a decisive role in democratic consolidation, others maintain that it is the agency, or political actors, that have a decisive role in democratic consolidation.

Hynes (ibid: 28) argues that "all political actors work within a framework of political restraints and opportunities that not only limit the range of plausible alternatives open to them but also makes it highly likely that certain courses of action will be selected over others". The author further maintains that certain structural characteristics always have significant impact on democratic outcomes and that the likelihood of democratic consolidation is linked to the specific character of a polity's social and economic system; constellation of power at the state and lower levels; and the effectiveness of civil and political societies in influencing political outcomes. However, the author does not explicitly explicate the role of citizens and other societal forces such as civil society and mass media in both democratic transition and consolidation.

Nonetheless, Hynes recognises the fact that the relationships between class divisions and state power are analytically central to a structural perspective. The author then provides a list of structural factors that are of general importance to democratization and democratic consolidation – variations from country to country notwithstanding:

i.   the legacy of personalistic rule (with lack of relevant political institutions);
ii.   national political cultures that do not value democracy more than other forms or rule;
iii. weak or declining economies, heavily dependent on foreign aid;
iv.   serious religious, ethnic and/or ideological conflicts;
v.   weak and/or fragmented civil societies;
vi.   government regarded by most citizens as illegitimate and unaccountable;
vii. unrepresentative, undemocratic political parties, dominated by powerful leaders;
viii. a few politically powerful, landowning elite denying large numbers of landless people access to land for agricultural purposes;

ix. monopolistic electoral and economic hold on power at the level by 'bosses' or 'big men';

x. religious traditions, such as Confucianism and Islam, which some observers regard as hostile to democracy.

Indeed, these factors apply in most countries on the continent which explains why even after democratic transition had taken place in several countries, consolidation has been difficult to attain.

6.2   Media and democratization: Questioning key assumptions

Although one would agree with Hynes on the relevance of factors listed above the author does not seem to respond adequately to the challenge posed by David Held (2006) when he asked: "Is democratization an essentially Western project, or is it something of wider universal significance?" Political scientist Richard Joseph (1997: 363–382), also referring to Simon Bromley's discussion about challenges of democratization in the Middle East, points out significant issues that require a critical reflection. He raises an important question about underlying motives of Western liberal capitalist countries – as well as global financial institutions under the policy tutelage of these countries – in promoting liberal capitalistic democracy to the rest of the world. Joseph concurs with Bromley that the "domination of the world economy by market-oriented economies, the geostrategic hegemony of Western industrialized nations, and direct or indirect external pressures for democratization are critical aspects of this conjuncture". Joseph further observes: "the modern secular constitutional representative democracy, firmly founded on an essentially market economy, dominates the political life of the modern world". While making "democracy safe for the modern capitalist economy", it can also be seen as a "political framework ... to ensure the unobstructed workings of the free market across the globe."

The promotion of a single form of predetermined democracy – the liberal strand with its free markets – throughout Africa has tended to ignore critical views against neo-liberalism from scholars of renowned repute including Yash Tandon, Issa Shivji, Archie Mafeje, Mahmoud Mamdani, Chachage Chachage, to mention just a few. Mukandala (2001: 4) aptly captures the essence of this criticism in his description of 'popular democracy' in Africa:

> Democracy as Yash Tandon (1979) observed ... is not just an idea. "Democracy is a material question. It concerns the lives of people in their daily struggles for material existence" or as Shivji (2001) calls "popular livelihoods". This involves first relations of production, especially property relations, the ownership and control of the productive forces, the means of livelihoods. For our case, it inevitably also relates to our position in the global division of labour. Secondly, it involves the state and state power, as well as institutions. Finally, it involves modes of social organisation of society. In brief, popular democracy has an economic, political and social dimension within a nationalist and African framework.

This measured disregard – by promoters of liberal democracy – of the views above reflects what Mukandala has referred to as a "checkered history of democracy in Africa today". He argues that there are two major factors that explain why the 'democracy project' is not

working, probably as it should, in Africa. One, he argues, lies in the extension and continued domination of the logic of the colonial state. The second factor 'emanates from the limitations inherent in the ongoing restructuring of global capitalism or globalization (ibid: 5).

One central criticism with regards to the colonial and post-colonial legacy relates to what Mukandala and Mahmood Mamdani (2000: 229) have characterised as the estrangement of political movements from social movements. The authors argue that "while legalizing political parties, they (authorities) depoliticized civil society organizations and neutralized social movements". The authors further share the view that while political parties flourished for a while, social movements atrophied severing the umbilical cord that tied political parties to popular classes and the mass of the population. As a consequence, political parties were bureaucratised as were professional associations, cooperatives, trade unions and the like. According to Mukandala, representation through popular democratic participation and oversight gave way to personalism and eventually single-party dictatorship. He further argues that liberal democracy "is not fairing well the second time because the model and logic of politics and organisation is still the same":

> Allow for non-threatening politics; drive a wedge between politics and economics on the one hand, and between political struggles and economic and social struggles on the other. Force the latter to be presented and pursued in a technicized manner as issues of "good governance". Legalize political parties but make the link between them and social organizations and movements illegal (Mukandala 2001).

Furthermore, the author shares the view that the current wave of democratization 'is made necessary and demanded by the current needs of international capitalism, ideologically presented as globalization. Mukandala argues that the current wave of liberal democracy in Africa has its roots in the restructuring of the international capitalist system that has been going on more noticeably since the late 1970s.

In a study conducted by Afrobarometer about attitudes of citizens towards democracy Michael Bratton and Robert Mattes (2000) conclude that 'the people' in countries surveyed were much more aware of political democratization than market economic regimes (ibid: 22). Furthermore, the authors maintain that "many people express extremely vague understandings of democratic values and procedures, regard the new regimes in their countries as seriously incomplete, and express low levels of satisfaction with the practical performance of elected governments". Interestingly, the authors wonder why Africans, 'with their (historic) genius for trade' have not understood or embraced the free market aspect of democracy:

> Nor is economic adjustment endorsed with anything like the same exuberance as democracy. While majority of survey respondents support "getting the price right", the Africans we interviewed generally abjure reforms to the existing architecture of economic institutions. Resistance to market liberalization is unusual given the African genius for trade, whether in its historical long-distance form or its contemporary guises as the informal sector. But such resistance is driven by a deep-seated popular conviction that market institutions, especially in their current globalised form, cannot provide employment and development services with the same effectiveness and equity as even corrupt and hallowed-out states. (Bratton & Mattes 2000: 23)

Nonetheless, the authors aptly conclude that Africans' support for political liberalization is a primarily indigenous sentiment, which arose out of popular quest for accountable

government quite independently of political conditions attached to foreign aid. They further maintain that economic liberalization, by contrast, remains a largely exotic project, promoted more feverishly by Africa's donors and leaders and negotiated only with African elites. It is in this respect that Hynes' review on democratic transition and consolidation becomes problematic for paying too much attention to structures and agency (primarily referring to political elites) while playing down the views and place of citizens to whose name, and welfare, democratization has been – or is supposed to have been – taking place.

6.3   Pitfalls of neoliberal media in democratization

Going by the theoretical illumination from Hynes and other scholars above most African countries appear to have gone through the transition period to democracy since the 1990s and majority of them are now trying to consolidate democracy – though this conclusion would depend on which particular definition one subscribes to. But looking critically at Africa's democratization in general, a number of assumptions appear to cloud the realities of what the new political dispensation has come to mean to majority of citizens. Some of the leading assumptions include one that democracy in African countries is supposed to take the liberal-pluralist, free market route as discussed above. Secondly, that there is one understandable (standard) prescription about the role of media in that democracy. But as already noted above, implementation of free market democracy appears to have responded more to the interests of international capitalism than to the genuine demands and aspirations of the ordinary citizens (Mafeje 1999; 2002). Interestingly, post-colonial Africa – which has been accused by Western democracies of breeding single dictators, single parties, or single media systems – appears to be forced, once again, to adopt a single form of democracy which is liberal. As a result the democratization process which is expected to reflect the liberal capitalist tradition must rely on privately-owned mass media which are seen as free and independent.

But whereas Africa is being made to adopt a single form of democracy and a uniform role for the media, in Western advanced societies there is not a single form of democracy (see Held 1996). Or as Nordenstreng (2006) and McQuail (2007) have noted, the literature of journalism and mass communication has produced several media models of accountability in democracy particularly in the Western world. In the United States a synthesis of contemporary media models is presented by Overholser and Hall Jamieson (2005) as:

i.   *Market place of ideas*;
ii. *Agenda setter;*
iii. *Watchdog;*
iv. *Informing public;*
v.   *Mobilising citizens' participation*.

Another typology from the U.S., which also corresponds to the historical stages the press has gone through, is presented by Michael Schudson (1995) as:

i.   *Advocacy;*
ii. *Market;*
iii. *Trustee*.

A contemporary British list of media models is also presented by McQuail (2005) as:

i. *Liberal pluralist;*
ii. *Market;*
iii. *Social responsibility;*
iv. *Public interest;*
v. *Professional;*
vi. *Alternative.*

Another basic typology summed up by Nordenstreng (2006) which is typically applicable in Scandinavian countries is presented as:

i. *Information, Surveillance;*
ii. *Criticism, Participation;*
iii. *Forum, Open Access.*

Lastly, there is a more recent clarification of Euro-American media systems by Daniel Hallin and Paolo Mancini (2004) with three overall models: *Liberal; Democratic corporatist; Polarised pluralist.* The most recent model by leading communication scholars from across the US and Europe (Christian et al. 2009) provides a general normative role of media as being: *monitorial; facilitative; radical; collaborative.*

Nonetheless, in these models of media roles and accountability systems in Western democracies, 'government hands-off' or rather, self-regulation, appears to be the dominant paradigm. But there are also various dimensions to the models above, with one extreme in the libertarian school of thought advocating for the regulation of media to be left to the markets (See Merrill 1989), while communitarians, or social democrats, advocating for minimum government intervention for the common good of citizens and democracy (Christians et al. 2009).

Indeed, looking at both historical as well as prevailing circumstances in Africa, the Scandinavian model appears to have more relevance to democratization than the other liberal and market oriented models as will be discussed in the next chapter and in Part Three of this dissertation. Critical examination of these concepts is necessary for a proper understanding, not only of their application in advanced democracies but also, their relevance and effectiveness to Africa's democratization processes.

6.4   Media in Africa's re-democratization

Robert White (2008) reviews various studies on the role of media in Africa's democracy and poses a question which is also central to this dissertation: *What has been the role of media in democratization or, more basic, how can we conceptualise the role of media in democratization.* He notes that there has been a realisation, from the last 50 years of scholarly activity, that the process of democratization has many phases, dimensions and conditions, "all of them important in the overall movement toward what many would term as a 'mature democracy'" (ibid: 3). Furthermore White (2008: 270), also quoting Diamond and Morlino (2005) outlines six issues considered central in democratization which constitute the yardstick upon

which the role of media in democratization can be examined: Firstly, is the issue of greater equality of opportunity in a democracy; secondly, is the issue of strengthening the rule of law; thirdly, the issue of promoting greater citizen participation; fourthly is the question of freedom for competitive political proposals; the fifth issue is about vertical and horizontal accountability to reduce corruption, while the last one concerns greater public control over elected officials.

White (2008) observes that in the range of studies about the role of media in democracy, some research deals with media and freedom; media and political socialisation; media and civil society; others deal with media and elections. He therefore poses a critical question: "Is an explanation of the role of media in honest elections the central explanation of media and democratization or simply one aspect of it? And, if it is an aspect, what aspect?" In other words what specific media roles could be regarded as central to democratization? Hyden and Leslie (2002) propose that to arrive at a comprehensive explanation about the role of media in democratization, one has to look at four interlinked disciplines: the political (associated with freedom of critical expression), economic, (ownership of media) technological (access to information to more people) and cultural (protection of African values and forms of communication).

Nigerian communication scholar Ebenezer Oludayo Soola (2009: 32) provides another important benchmark by which media role, behaviour and performance can be evaluated in the democratization process. He aptly argues that the role a country's media system plays in the political process will eventually depend on the "(dis)enabling legal and ideological frameworks, the political system and structures, the economic system and social arrangements, the patterns of media ownership and control, as well, as the standard of professionalism of media owners".

By and large, Hyden & Leslie's formulation as well as Soola's conditions for effective media in the political process, serve as an important point of departure in examining the role of media in Africa's democratization. As argued in Chapter Four, to understand contemporary media and state relations in Africa, it is important to consult history, from pre-colonial period to the era of democratization (see Eribo and Ebot 1997). As Soola (2009: 32), for example, has aptly observed the history of media state relationship in Africa from colonial era to the present provides useful insight about what should be expected in the democratic process. The author maintains that the current pervasive conflictual relationship between media and democracy in Africa can be traced back to the colonial period and that it subsisted during military era and continued into civilian dictatorships in many parts of Africa. Indeed, as noted in the introduction, even after reintroduction of multipartysm, which necessitated many pro-democracy reforms, most governments in Africa are still grappling with how to handle 'free media' (see Blake 1997; Kasoma 2003; Berger 2007; Rioba 2009). Most governments, as Soola (2009) has noted, still seek to stifle public opinion and checkmate citizens' right to freedom of expression and, as a consequence, they continue to keep – or even enact new – media laws that help them to keep the media in check (See Berger 2007). There are few countries such as Ghana, for example, where the media, including those under the state, are enjoying a relatively higher degree of freedom.

Hyden and Okigbo (2002: 29) take quite a thought provoking approach in their discussion about the role the media have played in Africa's democratization process since the 1990s. They begin by looking at media as independent variables while seeing reforms as the dependent variable. The authors argue that their position is supported by the fact that social forces that drove political reforms elsewhere in the world, the bourgeoisie or the working-class movement, have played a relatively insignificant role in shaping democratization in Africa. Hyden and Okigbo (2002: 44) identify two issues that are key to discussing the role of media in democratization. The first issue is the multiplicity and diversity of media outlets in democratizing countries. This, the authors argue, has enabled considerable expansion in communicative space unlike in the pre-democratization period when countries had one or two official outlets that served as government mouthpieces. The second issue is the role that the media are playing as compared with other forces in society. They argue that with dwindling force of indigenous social or political movements – such as those that emerged during struggles for independence – the mass media are increasingly playing a significant role:

> This means that the role of media is more prominent today than it was in the 1950s. They fill a void in the political arena and are often asked to take on tasks of promoting democracy that is beyond their current ability (Hyden & Okigbo 2002: 47).

The authors further concur with other African observers who are of the view that the media have played a significant and crucial role in promoting democracy despite of technological as well as professional incapabilities (ibid: 47).

According to Hyden and Leslie (2002), media have been relatively more influential in shaping the emerging, but still fledgling, democratic culture in Africa. They argue that in the political process communications shape democratization though the causal link goes the other way, that is, the extent to which political actors allow freedom of expression does influence the behaviour of media personnel (ibid: 8). The authors maintain further that to understand the interface between media and democratization it is imperative to consider multidimensional aspects such as political, cultural, economic and technological as conceptualized below:

Conceptualization of media and democracy in Africa

Table below presents a typology on critical issues in understanding the role of media in Africa's democratization.

Domain	Principal Issues	Anticipated relations
Political	Freedom and watchdog	Both ways
Technological	Reorganization of space and power	One way
Economic	Concentration of ownership	One way
Cultural	Dependency and resistance	Both ways

Source: Hyden, Leslie & Ogundimu (2002) Media and Democracy in Africa[31]

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31   Hyden et al. (2002) build on previous efforts, for example, by the African Council of Communication Education (ACCE) which in the 1990 during its Sixth Biennial Conference dealt with issues of mass communication in democratization process as well as another conference organised at the University of East Carolina, USA, which resulted in a publication on how media exposures influenced democratization in Africa (Eribo et al. 1993).

Hyden and Leslie (2002) hold that on the **political** domain since democratization began boundaries of the freedom of expression have continuously been contested as growing domestic pressure kept demanding for more openness and freedom of expression in the public realm. The authors further maintain that wherever democratic reforms have genuinely occurred thereby enabling freedom of expression, stronger political opposition has emerged against the ruling regimes (ibid: 8). But on the other hand, the ruling elites have not taken opposition to their authority lightly something that has led to governments encroaching again on press freedom (ibid: 8). Hyden and Leslie therefore conclude that communications help to shape the political agenda and the way political actors behave, but what the latter do also influences what gets communicated and how.

One aspect that is overlooked by the authors is the role that citizens, the readers, listeners and viewers play in shaping the behaviour of media in democratization. The experience of democratization in Africa shows that media behaviour is also shaped by audience expectations – as opposed to government control alone. Likewise, governments' behaviour has often been shaped by what the media report and how – as well as by policy issues articulated by civil societies constantly.

On the **technological** front, Hyden and Leslie argue that technology is an important factor that shapes communications and therefore, by implication, also the way democracy may or may not take root. Conceptually, the authors argue, this domain is one way in the sense that whereas technology may impact on democratization, the reverse is not necessarily true. Nonetheless, since democratization involves issues of regulation then it follows that the degree of democratic maturity may also enhance access to technology which may in turn promote citizen participation.

 Nonetheless, Hyden and Leslie (2002) argue that radio, television and the internet foster democratization by enabling citizens to interact directly either through online discussions or through phone-in programmes. Their view is augmented by Francis Nyamjoh (2005) who argues that the advent – and increasing use of – information technology in Africa has to a significant extent empowered citizens and enhanced the way they communicate on issues relating to governance and their welfare.

But at the same time, the authors note that there are risks, such as the use of technology by the international community for cultural influence or the possibility of elites using the same technology to further consolidate their power, thus thwarting democratization efforts. Again, the authors rightly observe that given limited access to technology by majority of citizens, particularly in rural areas, technology, such as internet, may remain a privilege to a few urban dwellers and hence contributing less to democratization processes. Indeed this is also true not only of internet but also newspapers and television which are also important media when it comes to political processes.

Hyden and Leslie further maintain that on the **economic** domain, ownership of the means of communication is an important aspect of what happens in the political domain although it is a factor that tends to work in a linear direction. The authors assert that access to communication through ownership provides a great advantage in politics as exhibited during the post-colonial years when the media were owned and controlled by the state. With economic liberalization in Africa beginning in the 1980s there has been a rapid growth of

privately owned media contributing to diversity of information and views. However, the authors note that given the rise in competition, only the best and strongest will tend to survive because those who fabricate or exaggerate news in order to sell end up losing credibility and therefore readership. But one fact that the authors overlook in this respect is the fact that in more and more countries media owners who survive are not necessarily the best; they might simply survive because of capital strength or advantage (see Hyden et al. 2002).

Furthermore, while sharing views with South African communication scholar Keyan Tomaselli, the authors express concern over media ownership, for example in South Africa, which is becoming part of global conglomerates. The authors assert that although the situation in South Africa is different from the rest of Sub-Saharan Africa, "the trend is likely to be repeated elsewhere as capital markets continue to grow in strength and the African economies get entrenched in the global economy, a course of events about which there should be little doubt as long as it remains under a neo-classical regime" (ibid: 19). This issue is quite central to this discussion in that with African countries increasingly immersing themselves into market led capitalism the same market led media models that are raising concern in the West may become dominant on the continent.

On the **cultural** front, Hyden and Leslie present two issues that are relevant to the role of communication in democratization the first one being the extent to which the ongoing globalization is creating a cultural dependence on values that contradict those that may have guided African social and political relations to date. The second, the authors argue, is the significance of informal media that are peculiar to African societies given the prevalence of an oral tradition and the relative weakness of formal institutions. The authors maintain that both of these issues are likely to have a bearing on how democratization is taking place on the continent. They further posit that the second issue, globalization, must also be viewed as potentially influencing the role that these cultural variables play in the democratization process.

The authors refer to Canadian historian Harold Innis (1972) who first asserted that societies with literate traditions were different from those with oral traditions. According Hyden et al. (2002), Innis, who studied Western civilisation, communication systems of the Greeks and later the Romans were not just a means of relaying messages but rather systems that encouraged certain social relations, economic organisation, selective self-preservation, and ways of conceiving the world. Innis maintained that societies in which written communication was dominant were space-biased (meaning they were in favour of extending themselves over space towards building empire) while societies in which oral tradition was dominant were time-biased (meaning they were biased towards preserving themselves over time – or building a tradition). Innis' conception was initially criticised for its simplicity, although it was later supplemented by Marshall McLuhan who argued that electronic media had become modern society's 'nervous system' which had turned the modern society into 'electronic society'.

According to Hyden and Leslie, Innis and McLuhan's notions laid the foundation for thinking about the manner in which communicative forms play a structuring role in society and that the balance of media use in a particular society, between oral, written and electronic, plays itself out in the organisation of society as a whole (Hyden et al. 2002: 20). But

theoretical differences between oral and literacy cultures were expounded further by Walter J. Ong (1982) in his classic book *Orality and Literacy*. Ong addresses the relationships between consciousness, writing, and technology from a historical perspective dating as far back as 3500 BC. The author argues about the importance of the alphabet and how writing down words – as opposed to speaking them – has an effect on the thought processes of humans. Ong further argues that without writing, human consciousness cannot achieve its true potential or even produce beautiful and powerful creations. Ong's distinction provides some useful insights for examining cultural as well as technological implications of communication in the democratization process.

Another contribution to democratization theory comes from Hyden and Okigbo (2002: 29). The authors develop a useful conceptual framework based on three key political variables upon which to evaluate the role of media in democratization. The first one is the degree of control that the state exercises, for example, how regimes that intimidate media representatives tend to impose on them a degree of self-censorship. The second one is the extent to which media represent certain groups or communities in society because they are closely associated with a particular interest in society and enjoy a level of economic and political support that others cannot. The third one is the extent of the media's international connection, although such connections could also be perceived or even accused, to be under the influence of foreign masters. Overall, the authors conclude that given the weaknesses of domestic social forces, such as civil society, the media have played a very prominent role in the democratization process.

This view is also augmented by Kasoma (2000) who, having studied African media extensively, argues that the role of media in democratization can be looked at from two perspectives. The first perspective is the *status quo* role played by official media in supporting the government of the day. Official media, argues Kasoma, have acted as propaganda tools, demonising critics and opposition officials since independence. The second perspective is the *drive for change* role played by independent, privately-owned, media in the following concrete ways:

Firstly, beginning in the 1980s when they were re-established, the private media in Africa contributed in breaking the wall of silence erected by authoritarian post-independence regimes to protect themselves from criticism. By bravely attacking rulers, the media destroyed the myth that the ruling elites were semi-gods who could not be criticised; secondly, the views of citizens who had developed a culture of silence – or who resorted to discussing their concerns in dark alleys in the absence of state machinery – found their way into the privately-owned press, suddenly giving the governed the confidence to question authority. In this way, citizens were also able to read critical views of others and realise they shared similar concerns.

Thirdly, the private press exposed corruption, inefficiency and abuse of human rights in ways that discredited the ruling regimes thereby inviting attacks on impunity and calls for accountability. Fourthly, the privately-owned media also provided positive coverage to the opposition thereby breaking the myth that any opposition to the government and rulers amounted to abomination. The privately owned media provided more space for the opposition to articulate their views and political programmes which could hardly be covered by the official press. Lastly, the private media appealed to the international community on the

procrastination of authoritarian regimes, prompting a positive response, in calling for reforms and more government accountability.

Five typologies can be extrapolated from Kasoma's view of the role of media in democratization. The first is the role of media as a propaganda tool, which is played by the official media. Although there have been efforts in Africa to turn state or government broadcast media into public service models such efforts have been unsuccessful. Most ruling elites cannot imagine leading a government without a mouthpiece that constantly covers them positively (Blake 1997: 253–264). The second typology is the media as vehicles of information to citizens, informing them of political issues and processes on a routine basis. The third typology is the role of media as agenda setter, meaning the private media is able to set political agenda for change and help break the myth of the 'untouchables' in governments thereby fuelling political changes in many countries. In Kenya, for example the role the Nation Media Group played in supporting opposition to KANU from early 1990s to 2002 when the ruling party was unseated has been widely recognised (see Mak'Ochieng 2000). The fourth typology is the role of media as a forum for citizens to air their views and to debate issues of concern to their lives. The fifth typology is the role of media as a watchdog and critic of the government in power which also helps to break the myth that always surrounds the 'big men' in power.

A closer look at specific cases reveals that in some countries it is government, ruling party officials or even business cronies of the ruling elites, who own, or control, the leading private media houses thereby perpetuating the status quo. In later years of democratization the trend has been that leading media houses, in most cases conglomerates, are owned by strong business persons who also have connections with the ruling elites. As such, the conglomerate media are increasingly aligning with the ruling elites (for business favours) and with the business sector (for profits adverts generate) while playing down their role of attending to the democratic needs of the majority of citizens. This then poses a critical concern to the notion of self-regulation which tends to rely more on professionalism and public expectations of better journalistic products for accountability.

6.5   Summary

Theoretically, democratization is a process that does not happen overnight because it has to go through a transition phase and consequently to a stage where democracy is consolidated. Most African countries today appear to be consolidating democracy, though with experiences of reversals as has been experienced in post-electoral violence in Kenya, Zimbabwe and Ivory Coast. One plausible explanation for such sluggish pace, including reversals, is that re-democratization in Africa has mainly reflected more the wishes of foreign intervention – that insist on formalisms such as periodic elections and regime change – than genuine demands of citizens for a more equitable and just society.

The role of media in the democratization process has largely been taken for granted the same way liberal democracy has been taken as the only option for Africa's post-colonial reforms. But structural weaknesses, as well as inherent political behaviour, emanating from Africa's historical past, also compound the environment under which the mass media operate

in a democratic dispensation. The trend towards media conglomerates serving narrow interests of the ruling elites and business sector for profit concerns also portends a serious challenge for the role the media play in Africa's democratization as well as to issues of accountability, including the notion of self-regulation spearheaded by an independent media council.

While it is evident that some private media have played a significant role of informing citizens, providing space for debates and investigating government's wrongdoing, such roles are gradually being threatened by factors such as authoritarian behaviour of ruling elites, corporate ownership that pursues profit interests at the expense of media's democratic role, challenges of access to technology and pervasive foreign culture in media content. The next chapter looks at the concept of self-regulation, its origins, applicability and relevance to Africa's young democracies.

Chapter 7   Media self-regulation

The central focus of this study is to interrogate the effectiveness of an independent media council in spearheading self-regulation deemed as a mechanism to promote media freedom and accountability in democracy. Self-regulation – as opposed to statutory government control – is regarded by libertarian thinkers as the ideal model of media accountability in a democracy. This, libertarians believe, is because freedom enables mass media to be effective watchdog of power holders in society. And from a Kantian point of view, self-regulation presupposes that autonomy on the part of media would enable journalists to reasonably act from a sense of duty in ensuring they fulfil their social responsibility. This then invokes the need to scrutinise self-regulation as a concept which relates to Western democracy to see whether, and how, it can work in young democracies such as those in Africa. The aim of this chapter therefore is to define self-regulation; to explore some theoretical issues around the concept and to provide a brief assessment of its functioning in African newsrooms.

7.1   Self-regulation: Origins

As noted in Chapter Four, the question of communication freedom and accountability goes a long way back in history though it was not until the twentieth century that the idea of self-regulation of media was implemented in Europe. McQuail (2003) notes that from the nineteenth century newspapers (and mass media in general) have experienced transformations such as: massification, diversification, industrialization, commercialization, institutionalization, and globalization. These transformations, coupled with technological advances and other social changes, including democratization of Western societies, definitely necessitated a rethinking about new forms of media accountability. Nordenstreng (2010: 419–420) argues that "as the media have grown in size and importance, along with their concentration and commercialization development, they themselves have been under critical scrutiny leading to demands that the watchdog should be put under watch through international media monitoring".

About a century ago, Sweden responded to these transformational challenges by establishing the world's first press council (in 1916) to administer the self-regulation of media while Norway followed twelve years later. But the rest of Europe, Northern America and Australia, for example only established self-regulation after World War I & II (Hulin 2006: 168). It is worth noting that discussions about media accountability in Western democracies intensified immediately after World War I & II as Fengler (2003: 818) has noted:

> News media – newspapers, magazines, broadcast journalism, and websites with journalistic content – usually start worrying about ethics in times of crisis, says French scholar of mass communication, Claude-Jean Bertrand. In fact codes of ethics, ombudsmen, press councils, journalism reviews, have been created during times of

great social disaffection and 'increasingly angry disillusionment' among the public about news media, when people have a growing sense of being baffled and misled.

But equally significant is the fact that in Western democracies the media professionals have tended to move towards instituting self-regulation when governments showed intentions, or threatened, to legislate against abuse of press freedom and or public trust. Hulin (2010: 178) has noted that "the wish of some governments to intervene with new regulations for addressing challenges in the field of media has always been a crucial motivation for media professionals to develop self-regulation". Hulin cites the example of the United Kingdom where the Press Complaints Commission (PCC) was re-launched in the 1980s amid Parliament's proposal to enact a law on privacy and the right of reply following ethical transgression among a number of publications. To prevent such regulations, the PCC adopted new guidelines and re-launched a press council. This view is also shared by Debora Kirkman (1996: 6) who – commenting on British MP C J Simpson who tabled a private motion in 1952 seeking to set up a statutory Press Council – aptly observes: "As was to occur in Australia, it was the threat of a statutory body that goaded press proprietors into action." The history of self-regulation in the UK therefore can also be traced in the aftermath of the World War II following public dissatisfaction with, among other issues, concentration of press ownership (Kirkman 1996: 6).

In 1947 a Royal Commission was established by British Labour Government to enquire into the control, management, and ownership of the newspapers and periodical press and the news agencies, including the financial structure and the monopolistic tendencies in control, and to make recommendations thereon. The Royal Commission was later to allay fears of concentration or monopoly although it warned that increased concentration could be 'a matter of anxiety'. The Commission further rejected the idea of state control of the press and recommended that the press itself "should establish a General Council of the Press consisting of at least 25 members representing proprietors, editors, and other journalists, and having lay members amounting to about 20 percent of the total, including chairman". The recommendations envisaged that the General Council's edict on professional conduct would have the force of rulings similar to the Law Society[32] but without the backing of statutory powers.

In the same year that the Royal Commission in the UK recommended self-regulation to enhance media accountability, another similar initiative – though carried out as an academic exercise – was taking place in the United States of America. A Commission on Freedom of the Press, a privately funded group headed by the Chancellor of the University of Chicago at the time, Robert Meynard Hutchins, (the commission is known as Hutchins Commission), released a report on the state of press freedom and the conduct of media which made far reaching recommendations. The report titled: *A Free and Responsible Press* urged structural and substantive improvement in the American press, emphasising more accountability and a more responsive character to the public interest (Dennis 1995: 699). The report also expressed concern that concentration of ownership of media institutions in the hands of a small number of firms could result in the monopoly of ideas (Da Silva & Paulino 2007: 140). The Hutchins Commission report is significant not only in its pathologic analysis of the weaknesses in

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32   The Law Society is a statutory professional body for lawyers charged with enforcing a code of ethics for the legal profession and its decisions are binding.

libertarian media practice but also in setting up the basis for the Social Responsibility theory of the press first adopted by Siebert et al. (1956). But even in the US the first National News Council was established in 1973 while in Canada press councils were established around the same period (Pritchard 1991: 4).

In Australia since 1952, efforts by the Association of Journalists (AJA), with the support of federal and state and Labour party, to establish a press council remained futile for some years. It was not until 1976 that the Australian Press Council was established after agreement between proprietors and AJA (Kirkman 1996). In Europe, over half of the 47 members of the Council of Europe have a press council. But one third of the 27 European countries with a press council established one in the post 1989 period of democratization (Hulin 2010: 171). Nearly twenty countries in Europe still do not have a press council although several of these are in the process of establishing one (ibid). Likewise, in Africa the first voluntarty and non-statutory media councils started to appear after re-democratization of the 1990s. Even in countries like Tanzania the self-regulatory MCT co-exists with other state media regulators while in countries such as South Africa which has a self-regulatory council, the government has been embroiled in a battle with media stakeholders for seeking to enact new laws to control journalists.

7.2   What is self-regulation?

Self-regulation has many and varied definitions as Angela J. Campbell has noted (1999: 714). In defining self-regulation Campbell maintains that self-regulation means that the industry or profession rather than the government is doing the regulation although it is not necessarily the case that government involvement is completely out of the question. She argues that instead of taking the entire self-regulatory role, an industry may be involved in only one or two components, such as developing a code of practice and leaving enforcement to government or vice versa. Campbell enumerates advantages of self-regulation as follows: First, it is done by the industry itself which has knowledge of the subject matter and hence it enhances efficiency. Secondly it is more flexible than government regulation in that the industry may modify its rules to suit changing circumstances. Thirdly, it provides incentives for compliance because the rules are developed by members of the industry themselves. Fourthly, it is less costly to the government because it shifts the costs of developing and enforcing rules to the industry. Furthermore, the author argues that self-regulation may also be justified where the rules of adjudicatory procedures differ from the surrounding community or the rules of the surrounding community are inapplicable – as is the case with the internet.

Nevertheless, on arguments against self-regulation Campbell cites Professor Peter Swire who questions whether, for instance, the companies will use their expertise edge over the government to the benefit of the public. In general, critics argue that self-regulation may easily translate into 'self-service' especially if companies are paying more attention to profits – or other benefit – than the need of the public or the views of affected parties outside the industry. According to Campbell, many also question the adequacy of enforcement in self-regulatory regimes because industry may be unwilling to commit resources needed for vigorous self-enforcement. Even the effectiveness of sanctions such as expulsion of a member also depends

on the benefits – or value – attached to membership itself. And without adequate incentives to comply, the author argues, 'bad actors' will be unlikely to comply, and the 'good actors' that do comply will be placed at a competitive disadvantage. Equally important, according to Swire, is the fact that the nature of self-regulation itself – bringing competitors together to agree on rules of conducting their business – may facilitate anticompetitive conduct which, at the end, may also affect the quality of service to the public (see also Tambini 2008b).

Media self-regulation

In media context, self-regulation is about the media industry taking initiatives to ensure adherence to agreed ethical standards and to enhance accountability to the general public (see Rioba 2009: 117). Ghanian media scholar Audrey Gadzekpo (2010: 7–8) defines self regulation, as the practice whereby the industry imposes on itself and its members certain rules by which they must abide. She maintains that if journalistic codes of ethics are implemented effectivelly self-regulation can preempt external regulation by making its members accountable and therefore preventing the state or other external actors from imposing potentially harmful measures. A similar view of media self-regulation is presented by Damian Tambini of the London School of Economics (2008) who defines it as: setting rules for the media and oversight of compliance of those rules by media organisations or by end users (ibid: 8). He argues that self-regulation should be distinguished from state or statutory regulation (i.e. regulation by law or by a statutory regulatory authority). Furthermore, Tambini provides a brief list of key aspects of self-regulation such as: dispute resolution procedures, rating boards, codes of conduct, and at the level of the user, technical measures such as filtering, encryption and pin numbers that regulate children's and others' behaviour.

Commenting on some perceived advantages of self-regulation, Tambini (2008) observes that self-regulation is often seen as more attractive than state regulation because it has legitimacy with the industry, is more flexible in responding to change and can offer an alternative to state and political interference to media content. Another scholar Haraszti Miklos (2008: 9) defines self-regulation as:

> a joint endeavour by media professionals to set up a voluntary editorial guidelines and abide by them in a learning process open to the public. By doing so, the independent media accept their share of responsibility for the quality of public discourse in the nation, while fully preserving their editorial autonomy in shaping it.

Andrew Puddephatt (2011: 12) defines self-regulation as 'combination of standards setting out the appropriate codes of behaviour for the media that are necessary to support freedom of expression, and process how those behaviours will be monitored or held to account'. Self-regulation of media also encompasses a range of other concepts or methods that are employed to address 'professional' conduct of media personnel. These include: Journalistic Deontology or Code of Ethics and Media Accountability System – shortened as M*A*S. Media Accountability System (MAS) a concept coined by a French professor, Claude-Jean Bertrand, refers to "pluralistic media self-regulatory approaches geared towards improving the services of the media to the public; restoring the prestige of media in the eyes of the population; diversely protecting freedom of speech and the press; obtaining for the profession, the autonomy that it needs to play its part in the expansion of democracy and the betterment of

the fate of mankind" (Bertrand 2000: 151). In fact, Bertrand argues that MAS should also aim at promoting self-criticism within media professionals who normally (save for cases of ideological or business rivalry) avoid criticising each other. Furthermore, Bertrand argues that 'professional standards are not likely to be achieved as long as the mistakes and errors, the frauds and crimes, committed by units of the press are passed over in silence by other members of the profession' (Fengler 2003: 818).

Another scholar Manuel Pares I Maicas refers to Ernesto Villanueva (1996: 17) who defines journalistic deontology as: the set of ethical principles willingly assumed by the profession of journalism on the basis of integrity, professionalism and social responsibility (ibid: 73). Likewise, Adeline Hulin (2010) quoting Laitila (1995: 29) defines a Code of Ethics as a set of ethical principles designed to guide the practice of the journalistic profession, adopted and controlled by the profession itself. One fundamental assumption in the definition of self-regulation is that like in other professions, such as law, medicine and engineering, for example, journalists and media practitioners can easily be made to strictly adhere to the deontological codes. But, as some definitions above have pointed out, self-regulation requires media practitioners to collectively feel the need to be socially responsible as well as accountable.

Indeed, accountability itself is a complex concept with varied definitions as Tanzanian media scholar, Bernadin Mfumbusa has noted. Mfumbusa (2006: 263), referring to Sanders (2003), observes that "media accountability is a multi-dimensional concept with legal, public, and professional dimensions". Mfumbusa observes that the legal accountability is enforced through courts of law, whereby erring journalists are indicted for specific infringements of law in court. Mfumbusa further observes that public accountability occurs when the consumers boycott or respond negatively to journalistic products while professional accountability occurs when moral sanction is enforced through peer pressure. He refers to the case of Janet Cook, a *Washington Post* reporter whose Pulitzer prize was withdrawn in 1981 for cooking up a source and Jayson Blair, a *New York Post* reporter who was dismissed for plagiarism in 2004 as classical examples of action taken by professionals against the misconduct of colleagues.

Communication scholar Denis McQuail (2003: 15) observes that accountability is not synonymous with control, "neither is it the same as responsibility". He concurs with Giddens (1984) who argues that "to be accountable for one's activities is both to explicate the reasons for them and supply normative grounds whereby they may be justified". This definition, however, requires critical examination. Looked at from the liberal point of view accountability may appear to mean; "being able to rationalise one's actions which result from decisions made out of an individual's conscience". But looked at from the communitarian point of view accountability presupposes existence of agreed normative rules of accountability by which every member is supposed to be held accountable.

It is from this point of view that accountability through codes of ethics has been criticised by neo-liberal critics, such as the American scholar John Merrill (1989), who argues that the only form of media accountability in line with the spirit of individualism, democracy and freedom, is 'editorial determinism' regulated by market forces (Mfumbusa 2006: 263). However, as Gadzekpo (2010) has argued, media accountability goes beyond the self or industry accountability which is normally demanded by self-regulation or legal accountability

often sought by political and legal interests. Media accountability, Gadzekpo maintains, includes answerability to the public in ways beyond market forces where readers, listeners and viewers are presumed to boycott media products they dislike. Yet as observed from the previous chapters, in liberal democracy media professionals are tied by negative influences of the free markets such that their freewill to choose to act responsibly is also limited.

7.3   Media accountability: Concepts and framework

To understand the role of self-regulation it is important to revisit some conceptual issues about media accountability in democratic societies. Nordenstreng (2000: 69) provides two basic questions which are important in understanding the theoretical framework for media accountability in democratic societies: What is the place and role of the media in society under democratic conditions? What are the overall mechanisms by which the media institutions are linked to the rest of society? He then argues that media-society links operate basically in two important directions: Firstly, that the media are *contracted* by society to carry out certain tasks, and secondly, that the media are *accountable* to society for their performance. In a democratic society, therefore, these two directions mean there is a functional relationship between the media, government and citizens which has to be regulated in particular ways in order to maintain a balance of power. McQuail (1997: 518) has produced a typology that conceptually captures the understanding of media responsibility and accountability in democratic societies:

<div style="border:1px solid">

FREE MEDIA
have
RESPONSIBILITIES
in form of
OBLIGATIONS
which are either
ASSIGNED   CONTRACTED   SELF-IMPOSED or DENIED
for which they are held
ACCOUNTABLE
(legally, socially or morally)
either in the sense of:
LIABILITY   or   ANSWERABILITY
for harm caused   for quality of performance

</div>

This view of media freedom and accountability in a democracy is also shared by Claude-Jean Bertrand (2002) who posits that news media will serve democracy better only if they themselves are democratic and that democracy implies freedom and responsibility. He then outlines three forces that are involved in making the media democratic which are: Freedom, Law and Ethics which he equates with: Market, Regulation and Media Accountability Systems (M*A*S). The author argues that freedom is a good thing and that a free market can certainly have a positive influence on media as BBC-television was in 1955 rejuvenated by its commercial competitor ITV. However, he also cautions that freedom "is not an end

in itself but a means to reach an end". The author cites how between the two World Wars French dailies were free to be the most corrupt in Europe and how in Rwanda Radio Mille Collines was free to call for the massacre of the Tutsis. Secondly, Bertrand argues that most often when we talk about media freedom we tend to mean 'freedom from government', which is understandable because the political threats exist almost anywhere (ibid: 2). But, the author maintains that in more democratic countries the political threat becomes relatively negligible while the major threat now comes from money. He argues that in the last three decades the 'privatisation of State media and deregulation of commercial media have turned the old propaganda machines into entertainment factories which habitually "pander to the lowest tastes to obtain a maximum audience".

Bertrand is critical of the US market system where the business logic and obsession for short term profits do not co-exist well with public service. He cites for example the fact that in the US, chain owned newspapers would cut staff when the profit margin drops to under 25 percent and that they would ignore ethics to please advertisers. He then concludes thus: "What I mean to say is that press freedom is also freedom from big business. While Americans trust the market, Europeans have more trust in the state and the law" (ibid: 3). Talking about the European tradition, Nordenstreng (2010: 424) argues that although the legacy of enlightenment and human rights demands that the media should be free from coercion by the power holders and free for the pursuit of truth and creativity, "no social institution can be absolutely free, and even the freest media are always tied to some social forces, serving some political objectives – often directly or unintentionally". He too concludes that the question then is not whether the media are free but how they are bound by responsibility and accountability. The author then citing Christians et al. (2008: 26) provides a list of parties to whom media professionals are responsible or accountable (Nordenstreng 2010: 424):

    i.   professionals themselves;
    ii.   their clients (subscribers, supporters, etc);
    iii. their organisation (company);
    iv. their colleagues (workplace, association, etc);
    v.   society at large.

Nordenstreng argues that these parties constitute the web of relationships within which journalists operate – often unaware of them and that although the distinctions are theoretical, in practice journalists are influenced by all of them simultaneously. The author further concurs with McQuail in the formulation of different forms of how media are regulated in society (Nordenstreng 2010: 426):

    i.   *law* promulgated by Parliament and other state bodies and executed by courts;
    ii.   *markets* based on private property, commercial advertising and consumer choice;
    iii. *public* through citizens associations and public opinion;
    iv. *media* themselves, through journalists and media managers.

McQuail (2003: 308) on the other hand provides a list of purposes (or aims) which media accountability is supposed to attend to:

  i.   to improve the quality of the product of service;
  ii.   to promote trust on the part of the receiver or audience;
  iii. to ensure the performance of some wider public duty;
  iv.   to prevent some harm to an individual or society (by warning of liability); for reasons of control by authorities, or by the media industry;
  v.   to protect the interests of the communicator (whether organisationally or professionally).

Nordenstreng argues that the purposes (or aims) outlined above are plotted against different means of handling accountability. For example, he observes, the law covers only two; the market and public opinion cover three while professional and self-regulation covers five aims, making it a central mechanism of media accountability (Nordenstreng 2010: 425–426). The aims outlined by McQuail above are also reflected in Hugo Aznar's formulation of objectives for media accountability cited by Manuel Pares I Maicas (2010: 73) as: firstly, to formulate ethical norms guiding media's activities whether ethically or deontologically; secondly, to ensure that the working, professional and social conditions, reinforce the normal accomplishment of the ethical and deontological requirements; thirdly, as a consequence, to inform the public opinion about breaches of these norms; fourthly, to study, discuss and judge the conflictive actions of the media, in order to make the media and public opinion aware of the media's importance and necessity. However, Maicas (ibid) observes that Aznar is also aware of the political, economic and other social forces that inhibit the ability of self-regulation to address the issues above more effectively.

7.4   Codes of ethics as pillars of self-regulation

In the self-regulation mode of media accountability, codes of ethics are central to the setting of standards and prescription of journalistic behaviour intended to be promoted or discouraged. Again as Mfumbusa (2003) has noted, codes of ethics are usually acquired through the process of becoming professional. He provides a general definition of codes as 'texts that communicate ideas, express attitudes and direct behaviour and codes of ethics as: any written ethical guidelines adopted by a media organisation. The author also shares an important distinction made by Stensaas (1986–1987) about the codes of ethics as follows:

> Codes of ethics state standards of professional practice, which are of two types: minimum standards and standards perceived as ideal. As minimum standards, they provide a threshold of acceptable behaviour and as ideals they offer inspirational goals.

Furthermore, Mfumbusa (2003) sees the codes of ethics as being expected to enhance the status of the members of the profession, providing a "benchmark for desirable behaviour, helping to eliminate crooks and quacks, as well as helping to set boundaries of legitimate activity within a profession". Puddephatt (2011: 10–11) observes that codes of ethics have been part of historical efforts by journalists to try, through their associations, and enhance self-regulation of the sector. He notes that while some existing codes may have differences,

they all share some common elements, including: the principles of truthfulness, accuracy, objectivity, impartiality, fairness. The author also observes that the earliest attempt to draft a code of ethics seems to be the Code of Journalistic Ethics adopted by the first Pan-American Conference held in Washington in 1926. The code was adopted as policy in 1950 by the Inter-American Press Association at a conference held in New York. Puddephatt further notes that the first International Federation of Journalists established in 1926 but dissolved after the Second World War, took various steps aimed at self-regulation of the profession, including establishment of an International Court of Honour based in The Hague in 1931 and the adoption of a professional code of honour in 1939. The author further observes that the IFJ was revived in 1952 upon which it developed a professional code of ethics and adopted a declaration of journalists' duties in 1954. Subsequently, six journalists' trade unions from European countries adopted a Declaration of Duties and Rights of Journalists in November 1971. According to Puddephatt, the declaration drew its principles from what is commonly known as essentials of journalism as outlined by scholars Bill Kovach and Tom Rosenstiel as:

i.   journalism's first obligation is to the truth;
ii.   its first loyalty is to the citizens;
iii.   its essence is discipline of verification;
iv.   its practitioners must maintain an independence from those they cover;
v.   it must serve an independent monitor of power;
vi.   it must provide a forum for public criticism and compromise;
vii.   it must strive to make the news, significant, interesting and relevant;
viii. it must keep the news comprehensive and proportional;
ix.   its practitioners must be allowed to exercise their personal conscience.

Puddephatt also observes that the problem with codes of ethics is that they are voluntary and lack institutionalised mechanism of enforcing them more effectively (see Nordenstreng 2010; Mfumbusa 2003). Nordenstreng posits that compared to official laws and perpetual market forces, self-regulation is a weak form of regulation and that in practice, "self-regulation often remains as cosmetic window-dressing of the media industry and its professionals" (ibid: 428). But the author also admits that in general terms, self-regulation with its own regime of soft law has established itself as part of the overall regulatory system, even expanding in the form of co-regulation of the mass media industries as shown by a study commissioned by the European Union Commission (ibid). The author calls for advocacy of different mechanism of self-regulation, especially professional codes of ethics and independent media councils, as well as to call for monitoring of how self-regulation is working in practice.

Indeed, the tradition of voluntary self-regulation has permeated the fabric of media regulation in almost all over Europe, with the exception of countries such as Denmark and Italy which have press councils with statutory powers (see report by Article 19 on Media and Accountability, 2005). One of the key debates currently taking place in Western democracies is how to strike a balance between the need to allow the market to influence competition in order, supposedly, to increase efficiency in programming on one hand and how to ensure the 'market tendency' of pushing the media towards mergers, acquisition and concentration does not affect diversity and access by citizens (Lange & Waldt 1995). Again as Lange and Waldt

have observed there is evidence suggesting that when it comes to broadcasting, for example, free market competition does not necessarily lead to increased efficiency. Instead, there has been a tendency towards homogenization of programming as well as content (see also Nyamjoh 2005).

7.5   Assumptions for effective self-regulation

From the account of the origins of self-regulation above, one deducible explanation about favourable conditions is that firstly, self-regulation appears to be an extension of the principles of 'free market' which is central to Western liberal democracy. Secondly, self-regulation becomes a necessary indulgence by media professionals whenever the following occur: i) the public increasingly begins to lose trust in the media because of wanton unethical practice; ii) the state begins to threaten – or even to take action – to enhance measures meant to control media in order to protect the public; iii) either concentration of media in a handful of firms, or increasing influence of commercial interests, seem to override the media's ability to meet public expectations.

Other favourable conditions for self regulation to work include, but not limited to, the following: i) a country that subscribes to the values of pluralistic democracy and in which the legal, political and economic environment allows for free and independent media to thrive; ii) the media are owned by people who know, and appreciate, the role and functions of media in democracy and who are prepared to balance business interests with public interest; iii) the media are run by professional editors who are credible, reliable and have integrity; iv) the media are run by journalists (and other media personnel) who are qualified (either through journalism training, education or newsroom experience) who appreciate acting responsibly; v) there are no institutions or organisations with strong attachments to particular media outlets, with the aim of pursuing institutional interests at the expense of public interests; vi) the media outlets do not depend entirely on advertisers or owners' whims for their own survival and that of employees; vii) there exists a council, or other body, which is independent, voluntary, non-statutory and credible enough to oversee adherence to ethical practice by media personnel and to respond to complaints from the public – or any other source; viii) the media outlets, in their togetherness, albeit diversity, believe in self-regulation and are willing to support the council financially and morally; ix) the government understands and appreciates that it is for the public good, and for enhancement of democracy, that media should self-regulate.

Some perceived advantages of self-regulation were mentioned at the beginning of this chapter when the concept was defined. However, below are a few advantages of self-regulation as spearheaded by a non-statutory and independent council (as enumerated in Rioba 2009: 117): i) self-regulation works to enhance a variety of ideas, views, opinions in the media because of a belief in the 'professional role of media' in democracy; ii) media people take the responsibility of disciplining themselves rather than letting the government do so; it also raises professional standards in the process; iii) arbitration of cases in self-regulation councils take shorter periods to resolve unlike in the courts of law; iv) the arbitration process itself is less costly to the complainants who do not have to hire a defence lawyer; v) the process of arbitration takes place in a friendly, and flexible, environment with no police

officers walking around with guns; vi) both parties in the arbitration are reconciled and do not necessarily become enemies thereafter; vii) the process of arbitration itself is a learning experience to both the media personnel and the public at large; viii) self-regulation saves the media from bankruptcy which often follows naturally when defamation cases are awarded colossal amounts for damages in courts of law; media also avoid the danger of being banned by governments using authoritarian state legislation.

Self-regulation of media is also confronted by the fluid nature of media ownership, organisation and operation with different hierarchical levels that may not necessarily share similar interests. At the first level are media owners, for example, who have increasingly been accused of interfering with editorial decisions either for political or economic interests thereby affecting editorial independence which is crucial for media freedom (see Rioba 2009; Kilimwiko 2009). At the second level there are gatekeepers who decide what is to be published who also have powers to wield a lot of influence in editorial decisions. These gatekeepers too may not necessarily perceive things the same way as ordinary reporters. At the third level there are the reporters, jokingly known in Tanzania as foot soldiers, who gather or report the news directly from sources. Looking at the situation in Africa, and Tanzania in particular, where salaries can be extremely inadequate, reporters encounter completely different situations which confront their conscience differently. In most cases they are torn between the desire to become 'good' journalists excelling in the profession and the need to put food on the table with the meagre incomes they earn. All these levels and their ramifications are significant in understanding the effectiveness or limitations of self-regulation (see also Mfumbusa 2006).

In short, the pluralistic media accountability approaches self-regulation from three main levels which entail: i) professionalism and the industry ii), individual newsrooms and iii) the public. From a professional level there are journalists' trade unions and associations but the most common and increasingly acceptable institution in guiding self-regulation from a professional or an industry level is the press council or media council (Wasserman, H. et al. 2012).

The media council deals with arbitration of cases brought before it and can also work on improving the quality of journalism through training, review of media content as well as research and publication. The media councils can also facilitate the meeting of editors or in establishing editors' forum specifically to provide a forum for journalists to meet and discuss journalism ethics as well as the issue of editorial independence. At the newsroom level, there are various ways of ensuring accountability which include, but are not limited to: newsroom policy, codes of ethics, ombudsman, post-mortem, editorial meetings, mentoring, in-house training, channels for public feedback – including letter to the editor pages, online mechanism for feedback, special columns on journalism ethics, discussion programmes on radio and television on ethics, hotlines for immediate public concerns, etc. On the public level, associations of concerned citizens can be formed to follow the way the media behave and to raise concerns with the media council or to the specific media outlets. But, the public can also be represented in the media councils or can participate in writing their own reviews about ethical transgressions and publish them in the media that are keen in protecting professional integrity.

However, it is pertinent to point out that favourable conditions for self-regulation, even in the West, are increasingly being threatened by the very neo-liberal ideals, including global

media/communication policies and technological advances as noted earlier by McQuail and Nordenstreng and Curran. But what compounds the media environment in the current trend is what is enumerated by McQuail (2003: 3) as five consequences which are: i) the growing size, wealth, concentration, and global reach of private media corporations that control most contemporary mass media which can now have revenues matching those of small countries. McQuail observes that once established within states such media giants exert influence on their own behalf (or that of their friends) and are not easy to control. ii) the push for new communication technology is endorsed by most governments and by industrial interests, with media consumption being viewed as an instrument for powering new economic development and encouraging investment. iii) the spirit of free enterprise and the enhanced (or rediscovered) appeal of capitalism and liberalism have undermined or delegitimized earlier controls and regulations applied to the media and to communications more widely. iv) digitization and the convergence of technology have undermined or made obsolete the sectorization of control and regulation of media, whereby different principles of freedom and accountability could be applied to different media (press, television, film, etc.). v) the new technology as well as the very scale and extent of global information flow make it more difficult to apply legal and regulatory control for specific purposes.

Already some of the consequences mentioned above have become a reality not only in developed countries but also in young and developing democracies like those in Africa. Indeed an environment which McQuail describes, in which international media conglomerates – with revenues matching those of small countries – operate alongside other smaller media, is highly challenging to self-regulation regimes in democratising countries like Tanzania.

7.6   Critical discourse on self-regulation

The history of press councils is awash with evidence of difficulties and challenges of self-regulation which partly explains why many press councils in the US and even in Europe end up dying before they are re-established. Some of the major challenges include, but are not limited to, the following:

Firstly, a tendency to building professional fortress: self-regulation may become an incentive for media professionals to want to create a fortress around themselves and their profession even to the detriment of the public interest which they are supposedly self-regulating to serve (see Nordenstreng 2001; Campbell 1999: 755). Secondly, financial constraints: media accountability systems, including self-regulatory councils, impose hefty financial obligations on the part of the media to sustain administrative and procedural functions. For example, the Netherlands Press Council has an annual budget of Euro 144,000 financed by the media; Sweden has an annual budget of 575,000 financed by the media sector; Denmark has Euro 260,000; Germany Euros 570,000 and Great Britain GB Sterling Pounds 2,480,000 (Koene 2009: 6). Tanzania's MCT has a budget of USD 1 million annually which is largely covered by donor countries, led by Sweden, Denmark, Norway and Switzerland as well as by UNESCO. The media in Tanzania contributes about 8 to 11 percent of this budget (MCT 2011).

Thirdly, is the issue of enforcement weakness: enforcement of decisions by the media councils can be ignored by a media outlet without any consequences as the case would have been in a court of law; In the case of Tanzania, compliance to MCT decisions has, in the last decade, been over 95 percent (Ngaiza 2002). Still defaulters tend to pose a big challenge not only to the whole notion of self-regulation, but to those wronged and to those media outlets which adhere to MCT decisions (see Nordenstreng 2010: 428). Fourthly, differences in ideology: some media simply refuse to be part of the council – as it is voluntary – because they do not get along with other media outlets on grounds of strong ideological or other differences, including business rivalry.

Fifthly, a possibility of thwarting competition: the free market advocates think bringing together 'competing' companies to agree on rules of the game may weaken the competitive spirit which is a necessary condition for increased efficiency in a capitalist society (see Campbell 1999: 755). Since media and media services are increasingly considered in terms of 'products' in 'the market' and citizens are perceived as 'consumers', various media outlets in the same country may consider each other as business competitors, rather than as in competition for scoops. Sixthly, journalists don't always adhere to codes of ethics and some studies have concluded that expectations of the public are sometimes not necessarily reflected in the codes of ethics which form the basis of self-regulation (see for example Mfumbusa 2006; Pritchard 1991).

The seventh argument is that concentration of media ownership and commercial concerns make it difficult for conglomerates media to adhere to accountability rules. In many countries in Africa, for example, large media houses are owned by politicians in power or businesspersons who double as politicians and they use their media for both business and personal political interests. The eighth point is that self-regulation does not necessarily ensure or guarantee access to media by all groups in society particularly in developing countries where media infrastructure is poor. Puddephatt (2011: 8) for example, argues with particular reference to developing countries that to promote a media environment characterised by pluralism and diversity state intervention in a way of regulation is necessary. The ninth argument is about expectations that self-regulatory councils ought to be proactive in highlighting, and dealing with, unethical cases in media before affected parties can complain. But this expectation is frowned at by the same media because they detest the logic of financing a council which could turn around to police their everyday editorial decisions (Ngaiza 2002).

7.7   African ethics, journalism practice and self-regulation

Mfumbusa (2003) who conducted a study on enforcement of codes of ethics in two major newsrooms in Tanzania is critical of self-regulation and sees it as being ineffective. He argues that with the liberalisation of the media industry in the 1990s following economic and political reforms Africa experienced rising levels of unethical journalism which was mainly due to a lack of effective mechanism to enforce ethics. Furthermore, Mfumbusa (2008: 6) shares views of other African scholars who fault the performance of media:

> African communication scholars concur that the performance of the African neo-
> liberal media is poor. Recurrent themes in recent academic literature include lack

of professionalism, preoccupation with poor reporting practices, and constraints on editorial autonomy.

The author argues that African media scholars grapple with dwindling media credibility caused by internal problems such as lack of professionalism, client-patron relationship, dissemination of unverified news or partisan news, attacks on the honour and dignity of citizens, incitement to revolt against public authority, abuse and libel. In an attempt to explain these professional failures, Mfumbusa shares with Menkiti (2001: 134) the view that deficiencies in media performance could be attributed to 'normative failure' – 'an inability to evolve an adequate normative order out of the confluence between the African and Western values'. He asserts that while African values are essentially communitarian, Western values are based on the concept of personal freedoms anchored on the Enlightenment tradition dating back to Locke and John Milton. As Mfumbusa has rightly pointed out other attitudinal studies among journalists in Africa have tended to show a certain duality of views towards ethical issues and commitment. Ugandan media scholar Peter Mwesige (2004), for example, found that among other roles, journalists in Uganda valued 'popular mobilizer' role of giving ordinary people a voice and setting agenda as well as providing information, analysis and investigating official claims. Likewise American communication scholar Jyotika Ramaprasad (2001) found that journalists in Tanzania had positive views of Western values of objectivity, balance, and detachment while at the same time they considered the mass media as means for enhancing national developmental goals, including peace and unity (Mfumbusa 2008: 4). The African journalist therefore finds herself torn between Western values – to which she is exposed through journalism education – and real life situation that characterize newsroom practices.

Nonetheless, although some African communication scholars such as Francis Kasoma (1996) and Andrew Moemeka (1994) have advocated for a return to African ethics as a normative framework for journalism ethics, Mfumbusa (2006) argues that such an idea, though appealing, remains philosophical if not anachronistic to modern African newsrooms. In his conclusion about media accountability challenges in Tanzanian newsrooms, Mfumbusa (2006: 266–267) draws useful lessons that are relevant to this research.

Firstly, he concludes that 'a *laissez-faire* newsroom culture hampers recourse to codes of ethics as instruments of professionalism and self-regulation'. According to Mfumbusa, the *laissez-faire* culture refers to the tendency by journalists and editors 'to gloss over ethical problems by lack of sustained professional outrage in the face of ethical violations; by lack of adequate institutional mechanisms to address quality problems; and by a sense of entitlement among journalists that encourages aversion to hard work'. The author refers to his study in which most reporters he interviewed admitted that they could accept 'freebies' and 'junkets' and still remain objective. The second factor that undermines the effectiveness of codes of ethics in the two newsrooms studied include: weak peer-pressure that makes it hard to express collegial disapproval for morally repugnant behaviour by journalists. In addition, poor working conditions also contribute to violation of ethical tenets. Mfumbusa cites poor and irregular pay as necessitating or encouraging moonlighting practices which includes acceptance of bribery. The fourth factor is poor remuneration of journalists. The author notes that journalists are among the worst paid professionals in Tanzania and that it takes up to six

months before correspondents are paid for their work. Lastly, the author observes that lack of job security forces editors and reporters to respond more to whims and interests of their employers than to ideals in the codes of ethics.

But Cecil Blake (1997) who has worked as a government minister for information in Sierra Leone thinks self-regulation is a better alternative to other forms of government 'control' in the democratization process and explicates his argument thus:

> The paradoxical situation, however, with regard to the communications sector, is that democratic reforms tend to affect the press negatively, since the government seek to 'regulate' the press, claiming that their actions are part and parcel of the reforms being made. The press in a democratic society, or one that is in the process of democratization, need not be regulated by government. The democratic imperative calls for self-regulation rather than government interference in the form of 'press laws'.

Blake then proposes a number of policy guidelines that can be applied in creating conducive environment for self-regulation of media in the context of democratization. Blake's guidelines, which borrow substantially from the liberal democratic mode of 'free ownership' of media and 'self-regulation' aim at creating an environment in which neither the government nor the business sector would exert a negative influence on media. Below are his guidelines:

i. Government to facilitate increased pace of liberalization of the media, and the opening up of ownership of all subsectors of the communication sector: Government, in essence, will facilitate the privatization of all media;

ii. Government will open access to all who wish to provide information and communication for education, entertainment and development messages consistent with the national vision;

iii. In order to ensure the resources will always be available for the successful operation of the sector, government will encourage investments and competition as the fundamental premises for running of the communication sector;

iv. Government in consultation with the private media and media professional organizations will embark upon the setting up of an independent regulatory body in the form of communications councilor communications authority that will, inter alia, protect the interests of all citizens who are the ultimate consumers of media content; protect the interest of information providers; handle all issues relating to the issuance and renewal of licenses for all media; develop professional code of ethics; monitor the adherence and breaches of ethical codes; set standards for professional practice in the sector; adjudicate grievances not grave enough to warrant litigation through the judiciary; and carryout other functions that will be deemed important by the council or authority;

v. Government and private tertiary level institutions will train media personnel for both the public and private sector on a 'fee' basis. Government, concerned about the importance of national integration, social cohesion, peace and the general well-being of all, will ensure that the communications sector receives full support in its efforts to diversify training resources and to contribute towards a well-trained resource pool.

Indeed what Blake has suggested above is what has largely happened in most countries in Africa, including Tanzania, where communication regulatory authorities have been

established to regulate electronic media. However, although these regulatory authorities are supposed to be independent, their structural set up and modes of appointing top officials still render them susceptible to government manipulation if not control. Blake does not explicate, for example, on how self-regulation of media can effectively enhance accountability in an environment where negative influences of corporate media interests interfere with editorial independence.

From these perspectives I posit that the need for self-regulation of media arises out of the following key logical explanations:

i. that in a democracy the media needs to be free in order to play its watchdog role effectively;

ii. that since media freedoms are often abused (or misused) for narrow interests – sometimes in ways affecting public interests – there is a tendency by governments to want to control such abuse through legislation;

iii. that yet government control of media through legislation would be inconsistent with the requirement mentioned in the first point above; and also that legal restrictions in themselves do not necessarily produce good journalism;

iv. that still the public's declining trust in media, due to abuse of its freedoms, means an equally diminishing role of media as a dependable institution in enhancing democracy;

v. that the most natural, and ideal, solution therefore is to opt for media self-regulation to curb abuse of, while protecting, media freedoms thereby enhancing public trust while also enabling the media to play an effective role in democracy.

But as noted in the previous chapters the dangers to press freedom do not come from the government alone. The corporate media, with their ferocious monopolistic tendencies and insatiable appetite for bigger profits, portend a bigger challenge to mass media than is often admitted. It is this negative influence of private media in the liberal democratic environment that also represents another challenge to the notion of self-regulation.

7.8   Summary

This chapter has shown that self-regulation is a concept that emanates from liberal democracy and has been in practice in the West mainly after World War Two. Much as self-regulation seeks to promote professionalism and media accountability evidence suggests that it may not necessarily be a panacea to chronic unethical practices in most newsrooms because conditions for it to function effectively are constantly threatened by a number of factors, including concentration and monopolistic ownership of mass media as well as profit interests. Furthermore, although self-regulation can employ various methods of accountability from within newsrooms to the public arena these methods may not necessarily be sufficient to ensure professionalism and necessary freedom of media. Lastly, the dilemma of newsroom values – where journalists are torn between Western notions of journalism on one hand and African values on the other – also tend to affect the way media people respond to the idea and practice of self-regulation. On one hand they are busy responding to neoliberal dictates

while on the other they are confronted by communal ways of life expressed succinctly by the *Ubuntu* philosophy that '*my humanness cannot be separated from the humanness of others*'. Nonetheless, newsroom practices in many democratising countries suggest that self-regulation *per se* may not be effective if professionalism, moral imperative to excel, better salaries and working conditions, are not in order or if journalists are subjected to patronizing tendencies of politicians and the business sector as a way of topping up their incomes.

PART THREE

FINDINGS

This part consists of Chapters 8, 9, 10 and 11 which present results of the empirical study. Chapters 8, 9 and 10 present the views of respondents on three key issues: firstly, views on the role of mass media in Tanzania's young democracy; secondly, views on media ethics and the concept of self-regulation; and thirdly, views on the effectiveness of MCT in spearheading self-regulation. While Chapter 8 presents results of the survey conducted among 221 journalists countrywide, Chapter 9 presents results of focus group discussions with postgraduate journalism scholars as well as editors. Chapter 10 presents results of the in-depth interviews conducted with individuals from selected categories of stakeholders while Chapter 11 presents document review of MCT arbitration. Each chapter is divided into three constituent parts: first is an introductory part, followed by presentation of findings and a summary.

Chapter 8   Views of journalists in survey

This chapter covers views of journalists on a range of key questions which aimed at understanding how journalists regard their own role in Tanzania's young democracy; their views about media ethics; the notion of self-regulation as well as the effectiveness of MCT. This chapter responds to research questions that sought to know the views of journalists on the role of media in Tanzania's nascent democracy as well as on the effectiveness of MCT in spearheading media accountability through self-regulation.

Basically, the presentation of findings follows a simple format whereby each question that was asked in the questionnaire is stated and the findings displayed under it in a chart. The chart shows variables of responses as well as, as well as percentage of. Under each chart there is a description of the results, which also provides a context of the responses drawn from cross tabulation of processed survey results. At the end of the chapter there is a summary that provides the key findings that result from the questions of the survey.

8.1   Media roles

What in your opinion is the role of mass media in society today?

Table 8.1.1 below presents survey responses about the role of media in society. The responses are clustered into 15 categories that were coded out of open responses in the questionnaire.

	Category of responses	Number of responses	Percentage
1	To educate	165	25.2
2	To inform	145	22.1
3	To entertain	134	20.4
4	To be watchdog	61	9.3
5	To promote development	43	6.5
6	To promote democracy	26	3.9
7	To set agenda	21	3.2
8	To be voice of the voiceless	11	1.6
9	To foster debate	10	1.5
10	To interpret issues	8	1.2
11	To promote peace	7	1.1
12	To do business	7	1.1
13	To transmit values	7	1.1
14	To do advocacy	7	1.1
15	To link government and citizens	5	0.7
	Total	**657**	**100.0**

On what respondents thought to be the role of media in society – respondents gave multiple answers, with an average of three responses per respondent. Majority of responses cited traditional roles of media such as: to educate (about 25 percent), to inform (about 22 percent) and to entertain (about 20 percent). The traditional roles were followed by far by about 9 percent of responses that mentioned 'watchdog' role also followed by 6.5 percent which indicated that another important role of media in society is 'to promote development'. About 4 percent of responses mentioned 'to promote democracy' while about 3 percent mentioned 'to set agenda'. There was 1.6 percent of responses that mentioned 'voice of the voiceless' as the role of media in society, followed closely by 1.5 percent that mentioned 'to foster debate'. Other responses which scored one percent each were: 'to interpret issues', 'to promote peace', 'to do business/ to advertise', 'to transmit values', 'to do advocacy' and to 'link government to citizens'. Most of the responses that mentioned entertainment came from young respondents (47 out of 74 of those under 30 and half of those between 31 and 40). There was no notable variation of responses in terms of sex of the respondents except in one category where 13 female respondents (out of 72) mentioned 'voice of the voiceless' as a media role compared to 30 out of 139 male respondents who mentioned it. 'Promoting development' and 'watchdog' roles were mentioned most by respondents with higher levels of education (diploma and above) as well as those with more than five years of experience.

Do you see the mass media in Tanzania playing any <u>special roles</u> to promote and sustain democracy?

Table 8.1.2 below indicates respondents' views about whether mass media had any special roles in promoting democracy.

	Categories of responses	Respondents	Percentage
1	YES	167	75.6
2	NO	38	17.2
3	No response	16	7.2
	Total	221	100.0

Asked whether they thought the media in Tanzania played any special roles to promote and sustain democracy, an overwhelming majority (76 percent) of respondents answered affirmatively while only 17 thought otherwise. About 7 percent of respondents did not respond to this question. The younger (under 30 years of age) and much older respondents (above 50) thought the media did not play their roles in promoting and sustaining democracy. Almost all the respondents who did not respond to this question were less educated – below diploma level – particularly from the press clubs in the regions.

If the answer is YES <u>in which ways</u> do the media in Tanzania promote and sustain democracy?

Table 8.1.3 below presents categories of responses from the respondents who said the media had special roles to play in a democracy. The responses were broadly categorised into: i) traditional roles such as to inform, create awareness, advertise; ii) developmental roles including mobilisation; iii) watchdog or accountability roles and iv) voice of the voiceless in society and v) entertainment.

	Categories of responses	Responses	Percentage
1	Inform, educate, awareness, advertise	166	35.4
2	Promote development agenda, persuade and mobilise citizens to embrace change	140	30.0
3	Watchdog, promote accountability	77	16.4
4	Voice of the Voiceless	43	9.1
5	Entertainment	43	9.1
	Total	**469**	**100.0**

Asked to explain in which ways the media in Tanzania promoted and sustained democracy (if their response had been in the affirmative) about 34 percent of responses repeated the roles of media mentioned earlier such as to inform, to educate, to create awareness and to advertise. About 30 percent of responses mentioned 'promoting development agenda' and 'mobilising citizens to embrace change while only 16 percent thought the media played the role of 'watchdog' to promote accountability. Again only about 9 percent of responses cited the role of being the 'voice of the voiceless' while about 9 percent cited 'entertainment' as an important role in promoting democracy.

If the answer is NO, why do you think the media is not promoting and sustaining democracy?

Table 8.1.4 below presents views of respondents who thought the media did not have any special roles in democracy. Their responses are also categorised broadly into: i) difficulty in practicing democracy; ii) conflict of interests/politicians' interests; iii) journalists are impartial/fanatic; iv) lack of professional solidarity; v) time for reporting issues is limited.

	Categories of responses	Responses	Percentage
1	Real democracy is difficult to practice	24	63.2
2	Conflict of interests and serving interests of politicians	8	21.1
3	Journalists support different political parties, they can't play an objective role	2	5.3
4	Media in Tanzania lacks professional solidarity	2	5.3
5	Time given for reporting events is not enough	2	5.3
	Total	**38**	**100.0**

There were 38 respondents who thought the mass media were not playing their special role in promoting and sustaining democracy. This group had three main types of responses. The first view (with about 63 percent) saw real democracy itself as being something difficult to practice. The second view (about 21 percent) mentioned conflict of interest where journalists are forced to serve interests of politicians. Another response (with 2 responses), which also falls in the second view, saw journalists as being directly involved supporting different political parties and hence lacking in objectivity. The third view (with 2 responses) was that the mass media lacked professional solidarity which rendered them prone to manipulation by politicians and business persons. Two other responses maintained that time availed for reporting events was not sufficient to ensure thorough coverage of issues and events. Most of the respondents who thought the media were not playing a special role in democracy were either younger or much older journalists with considerable experience in the profession.

What in your opinion are the main obstacles to mass media in promoting and sustaining democracy in Tanzania?

Table 8.1.5 below presents respondents' views about what they considered to be the main obstacles to the mass media in promoting democracy in Tanzania. The categories are clustered into 14 specific obstacles mentioned by respondents.

	Categories of responses	Number of responses	Percentage
1	Poor pay/working conditions	73	17.0
2	Media laws innimical to press freedom	63	14.8
3	Lack of editorial independence	59	13.8
4	Media owners' interference /influence	52	12.0
5	Lack of knowledge on media role in democracy	46	10.8
6	Bureaucracy/access to information difficult	33	7.8
7	Corruption/conflict of interest	28	6.6
8	Failure to adhere to ethics	28	6.6
9	Harrassment of journalists/threats	13	3.0
10	Media houses face financial constraints	13	3.0
11	Citizens unaware of democracy	6	1.4
12	Hangover of one party legacy	4	0.9
13	Lack of professional solidarity	4	0.9
14	Media not respected	3	0.7
	Total	425	100.0

In this question, as in the previous ones, respondents gave multiple responses with an average of two responses per respondent. The largest cohort of responses (17 percent) mentioned 'poor pay/poor working conditions' as obstacles to media in promoting democracy, followed by about 15 percent which mentioned 'media laws'. 'Lack of editorial independence' came third with about 14 percent responses followed by 'media owners' interference/influence' which had around 12 percent of responses. About 11 percent of responses indicated that there was 'lack of knowledge on the role of media in democracy' while 8 percent cited

'bureaucracy and snags in access to information' as the leading obstacles. About 6.5 percent of responses mentioned 'corruption' while another 6.5 percent mentioned 'failure to adhere to ethics' as the leading obstacles. About 3 percent cited 'government threats and harassment of journalists' while another 3 percent mentioned financial constraints in media houses as the main obstacles. A few respondents (about 1 percent each) mentioned the following: 'citizens unaware of democracy', 'hangover of one party legacy', 'lack of professional solidarity' and 'media not respected'.

8.2   Media ethics

Thinking of your own personal convictions, what would you consider to be the <u>main sources</u> of your journalistic ethics?

Table 8.2.1 below presents four main categories of what respondents considered to be their main sources of ethical convictions. The table simply gives an indication of which source of ethics is subscribed most by respondents.

	Categories of responses	Responses	Percentage
1	Personal convictions (own judgments)	113	30.4
2	Parents, societal values	89	23.9
3	Newsroom enforcement of code of ethics	68	18.3
4	Training in college, seminars and workshops	65	17.5
5	Religion and the fear of God	31	8.3
	Total	**372**	**100.0**

Asked about what were their sources ethical convictions the largest cluster of respondents (about 30 percent) mentioned 'personal convictions', meaning they relied on their own sense of judgment to determine what was ethical and what was not. This was followed by around 24 percent that cited 'parents and societal values' while about 18 percent cited newsroom codes of ethics. About 18 percent of responses referred to 'college training, workshops and seminars on media ethics' while about 8 percent cited 'religion and the fear of God' as their sources of ethical convictions. The trend of responses was the same in all categories except for freelancers and correspondents, majority of whom mentioned 'parents and societal values' as their sources of ethical convictions. Most freelancers and correspondents work from press clubs in the regions where communal way of life is still most prevalent.

What do you consider to be the <u>biggest challenges</u> to ethical journalism practice today?

Table 8.2.2 below presents what respondents thought were the biggest challenges to journalism ethical practice in Tanzania today. There are 17 specific categories coded from respondents' own responses in open ended questions.

	Categories of responses	Number of responses	Percentage of responses
1	Low pay	80	18.6
2	Lack of education	78	18.0
3	Corruption/brown envelopes	69	16.0
4	Media owner's interference	36	8.0
5	Politicians' patronising /abuse of media	33	7.6
6	Lack of professionalism	30	7.0
7	Personal interests of journalists/editors	20	4.6
8	Difficult/poor working conditions	16	3.7
9	Advertisers' interests	16	3.7
10	Threats from government/influential people	14	3.0
11	Job security	7	1.6
12	Access to information a big problem	7	1.6
13	Globalization & technological quick fixes	6	1.4
14	Society ignorant of media role	5	1.0
15	Lack of strong mechanism to enforce ethics	5	1.0
16	Upbringing	4	0.9
17	Poor newsroom management	3	0.6
		429	**100.0**

On what they considered to be their biggest ethical challenges in journalism, respondents gave multiple answers with an average of two responses from each. The largest cohort of responses (about 19 percent) mentioned 'low pay' followed closely by 'lack of education' (18 percent) as their biggest challenges in practicing ethical journalism. About 16 percent of responses mentioned 'corruption' and 'brown envelopes' followed by about 8 percent that mentioned 'politicians' abuse/misuse of media'. There were 7 percent responses that mentioned 'lack of professionalism' followed by about 5 percent of responses that cited 'personal interests of journalists and editors' (which stand in the way of professionalism) as the biggest challenges. About 4 percent mentioned 'poor working conditions' followed by the same percentage of responses which mentioned 'advertisers' interest' and 3 percent that mentioned 'threats from government/influential individuals'. About 1.5 percent of responses mentioned 'lack of job security' and the same percentage of responses mentioned 'snags in access to information', followed by another 1.5 percent that mentioned 'globalization and technological quick fixes' as posing biggest challenges to ethical journalism. There were other variables (with about 1 percent each) in which respondents mentioned: 'society ignorant of media roles', 'lack of strong mechanism to enforce ethics', 'upbringing' and 'poor newsroom management'.

What does your newsroom administration do to <u>ensure journalism ethics</u> are adhered to in day to day practice?

Table 8.2.3 below indicates what Tanzanian newsrooms do to enforce ethical journalism practice. There are seven specific categories of responses as they were coded from respondents' own responses.

	Categories of responses	Responses	Percentage
1	We have in-house policy, code of ethics	90	39.0
2	We conduct in-house training from time to time	48	20.8
3	We conduct post-mortem meetings, editorial meetings to discuss stories, feedback of stories	38	16.5
4	We do nothing	22	9.5
5	We provide sanctions to journalists who breach ethics	9	5.9
6	We offer rewards to journalists who perform better	16	3.9
	Other	8	3.5
	Total	**231**	**100.0**

Asked what their newsrooms did to enhance journalism ethical practice, 39 percent of responses indicated that their newsrooms had 'in-house policy' and 'code of ethics' while 21 percent mentioned 'in-house training' from time to time followed by almost 17 percent that cited 'post-mortem meetings', 'editorial meetings' for discussing stories of the day and 'feedback to reporters' about their stories. About 10 percent of responses indicated that their newsrooms 'do nothing' to enforce ethical journalism while about 6 percent cited 'sanctions to erring journalists' and about 4 percent mentioned 'rewards to best performing journalists' as newsroom mechanism to encourage/enforce ethics among editorial employees.

8.3   Media regulation

In your own understanding, how are <u>media regulated</u> in society? (Please mention at least two ways in which media are regulated)

Table 8.3.1 below presents respondents' views about how media are regulated in society. The five categories of responses were coded from how respondents responded to the open ended question.

	Categories of responses	Responses	Percentage
1	(Government) constitution, parliamentary legislation	125	41.9
2	(Self-regulation) media councils, press clubs, media associations	97	32.6
3	(Public) subscribers, buyers, viewers, listeners, all have power to regulate media behaviour	41	13.8
4	(Economic sanctions) taxation, threats to withdraw adverts to critical media	20	6.7
5	Hardly regulated	15	5.0
	Total	**298**	**100.0**

Respondents were also asked to give their own views on their understanding of how media were regulated in society. The largest cohort of responses (about 42 percent) mentioned 'constitution, and parliamentary legislation', followed by about 33 percent which cited 'media councils, press clubs and media associations'. There were about 14 percent of responses which mentioned 'subscribers, buyers of media products, viewers and listeners', who also have powers to regulate media behaviour. About 7 percent of responses mentioned taxation, segregation of some media[33] as another way of regulating media behaviour while 5 percent of responses said media were hardly regulated. More educated and experienced respondents seemed to know more about media regulation than younger (below 30 years) or less educated ones (below diploma level).

In your opinion, is statutory or <u>government control</u> of mass media necessary to ensure ethical journalism practice?

Table 8.3.2 below indicates how journalists responded to the question on whether they thought government regulation of media was necessary to ensure journalists adhere to ethics.

	Category of response	Respondents	Percentage
1	YES	112	50.7
2	NO	7	39.3
3	No response	2	10.0
	Total	**221**	**100.0**

Asked whether statutory (government) control of media was necessary to ensure ethical journalism practice, slightly over half (51 percent) of all respondents said yes while 39 percent said no. About 10 percent of respondents – majority of who were freelancers and correspondents from press clubs – did not respond to this question. The views of respondents were almost evenly distributed although majority of older journalists (aged 50 years and above) suggested government intervention to control media.

If your answer is YES explain <u>why statutory control</u> is necessary

Table 8.3.3 below provides what respondents gave as reasons for government control of mass media. There were three broad categories i) enhancing professionalism; ii) controlling stubborn individuals; iii) protecting the rights of others.

	Categories of responses	Responses	Percentage
1	Government control (minimum) is necessary to maintain professionalism	47	41.9
2	Government control is necessary to curb stubborn individuals from bringing chaos to society	30	32.6
3	Government control is necessary to protect the rights of others	29	13.8
	Total	**106**	**100.0**

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33   The government and businesses offered advertising and exclusive information to media that covered them favourably and segregated watchdog media which exposed or criticized them.

Respondents who supported government control of media gave three broad categories of responses. Majority (about 42 percent) of responses supported minimum control on grounds that it was necessary to maintain 'professionalism, sanity, harmony and decency in journalism' while around 33 percent cited 'curbing of stubborn journalists/editors bent on bringing chaos to society'. About 14 percent of respondents thought some government control of media was necessary in order to protect the rights of others often trampled upon by irresponsible media. Responses that supported government control came from across the diversity of media ownership, including both public and privately owned media.

If your answer is NO why do you think statutory (government) <u>control of media isn't</u> necessary?

Table 8.3.4 below provides what respondents gave as reasons against government control of mass media. There were three broad categories i) Governments control media to cushion their impunity ii) self-regulation is better, has been working; iii) Self-regulation promotes media freedom.

	Categories of responses	Number of Respondents	Percentage
1	Governments enact laws to protect their own impunity not citizens' rights	43	51.2
2	Self-regulation is better, sufficient, it has worked	23	27.4
3	Self-regulation promotes press freedom	18	21.4
	Total	**84**	**100.0**

Among 84 respondents who thought government or statutory control of media was not necessary, about half of them argued that governments enacted media laws to protect their own impunity and not citizens' right to information. This was followed by about 27 percent of responses that maintained that self-regulation was better, sufficient and had worked well in Tanzania. Most respondents in this category were either college, university graduates or had a post graduate qualification. About 21 percent of responses directly indicated that self-regulation of media promoted press freedom.

Do you understand the concept of <u>self-regulation</u>?

Table 8.3.5 below indicates the number, and percentage, of respondents who knew what self-regulation meant and those who did not.

	Categories of responses	Respondents	Percentage
1	YES	157	71.1
2	NO	25	11.3
3	No response	39	17.6
	Total	**221**	**100.0**

Asked whether they understood the concept of self-regulation, majority of respondents (about 71 percent) answered in the affirmative while about 11 percent thought otherwise. About 18 percent of respondents did not respond to the question. Majority of those who did not respond to the question were freelancers and correspondents from the press clubs in the

regions. Most of the respondents who answered yes to this question were those with diploma level or above qualifications in journalism or mass communication or with experience of more than five years. Majority of those who did not respond were correspondents from press clubs in the regions most of who are less educated (i.e., very few of the respondents in this category had college diploma).

8.4   Media Council of Tanzania

In 1995 Tanzania established the Media Council of Tanzania (MCT) an independent, voluntary and non statutory institution to facilitate self-regulation of mass media. What are your views about MCT's performance since its establishment?

Has the MCT increased <u>efficiency</u> of mass media through self-regulation?

Table 8.4.1 below indicates how respondents answered whether or not the MCT had enhanced media efficiency through self-regulation. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Respondents	Percentage
1	YES	153	69.2
2	NO	40	18.1
3	No response	23	10.4
4	I am not sure/ I don't know	5	2.3
	Total	**221**	**100.0**

On whether the MCT had increased efficiency of mass media through self-regulation majority of respondents (about 69 percent) answered in the affirmative while about 18 percent thought otherwise. There was no response from about 10 percent of respondents while about 2 percent said they were not sure whether or not MCT had helped enhance efficiency of media in Tanzania. Again almost all respondents who did not respond to this section were from upcountry press clubs.

Has the MCT been an <u>incentive</u> for journalists to adhere to ethics?

Table 8.4.2 below indicates how respondents answered whether the MCT had an incentive for journalists to adhere to ethics. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Frequency of response	Percentage
1	YES	141	63.8
2	NO	40	18.1
3	No response	36	16.3
4	I am not sure/ I don't know	4	2.2
	Total	**221**	**100.0**

On whether MCT – and self-regulation – had been an incentive for journalists to adhere to ethics, majority of respondents (about 64 percent) answered in the affirmative while about 18 percent thought otherwise. About 16 percent of respondents did not respond while around 2 percent said they did not know or were not sure. Almost all respondents who did not respond to this section were from upcountry press clubs.

Has the MCT <u>reduced costs</u> of administering cases and complaints?

Table 8.4.3 below indicates how respondents answered whether the MCT had reduced costs of administering cases and complaints. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Respondents	Percentage
1	YES	154	69.7
2	NO	28	12.7
3	No response	32	14.5
4	I am not sure/ I don't know	7	3.7
	Total	**221**	**100.0**

Majority of respondents (about 70 percent) agreed that MCT had indeed reduced costs of administering cases and complaints while about 13 percent said no. There were a considerable number of respondents (around 15 percent) who had no response while about 4 percent said they did not know.

Has self-regulation increased <u>public trust</u> of journalism profession?

Table 8.4.4 below indicates how respondents answered whether the MCT spearheaded self-regulation had enhanced public trust of mass media. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Respondents	Percentage
1	YES	120	54.3
2	NO	59	26.7
3	No response	34	15.4
4	I am not sure/ I don't know	8	3.6
	Total	**221**	**100.0**

Asked whether self-regulation had increased public trust of journalism profession, over half of respondents (about 54 percent) answered in the affirmative while about 27 percent said no. Again about 15 percent – mostly from upcountry press clubs – did not respond to the question while around 4 percent of respondent said they did not know.

Has self-regulation helped ensure <u>accountability</u> on the part of journalists?

Table 8.4.5 below indicates how respondents answered whether the MCT spearheaded self-regulation had indeed enhanced accountability among journalists. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Respondents	Percentage
1	YES	129	58.4
2	NO	44	19.9
3	No response	41	18.6
4	I am not sure/ I don't know	7	3.2
	Total	**221**	**100.0**

On whether self-regulation had helped enhance accountability on the part of media, majority (about 58 percent) of respondents answered in the affirmative while about 20 percent thought otherwise. Again around 20 percent of respondents had no response while about 3 percent said they did not know.

Has self-regulation helped promote <u>press freedom</u> in Tanzania?

Table 8.4.6 below indicates how respondents answered whether the MCT spearheaded self-regulation had enhanced media freedom in the country. The table provides the number of respondents in each category as well as percentage.

	Categories of responses	Respondents	Percentage
1	YES	141	63.8
2	NO	40	18.1
3	No response	36	16.3
4	I am not sure/ I don't know	4	2.2
	Total	**221**	**100.0**

Asked whether self-regulation had helped promote press freedom in the country majority (around 64 percent) answered in the affirmative while about 18 percent said no. In this question also about 16 percent of respondents had no response while about 2 percent of respondents said they did not know.

8.5   What should be done?

What should be done to ensure the mass media in Tanzania <u>adhere to journalism ethics</u>?

Table 8.5.1 below indicates how respondents answered the question about what should be done to ensure mass media adhere to journalism ethics. There are 19 specific suggestions as coded from responses in the open ended question above.

	Categories of responses	Number of responses	Percentage
1	Education/training	86	20.0
2	Improve salaries	71	16.0
3	Enforce ethical behaviour in newsroom	43	9.7
4	Enhance professionalism/solidarity	38	8.6
5	Enhance MCT's powers	36	8.0
6	Enact Media Freedom Laws	30	6.8
7	Media owners should not interfere with news agenda	24	5.5
8	Working conditions be improved	22	5.0
9	Set minimum qualifications for journalist or editor	22	5.0
10	Enhance media freedom and editorial independence	22	5.0
11	Provide permanent/ pensionable employment	15	3.5
12	Improve curricula in journalism colleges	10	2.3
13	Punish rogue journalists	8	2.0
14	Improve media policies	5	1.0
15	Reward best performing journalists	3	0.7
16	Government body should enforce ethics	2	0.5
17	Educate journalists on the role of media in democracy	1	0.2
18	Educate public on role of media in democracy	1	0.2
19	Set security of tenure for editors	1	0.2
	Total	**440**	**100.0**

Asked about what should be done to ensure mass media in Tanzania adhered to journalism ethics respondents gave multiple responses providing a range of suggestions and proposals. In total there were 19 variables of suggestions of which the majority (20 percent) proposed 'education or training'. The second cohort with about 16 percent of responses was 'improving salaries' followed by about 10 percent of responses which suggested 'enforcement of ethical behavior in newsrooms'. About 9 percent of respondents suggested 'enhancement of professionalism /professional solidarity while 8 percent of responses proposed enhancement of MCT's powers. There was about 7 percent of responses that suggested 'enactment of media freedom laws', followed by about 6 percent of responses that called for 'detachment of media owners from editorial decisions' and 'news agenda'. There were three proposals with 5 percent each which suggested the following: 'improve working conditions', 'set minimum qualifications for journalists', as well as 'enhance media freedom and editorial independence'. About 4 percent of responses – mostly from upcountry correspondents – called for 'provision of permanent and pensionable employment' to journalists while about 2 percent proposed

'improved curricula for journalism and media training institutions'. There were about 2 percent of responses that proposed 'punishment to rogue journalists' while 1 percent of responses proposed 'improved media house policies'. Other proposals with less than one percent of responses included: 'reward best performing journalists', 'form government body to enforce ethics', 'educate journalists on the role of media in democracy' and 'set security of tenure for editors'.

What should be done to <u>enhance the roles</u> of mass media in promoting democracy in Tanzania?

Table 8.5.2 below provides what respondents suggested to be measures that can enhance the roles of mass media in promoting democracy in Tanzania. There were 21 categories of responses in this question.

	Categories of responses	Number of responses	Percentage
1	Training on role of media in democracy	76	21.0
2	Media freedom laws be enacted	70	19.0
3	Improve incomes and working conditions	65	18.0
4	Enhance accountability mechanism	45	12.0
5	Enhance editorial independence/professionalism	23	6.3
6	Media owners be barred from controlling news agenda	14	4.0
7	Educate public on role of media	11	3.0
8	Support media outlets financially; i.e, subsidies	11	3.0
9	Protect journalists against threats	8	2.2
10	Enhance media reach to rural areas	7	2.0
11	Promote articles and programmes on democracy	7	2.0
12	Government should not control/threaten media	6	1.6
13	Enhance space for diversity of voices and debate	4	1.0
14	Journalists must be respected	4	1.0
15	Make media Fourth Estate	3	0.8
16	Enhance media & government relationship	3	0.8
17	Politicians be barred from owning media	3	0.8
18	Establish information centers in rural areas	2	0.5
19	Editors be scrutinised: they are often obstacles	2	0.5
20	Media should set agenda	2	0.5
21	Ban unethical media	1	0.2
		367	100.0

On what should be done to enhance the role of media in promoting and sustaining democracy in Tanzania there were 21 categories of suggestions. The largest cluster of responses (21 percent) suggested 'training on role of media in democracy' followed by 19 percent of responses that suggested 'enactment of media freedom laws' and 18 percent that proposed 'improvement of incomes and working conditions for journalists'. About 12 percent of responses proposed 'enhancement of accountability mechanisms in newsrooms' while about 6 percent of responses proposed 'enhancement of editorial independence/professionalism'.

There was another cluster of responses (about 4 percent) which suggested that 'media owners be barred from controlling news agenda' followed by two other suggestions with 3 percent each which maintained that: 'public be educated on role of media,' and that 'media outlets be supported financially.' Another suggestion came from 2 percent of respondents proposing 'protection of journalists against threats' and that 'media should promote articles and programmes on democracy issues'. About 1.5 percent of responses proposed end to 'government control of media' while two other suggestions with 1 percent each called for: 'enhancing space for diversity of voices', and 'enhancing respect for journalism profession.' There were scores of other suggestions from less than 1 percent of responses suggesting the following: 'make media 4th estate', 'enhance media & government relationship', 'bar politicians from owning media', 'establish information centers in rural areas', 'editors be scrutinized; they are often obstacles', 'media should set agenda', and 'ban unethical media'.

8.6   Summary

Majority of Tanzanian journalists mention traditional Western notions that explain the role of media in society which include: to inform, to educate, to create awareness and to entertain. But when it comes to critical roles such as developmental or watchdog which are crucial for a young democracy like Tanzania there are few responses. In other words, most journalists are less likely to see the role of mass media in developmental terms. This is also true when it comes to their understanding of specific roles of media in democracy. Majority of journalists seem to repeat the same roles they mentioned in the first question regarding the role of media in society in general. Majority (75 percent) therefore still agree that the media in Tanzania play their role in promoting democracy. However, on a curious note, 51 percent of journalists still think there is need for government intervention to regulate media so as to 'bring sanity' to the profession, to avert chaos in society and to protect others who find themselves at the mercy of rogue media in the face of toothless self-regulatory mechanism. The 39 percent of journalists who opposed government regulation of media, on grounds that governments enacted laws to protect own impunity, were rather more educated as well as exposed to debates about media reforms in the country.

Yet majority of respondents are not short of criticism of journalism practice in the country. They provide a list of ethical challenges that compound their journalism practice which include: low pay, Lack of education, corruption, media owners' interference, politicians' patronizing of media, lack of professionalism, journalists' personal/selfish interests, advertisers interests and threats from government and influential individuals.

It is therefore not surprising that while on the average 65 percent of respondents rated MCT's self-regulation as effective in having contributed to: increased efficiency in journalism practice, incentive for adherence to ethics, reduced costs incurred in courts of law on defamation cases as well as increased accountability, still only 54 percent of respondents thought it had increased public trust in media performance.

It does, therefore, appear from these findings that whereas the majority of journalists seem to be aware of the roles of media in society there are only a few who can articulate specific roles in the context of a young democracy like Tanzania. On the other hand, although

a majority of journalists seems to suggest that the media in Tanzania are playing their role as they should, and that the MCT has somehow played an important role in promoting accountability, they still admit that there are ethical flaws that are perpetuated must be addressed. They seem to support Mfumbusa's conclusion that newsroom mechanisms for self-regulation were not being enforced effectively (Mfumbusa 2003). Respondents also admit that minimum government intervention is necessary to regulate media and journalists that have no regard for professionalism.

Chapter 9   Views of journalists in focus groups

As stated in Chapter 3, I conducted Focus Group discussions with two main groups, one comprising of 10 post-graduate journalism students at St. Augustine University of Tanzania (SAUT) and another one with 26 editors at an Editors' Forum (EF). Both discussion sessions were conducted in Dar es Salaam on different occasions. Both sessions responded to the same set of questions that form the basis of this research. There were three main questions which summarised the major themes of the questionnaire used for the survey of journalists throughout the country. A fourth question sought respondents' views about what should be done to address challenges or improve the situation. The questions, which were asked in turn by the facilitator, in both group discussions sessions were as follows:

    i.   What is the role of media in democracy – *whether, and how, Tanzanian media plays that role*;

    ii.   Journalism ethics and accountability – *challenges in ethical convictions and practices in Tanzania*;

    iii.   Self-regulation and MCT' role – *whether, and how, self-regulation can enhance media accountability and press freedom*;

    iv.   What should be done – *in terms of media role in democracy as well as in enhancing media accountability?*

While the focus group with SAUT lasted for two hours and eleven minutes the one with editors lasted for one hour and twenty minutes. In both cases a neutral and perceptive moderator was identified to moderate the sessions while the researcher only provided guidance in the specific questions to be addressed. The focus group discussions provided invaluable input to my enhanced understanding of the context and intensity of ethical problems as well as challenges and prospects of self-regulation in Tanzania's young democracy.

In this chapter I present the findings in a narrative summary to capture the essence of the discussions while, at the same time, I use my background knowledge as well as personal observations to elucidate on key issues, central to this research, as they emerged in the discussions. To attain consistency and clarity in both sections (9.1 and 9.2) of this chapter I cluster the key issues into four subsections: (i) views on role of media (ii) views on ethical challenges (iii) views on self-regulation and the effectiveness of MCT and (iv) what should be done. In the following I present key issues in the discussions while supporting them with direct quotations from participants (in italics). All participants in the SAUT category are identified neutrally as 'participant' because of the sensitivity of their views *vis a vis* their professional colleagues and employers while those in the Editors Forum are identified as 'editor'. Although the level of knowledge, perception and articulation appear to differ variably, participants in both groups seemed to agree very easily on many key issues that are central to this research.

9.1   St. Augustine University of Tanzania (SAUT)

Role of media in democracy

The facilitator provided a brief background about traditional roles of media in society as well as new insights into the role of media in a democracy, citing the recent work by Christians et al. (2009). Generally participants were in agreement that the media had, since the reintroduction of the multiparty system of governance, played a considerable role of informing, creating awareness, unearthing scandals and providing a forum for public debates. They cited such indicators such as media outlets which reflect variety of information sources and points of view on one hand and how often the media had teamed up to set agenda on issues of national or public interest. Participants also observed that the media have done well in covering parliament and providing space to opposition parties as well as civil society to reach their audiences. They further noted that even during national electoral campaigns public media were obliged by law to provide equitable space to all political parties to air their electoral agenda.

Nevertheless, on a specific note, participants were critical of the democratization process itself arguing that although in theory media roles in a democracy applied in Tanzania, there were major setbacks emanating from the current political as well as economic landscape. Participants argued that the existence of some authoritarian laws that controlled media or patriarchal tendencies exerted by media owners, the business sector and politicians undermined the independence as well as capacity of media to play their role effectively. For example one participant observed:

> *Yes, liberalisation created democratic space for the media because they are freer today than in the past and people are free to own them; and the media can set agenda without being constrained by the government.*

But this relative freedom, another participant added, does not provide a complete picture of media performance or its role in democracy. A general argument was that a closer examination of the performance of media revealed that the fourth estate was constrained by a number of factors including the following:

The first one referred to **media laws** used since colonial times to control the workings of mass media are still in place and the government has been using them from time to time to control journalists. "*Some government leaders are entrusted with so much power to control and punish any media outlet*", remarked one contributor. Participants cited the example of *Mwananchi* newspaper which was threatened by the government during the campaign period for the general elections in 2010 despite the fact that the paper has always been one of the most objective media outlets in the country. Participants noted or recalled that after the elections, *Mwananchi* newspaper lodged a complaint with the MCT about the government's threat and a three-member special committee was appointed on November 26, 2010 to investigate the allegations of which the paper had been accused. The team, headed by a prominent law professor from the University of Dar es Salaam Lutfried Mbunda and comprising of a gender activist Gema Akilimali and a media veteran Atilio Tagalile carried out its investigation which involved readers in three different parts of the country. The committee found out that the *Mwananchi* newspaper was rated as fair and impartial by a majority of

respondents. Furthermore, closer analysis of content covered during elections revealed that the paper's conduct did not breach existing laws or ethics.

The second constraining factor referred to **owners of media** seen as an obstacle to editorial independence of media outlets in the country as a few quotations from participants in the focus group note:

Some owners even oblige editors to show them stories before they are passed for publication.

Most of us don't play those roles (monitorial, facilitative, radical and collaborative) effectively because owners play a big role in controlling what is published. Owners tend to protect their buddies in high places and when the owner orders you to do the unlikely you think about (bread for) your children at home and you end up obeying.

Some journalists in some of these media organs have become puppets; they are manufacturing stories and have no respect whatsoever for the truth.

Participants were in agreement that some journalists, including senior editors, were working directly to serve personal interests of individual politicians who were connected with their media owners. Furthermore, participants noted that some of these journalists went as far as manufacturing lies or even refuting stories that had been published by other relatively independent media which put their employers or politician friends in bad light. In line with this view, participants also argued that there was government control of public media in ways that undermined their professional role. Participants observed that it is not logically appropriate for the government to own media while at the same time becoming the complainant, prosecutor and judge of ethical behaviour of the other private and commercial media outlets.

The third factor relates to the fact that most media were **concentrated in urban areas** and hence inaccessible to majority of citizens in rural areas or even the marginalised urban dwellers. A participant observed that a study conducted in 2008 revealed that only 20 percent of Tanzanians had access to newspapers and that radio, which has a wider reach, is constrained by costs of radio sets and batteries. Another participant observed that even the radio airtime was increasingly getting dominated by entertainment programmes and very brief news items – something that denied citizens sufficient information of value to their democratic participation. Again, participants observed, selection of information to suit friends and advertisers also narrowed a range of views that could be aired or published by the mass media:

In most cases, those with powers to advance their interests through media are the ones who do so, often at the expense of space for the marginalised or affected citizens, observed one participant.

Participants further noted that even community media had not been as effective as they should because they were also constrained by ownership complications and limited budget which affected production of programmes useful to local communities. Participants also raised concerns about the media in Zanzibar which are mainly owned and controlled by the government and where editors are forced to practice self-censorship. Another participant echoed a view by others that most stories were about what leaders said and very little from, or about, the ordinary people. The participant further added that the media space was always, and repeatedly, occupied by the same people with privileged positions in society.

The fourth factor referred to **quality of media content**. Participants argued that quality of content was compromised because of low education levels of most journalists; competition among media outlets which prompted editors to sensationalize news in order to sell; as well as limited budgets to conduct thorough research of news reports. Poor quality of content, participants observed, is also perpetuated by a public that consumes low quality media products without taking steps to question, reject or even demand improvement. Coupled with this factor is a trend towards turning media spaces in general into a diet of cheap entertainment programmes, nonstop music, chattering and jokes. As such, the monitorial, facilitative and radical roles of media are greatly undermined because the media, choked by competition and high costs of producing quality informational programmes, have opted to satisfying the prevailing tastes perpetuated by uncritical consumption. In such a situation, participants argued, the media could not play an effective role in enhancing or sustaining democracy.

Media ethics and accountability

Participants were in agreement that journalism ethics in Tanzania, as in other colonised countries, has tended to reflect Western journalistic values because modern journalism practice was imported from colonial countries. However, some participants were of the view that religions, African values and personal convictions are quite influential in the behaviours of journalists. A brief debate ensued between those who believed religious values were more influential and those who thought personal convictions were more powerful. Here is part of what was said during the debate:

> *Religion has a part to play... I was a journalist and where we worked we were forbidden from taking bribes or free money and one could be sacked for breaching this rule. My colleagues and I made it a point we were not going to accept bribe or free money because we wanted to remain free and objective. Some would sneak and take a bribe but others believed taking a bribe was wrong and unfair. So, religion helps in guiding morality. Someone who is not religious does not care what they do or say in public, how they say it and what and how they report because it is these things that define them, not religion.* A participant observed.

One participant in particular observed that ethics was a complicated subject because:

> *Even if we are taught that our behaviours are influenced by parents, peers, religions, education, etc., still experience shows otherwise. Some individuals from good families end up being very unethical in society; some individuals from religious families also end up behaving contrary to religious teachings; some individuals tend to be ethical at home but very unethical in the office; some individuals in the company of good, well mannered friends end up being ill-disciplined and unethical, it is all complicated.*

A consensus emerged that since Tanzanian society had norms and patterns of public behaviour expected of individuals or groups then journalists were obliged to adhere to them in all their journalistic work as one participant pointed out candidly:

> *If there is something you feel you cannot say at a market place or at any public place, then that gives you a sense of what journalism ethics should be all about. Even our codes of ethics are derived from public expectation of acceptable behaviour and values.*

Furthermore, participants observed that media accountability has also been affected the same way other aspects of political, social and economic life have been since the introduction of political and economic reforms of 1980s and 1990s. Nevertheless, the discussion generated the following sources of ethics for journalists but with no particular agreeable ranking:

i.   Societal norms and values
ii.   Religious teachings and values
iii. Professional norms and values
iv.   Personal convictions
v.   Media policy, guidelines, norms

Major ethical challenges

Participants noted that journalism in Tanzania was facing a credibility crisis because of poor ethical performance. They attributed the situation to the following factors:

– **Poor education**: there are many journalists in the country who lack education or are poorly educated. Since the beginning of political and economic liberalisation, the sudden growth and expansion of the media sector saw school dropouts getting employed as journalists and editors because they were cheap to hire. Ever since, journalism has attracted school dropouts whose understanding of the role of journalism, and commitment to the profession itself, leaves a lot to be desired;

– **Media employers' interference** in editorial matters: media owners have a big role to play in promoting ethical journalism in newsrooms; also, some media owned by political parties, religious organisations or simply commercial interests, tend to breach ethics deliberately to advance their institutional interests;

– **Laziness on the part of journalists**: journalists themselves don't read books for knowledge; "*imagine a journalist who read his last book while preparing for his final exams after which he has not read a thing*" a participant remarked;

– **Poor pay for journalists**: as a result most good journalists leave the newsrooms to seek employment as public relations officers in more lucrative companies; a participant cited a study by Mfumbusa (2010) in which the author showed that most journalism graduates were avoiding the newsrooms by seeking lucrative employment in the public relations field;

– **Threats from sources of information**: some sources have tended to threaten reporters once they are exposed in a story;

– **Discrimination of reporters**: participants observed that some editors, discriminate against their reporters in ways that demoralise some of them. For example, a participant raised the issue of editors sending a selected cadre of journalists to assignments that appeared to be sensitive to their own (or owners) interests while sidelining those who appeared independent minded as one editor commented:

> *They have established friendships with some sources who they have to protect; there are editors who would go around codes of ethics or even breach ethics deliberately in order to sell their newspapers.*

Self-regulation and MCT's role

The facilitator gave a brief background to media regulation in democracy which he traced to the 1920s when governments in developed countries were having problems with controlling or regulating newspapers. However, he observed, with the establishment of radio in the 1920s and later on television in the 1930s, when advertisers and other institutions abused media, the need for new policies, laws and regulations became imminent. The facilitator argued that after the Second World War there was a shift in the regulation of media to make them instruments of promoting democracy. He noted that over a course of time, say every decade or so, there has been either re-regulation or de-regulation to respond to new influencing factors within society. Then the facilitator posed a question about why media regulation was important.

A participant responded that he believed regulating media was inevitable and important because there was bound to be chaos if every media outlet was to be left to practice journalism to satisfy interests that established it.

> *Regulation is necessary to protect societal values as well as to ensure accountability of journalists. Today some media, for example, are copying things from foreign cultures and showing them to Tanzanian audiences, without respect to local cultures.*

The participant further argued that without regulation some media outlets would abuse the freedom by reporting, broadcasting or publishing irresponsibly something that might lead to chaos or harm some individuals and institutions. He opined that despite the presence of Tanzania Communication Regulatory Authority (TCRA) and MAELEZO (for regulating newspapers) there were media outlets that breached ethics indiscriminately and that this was an indication that absence of regulation would produce worse results. However, the participant also noted that even government regulation itself did not necessarily produce desirable results because often, the government had used very flimsy excuses to punish some critical media outlets. He wondered how the government could be owner of media which competed with private media while at the same time playing the regulator of media conduct.

The facilitator invited views about self-regulation of media and cited the Media Council of Tanzania (MCT) as a point of reference. A participant from Kenya observed that since becoming a statutory body (through government regulation) the Media Council of Kenya (MCK) had somehow become less effective than before. He argued that since the composition of MCK's board was now being determined by the government critics viewed it as less credible.

A participant from Zanzibar admitted that the MCT was doing a good job in the islands because it had opened a resource centre where journalists met often to discuss issues of concern to their profession. She observed that MCT had been conducting arbitration among parties to complaints as well as training for journalists. An example was referred to in which the government of Zanzibar once filed a case with MCT against *Dira* newspaper instead of using its laws to ban the paper.

However, some participants were critical of the MCT citing, for example, that it relied heavily on donor funding and that it could only conduct the training of journalists during election times. A participant, for example, observed that MCT had not done enough in enhancing in-house training of journalists:

Some newsrooms go up to five years without any sort of in-house training on ethics. "I for instance since I joined my newspaper three years ago, in-house training was conducted only once, during general election time.

Another participant opined that MCT, Media Owners Association (MOAT), and Editors Forum (EF) had teamed up against the government. The problem with this, the participant observed, MCT could not be fair to the government in its arbitration decisions if it had established a position of publicly opposing the government. MCT, the participant charged, was supposed to be a neutral, credible and fair organisation in order to discharge its functions in a just manner. The participant also noted that although copies of Codes of Ethics were plenty at the MCT offices they were not always available in newsrooms. Another participant challenged the media to look for copies of Codes of Ethics rather than wait for the MCT to distribute them. The participant informed the focus group that his media organisation had requested the MCT to fund an in-house training in the previous week and the Council had agreed without hesitation.

Another participant observed that some media houses were not contributing to the MCT their subscription fees and asked whether it was an indication of their indifference to the idea of self-regulation itself. She said media houses and outlets were the main stakeholders of the MCT without which the Council would lose its legitimacy. She observed that how could MCT be seen by the public and other stakeholders as a legitimate and important institution in society if the main and crucial stakeholders were not ready to own it?

Reacting to MCT's role in the training of journalists a participant informed the group that in the first ten years of its establishment, MCT always reached out to the regions to conduct training in media ethics and investigative journalism. *In the last three to four years, the trend has changed. The MCT has now handed over the training – and some arbitration – responsibilities to the press clubs which it has nurtured,* observed one participant. But the participant also observed that press clubs have been characterised by frictions and conflicts arising from wrangles over leadership positions. He criticised the MCT's regular publication *Barazani* which, according to him, was falling short of quality which the MCT wished to promote in newsrooms.

On the question of relations with stakeholders, one participant observed that although the main MCT stakeholders included press clubs, media owners, editors and journalists, some of them probably felt they were being left out in the cold. *Some targeted stakeholders are probably made to feel that they are being neglected,* she observed. She said at times MCT is seen by journalists as being closer to media owners than to them:

Suppose, as an editor, I go to MCT to complain about my employer, can they listen to me as they would listen to the owner; suppose the owner sacks me because I was defending ethical practice, how would MCT be of help to me?

She added that journalists needed assurance that MCT was equally their organisation and that they could always rely on it whenever they were in trouble with media owners for defending ethical practice. The participant also observed that at times the MCT conducted training for journalists without having asked them what their training needs were. "They just talk to editors and the editor selects whoever is available to attend the trainings, without considering the needs" she added. Participants also took issue with the MCT for having

formed a committee to investigate government's threats against *Mwananchi* newspaper while the Council had not done so when other newspapers were threatened or banned. One participant observed that media stakeholders would expect the MCT to treat them all fairly and as equals.

What should be done?

Participants agreed that self-regulation of mass media was a better alternative to strict government laws currently in place. But they pointed out that for the MCT and self-regulation to be effective, certain issues had to be addressed

i.   the composition of the MCT should be looked into so that it is not seen to be full of lawyers making rules for journalists;

ii. MCT needs to device strategies to enhance its relationship with all its key stakeholders and to gain acceptance, and legitimacy, among them;

iii. MCT must revise its training policy to ensure that any training is conducted to respond to genuine needs of specific groups and media houses;

iv. MCT should intensify its outreach programmes to meet informational needs of all stakeholders;

v.   MCT's arbitration decisions should be binding. It was felt that if some party to arbitration could choose to ignore the arbitration rulings and get away with it, it sent a signal to the public that the MCT was simply toothless;

vi. Participants also noted the growing influence of Information Communication Technologies (ICTs), blogs, social media and mobile phones in policy formulation and regulation. They argued that the expansion of these alternative media means that more and more people were participating in reporting and sharing information without any hindrance or anyone to censor shared content. Participants further noted that in some countries the number of subscribers to traditional media was declining because of these alternative media. They therefore proposed that it was imperative that some form of regulation be developed to control 'sick' individuals who might use the virtue space to spread 'virus' to communities. This was a view shared by several participants and it implied that the government was being invited to regulate ICTs.

vii. Participants were in agreement that apart from fulfilling monitorial, facilitative, collaborative and radical roles, the media must first and foremost play a 'transformative' role, raising consciousness of citizens on governance and democracy issues. Specifically, participants outlined the following measures as important in enhancing the capacity of media for an effective role in Tanzania's democratization process:

– Get new journalists who would be ready to go a step further; from simply writing to sell to writing to transform society. This can be achieved through in-house media policies, employment procedures and mentoring programmes;

– Motivate journalists by paying them well. *Pay speaks volumes how one is going to work. Compromise comes in because a journalist is poor!* Observed a participant.

– Training of journalists in colleges and universities should aim at producing committed professionals rather than job seekers in media. *Training is a problem*

because a graduate journalist comes with a story and you wonder where they were trained another participant remarked.

– Specialisation should be emphasised to help journalists develop competencies in their areas of interest so as to improve coverage of issues, be it politics, economy, health or culture;

– Editorial independence must be promoted through in-house policies and through day to day practice. It must be made known to owners, advertisers, politicians and other stakeholders that without editorial independence the media would fall short of professionalism and as well as societal expectations, hence affecting their role in enhancing democracy;

– The public should be engaged in demanding quality products from, as well as access to, mass media. The media should also provide forum and encourage the culture of debates among citizens on issues of concern to their livelihoods and welfare.

9.2   Editors' Forum

Role of media in democracy

Generally editors were in agreement that the role of media in a country like Tanzania must be more than what it is in developed democracies because conditions in a developing country were different. Below are a range of views from participants in this group about the democracy and the role of media in democratization:

In my view, there is a big difference when you talk about the role of media in society. In a country like Italy, for instance, the role of media cannot be the same as it should be in Tanzania. In Italy, democracy is more advanced. Democratic institutions are advanced. Most things are done in accordance with established law, rules, procedures and accountability; that's why even the Prime Minister is facing the law today because the country has a more advanced system of accountability. The role of media in a society like ours, in my view, is to create a just society... where a just society means that human rights are respected and that all citizens are treated equally in the enjoyment of these rights.

Apart from the normal roles of informing (educating, entertaining, etc), I don't know to what extent we in the media stand for the truth, in all its facets; it would serve this society a great deal if we (the editors and journalists) reflected seriously about what democracy means; what the societal needs are; and stood for these unwaveringly instead of abdicating our primary responsibility and aligning with some ideologies or narrow interests that tend to negate the truth.

I can also categorise democracy into behaviours of a dog. That we may all live in the same street with our dogs but each one can have his or her own unique behaviour, which is a reflection of the owner's interests. ... for example, we may take democracy as a dog that is obedient to the owner. And if you look around today, third world countries have started to create such people; people who are submissive and obedient to their masters; and to them, that is democracy, regardless of what it achieves for the rest of society.

Speaking about democracy in Africa generally, the participant who made the third remark above observed that the second category is that of a timid dog. A dog that bends his tail the moment he is threatened. And that to people with such dog behaviour what matters is how to get a day's meal. They are less concerned with other issues of values to stand and fight for in

society and can give up easily for fear of consequences. Impliedly he faulted uncritical copying by African governments of Western democracies in return for aid. The participant said the third category was that of watchdog, which he associated with Robert Mugabe of Zimbabwe who had stood his ground against debilitating influence of the West in Africa. *To a person like Mugabe, his behaviour is the essence of democracy for Africa.* He said the problem with Africa is that the continent had become a victim of foreign ideas, systems, cultures such that its people had remained photocopies of something, other than themselves. He concluded that the role of media was to transform the society by instilling a sense of accountability at all levels. He further said:

> *We cannot, as the previous speaker noted, compare ourselves with democracies in the West. If we don't understand global forces at play, we will be deceiving ourselves that we are a democracy and that we in the media are the fourth estate while we have repressive laws to control us! ... so when we talk about democracy, what exactly does it mean in our context? What is the right system for us, as Tanzanians, or third world, to follow considering that we are in a constant struggle against debilitating influence of stronger nations?*

His views were also echoed by another editor who argued that apart from the conventional media roles that are known, the media in countries like Tanzania must play the agenda-setting role which was dominant during early years of independence and liberation struggles. He argued that although the liberation struggles for the continent had achieved political independence, agenda setting role of media was still necessary in supporting emancipatory struggles of citizens against injustices, exploitation and marginalization. The media, he argued, must emphasise accountability of leaders to citizens. The participant cited the example of citizens' revolutions in Northern African countries of Tunisia, Egypt and Libya as the result of agenda setting role of media.

In almost all contributions, the terms democracy and media roles were discussed in connection or association with accountability, citizens' welfare, rights and liberation or development. The same association was strongly reflected in a participant who started by posing the following questions:

> *To what extent do our media respond to the needs, problems and challenges of ordinary citizens? How do media listen to these people, wherever they are and to find answers to issues of accountability? Even agenda setting role of media must focus on people's problems; say inflation or growing poverty; inefficiencies, etc., but if we stay up there, answering to calls by big shots, ignoring the ordinary citizens, we will not be playing our role effectively.*

This view was supported by another editor who aptly described the weaknesses of media in Tanzania as follows:

> *I agree with the previous speaker that the media here tend to abdicate its primary responsibility of serving the citizens. And especially we the editors tend to focus on urban events and issues while ignoring the rest. In most cases, we don't seem to focus on critical issues of development; we tend to react, all of us, to political occurrences in the cities over which we seem not to have control. But the Editors' Forum must act to address this anomaly so that as media we should focus on those issues, decisions and inefficiencies that affect the livelihoods of majority of our citizens.*

Another editor, also emphasising the need for agenda-setting and watchdog roles of media, argued that in the past, it was Mwalimu (former President, Julius Nyerere) who set media agenda most of the time. But in multiparty democracy, things have changed:

> *We have private media, civil society organisations, opposition politicians and other societal groups that compete for media space. But as media we should never allow these groups to sway our focus on issues of public interest to which we have a stake. And the problem, for instance, with politicians is that they always want to be loved; to be accepted in order to be elected. And they want to use the media in whatever ways to achieve their objectives. We have to be able to accommodate their agenda without necessarily falling prey to their manipulation.*

Participants invited, once again, the example of Northern African citizens' revolutions of 'Arab Spring' during which the media that had originally sided with the regimes, telling lies and propaganda about events and issues, ended up becoming irrelevant after citizens emerged victorious.

Media ethics and accountability

Editors admitted that media in Tanzania were facing ethical challenges owing partly, though significantly, to socio-economic and political changes that had taken place since democratization began. The major challenge today, noted one editor, is how to play the watchdog role in the prevailing economic and political environment which is increasingly turning almost everything into a commodity that can be sold and bought in the market. *You cannot expect to have a responsible journalist in an irresponsible society,* remarked one participant.

However, the editors went as far as agreeing that if society is riddled in confusion because of transition, then the best placed institution to show direction is media. *Even if society is irresponsible, we can't simply sit there, all of us, complaining about how society is going wrong. We in the media have a responsibility to show direction,* observed one editor. Furthermore, the editors argued that the existence of 'draconian media laws' in the country had become a major obstacle to press freedom although there were cases of media irresponsibility among journalists.

Generally editors were in agreement that it was indeed challenging for media to be able to play their watchdog role effectively in an environment where the prevailing political and economic environment dictated otherwise. The main factors that emerged from the discussions as contributing to unethical practices or media irresponsibility were five:

The first factor that came out strongly was **media ownership** agenda: participants were in agreement that some media owners established their media houses with a personal agenda in mind; agendas that may not necessarily be in line with social responsibility of mass media. As a result, such owners often (or constantly) interfered with editors' work to fulfil their agenda. One editor summed up this view more aptly:

> *In most cases you seek employment as an editor when you are not aware of the owner's hidden agenda, which you do not necessarily agree with. But going back to what (my colleagues have said), you choose to capitulate simply because of poverty; you need the job and the salary he pays you.*

The editor emphasised the need for journalists and editors to come together to set the agenda, to stick to their roles and to defend them unflinchingly as professionals. She further argued that if journalists and editors agreed to form a compact to foster professional integrity and to serve the public diligently, even owners, and others, would find it difficult to interfere wantonly with editorial independence.

The second factor that was attributed to failures in media accountability was **poverty**, which often provided an excuse for the failure by journalists to adhere to journalism ethics. One editor observed that poverty was reflected in the reliance of journalists on envelopes extended to them in places they are sent to cover the news. The editor argued that since media houses could not afford to pay sufficient salaries to their journalists or correspondents most reporters resorted to 'serving other masters' in order to top-up their incomes. This explanation prompted other experienced editors to make a case for editorial independence arguing that editors should never capitulate to unethical dictates because of poverty. Here is what they had to say:

> *Poverty should never be used as an explanation, or even an excuse, for media irresponsibility. We have major responsibility placed on our shoulders, not by employers, but by our citizens, readers, listeners and viewers whom we must serve diligently. We must respect that responsibility in whatever circumstances.*

This view was echoed by another experienced editor who, in his defence for journalistic responsibility to citizens, was even more uncompromising:

> *Even if you want to protect your own salary, no editor worth the salt, should use poverty as an excuse to serve a media owner who has no regards for journalism ethics. If you join a media house and later on you find out that the owner has an agenda you do not professionally agree with, my advice is that you better leave. I say this because if you join a media house, then choose to bend the truth just because of poverty, and then you mislead the society; you should also consider the fact that that is not the end of your journalism career; you may leave that employment one day anyway and end up not being trusted by any employer.*

The editor, who has now established his own FM radio station, said editors should always remember that they may, for reasons of poverty, choose to bend the truth to please the media owner, but they should also realise that they are tarnishing their own professional image and that even when they are sacked they may not be trusted by other serious employers. The editor observed that he, as a journalist, often read stories in the media and failed to understand what the actual truth was about certain issues:

> *For example, take the issue that has dominated media coverage today about Dowans;[34] when I read different newspapers I get confused; I fail to discern which media is telling the truth: this newspaper will say this, then another newspaper will come from this side and oppose what was published in the previous papers such that at the end of the day, I remain confused.*

He advised editors and journalists to weigh owners' demands against their professional responsibilities because whatever they did was judged by the public and once the truth came

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34   Dowans is an electricity company that inherited another company named Richmond which was embroiled in a scandal that led to the resignation of a prime minister and two other ministers over allegations of corruption.

out, it eroded their credibility immensely. Another editor was even more critical of journalists who cited poverty as an excuse for breaching ethics. This is what he had to say:

> *There is no worse poverty like poverty of the mind! How can I, an intelligent human being, be influenced by a bribe to write outright lies just because I use poverty as a justification? We must take this session today as a challenge and see how we, as editors, can start to regulate ourselves. How can we justify this degree of irresponsibility, just because we want to protect personal interests or salary, even when what we are defending, by so doing, is likely to affect the entire society, including our parents or relatives in the village?*

The third factor was **politicians** contributing to unethical practices. As one editor had pointed out earlier, politicians had come to understand the power of the media in influencing public opinion and they were ready to use money to influence journalists (who already use poverty as an excuse to take bribes). Editors argued that it was a shame for editors, or journalists, to accept to be used by politicians who simply wanted to remain in power, or to get elected, irrespective of their misdeeds or incompetence. One editor queried:

> *We have a watchdog role to play; do we play that role by praising politicians, a concern some of you here have expressed here already, or by challenging and criticising where they go wrong?*

Another experienced editor who has worked in print, broadcast, government and private media argued for a strong sense of professional responsibility on the part of journalists. His argument, quite significantly, was also building a case for self-regulation as being fundamental in enabling media to play an effective role in democratization process. This is what he had to say:

> *We must reflect on this question of editorial responsibility; issues of who determines content and ethical approach; and whether one is ethical and not ethical; these issues concern us – we the professionals. We must be in command. If we are truly serious about setting the agenda, managing it and ensuring it produces results that serve the society properly, we must be in command of that particular professional requirement.*

The editor argued that it was not enough for journalists to just sit down and claim to have editorial responsibility, if professional commitment and ability were lacking. He observed that without professional commitment journalists were bound to abdicate their professional responsibility and to bend the truth to suit interests of those who paid them bribes. He said it was difficult for such journalists to pursue a critical development agenda of public interest to the end and to be ready to be crucified for it. The editor further argued that although the media had advanced in many aspects and that it had gained some respect, still professional commitment was the biggest challenge. He called on journalists to come together to address issues of professional commitment in order to serve the public and the nation more diligently and responsibly.

The fourth factor that contributed to ethical violations in Tanzanian journalism, according to editors, was how to balance the interests of **advertisers** with those of the public. Editors admitted that advertisers were important in providing incomes that sustained media operations but "they would do so with one hand while taking our editorial independence with another."

One editor referred to a case in which one of the major cellular phone companies in the country was suing *Mtanzania* newspaper because of a 'damaging' letter to the editor that had appeared in the letters page. This is what the editor further observed:

> We are facing such pressures on a daily basis; sometimes the advertisers threaten to stop advertising with us just because a certain story we allowed to be published did not portray them positively.

The editor cited another example of an advertiser who once threatened to stop advertising with a particular newspaper simply because the outlet had reported a court case in which the advertiser was involved. He admitted that it was true, at times as editors they were forced to avoid reporting certain issues simply because they touched on the reputation of their major advertisers.

The fifth factor, according to editors, which contributed to irresponsible journalism, was **public taste** for gossips and sensational content. One editor cited a case of a seasoned journalist, and media owner, who once expressed consternation at the fact that the yellow and sensational press sold much more than serious newspapers. As such, even the major, and most serious, media outlets were often tempted to go the sensational way in order to capture the market. Another editor had this to say:

> In the past, the media acted as purely social service institutions; today they are business entities. And in doing business the challenges come especially in the type of stories that we have to publish. You try to put issues of community and public importance and you are told that they don't sell. People, it is presumed, want to hear half cooked things, human interest stuff and the likes. So at times we forego very important issues just to satisfy prevalent public tastes, which, in a way, affect the media's role in democracy.

Another issue that came out strongly, and repeatedly, was the fact that the **society had changed** considerably since the introduction of liberal politics and free market economy. Traditional value systems of prudence and fairness were being challenged by a notion that people who appeared to make a quick buck or to increase their material possessions in life were deemed cool and smart. Those who stuck to prudent or fair practices were deemed as stupid or slow. Editors argued that we lived in a society in which individual progress was not measured in terms of hard work, prudence and fairness but on canning, quick fixes and unchecked accumulation of wealth. This, editors observed, also affected media ethical practice because journalists were also part and parcel of the same changing society.

Self-regulation and MCT's role

Generally all editors agreed in principle that self-regulation was the best way to regulate media in the current political circumstances for the following reasons:

Firstly, they argued that strict government regulation which had been in place since independence was not necessarily in line with the requirement of editorial independence and press freedom. They argued that often the government used these laws unjustifiably to punish media that were simply playing a watchdog role. Secondly, the editors argued that the current laws, (such as the Newspaper Act of 1976) imposed fines on defamation that were too exorbitant for the cash strapped media to bear unlike the MCT's mechanism which addressed complaints about unethical practices without necessarily jeopardising the survival of media.

This is what one of the editor said about taking complaints on unethical practice to the courts of law using the existing laws:

> When complaints are brought before the MCT or even the Editors Forum, professionals have a better grasp of, not only their professional ethics but also, the difficult circumstances under which editorial decisions are made. In these fora, we can argue and argue or even agree to disagree on certain issues. But in courts of law, you are told to pay 10 billion or even one billion Tanzanian Shillings; let's face the reality, which media house or outlet in Tanzania today can pay a fine of one billion Shillings?

He argued that MCT had shown the way by steering the process of self-regulation and that it was now the duty of other institutions established under its auspices, such as Editors Forum and Press Clubs, to take up the challenge to enhance their capacity and commitment to deal with the promotion of ethical practice and the handling of complaints.

Another editor agreed with the previous speakers that MCT had performed well and had gained legitimacy because most of its decisions were adhered to by all parties. But he also cautioned that there was a growing trend, and sense, of irresponsibility among the general population which made a mockery of the whole idea of self-regulation. He cited an example of a media organisation which had once ignored a decision by the MCT and got away with it. This is what he had to say:

> I remember about three or four years ago, MCT made a decision after arbitration of a complaint involving one media organisation; but instead, that media organisation ignored the decision which had charged it with some responsibility and chose to insult MCT. And the Council had no powers to do anything! The media went on to insult the Executive Secretary of the MCT and still got away with it.

He joined other speakers who had, overwhelmingly, argued for enhancing MCT's decisions with statutory powers to bind ethical defaulters. Several contributors to the focus group discussion, mostly senior editors in leading media houses, had in fact suggested that MCT should be empowered with legislative teeth to make binding decisions on editors and media outlets which commit ethical blunders. One senior editor had this to say:

> Why is it that we in the media do not have a body which should have final decisions on issues of ethical transgressions such as defamation, or even sedition; the same way, for example, lawyers have the Tanganyika Law Society which can ban an unethical lawyer from practicing... we editors know that self-regulation which is ineffective does not serve the media well. We have had cases where media were slapped with hefty fines, as one editor mentioned here; at times we have had to sit down with those we had wronged to plead that they reduce the fines the courts of law had awarded them: some newspapers have died because of such hefty fines. I think it is high time the Parliament enacted a law to give the MCT teeth to make final decisions of ethical complaints presented before it.

Another editor of a 'watchdog' tabloid also augmented the view above and wondered why the journalism profession had not established a binding council as was the case with other professions:

> I think it is important that MCT gets powers to make binding decisions. We have, for example, the Medical Council; if a doctor breaches medical ethics, he is punished. Engineers also do have such arrangements. I do not understand why we, in the media, do not have such arrangements. Secondly, I have drawn inspiration from many editors

here who concurred that poverty should not be a justification for any editor or journalist to breach media ethics.

Furthermore, the editor appealed to journalists to enhance professional solidarity, arguing that journalism profession was bound by a common mission to serve society:

But lastly, I think as professionals we have to love each other. It should not occur that we should contradict the public about facts that we report even when we could easily communicate with each other, as professionals, to authenticate those facts. If you doubt facts presented by another media, don't dispute them without research, or without asking that particular media about the authenticity of their facts.

This view expresses the fact that media houses in Tanzania have been somewhat divided because of conflicting political and economic interests of their owners, resulting from political and economic power struggles. Quite often their reportage of issues has differed sharply along such divisions and at times media houses write stories or articles refuting news stories published in other 'rival' media outlets. Also, often, one media house has made personal attack against a journalist or an editor of another media house on the same grounds (see also Kilimwiko, 2009).

It would seem surprising that almost every editor who spoke about media and accountability suggested the need to enhance MCT's capacity so as to effectively address the issue of professional solidarity and accountability. But one plausible explanation as to why editors advocate for an MCT with teeth (powers to sanction them) is that as a self-regulatory body it would not punish media with hefty fines as is the case with the courts of law. Secondly, editors observed that the argument put forth by the government for wanting to legally control media was that journalists continued to breach journalism ethics because MCT's decisions were not binding. To them, therefore, to advocate for an MCT with teeth was also to advocate for freedom *from* direct government control.

Nonetheless, editors were also aware and appreciative of the fact that self-regulation was not easy because of the different levels of interests among those involved in the operations of media. They argued that it was obvious that owners had their own mission which often tended to clash with professional values of journalism thereby posing an indelible challenge for editors and reporters to contend. Below is a table that summarizes views of both focus groups about the strength and weaknesses of MCT in spearheading self-regulation.

9.3   Summary of common issues from focus groups

Table below presents a summary of both strengths and weaknesses of the MCT as portrayed by the focus group discussions.

	Strength of MCT's self-regulation	Weaknesses of MCT's self-regulation
1	Has proved even to government that it can serve as a regulatory mechanism	MCT's decisions are not binding because it lacks sanctioning powers
2	Has gained credibility because of the calibre of persons serving on its board and secretariat	MCT is not sustainable because about 90 percent of its budget is funded by donors
3	Its activities, including arbitration, research, publications, public education are visible to the public	Most ordinary citizens are not aware of MCT activities and can hardly access its services
4	Has conducted periodic trainings to many journalists in the country on issues of professional ethics, investigative journalism and other topics	Some of MCT courses are not needs based; MCT does not always involve targets of its training about their training needs
5	Arbitration process is educative and leads to conciliation of parties allowing them to continue working together if need be	MCT not being neutral particularly in its relationship with the government. MCT may not be fair because of its activist approaches to media policy issues
6	MCT does not slap media outlets with hefty fines as is the case in courts of law	MCT is not proactive and does not address grave ethical violations until someone or institution complains
7	Costs of arbitration are low because the process takes a shorter time and does not involve lawyers	Some media practitioners complain that MCT is closer to media owners than to ordinary journalists
8	Has contributed to promoting media accountability and press freedom for example in establishing and enhancing Editors Forum, Press Clubs, codes of ethics and leading a coalition for Freedom of Information legislation	The quality of MCT's publications (*Media Watch and Barazani)* need improvement. The content should not reproduce what is published in other newspapers. They should also carry reviews of ethical performance of media
9	Has been preparing events for professionals to debate on professional issues of contention from time to time	Media owners do not expect to pay subscription fees to MCT only to be condemned by the same organisation for ethical misconduct
10	Top government leaders (up to a level of Vice President and Prime Minister) have taken their complaints to MCT	Self-regulation appears ineffective because media owners, editors and journalists are not sufficiently aware of their role in Tanzania's democratization

What should be done?

There were general views that editors seemed to agree on especially about the role of media in a young democracy like Tanzania. Firstly, editors agreed that the media had a transformative role which obliged them to respond, first and foremost, to the needs of citizens in society with the primary aim of building a just society. In this respect, editors emphasised the need to enhance the agenda setting as well as watchdog role of media. Secondly, they agreed that while different media outlets had different missions and policies, the need to promote professionalism and editorial independence was of utmost urgency. Thirdly, editors were in

agreement that although self-regulation of media was a better mechanism for promoting accountability and freedom of media it still proved weak in the face of increasing abuse of editorial independence by owners, business interests and politicians who easily manipulated rogue editors. As such, editors suggested the need to enhance professional solidarity through initiatives such as Editors Forum, MCT, professional associations and press clubs. On a specific note, editors had the following recommendations:

i. MCT be given teeth to make it more effective in its decisions;

ii. Editors and other stakeholders should show more support to MCT;

iii. The issue of MCT's sustainability should also be addressed;

iv. Editors should enhance the enforcement of codes of ethics and newsroom ethical discipline;

v. Press clubs should also serve as agents of MCT to handle complaints on ethical violations whenever they are.

9.4   Summary

This chapter has demonstrated that from both focus group discussions (SAUT and Editors) there emerges a consensus that in a young nation like Tanzania, with a different political history from the West, democracy is supposed to respond to the immediate needs of society as well as its citizens. These needs can be summed up as citizens' wellbeing, government accountability, development and social justice. There also seems to be an agreement among participants in both groups that with the advent of liberal economic and political reforms societal values and aspirations have been pervaded by the interests and imperatives of global capitalism with its emphasis on individualism and consumerism. This in turn has affected the mainstream thinking in politics, corporate sector as well as in media, thereby eroding the local foundation upon which media ethics could be built.

Participants in the two groups also cite obstacles to the role of media in Tanzania's young democracy as being draconian media laws; pervasive pressure from media owners, political and business interests; poor quality of media content (owing to lack of professionalism, poor pay, intensified competition among media outlets and lack public demand for quality journalism). They mention other obstacles as failure by media outlets to reach the rural populations and lack of financial base to run media business in an environment where so many media outlets are chasing the same number of readers, listeners and viewers.

Furthermore, participants appear to agree that there are serious challenges with regards to journalism ethics in the country and cite the following factors as contributing to the situation: Poor education among journalists, poor pay and working environment, editorial interference by owners, political and business interests. Participants were in agreement that traditional value systems of prudence and fairness were being challenged by a notion that individuals who appeared to get rich quickly in life, even through dubious means, were deemed cool and smart (See also Mfumbusa 2003; 2006). Those who stuck to prudent or fair practices were deemed as stupid or slow. As a solution to these challenges, participants suggested the following: training that responds to the needs, improve remuneration packages

for journalists, enhance editorial independence through strengthening the role of Editors Forum and professional associations as well as engage the public in demanding quality journalism.

On the effectiveness of MCT's role in self-regulation, participants seemed to agree that self-regulation was more appropriate in a country like Tanzania, except that the MCT needed teeth to bite rogue editors who refused to comply with its rulings. They argued that although MCT had played a considerable role in promoting accountability (and the fact that there was 97 percent compliance by parties) the situation on the ground in terms of adherence to ethics was still alarming. Participants suggested that they, as well as other stakeholders, must show more support to the MCT in enhancing the enforcement of Codes of Ethics in their newsrooms. Central to the effectiveness of MCT was the issue of sustainability. Participants argued that for self-regulation of media through MCT to be effective, the organisation needed to be self-sustaining. Participants also emphasised the need for MCT to intensify outreach programmes to enable the public to follow and use arbitration services. Participants also suggested that in the face of ICT development and increased use in the country, there was need to regulate the subsector.

Chapter 10   In-depth interviews with stakeholders

As stated in Chapter 3, a group of 33 individuals comprising of experienced activists, politicians, academics and journalists was approached for in-depth interviews. There were two major objectives for selecting these individuals. The first one was to learn how these groups – which are consumers of media products as well as beneficiaries of the facilitative role of media – view the role of media and self-regulation in the context of Tanzania's democracy. The second objective was to compare the groups' views with those of journalists in the focus group discussions as well as in the survey.

This approach enabled the researcher to scrutinize answers and especially to explore interviewees' responses in greater depth using questions such as *Why* and *How* an opportunity that is technically unavailable in the questionnaires. The individuals were selected on the basis of their roles in society and especially their involvement with issues that relate to media activities and democratic dispensation in the country. This combination of experienced activists, politicians, academics and seasoned journalists provided a valuable terrain of information for cross analysis and synthesis of the bigger picture in a range of views about the role of media and the efficacy of self-regulation in Tanzania. I approached these individuals with the same questions I used in focus groups discussions. The main questions for the intensive interviews were:

i.   What is the role of media in democracy – *whether, and how, Tanzanian media plays that role*;

ii. Journalism ethics and accountability – *challenges in ethical convictions and practices in Tanzania*;

iii. Self-regulation and MCT' role – *whether, and how, self-regulation can enhance media accountability and press freedom*;

iv. What should be done – *in terms of media role in democracy as well as in enhancing media accountability?*

In this chapter, as was the case with Chapter 9, I present the findings in a narrative summary to contextualize the discussions while, at the same time, using my background knowledge as well as personal observations to elucidate on key issues, central to this research, as they emerged in the interviews. To maintain consistency and clarity as in Chapter 9, I cluster the key issues into four subsections: (i) views on role of media (ii) views on ethical challenges (iii) views on self-regulation and the effectiveness of MCT and (iv) views on what should be done. In the presentation I narrate key issues from the interviews while supporting them with direct quotations from participants (in italics). Then I draw some conclusion at the end based on key common issues that emerge from the interviews.

10.1 Role of media in a democracy

A key argument that emerged at the beginning of almost every interview the need for critical examination of democratization in the Tanzanian context. On the whole, interviewees emphasised the need to link media work to the aspirations, life struggles and challenges that ordinary citizens face in their daily lives. While some interviewees, argued that Tanzania's democracy was still at its nascent stage, faced with several challenges. Professor Issa Shivji who heads the Mwalimu Nyerere Chair in Pan African Studies at the University of Dar es Salaam questioned even the form of democracy itself, asking 'whose democracy is it and whose interests is it serving'?:

> *Democracy means the government being accountable to people; is the government accountable to people? The government that has to be forced to pass laws in parliament (that are necessary for democracy to function effectively) what democracy are you talking about?*

Shivji argued that 20 years of liberal democracy had proved that 'this particular form of democracy' could not necessarily work in other countries of the world where it had forcedly been implemented to perpetuate interests of imperialist nations. He argued that popular uprisings that were occurring in Tunisia, Egypt, Libya and elsewhere were an indication of that failure and a reflection of citizens' struggle to have a form of democracy that responds to their needs a view shared by Ussu Mallya from the Tanzania Gender Networking Programme (TGNP):

> *Democracy is about 'how a society constitutes itself, establishes institutions, get its leaders, govern its affairs; how it distributes resources for the benefit of citizens and how it ensures citizens get opportunities to fulfil their dreams and aspirations for their own good, as individuals, and for the good of society.*

Mallya argued that although democratization in Tanzania had seen some positive developments in terms of expanded space for citizens to air their voices, the problem with liberal democracy was that it elevated a few ruling and business elites while leaving majority of citizens, particularly women and the disadvantaged, in the periphery of exclusion. She argued that generally, since time immemorial, even in Africa, there were systems of communication which fulfilled the roles of informing, educating, warning, and entertaining and that these roles were still relevant and even more significant today. However, most interviewees were in agreement that there were a number of critical challenges facing the country's re-democratization particularly with regards to how it responded to the needs of society. Others pointed out that the process of re-democratization had been hijacked by elites, particularly in the ruling party, who were sidestepping genuine needs of citizens.

Mwesiga Baregu, professor of Political Science at the University of SAUT, also a senior advisor in the opposition party Chadema, observed that Tanzania's transition to multiparty democracy had started on a wrong footing. Baregu argued that when re-democratization started, in the 1990s, the country had two choices. The first choice was to embark on a negotiated transition while the second one was to go for a controlled transition. According to Professor Baregu, a negotiated transition would have meant formation of a transitional body, a process of writing a new constitution and new laws, doing a referendum as well as putting in

place institutions to oversee the democratization process. A negotiated transition had been recommended by Judge Francis Nyalali's Commission which President Ali Hassan Mwinyi had formed on the 27th of February 1991 to collect citizens' views about the kind of political system they preferred. Baregu further argued that instead, the CCM government chose to opt for a controlled transition which, in his view, had systematically stifled multiparty democracy in the country. Baregu's view was also shared by Mr. Kajubi Mukajanga, the Executive Secretary of the MCT who observed that during the re-democratization period the ruling party appears to have monopolized politics in the country:

> But now we have one grand old party which is powerful, quite established; and over the course of history it has swallowed all civil society movements to remain at the centre of political activity. We don't have strong workers unions. Now on the other hand, you have weak opposition parties which are struggling.

Interviewees also noted that from the beginning of the transition in the early 1990s there were no significant efforts, for example, to build the capacity of media to help it play an important role in enhancing democracy. Ms. Ananilea Nkya, a seasoned journalist and Executive Director of the Tanzania Media Women Association (TAMWA) argued that when Tanzania moved from one party to multiparty system it skipped crucial steps, such as empowering media to help prepare citizens to participate more effectively in their democracy.

Former Tanzanian Prime Minister and Second Vice President Joseph Sinde Warioba also had similar views about the performance of mass media in Tanzania:

> Right now we don't know whether the media is playing its roles or if it is simply being used by individuals for their selfish interests. We are lacking objective newspapers because almost all are on extremes; pro-government or anti-government, and people who write don't do research.

Warioba's general view was that a in a young democracy like Tanzania citizens' human rights and welfare were paramount. He argued that calls for press freedom were meant to empower citizens not journalists per se or media's own interests, and that it was wrong for the media people to demand more freedom while some were violating ethics indiscriminately. Bernadetta Killian, professor of Political Science at the University of Dar es Salaam pointed out a paradox which, she thought, characterized the role of media in a young democracy like Tanzania:

> But in a nascent democracy, it is important that the media get in there to inform, create awareness and raise their (citizens) interest in their democracy. Actually I see a paradox in that any country where democracy is at a nascent stage, where people are passive, participation presupposes knowledge and income to buy newspapers, for instance. But here majority of citizens are poor and democracy is young. Yet we expect the media to be advanced to rectify this anomaly.

She also expressed concern about the new trend since the beginning of liberalization and pluralism, of politicians also doubling as businessmen and media owners, which, in her view, was a challenge to Tanzania's young democracy:

> In developed capitalist democracies this happens. But the question is in developed countries they have ideologies and ideological clarity of what they stand for. There are other media houses which also lean on a particular ideology. As a result there is multiplicity of views. But here, you have two or three people who dominate the media scene and can easily buy

people as they like. The problem is, we don't know what these major media owners stand for.

When asked about how well the media in Tanzania played their roles in promoting and enhancing democracy, the CCM deputy national chairman, Pius Msekwa, did not mince words:

I don't think so; there are certain media houses that are doing exactly what I just explained. Supporting individuals against other individuals; that is most unfair. They should inform the public truthfully and faithfully. If someone has done something wrong he should be castigated but if someone has done something good he should be praised; those are the basic principles of media.

Msekwa further observed that he expected journalists and media to avoid talking about personalities for dubious reasons, either condemning or praising individuals merely for political ends:

Many journalists talk about freedom of the media; that is fine. I support that. But that freedom does not include freedom to tell lies; malicious lies; that is not included in the freedom of the press.

From a government point of view, Dr. Fenella Mukangala was of the view that the media had been left to be 'too free' to the extent that some of them were now abusing that very freedom which had become prevalent in the country since democratization began:

We see everyday a lot of trash in media content that you simply can't find, for instance, in CNN. ...Some media people, out of selfish interests, have tended to flout ethics deliberately, telling lies without thinking about consequences.

Her view was also shared by Kassim Mpenda who expressed concern over some of the unethical content that some media allow to be broadcast or published:

I have very serious concern with some of these media which help to undermine even the freedom that we have. Some of these media; with what they broadcast; threaten even national cohesion.

Transformative role

As was the case in the focus groups discussions, interviewees in this category linked media role to the need to transform society to attain better living conditions to all citizens. In their view, the information, education, watchdog or other role of media in the context of young democracies like Tanzania would be incomplete if they were not performed in ways aimed at transforming society. Ussu Malya argued that in the Tanzanian context, as in the rest of Africa, it was not enough for the media to just be ethical if they did not respond to the transformative needs of all citizens:

If you look at our society, tangibly, what are we? Yes, you might say we have educated people we have this, but majority of Tanzanians can't afford two meals a day; look at education, health, water, employment; 50 years of independence? What is the problem? We need to do things differently: but we must ask ourselves, what is the role of media in this?

Her argument, which was also shared widely by other interviewees, was that true democracy is a system of governance which had, as its ultimate goal, the objective to transform and to improve the livelihood of citizens. As such, Mallya – just like most other interviewees – maintained that the role of mass media in such a democracy was to respond to critical needs of all citizens. She argued that under liberal democracy, with its free market philosophy, even media had come to be established as businesses with investors thinking, first and foremost, about profits while relegating the transformative role as secondary or insignificant. This is how she observed:

> *Yes the role of media is even bigger today because of expanded democracy. But this expansion; this democracy, is a system based on capitalism or capital. Even media have been established mainly as businesses because investors know they can sell newspapers, radio programmes or TV content to viewers. ...But we have to ask ourselves; media for who and for what? Media for business only? I mean media for free market and consumerism; and with flimsy information?*

Her view of the role of media in democracy was shared by Ananilea Nkya, who began her interview with emphasis on what should be expected of media in a young multiparty democracy like Tanzania:

> *Multiparty democracy cannot work properly if people are not involved in influencing its functioning...the role of media is to transform society; transform mindsets of citizens who grew up in one party state to embrace democracy and participate in sustaining it.*

Another respondent who emphasised this view of media role in democracy was Gervas Moshiro, former Principal, Tanzania School of Journalism (TSJ) and also Chairman, Administration and Finance Committee of the MCT. Moshiro also argued 'we can only say that the media is playing its role effectively if it aimed at transforming society':

> *The media itself has the role of issuing information, education, entertainment, etc., but it has to be information that helps transform society and which helps to bring about development.*

The transformative role of media was also accentuated by Mr. Ernest Sungura, the Executive Fund Manager for the Tanzania Media Fund (TMF), a fund established three years ago through donor funding, to support improvement of the quality of journalism in Tanzania:

> *The media must always think about how to address issues, aspirations and developmental desires of majority of the populations, most of who live in rural areas.*

A closer look at the meaning of transformational role of media was provided by Joaquine de Melo, a commissioner in the Commission for Human Rights and Good Governance (CHRAGG):

> *I would urge the media to focus more on the welfare of citizens. Although media's attention is often diverted to other issues such as electricity[35] and these other politics, they should focus on issues of corruption, HIVs and how these affect the welfare of majority of citizens who live in rural areas.*

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35   Here she was referring to constant brouhaha sparked by a dubious company that was awarded a tender by the government to supply emergency power but failed to do so on time.

De Melo then referred to a few anecdotes of the most daunting challenges citizens in rural areas faced in their struggles to make a living; challenges to which Tanzanian media was obliged to pay closer attention:

> You have conflicts between pastoralists and peasants over land; you have water problems, where women walk long distances with babies at their backs looking for water – often encountering rape as a result; you have all these issues affecting the ability of citizens to access basic necessities of life!

De Melo's description of challenges the rural citizens face is rather a reflection of the experiences her Commission has encountered throughout the country while visiting and holding public hearings on human rights and governance issues. The same situation described by De Melo above was reflected in Moshiro's concern about the role of media in a young democracy like Tanzania which he first expressed in a way of a question:

> What role is the media playing to make people change from whatever state they were in the past, being worse-off to a state in the future of being better-off?

Although Moshiro admits that with liberalization there has been some progress particularly with regards to freedom of expression he still highlights a crucial challenge facing society which the media should help to address through its transformative role:

> Professionalism is growing slowly and people are now free to express themselves. But still, illiteracy (not in terms of not knowing how to read and write); illiteracy in terms of being able to analyse; being able to understand; being able to appreciate life; to recognise what can help you and what can't, is a serious problem.

He attributes this situation to the country's past, both colonial and post-colonial, during which citizens were 'kept in a pot where we were not allowed to question; to think freely for ourselves; where we actually let some other people think on our behalf or for us'. He observes that this culture had permeated the echelons of bureaucracy and national leadership to the extent that even thinking for Tanzania's development was being delegated to consultants from developed countries.

This view was also shared by Mallya who, while talking about the transformative role of media, argued that as a society 'we needed a paradigm shift in our way of thinking and doing things'. She then provided a philosophical view of what she saw as the yardstick of transformation:

> We can only have happiness, as a society – all of us – if the marginalised citizen at the bottom of poverty line has also attained at least the minimum level of the basic necessities of life; say a poor woman out there is assured of sufficient food, water, healthcare, and other basic needs.

Surveillance, information and education

Every interviewee cited the informational role of media as is customarily mentioned alongside education and entertainment. The interviewees generally were of the view that information was a human necessity because human beings always wanted to know what was going on in their surroundings and outside in order to make informed decisions and choices in everyday life. Interviewees also noted that performance of surveillance role and provision of information needed a closer and critical examination.

Two arguments emerged. The first one was about the nature of information itself. Some interviewees, especially in the academic and civil society groups thought that the most important determinant of *what* kind of information was necessary for citizens in a young democracy was its responsiveness to the genuine aspirations and needs of the society itself. Some interviewees argued that a lot of information that occupied space in media (today) was either of trivial nature or irrelevant to the genuine needs of society. And this, they argued, was caused by the business minded nature of most media houses and outlets which were either unable or unwilling to go an extra mile – because of costs implications – to investigate thoroughly on issues they reported. The second argument, which relates to the argument above, was about the *quality* of information itself. The interviewees thought a lot of information and news stories were half cooked, shallow, lacked clarity and had no follow-up. Interviewees therefore emphasised the need to improve the process of gathering, processing and transmitting information to make it more relevant and useful to citizens.

Interviewees also felt strongly that it was the role of media to create awareness, or enlighten citizens, particularly those in rural or marginalised urban areas, about their place in democracy, their rights and obligations, and how they could participate in bringing about change they wished to see in their lives. Rose Haji, former director of the Media Institute of Southern Africa (Tanzania Chapter) was of the view that the media's role was to promote justice, to provide space for citizens to air their views and to avail them with reliable information upon which they could make informed decisions about how they were governed. Her view was strongly augmented by Kassim Mpenda, the immediate former director of MAELEZO, who had this to say:

> *The media must help ordinary people to know their rights. In rural areas people don't know that a police officer is not supposed to arrest and keep them in custody for more than 24 or 48 hours...some of them stay in custody for a week!*

Mpenda observed that many people in the country still lived in fear that if they were seen supporting the opposition they would be condemned to suffer retribution from the government:

> *The media must educate people that this is a multiparty democracy and that any party that wins elections can form a government.*

The importance of educational role of media, especially to majority of citizens in rural areas was highlighted by Ernest Sungura who argued that democracy could hardly be sustained if majority of citizens were afflicted with apathy. Pili Mtambalike, the MCT's Programme Manager and seasoned journalist argued that the educational role of media was much more important than the rest because:

> *The level of education among our people is very low. Illiteracy levels are now growing. The media have a role to educate people on human rights and how to tackle poverty... We can use radio, for instance, to teach people best agricultural practices.*

Mtambalike was of the view that the Tanzanian public was also still in transition towards democracy and that because of the levels of illiteracy citizens were ready to consume trash, rumours and half cooked information. She argued that with a more sophisticated public the media would be obliged to raise journalistic standards. On her part Dr. Fenella Mukangara,

the deputy minister for Information, Culture and Sports, maintained that the primary role of media was to build national cohesion and to help citizens in addressing poverty. This is what she had to say:

> You (media) should promote national cohesion, civic consciousness; and be critical... You could be informing people by raising issues but you must be able to follow them up; dig more and explain in ways that helps society to move forward.

Her view was shared by Willy Mbunga, former director of MAELEZO (Government Information Services) and also the first Principal of former Tanzania School of Journalism (TSJ), who argued that the role of media in the context of a young democracy like Tanzania was to promote national unity and development. But Mbunga consistently maintained that the ultimate beneficiary – or even victims, on the other hand – of the role the media played were citizens. He therefore accentuated the need for the media to always respect the truth: *The role of journalists therefore is to provide truthful information to the public, not to hide wrongdoing.*

This essence of telling the truth in journalism was further underlined by Chrysostom Rweyemamu, former TSJ tutor, training editor with Habari Corporation and media consultant, who argued that the role of journalism was to provide truthful information and education to help citizens in making informed decisions and choices in their lives. He emphasised the cardinal rules of the reporting aspect of journalism which her termed as: (i) Truth (ii) Accuracy (iii) Balance and fairness and (iv) Simplicity and clarity.

The National Vice Chairman of the ruling Chama Cha Mapinduzi (CCM) Pius Msekwa, who has also served in the past as secretary general of the party and Speaker of the first multiparty parliament after 1992, also highlighted the importance of journalism that sticks to certain established principles, which include: 'provision of truthful information':

> In my considered opinion, the role of media in any country should follow certain established principles. The role of media should not depend on the circumstances of a given country...The media should work on established principles to say the truth and only the truth.

Msekwa also mentioned education as an important role of media, particularly in the context of enlightening citizens about their roles and obligations in democracy. He held that the media have a role to educate voters about the principles of democracy, 'which are known'; that every person is entitled to participate in choosing his or her leaders in government:

> The media should therefore educate citizens to make use of these opportunities to participate in voting for their leaders. We have one example in Tanzania in the last general election the turnout was very low; only 42%; we don't know the reasons but probably the people in rural areas were not mobilised to go and exercised their right to vote.

Interestingly, Msekwa did not seem to emphasise that the media could also educate citizens on the need to remove leaders from power if they failed to deliver or on the need for citizens themselves to vie for leadership positions as a way of participating in that democracy. Another interviewee that added voice to the enlightenment and educational role of media was Professor Bernadetta Killian who viewed majority of citizens, particularly in the periphery, as being passive:

But in a nascent democracy, it is important that the media get in there to inform, create awareness and raise their (citizens') interest to participate in their democracy.

Daniel Loya, the Executive Director of the Tanzania Centre for Democracy (TCD), a nongovernmental organisation established to provide a forum for dialogue among all political parties with representation in parliament, observed that since democracy had its principles, norms and tenets, it was the role of the media to promote them consistently so as to build a democratic culture among citizens:

I also see that the media can promote the culture of tolerance; that people can debate, disagree and still live together as citizens of the same country...

Media as a link

Mukajanga, who once owned *Wakati ni Huu* newspaper in the 1990s when multiparty system was reintroduced, observed that in a democratic environment the media had a very important role to play in linking the different groups of people and institutions to participate in the way they wished to be governed. His view of media as a link was also augmented by Jenerali Ulimwengu, the Chairman of *Raia Mwema* newspaper and former owner of *Habari Corporation* media house:

The primary role of media is to serve as a link for the articulation of aggregate interests of the different groups in society and as a catalyst for finding solutions to their problems.

Ulimwengu who also served on the board of MCT as its first Vice Chairman, sees the role of media in democracy as primarily to be a link in articulating the needs of citizens; a view again augmented by Dr. Augustine Hatar, a senior lecturer in Mass Communication at the SJMC who argued thus:

Media plays the role of an important link between issues and those touched by them. If it is citizens being mistreated, the media creates a link with relevant authorities so as to address the mistreatment; if it is corruption, the media exposes it so that those involved could be held accountable...

The national Chairman of the Civic United Front, one of the main opposition parties in Tanzania, Professor Ibrahim Lipumba also maintained that the media served as a link between institutions of democracy and citizens:

The role of media – you can call it 4ᵗʰ estate –, for example, is to link political parties with ordinary citizens. But when we started multiparty democracy we had the dominance of the government owned, and controlled, media, RTD. It was the main link with the people. During campaigns, it was the ruling party that was being reported favourably and the opposition were not being reported at all.

Lipumba observed that even when the opposition featured in the RTD reportage; it was indeed a very negative coverage. The opposition parties, he noted, were being associated with chaos. He further observed that it was not until other privately owned media were established that the opposition also appeared to be seen as capable of serving public interest. This role of media as a link serving public interest was also emphasised by Mpenda who explained how important the media and journalists were in democracy. He argued that the media were an

important link between citizens and knowledge or information of public interest whether or not it pleased the government. He defined public interest as:

> Public interest refers to any information that, if you don't announce it, it will affect the ordinary person in the streets who needs to know what is happening; what is coming ahead; be it an issue of safety, health, disaster or even on elections: (such a link is important) so that this person may make informed decisions.

He gave an example of an explosion of ammunition at a military camp in Dar es Salaam which killed several people and destroyed property in the neighbourhood, saying it might have produced different interpretations of what public interest was when reporting it to the public. He argued that whereas media thought in terms of the right of citizens to know the causes, devastating effects, steps taken to contain further harm and to prevent future recurrence or to hold those responsible to account; some government officials were thinking in terms of the sensitivity of information with regards to national security.

Watchdog role

Another view that came out strongly from almost every interviewee was the role of media as a watchdog, defender of citizens' rights and promoter of government accountability. On this role, Judge Joseph Warioba, who was once Chairman of MCT's Ethics Committee, emphasised that the media, as as is expected of the government, must attend to citizens' interests, promote societal welfare and defend of human rights. He argued that even freedom of information was primarily meant to serve "the interests of the public at best, not government, not media". Warioba's emphasis on serving the interests of the public first was reflected in all the arguments put forth by interviewees about the watchdog role of media. Willy Mbunga further explained why the media should be concerned with serving the interests of the public first:

> Journalists don't have to report just good things. They write where things have gone wrong in order that action might be taken to redress the situation.

Mbunga, just like Baregu, also argued that normally the government was supposed to have its own information officers whose job was to respond, with convincing arguments, to any sort of criticism from the media and not with threats or punishment. Baregu held that (constructive) criticism of government was a very important role of media in democracy because it helped promote accountability. Ussu Mallya shared Baregu's view on accountability and argued further that it (accountability) could only be possible if the media played its watchdog role:

> For our democracy to be productive; we need accountability in all spheres of life. We need media that is accountable to people; we need leadership that is accountable to citizens; we need citizens who can hold their MPs to account; we need a parliament that can hold the president accountable, etc., that is democracy; and this can only succeed if the media plays its watchdog role effectively.

Moshiro also saw the watchdog role of media as being significant because it led to empowering citizens to demand accountability from government. He noted that whereas in the past the media were directed by the government of the day what information was important to citizens, in multiparty democracy the situation had changed. This is what he observed:

Now days what is happening is that the information means exposing (scandals) what has been the weaknesses in government; what has been weaknesses in the various institutions. Now people, on their own, assisted by journalists or media, are starting to know what is wrong with the whole system. So in the process now they may begin to hold their government accountable...

On his part, Ulimwengu argued that the public was always interested to know those things, of concern to its welfare, which some individuals or institutions somewhere wished to hide. He held that the most fundamental role of media was to dig and expose those things. Ulimwengu posited that the media could not sustain itself, especially economically, if it did not play its watchdog role. This is how he sees the primary role of media in democracy:

To expose the wrongs of rulers, institutions, companies whose activities have a tendency to affect the welfare, interests, safety and well being of society.

Again this view was shared by Rose Haji who posited that with democratization the role of media was supposed to shift towards 'activist kind of media' playing the watchdog role as well as reflecting what was happening in society. Furthermore, Daniel Loya was of the view that in a democracy, particularly as young as the one in Tanzania, transparency and good governance were prerequisite for accountability. He was also of the view that the two could only be enhanced by a media playing its watchdog role:

If the press does well its work to expose wrong doing, people will refrain from doing wrongs and accountability will be enhanced... without free press in democracy government can't stand on its toes.

Killian also shared the same view about nascent democracies arguing that there could be no democracy without independent media which played watchdog role. She further argued that since the liberalization and pluralism in Tanzania the watchdog role of media had had some impact:

I think the media have made our ruling elite to be responsive and to have it in their conscious that the media will expose them in whatever they are doing; some of them are even scared of media.

Another interviewee who echoed similar views was Francis Kiwanga who is a human rights lawyer. He argued that media had a role to enhance transparency and accountability by exposing wrong doing and inefficiencies helping the civil society or parliament to take these issues up to press for accountability of those involved. Kiwanga referred to an example which casts light on the difference between the role of media in the one party era and in multiparty system to show how citizens are beginning to rely on media for its watchdog role:

In rural areas in those years, whenever people were wronged, they went to the village chairman. But these days they go to media or human rights people.

Professor David Mukangara of Political Science and Public Administration at the University of Dar es Salaam also held the same view about the watchdog role of media but emphasised the imperative of 'bringing out issues on the surface in a more scientific, rational and objective way' for the public to know the truth and for appropriate measures to be taken. Another interviewee who added her voice to the watchdog role of media was Anita Mendoza, Assistant Programme Officer with the MCT who observed as follows:

> *Apart from the normal roles, to inform, to educate and to entertain; the media has an important role of being watchdog, especially holding to account those in power.*

Her view was also augmented by Nurdin Said, MCT's Programme Officer, Laws, Arbitration, Standards and Advocacy, who argued thus:

> *It is the role of media to unearth societal evil, crimes; to monitor, and ensure accountability of, the government and other institutions whose activities affect the welfare of society in general.*

Said further argued that there was public expectation of the media to promote principles and ethos of democracy, good governance, rule of law and accountability. A view further shared by an MCT intern and university student in Mass Communication, Zanele Chiza, who also mentioned 'watchdog, exposing wrongs and following up issues' as important roles of media.

Forum for debate

Many interviewees also were of the view that it was the role of media in democracy to provide forum for public debate; negotiations; range of diverse views and feedback from citizens. In his list of roles, Ulimwengu mentioned forum for debate as an important one in a democracy:

> *Forum where people can debate, analyse issues and problems with a view to finding solutions to help them move forward; a forum that is a catalyst to help people discuss their problems and how those problems can be addressed.*

Ernest Sungura who emphasised the importance of community media especially in rural areas also saw one important role of media as being that of a forum for public debate:

> *Community media are better placed to play an important role in democracy because they involve citizens directly. All that is needed is to make experts available who can help them develop programmes of their own and provide space to express their views or question/ demand accountability.*

Professor Shivji, for example, was of the view that in our society today, the government had its own interests just like other strong and powerful groups in society. He argued that it was important for the media to create buffers from all such groups in order to provide an independent forum on which these interests could be negotiated:

> *And I always believe that any space you can have for public debates and discussions about these issues; ok, it will not directly give you results but it always help to scrutinize for accountability. Because those people who do not want to be accountable can do it in the walls of secrecy; they don't want these things to be in the public domain. Once you bring these things out in the public, it gets more and more difficult for them not to be accountable.*

This view, again, is shared by Dr. Augustine Hatar who mentioned *Platform* as another distinct role of media:

> *The media also provides a platform on which all sorts of things are tabled; different groups in society are represented there; be it Chadema calling for demonstrations or the government responding to this; or Tendwa (registrar of political parties) also responding, etc."*

10.2 Media ethics and accountability: Requisite knowledge and skills

In general interviewees shared mixed views about how the media in Tanzania played its roles. On one hand, was the view that since democratization began in the 1990s a number of media outlets, particularly those owned privately, had played a very significant role in informing, educating, being watchdog and providing forum for debate on issues of concern to citizens. On the other hand, interviewees thought some media and journalists had let down democracy and citizens by succumbing to corruption; becoming mouthpieces for politicians and those with money or by simply focusing more on entertainment, consumerism and trivialities.

But what were the views of stakeholders about the major ethical failings on the part of media practice in Tanzania's democratization? Firstly, there was a general observation that journalists do not seem to know, or respect, their role in democracy and had therefore succumbed to the games of the leading politicians and business tycoons who take neoliberal democracy for what it is: money and profits. Secondly, there was a general picture that journalists lacked the necessary knowledge and skills that were needed for critical coverage and analysis of issues in a more objective, informative and enlightening way. Thirdly, interviewees were of the view that journalists lacked independence or objectivity because of pressure from media owners or because of poor pay and pitiable working conditions which rendered them vulnerable to manipulation.

Fourthly, interviewees felt that the public of readers, listeners and viewers, who should have prompted the media to observe ethics and professionalism, was characterised by citizens who were still learning this new form of democracy and who did not know how to demand accountability. As a result, therefore, on the whole, journalists were seen as susceptible to manipulation and unethical practice manifested in outright lies, half-cooked stories and inaccuracies, shallow or biased reporting, censorship to suit selfish interests, and vendetta journalism. For example some of those who argued that journalists were not conversant with their roles or that they were not critical enough had this to say:

> *The training of journalists at all levels must empower them with knowledge about who they are, as a people, what are the most important things in life, what are the most contentious issues in society; i.e., equality, women's rights, etc., they should be given analytical tools to help them see effects of globalization and neoliberalism and how they interact with our own cultural limitations to marginalise certain sections of society. Education of journalists must be well grounded; it must be a liberating kind of education* (Ussu Mallya).

> *There was a time the focus was on training journalists on investigative journalism; that was fine, but not sufficient. We need to emphasise training in analytical journalism: what is behind stories and issues? The media must develop capacity to interrogate even this democracy we are talking about here* (Issa Shivji).

> *Looking at media today you realise that basic understanding of issues and critical examination of our democracy is wanting* (Gervas Moshiro).

> *A lot of journalists don't know who they are. They don't know the power of the pen; journalists don't know they are leaders in society... they don't put themselves as part of the country's think tank; they don't put themselves as part of designers and shapers of the vision of this country",* (Ananilea Nkya).

The media itself does not seem to understand its roles and place in society. Does the profession itself know its powers and place? (Augustine Hatar).

The media don't press hard to know causes and effects; causality and interconnectedness of issues, so the reportage ends up being superficial and stirring public emotions without necessarily assisting in the thorough understanding of implications of issues (Augustine Hatar).

What I see as a challenge to our media is that initial inability to go beyond the sensational; to be critical.... journalists are supposed to bring out issues in a more scientific, rational and objective way (David Mukangara).

For media to be able to play its role effectively, the sector needs well trained journalists who are well versed in their areas... journalists must have a certain level of understanding which helps them in analytical abilities (Fenella Mukangara).

There is a lot of improvement in terms of diversity of media. But we have problems in terms of abilities, capacity and professionalism of the media itself (Ibrahim Lipumba).

Do journalists have the requisite education, knowledge and skills to enable them practice journalism in ways that meet public needs? In other words, is lack of education or training a sufficient explanation for gross misconduct and unethical journalism that respondents and interviewees point out throughout this research? What are the other supporting explanations besides knowledge and skills? These questions will be addressed in detail in Part Four of this dissertation. However, most interviewees in this category thought that the products of journalism (be it news reports, articles or radio and TV programmes) reflected poor reporting and analytic skills on the part of journalists. This is how some of them observed:

Our journalists are not critical at all. Their analytical levels are very low... On accountability we have a long way to go. We have to find ways of how to make the whole issue an integral part of training of journalists (Issa Shivji).

Media that is critical and good at analysing contexts of developmental challenges; we have very few such media today. Issues are exposed in order to sell newspapers but not bring about transformation of society (Ussu Mallya).

I see the main problem with media being initial inability to go beyond the sensational; to be critical. This may take a long time (David Mukangara).

In some areas, aspects, issues, they (media) are doing very well. But in some areas (they are) not. Even in some issues that are raised there is no thorough research to help people understand those issues. This can be dangerous if people are fed with half-cooked things or simply sensational controversies (Augustine Hatar).

There are a lot of weaknesses in general; I know you (media) are supposed to cover what is newsworthy. But at times you read reports and they don't provide important details. You read a report about an event which occurred, or which is supposed to occur, and it doesn't provide the date, where it occurred or will occur... We need to have more training and better training; better discipline among media houses in terms of hiring journalists. Sometimes it appears as if anyone can just become a journalist without proper training on how to make information much more understandable to the public (Ibrahim Lipumba).

There is a lot of ignorance, apart from partisan elements or corruption or stupidity because some stories reflect a degree of insanity. But I think the problem is ignorance of their roles as journalists and also low abilities for making analysis (Ananilea Nkya).

Ownership challenges

The issue of ownership as a contributing factor to unethical practice was also highlighted by almost all interviewees – as was the case in all the other categories of respondents in this research. Here are some of the interviewees' views:

> If owners had an idea of the role of media, they would show respect of media ethics. But since they have money, and they are interested in their own agenda, they don't care. Owners should know that media are very important for development and unity of the nation (Willy Mbunga).

> Sometimes you see that biases of the (media) owner are also influencing the kind of articles you find in these papers (Ibrahim Lipumba).

> If owners are just doing business, there is a problem in terms of employing good journalists or even sending them for training (Ananilea Nkya).

> Ownership has a lot to do with the way media report issues. Some (journalists) just embellish their owners most of the time. Some media shape news and articles in ways that glorify them and their friends (David Mukangara).

> We have had 'media wars', whereby when two media owners have a fight, they use their media outlets to carry on the fight and to defend their personal or political interests (Bernadetta Killian).

> Media wars by media barons is not healthy in society; the media barons are spoiling our media in this country (Joseph Warioba).

> Ownership itself is a problem; some owners don't even know the essentials of a media or its roles in society (Gervas Moshiro).

> In Tanzania, within this environment where either you are in a political party media or government media or working for private media owner, who also has some interests to pursue, I don't think journalists can have a chance to practice journalism. And this affects the role of media in democracy (Florian Kaiza).

> At one time in the past we almost equated free press with private press. But we should begin to interrogate if the private is necessarily free. If you examine critically the Tanzanian media, you might be able to see that. The private media has its own interests. At times its interest coincides with those of the government. Be it profits and so forth. We should not assume that because the media is not state owned, it is free (Issa Shivji).

> Increasingly, media ownership is becoming private or commercial. As such the media tend to promote certain interests and worldview; private interests, interests of multinationals; party interests; all these are now taking an upper hand (Ussu Mallya).

Poor pay, lack of incentives and corruption

As pointed out above, interviewees mentioned a number of ethical failings by journalists and their media houses though the main ones, which were repeated across the board, included: lack of respect for the truth; inaccuracies, biases (lack of balance), vendetta journalism and corruption. Apart from lack of knowledge and skills, poor pay and poor working conditions appeared to be another explanation why journalists succumbed to these ethical transgressions. While in Mara Region, during this research, I invited a few journalists for discussions about their journalistic work in general, their successes and challenges. The objective was to get an understanding of their working environment and how it influenced their responses in my research questionnaires. Although such encounters were not part of my research plan, they

still provided some useful insights that are important in understanding the context of their responses in general. Below is an account of a journalist in a press club which fairly represents a bigger picture of the working environment for most journalists in the regions who work as correspondents:

> *Here we wake up early in the morning and head to the DC (District Commissioner) or District Director or RPC (Regional Police Commander), as a matter of routine, to find news. Otherwise, if any news event breaks, then we rush there. Here journalists work very hard. If there is news somewhere very far from here, you have to cover your own fare and other expenses, regardless of how long you stay there. Yet when you file your report to your media outlet, you end up not getting paid; or if you are lucky, you get paid late or lesser amount compared to your own expenses. Here many journalists live at the mercy of well wishers and sources (of information). This often creates competition and even animosity among journalists themselves. Some journalists even turn against their colleagues; they go around and tell the DC or RPC what another journalist is investigating. They would even suggest to the DC or RPC to arrest their colleague! Some journalists get compromised because of poverty; they get paid by their sources who would, themselves, be facing some criminal allegations. (25th of January, 2011)*

Again almost all interviewees spotted corruption and bribes taking as a serious problem in journalism which tended to affect the truth, fairness and coverage of issues. Below are some of the views which indicate that interviewees across the different groups in this category were concerned with corruption in the media. Chrysostom Rweyemamu, who has worked for almost a decade as director of training for the *Maarifa Media Trust* (MaMet) a training wing of Habari Corporation (now New Habari (2006)), was critical of the emerging form of journalism which, he argued, were being paid to 'manufacture' news to suit interests of certain influential individuals in society:

> *But of late, there has emerged a new breed of journalists who are 'engineers' (in the journalistic sense). Their journalism is of its kind because it is manipulated by politicians; in the sense that politicians have turned some journalists into their 'boys', who run errands for them in various media. These 'boys', therefore, work to manipulate information to suit the interests of their masters. They have no regard for the cardinal rules of journalism at all.*

Rweyemamu argued that such kind of journalism was 'very dangerous' because it did not respond to the needs of the ordinary citizens who were 'always' short-changed by the very politicians who manipulated journalists and media for their own personal interests. Another interviewee, who also saw things the same way as Rweyemamu was Rose Haji. She argued that some of the mainstream media had failed citizens by succumbing to manipulation of information to suit interests of certain influential individuals in society at the detriment of majority of citizens:

> *The media itself is divided as it is; it is so business oriented; journalists don't set agenda, they are easily bought by politicians and business tycoons.*

Below again is a presentation of verbatim views from interviewees on the issue of corruption in media:

On the negative side, what I see, people with money can also use media for their own interests. You remember fisadi papa and fisadi nyangumi[36], the media was caught at crossroads. You see even the Dowans issue, this guy came and paid a few people and said his trash and they published it (Francis Kiwanga).

Media can unearth issues but it seems there is disconnect in how the media follows issues. They may come up with EPA today but then tomorrow they will be covering other issues from a completely different outlook just because they are for money... (Ussu Mallya).

There is a lot of ignorance, apart from partisan elements or corruption or stupidity because some stories reflect a degree of insanity. But I think the problem is ignorance of their roles as journalists and also low abilities for making analysis (Ananilea Nkya).

During elections (2011) there were forces (political) that tried to buy journalists to tilt information; to misinform; to dis-inform; to mudsling people and praise their candidates or party (Ernest Mrutu).

General corruption is also a problem. Our people are poor (David Mukangara).

"Poverty of journalists forces them to become mules (Dietrix Kaijanangoma).

The national chairman of the opposition CUF, Professor Ibrahim Lipumba, has had many interactions with media and journalists over the course of his political activities since 2000. In the course of these interactions he has learnt that for the activities of his party to feature (prominently) in most media houses, newsworthiness notwithstanding, money has to exchange hands:

But even with the increase of media outlets, the problem has been the use of money in media. There is a lot of corruption. In some cases, for example my own experience, the problem of our campaigns (election campaigns 2011) being covered in the media, in some cases we go with journalists, they take the reports they write the reports, but unless you have someone in the editorial section (newsroom), the reports that have been covered by the journalist may not get coverage or you may not get front page coverage. Even the report might be twisted a little bit. And as you know headlines are the most important part of a news report. 08th March, 2011

There were two explanations for corruption in media which Ernest Mrutu described more succinctly during our interview:

Currently there is a lot of training by MCT, universities and others on ethics and accuracy, and about avoiding corruption. One problem is that their salaries are low and therefore they rely on handouts to survive. But on the other hand, some journalists happen to think they can become rich overnight; they are in the profession for deals to make money.

Willy Mbunga saw this level of corruption as resulting from economic liberalization which began in the mid 1980s followed by democratization in the 1990s after which journalism became more or less like any other business allowing individual journalists to use it as a source of illegal income or profit:

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36   In 2010 the owner of IPP media came up in public and mentioned names of business tycoons he considered 'sharks' of corruption (fisadi papa) in the country. One of them happened to be the owner of another big media house, New Habari (2006). What followed was that the owner of the New Habari (2006) also called a press conference and referred to the owner of IPP Media as the 'whale' of corruption (fisadi nyangumi). What ensued was a media war involving the two major media houses in the country.

Journalism is increasingly becoming a business. Journalists go to report the news and they want to be paid by the source of information. During our times we journalists are the ones who used to sometimes give sources money in order to get information. Corruption in journalism has become chronic. Journalists receive money so as to defame individuals or in order to suppress information. Imagine: journalists who are fighting for biscuits and refreshments at functions!

As Commissioner with CHRAGG, Joaquine de Melo has had many encounters with journalists in different circumstances, including press conferences, the Commission's events and even on the streets. While sharing her own story with journalists de Melo accentuated the observation made by Mbunga and admitted that she had a very low opinion of journalists in Tanzania:

Let me give you an example; I attended this HakiElimu event over the weekend; as I was walking back to my car two people followed me. And I was like what are they up to? I was preparing for an attack. And then I was like What? Then they went like, "eh mama we haven't seen you for a while, are you involved in gym or physical exercise? You have really toned down you look so young". Then they said they had attended our Commission's event the previous day and they had not been paid. I was like: 'You just grabbed me from this function just to tell me this sick story?' And they said they didn't even have fare. I was mad. I just got into my car and drove off. So that cheapness, within the profession tares down the reputation of journalism. I (always) think it is one of those respectable professions; because through writing and through words, the world gets shaped. Now if you are having such kind of people in your profession; and I happen to meet this every day...! For example they come for a press conference and they will demand for sodas but after that they won't leave because they want 10,000/– as fare. Where are we heading with this profession? It is a matter of professionalism; it's a matter of ethics; attitudes; respect. I am a lawyer, and I know I can't jump onto every Tom Dick and Harry on the streets and say oh you know...; it is so demeaning.

10.3   Self-regulation and MCT's role

In principle all interviewees admitted that self-regulation of media was the best approach even in a young democracy like Tanzania. The main arguments were as follows: Firstly, interviewees were of the view that it was not proper in a democracy to allow government to regulate through authoritarian laws because often it ended up controlling media. Secondly, there was an argument – closely related to the one above – that since the government also owned media, it was improper for it to continue being the complainant, prosecutor, and judge of other media practices at the same time. Thirdly, interviewees argued that since its establishment, MCT had built a strong reputation and trust from different stakeholders despite lack of teeth and that this had given it legitimacy to spearhead self-regulation.

Fourthly, majority of interviewees admitted that MCT's handling of cases had saved a number of media outlets from being slapped with hefty fines as damages for defamation in courts of law. Fifthly, there was a common understanding that apart from a shorter period that MCT took to resolve cases, the process itself was educative even to the public and was accessible even to ordinary persons who wished to complain. However, on the other hand, there were interviewees who admitted that self-regulation was indeed a better option to government control but expressed concern or faulted it as being toothless and ineffective.

One interviewee in particular, with extensive experience in journalism education and self-regulation was of the view that self-regulation, as a concept, was a necessary condition for any profession regardless of whether or not it was being weighed against government control:

The concept of self regulation; has always been there for any profession, there has to be what we call self-regulation in the sense that your practice is based on professional criteria; the fact that you are doing something professionally, with a code of ethics; the fact that you are doing certain tasks in a certain way as demanded by the profession, you are actually practicing self-regulation. Once you have a body outside individual or newsroom self-regulation, it could either be self-established or established by another mechanism, then it is an indication that professional self-regulation has failed. People have to self-regulate themselves first. It is a failure of self-regulation that prompts establishment of institutions like the MCT. By self-regulating themselves means you know ethics of the profession and at the same time you are practicing according to professional ethics. As a profession, to be respected, you have to show a way of doing things that is professional and it is the ethical part of this that makes a profession more reliable and dependable by the public (Gervas Moshiro).

On the issue of self-regulation as an ideal mechanism for regulating media in a democracy, interviewees were generally in agreement that it was a better alternative to government control of mass media using autocratic laws. Some interviewees made a distinction between regulation and control, arguing that self-regulation was the preferred alternative in democratic societies. Interviewees, however, noted that although it was the preferred alternative, self-regulation by itself was not automatically effective because it relied on a number of other factors. Key among such factors, interviewees noted, were consent by media owners and media practitioners to abide by common rules that members of the industry agree to follow. Interviewees also seemed to agree that for self-regulation to work effectively the industry must enhance professionalism, including effective enforcement of the code of ethics. They further maintained that more public awareness was needed to enable citizens participate in holding the media to account. Below are more quotations:

The reason the idea of self-regulation came up in the first place was that in the previous political system, the press was coming from a situation where the state controlled media. The state doesn't regulate, it controls. There is a difference between regulating and controlling. So the idea is that whenever you allow the government to regulate media, it ends up controlling. No state in the world would like free flow of information; they only pay lip service... The idea in democracy, initially, is that if the state claims to represent or work for the people why should it keep secrets from the people by controlling those charged with exposing wrongdoing? (Issa Shivji).

There are no absolute controls in democracy; there are regulations. What we have now is control not regulation, because these are different. In regulation, whoever is being regulated conducts their business within certain boundaries which are made to harmonise interests so that in the pursuit of my business I do not block what you doing. And this is done so because of the understanding that society optimises benefits when all of us are functioning or pursuing our diverse interests under harmonised environment. Control is determining what people should do or not do, that's the difference (Mwesiga Baregu).

We are in a new political dispensation that requires accountability. Government should be accountable to citizens. As such, since media are regarded as watchdog in society, assisting citizens to keep a close watch on what the government was doing, it would be

inappropriate to allow the same government to control media through authoritarian legislation (Ussu Mallya).

Media law reforms are necessary in order to reduce the power of the government intervention in the workings of mass media or the powers of closing media outlets (Ibrahim Lipumba).

In any case there has to be regulation of media in any society but don't leave it to government alone. You can have either a bit of government and self-regulation. But you in media must come together to agree on your professional ethics and how to make sure self-regulation works (Joseph Sinde Warioba).

Public interest is served better in a democracy when media and journalists self-regulate responsibly (Kassim Mpenda).

The reason stakeholders rejected government move to establish a statutory media council was that it would have used it to control media and to protect interests of rulers and not necessarily to protect citizens (Jenerali Ulimwengu).

I wouldn't support the government to regulate media. I don't believe the government which has refused to repeal colonial media laws can be left to regulate media to help it promote democracy (Ernest Sungura).

We don't need a media law to do our work. What is the law supposed to tell us? How to write or what to write? We only need a charter. Information is a public utility, just like oxygen; do we need a law to regulate oxygen? We journalists get access to information because the public has a right to access that information (Felix Kaiza).

We would have wished to see the MCT, for example, or any other statutory media regulatory board to control rogue media outlets and journalists. But the problem is that such a body is likely to be used by the government (or some government officials) for selfish interests (Rose Haji).

Self-regulation should come first. Self-regulation is good; but if it fails then there should be another option. If someone is not satisfied with MCT decisions then they can proceed to court or any other higher authority (Pius Msekwa).

Right now (with authoritarian media laws) we have a problem in the sense that the same government becomes the complainant; the same government becomes the judge and the same government becomes the punisher (Bernadeta Killian).

I think self-regulation is better; if MCT, for example, had been a government organ, then it would have been bogged down by bureaucracy, sluggish pace of arbitration and corruption (Francis Kiwanga).

Self-regulation is much better in a democracy because if the government is left to control media, press freedom becomes in danger (Nurdin Said).

Those who admitted that self-regulation was a better alternative but faulted it for its failure to impose sanctions on erring journalists and therefore suggested some improvements had the following views:

MCT has a limited enforcement mechanism. There should be a tribunal where judgments are enforced. For instance, how can MCT deal with rogue media or owners who want to own all media, all the news and all the points of view in society? (Bernadeta Killian).

MCT lacks capacity to enforce ethical behaviour in journalists. That's why there was a time the government felt there was need to establish a statutory body to oversee professionalism and media accountability (Fenella Mukangara).

Self-regulation is good, MCT is doing a good job; but how, for instance, does it help the poor fellow in the rural area? Highly rural people are poor and as such they remain cynical about unethical media behaviour and take no action (Augustine Hatar).

MCT doesn't have powers from parliament. We should give MCT powers to stop these rogues in the media who are bent to prostitute the profession (Ernest Mrutu).

MCT has built a name. Most people, including big guns respect it. That's why all these people are willing to come to MCT for reconciliation because it is a credible institution. The problem is that it lacks teeth (Chrysostom Rweyemamu).

Self-regulation is better... but there is need to reform MCT to strengthen compliance because we do not have the means with which to enforce compliance from media outlets. Today you write a letter to editors about complaints and they take long to respond; you remind them, they drag until complainants give up (Nurdin Said).

Another strong criticism with regards to MCT and self-regulation in Tanzania was its overreliance on donor support for its functioning. Interviewees argued that the main source of funding for the MCT should have been the key stakeholders – the media houses themselves or other independent sources. The first key argument here was that if self-regulation was good for media, journalists and the profession, then it was they who were supposed to support and sustain it. The second argument was that the media were claiming that by promoting self-regulation they were striving to be independent from government or other institutions that would control them. As such, interviewees argued, MCT should also strive to be independent even from donor funding because they are also not 'value' or 'interests' free.

10.4   What should be done?

All interviewees admitted that MCT had been very instrumental in promoting the idea of self-regulation of media in the country despite the fact that it lacked teeth to enforce its arbitration decisions. However, several interviewees, particularly those who had worked closely with the MCT believed that the self-regulatory body did not need teeth. One argument put forth was that invitation of the government to provide teeth to a self-regulatory body empowered the government to think that self-regulation had failed and therefore its muscles were required to discipline media. The second argument was that MCT could not build its legitimacy on the basis of self-regulation only to turn and claim teeth from the very government whose proposal for a statutory council it rejected in the first place. In other words, it is like eating one's cake and having it. The third argument was that the results, or success, of self-regulation could not be seen overnight and that there was progress being made in the current efforts by the MCT and other stakeholders to improve and sustain self-regulation. Interviewees argued further that the sanctions imposed through self-regulation were a sufficient punishment to media that breached ethics because no serious editor was ready to face public admonition very often. The following recommendations therefore were made:

i.   Enhance support of MCT by key stakeholders – media owners, editors, journalists and the public;

ii. Enhance sustainability capacity of MCT so it does not have to depend on donors forever;

iii. Enhance the capacity of MCT for proactive monitoring and publication of leading defaulters of ethics;

iv. Enhance MCT's public education about good journalism and how citizens can demand media accountability; Initiate public or citizens' awareness on how they can demand accountable journalism;

v. MCT should initiate and help establish newsroom accountability systems and regular in-house training;

vi. Strengthen other journalism associations such as Editors Forum, trade unions, MISA, TAMWA, etc.

vii. Establish a separate Media for Democracy institution to be charged with: media monitoring, media research, in-service training, developing training material, publishing reviews of media performance, carrying out public surveys of media use and citizens' views about media performance, engage public in demanding media accountability, work closely with MCT, media houses, civil society and establish mutual relations with government as well as international partners committed to promoting media freedom and accountability;

viii. Establish true public service media which should be independent from government or other forces with interest to pursue through media. The advantages of such media would be as follows: Firstly, a true public service media would be expected to serve the public and national interests effectively, efficiently, more professionally and reliably. Secondly, a quality public service media would be well funded to extend its reach to all areas in the country so as to serve all citizens without excuses of costs. Thirdly, such a professional media would serve as a model for other private and commercial media to gauge themselves in terms of professionalism and its focus on information and programming that put public interest first.

10.5 Summary

As was the case with the focus groups the interviewees in this chapter call for critical examination of liberal democracy and its ideals, particularly with regards to its relevance to needs, challenges and aspirations of Tanzanian people. Although interviewees admit that multiparty democracy has expanded space for citizens' participation, access to media and expression of views, among others, they still see the nature of free market as tending to push majority of poor citizens to the margins where their welfare is bypassed by the preferences and interests of political and economic elites. Interviewees therefore call for a transformative form of democracy which responds to citizens' needs for survival and development rather than to free market imperatives.

It is in this context that interviewees situate the role of media as well as the place of MCT in spearheading self-regulation in Tanzania today. By and large, interviewees broadly maintain that the media in a young democracy like Tanzania should play the following roles: Informational, surveillance, enlightenment, link between groups, forum for debate, agenda setting (for transformation and development) as well as watchdog. About half of the interviewees argue that while modern media such as newspapers, radio and television were important and central to democratic transformation, traditional forms of communication

(oramedia) are still very relevant, practical and effective, particularly among the majority of rural and peripheral urban populations.

Furthermore interviewees admit that, in general media have played an important role in the democratization process through provision of information from various sources, creation of awareness, provision of education about democracy and citizens' rights, provision of a forum for citizens' debates as well as holding public office bearers to account. Nevertheless, interviewees still admit that, generally, the performance of mass media remain spoor; the content is below standards and unethical behaviour pervasive. They cite the following ethical failures in Tanzanian media as weakening the role of media in promoting and sustaining transformative democracy: Firstly, interviewees view journalists as poorly educated and poorly remunerated and hence susceptible to corruption and manipulation; secondly, they see media content as characterized by outright lies, half-cooked stories, inaccuracies, shallow or biased reportage, as well as censorship to suit owners' (or politicians and business) interests. Thirdly they see journalists as practicing vendetta journalism either to settle scores on behalf of their political and business patrons or simply to sensationalise in order to sell.

Although they admit that the MCT, as it is, has not been able to address these ethical failings effectively, they still prefer self-regulation to government regulation. The first argument in this regard is that the governments, especially in post-colonial Africa, do not regulate, they always control. And the second argument is that it is improper for the government to own media while at the same time playing as the complainant, prosecutor and judge of the private media. Most interviewees in this category are of the view that MCT has gained a reputation as well as trust among the public, and the government, despite its lack of teeth and that it has saved a number of media outlets from hefty fines that are normally imposed by courts of law.

Interviewees in this category therefore suggest the following measures to address the shortcomings:

i.   the need to address the kind of democracy a country like Tanzania should be promoting;

ii.   strengthen media through addressing welfare of journalists and their training;

iii. strengthen stakeholder support for MCT;

iv.   enhance sustainability capacity of MCT so it doesn't have to rely on donors for its budget;

v.   enhance newsroom capacity to enforce codes of ethics;

vi.   conduct appropriate journalism training from university to in-service level;

vii. enhance public education campaigns about the role and activities of MCT to create public awareness;

viii. strengthen professional associations and enhance their networking with MCT;

ix.   establish Media for Democracy institution which could serve as a training hub for professional journalists and media people on their roles, conduct research, monitor media performance, carryout media reviews, liaise with MCT, government, other stakeholders on how to strengthen media sector;

x.   strengthen public service media and enhance their independence from government or any other institution so they can set professional standards by their performance.

As will be seen in Chapter 12 and 13, the findings in Chapter 8, 9, and 10 raise views that are common about the role of media in Tanzania's young democracy; media accountability, the effectiveness of MCT in spearheading self-regulation and what should be done.

Chapter 11   Analysis of MCT arbitration (1997–2006)

11.1   Objective of studying MCT arbitration

For quite some time the MCT has been claiming that compliance by parties to its arbitration decisions was over 98 percent[37] thus making it reliable and effective as a self-regulatory body. The major objective for studying the MCT arbitration cases was to analyse the extent to which the exercise – which is an important aspect of the MCT functions – fulfils the objectives for which the Council was established. In other words, the study aimed at assessing claims about the effectiveness of arbitration as an important aspect of self-regulation in Tanzania's nascent democracy. Specifically, the study of MCT arbitration cases sought to assess the following:

– Verdicts of complaints brought before MCT each year and lessons from them;
– Types of media brought before the MCT and the frequency of their appearance;
– The profiles of complainants, their occupations and places of origins;
– The types of complaints and lessons from major ethical problems;
– Duration of cases – from the date of registration to the day of final verdict;
– Types of remedy sought by complainants through arbitration.

This chapter first summarizes MCT's mandate and arbitration procedures. The chapter then presents the empirical findings in tables and text that explain – or expound – on what is discovered. At the end of the chapter is a summary that wraps up the findings.

MCT objectives

The main objectives for MCT as set out in its (1995) constitution and as subsequently amended in 2002, 2004 and 2007 at its General Conventions are as *follows:*

• To promote, assist, safeguard and defend freedom of the media and allied forms of public communication in the United Republic of Tanzania;
• To oversee that journalists, editors, broadcasters, producers, directors, proprietors and all those involved in the media industry in Tanzania adhere to the highest professional and ethical standards;
• To receive and conciliate, mediate and or arbitrate upon complaints from the public and amongst the media inter se against alleged infringements of the Code of Ethics;
• To encourage development of the media profession in Tanzania by undertaking activities including, but not limited to, training of journalists, overseeing press clubs

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37   See for instance a paper titled: Self-regulation as a Way of Promoting Press Freedom and Ensuring High Ethical and Professional Standards: Experience of the MCT, which was presented by the first MCT Executive Secretary, Anthony Ngaiza, at a seminar for journalists held in Zanzibar on April 13, 2002.

development, to conduct various media freedom campaigns, seminars, workshops and/or symposia;

- To maintain a register of developments likely to restrict the supply of information of public interest and importance, keep a review of the same, and investigate the conduct and attitude of persons, corporations and governmental bodies at all levels, towards the media, and make public reports on such investigations;
- To involve members of the public in the work of the Council and constantly and reasonably keep them informed about its operations, views and decisions;
- To promote and defend the interests of readers, viewers, and listeners;
- To promote gender sensitivity, equality, equity in and balanced reporting and dissemination of information;
- To raise funds for the purposes of the Council on such terms as are compatible with the autonomy of the Council and within the spirit of its mission and vision;
- To publish papers, journals, newsletters and other materials to achieve these objectives; and
- To do such other things as may be in the interest of the Council, the media and the public as may be necessary to achieve these objectives.

Organs of the MCT

The major organs of the council are: The National General Convention (NGC) and the Governing Board. Under the Governing Board there are three committees namely: Ethics Committee from which an autonomous Adjudication Board of the Council is formed; Administration Committee and Programmes Committee.

All complaints are supposed to be addressed to the Executive Secretary who would then processes them in accordance with rules of procedure, reject those that do not qualify and present those that quality before the Adjudication Board of the Ethics Committee. The Executive Secretary may, whenever he or she deems appropriate, handle cases that do not necessarily merit the attention of the Ethics Committee. All hearings before the Ethics committee are open to the public except where complaints are sensitive, such as those about minors or victims of sexual offenses. Legal representation is not allowed in arbitration save for the discretion of the Committee where such representation is absolutely necessary.

Powers of the Ethics Committee provided for under Clause 8 of the MCT Constitution include powers to dismiss or reject a complaint, powers to settle disputes amicably or to reconcile the parties, order publication of an apology in the manner directed by the Committee, powers to temporarily suspend membership or order for a token payment of damages and costs.

Complaints sent to the Council are supposed to be attended to immediately and the Ethics Committee is obliged to strive to conclude every matter before it within three months. The Ethics Committee can, on its own motion, initiate investigation, hearing and disciplining of any media outlet for malpractice in accordance with the Council's Code of Ethics. In handling a complaint or any other matter from any region of Tanzania, the Ethics Committee at its discretion may involve the press club in the area[38].

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38 Information obtained during an interview with MCT's Executive Secretary, Kajubi Mukajanga.

11.2   MCT's arbitration procedure

Before complainants can lodge their complaints with MCT there are a number of conditions they must first consider or fulfil which are:

i.   Complainants must first ensure that before they bring their complaints to MCT all avenues and possibilities of reconciliation have been explored in the newsroom hierarchy;

ii. Ensure that at the time of filing the complaint, the story being disputed was published or broadcast not more than 12 weeks from the date of publication or broadcast;

iii. Financial remedy is not the basis for MCT arbitration. Money awarded to complaints in terms of fines from respondents is only a result of mediation;

iv. Complaints filed in the Council must be in writing and must be accompanied by evidence annexed to prove particular allegations of facts;

v.   Complaints to the Council must also specify what remedy they seek from the Council;

vi. If the complainant is not satisfied with the Council settlement, he/she can resort to court action although evidence produced in MCT arbitration cannot be used in court as the basis for its decisions.

11.3   Verdicts of complaints and types of media

Table below presents a summary of 10 year details of how complaints were handled (whether media were found guilty or innocent) and type of media that erred.

Year	Complaints				Type of media		
	Censured	*Cleared*	*Other*	*Total*	*Newspaper*	*Radio/TV*	*Other*
1997	4	–	1	5	4	1	–
1998	9	2	6	17	16	1	–
1999	4	–	1	5	4	1	–
2000	8	1	5	14	12	1	1
2001	26	1	5	32	29	2	1
2002	16	2	3	21	20	1	–
2003	18	–	3	21	20	1	–
2004	6	2	2	10	10	–	–
2005	4	1	1	6	6	–	–
2006	4	1	–	5	5	–	–
Total	99	10	27	136	126	8	2

In the findings, the year 2001 had the highest number of cases (32) while 1997, 1999 and 2006 had the least number of cases (5). On the whole, in all the cases that were heard by the Ethics Committee in the ten years under this study, majority (over 80 percent) of the decisions censured the media for being unethical. In the remaining cases (less than 20 percent), the media were either exonerated or the cases were dismissed for lacking merit.

Some of the reasons that prompted dismissal of cases included: situations whereby the complainant had brought a complaint before the MCT while there was another case pending in a court of law. The second reason for dismissal of cases was when the primary objective of the complainant was monetary compensation and nothing less. There were also complaints that were closed (not rejected) because the editors had refused to cooperate in which case the Ethics Committee asked the complainant to seek remedy elsewhere. Majority of complaints (92 percent) were against newspapers, while about 6 percent were against radio and the remaining about other types of concerns. For example there were cases in which a journalist complained against a fellow journalist without necessarily relating the complaint to his/her media organisation.

11.4   Profiles of complainants

Table below presents a summary of complainants by occupation, frequency of complaints and percentage to 136 cases studied in this research.

	Occupation	Frequency	Percentage
1	Ordinary citizens	29	21.3
2	Politicians	28	20.6
3	Professionals/civil servants	19	14.0
4	Journalists	18	13.2
5	Businesspersons/ companies	15	11.0
6	Showbiz celebrities	9	6.6
7	Religious leaders /organisations	9	6.6
8	Other institutions	7	5.1
9	Government	2	1.4
Total		**136**	**100.0**

In the ten years under study (1997–2006) ordinary citizens were the leading complainants scoring over 21 percent followed by politicians who constituted about 21 percent. In the third position were the civil servants and professionals with 14 percent followed closely by journalists with about 13 percent and businesspersons or companies with 11 percent. Religious leaders and organisations tallied with showbiz celebrities with about 7 percent each while organisations such as educational institutions had about 5 percent while the government constituted about 1 percent.

11.5   Origin of complainants

Table below describes the origin of cases and frequency of complainants from the various places of the country.

	Place of origin	Complainants	Percentage
1	Dar es Salaam and neighbouring districts	103	75.7
2	Northern Tanzania	8	5.9
3	Lake Victoria zone	5	3.7
4	Central Tanzania	5	3.7
5	Western Tanzania	3	2.2
6	Southern Tanzania	3	2.2
7	Zanzibar	2	1.4
8	Unknown	7	5.1
Total		**136**	**100.0**

An overwhelming majority of complainants (about 76 percent) came from Dar es Salaam followed by about 6 percent from Northern Tanzania and around 4 percent both in Lake Zone and Central Zone Tanzania. There were fewer complainants from Southern Tanzania, Western Tanzania, and Zanzibar (all with around percent). The origin of about 5 percent of the complainants could not be established due to missing information. What the trend shows is that most complainants come from Dar es Salaam because of proximity; they also access the newspapers easily and quicker than any other person and most of them are politicians, business persons, celebrities, professionals or civil servants who feel publication of defamatory article exposes them to a much bigger public. In fact even complainants from regions outside Dar es Salaam were either politicians, big business persons, religious leaders or journalists. These are people who have knowledge of the MCT; have access to newspapers; have the money to cover expenses of following up the cases and motivation or compelling reasons to seek remedy for defamation. Otherwise the cases indicate that ordinary persons outside Dar es Salaam do not have the luxury of complaining at the MCT probably because they lack knowledge of the MCT; access to media outlets and the money to launch complaints.

11.6   Nature of complaints

Table below presents the different types of ethical transgressions, their frequency as well as percentage.

	Nature of complaint	Frequency	Percentage
1	Defamation, libel and innuendo	118	86.7
2	Inaccuracy, lack of balance & right of reply	11	8.0
3	Plagiarism	4	3.0
4	Notification, clarification, concern	3	2.2
Total		**136**	**100.0**

Most of the complaints (about 87 percent) were about the media having published articles that was deemed by complainants as false or malicious – which had defamed them and presumably subjected them to public ridicule or contempt. Apart from requesting monetary compensation as remedy or to cover costs incurred in following up the case almost all complainants demanded an apology in the same weight they had been defamed. The next category constituting 8 percent belonged to individuals or institutions whose primary objective was to help put facts and records straight (from their own points of view). In this category, complainants either claimed the media had gotten the facts wrong or that the editors had refused to provide them with the right of reply. Then there was 3 percent (journalists a photojournalist and a cartoonist) who wanted remedy after their works were used by other authors without their consent while about 2.2 percent simply sought to inform the MCT, or to seek clarification, about ethical controversies in some media content.

Many of the articles about which complainants filed cases with MCT were so outrageous that in principle no editor worth the title could have allowed them to pass a publication test. Yet some editors continued to stick to their guns defending their decisions to the end and refusing to apologise or to compensate the complainants in question. Although the 2 percent of editors who refuse to comply may sound small, it is still a blow to those individuals who turn to MCT for remedy believing media people can be held accountable through self-regulatory mechanism.

11.7   Duration of arbitration process

Table below provides a summary of duration of cases, the longest period a case was handled, the average duration as well as the shortest.

	Nature of duration	Period
1	Longest period	One year *(Ubwa Z. Ubwa; case filed on March 19, 2005 and resolved on Feb 23, 2006)*
2	Shortest period	One month *(Dr. John Mahona; article appeared on April 8, 2002, resolved on May 15, 2002)*
3	Average period	Three months

Clause 18 (10) of the MCT Constitution states thus:

Complaints sent to the Council shall be attended to immediately and the Ethics Committee shall strive to conclude every matter before it within three months. One of the arguments put forth in favour of self-regulation is that the process of arbitration takes much shorter time to reach verdict while in courts of law cases can drag for years. In the data that is analysed for the period under this study, the longest case at MCT took about a year to reach a conclusion while the shortest arbitration took less than one month. On average arbitration took four months to reach conclusion.

11.8   Monetary remedy sought by complainants

Table below presents a summary of nature of compensation sought, in terms of cash and frequency of such cases.

	Nature of compensation	Amount	Frequency
1	The highest amount of remedy sought	200,000,000/–	5
2	The lowest amount of remedy sought	60,000/–	1
3	The most common amount sought	5,000,000/–	11
4	The highest amount awarded by MCT	3,000,000/–	*Julius Masaka (disabled politicians who had travelled from Musoma several times for the case)*
5	The lowest amount awarded by MCT	Handshake by conflicting parties	Common to most cases

Section 1.4 under rules of procedure states thus:

Because mediation is one of the basic pillars of the Council, the Council cannot help complaints whose express purpose (of complaining to the Council) is to get money. Money awarded to complaints in terms of fines from respondents is only a result of mediation, not the basis of filing complaints in the Council. Therefore, the Council advises any would-be complainant whose purpose of coming to the Council is to get money to take their cases to the courts to law.

Still majority of complainants who take their cases to the MCT tend to ask for monetary compensation as would be the case in the courts of law. Although some complainants would ask reasonable amount to cover costs of following up the case, there appear to be two other motives as well: One is to gain monetary compensation for being wronged by media as a remedy for actual damages suffered. A good example is a 17 year old girl named Neema Malekela who brought her case to the MCT claiming that cartoon stripes that had been published attacking the character of a woman bearing her name and profile had prompted her father to withdraw the school fees he was paying for her to join a nursing college. Neema, who came from a poor background, was awarded a 2 million solatium in the hope that it would have covered her school fees and other expenses that her father had withdrawn. Another motivation, according to proceedings, is to punish the media by having them pay for their mistakes so they don't have to repeat. Some complainants who found out, after arbitration process had started, that they could not get monetary compensation in terms of millions of shillings ended up withdrawing their cases and proceeding to the court of law.

11.9   Frequency of complaints by media outlets

Although the number of times a media outlet appears before the MCT to respond to complaints may not necessarily explain everything about its ethical performance, it may be interesting to note that the leading targets of complaints are serious, well established media outlets. Partly, though significantly, one explanation is that at one time the owners of tabloid newspapers pulled out of MCT because they considered its adjudication as another possible

threat to their survival. On the other hand, serious newspapers are considered to be widely read by serious audiences and taken serious and hence what they publish has more impact than what is in the tabloids. Below is a table indicating the media outlets that have been brought before the MCT since 1997 and the frequency of cases for each.

A total of 45 media outlets were brought before the MCT in the period under this study; 15 of them tabloids, 11 serious dailies and weeklies, four radio stations, including the government RTD, and three religious newspapers. Other media outlets included two television stations, one with national audience and another one regional. There was also one party (CCM) newspaper, one sports paper and a ministerial newsletter. The leading target of complaints was *Nipashe* (appearing before MCT 18 times), followed by *Majira* and *Mwananchi* (eleven times), and *The Guardian* and *Mtanzania* (eight times). The tabloid that came close to the leading ethics defaulters was *Ijumaa* which appeared before the MCT five times followed by *Dar Leo*, *Risasi*, *Rai* and *Kiu* (four times each). *Kasheshe, Daily Mail, Msanii Afrika, Hoja, Taifa Letu,* and *Amani* all appeared before the MCT three times in ten years. There were ten newspapers which appeared two times and the rest appeared only once.

11.10   Summary

This chapter dwelt on analysis of MCT's arbitration cases in the ten year period (1997–2006). Procedures to register cases allow individuals to settle with editors/media managers before they can file a case with MCT. In the period under study 92 percent of cases were against newspapers while six percent were against radio. The remaining were about other concerns such as plagiarism. Ordinary citizens were the leading complainants at the MCT followed by politicians and professionasls. Government had complained only twice in the period under study. Most complainants come from Dar es Salaam and neighbouring districts. Dar es Salaam is the defacto capital city and headquarters of MCT and almost all media houses in the country. The leading types of ethical flaws about which most individuals and institutions complain are defamation, libel and innuendo. About 87 percent of complaints were about the media having published articles or materials that were deemed by complainants as false, untrue or malicious. The duration of arbitration ranged from one month (minimum) to one year (maximum). The average period of arbitration is three months. The leading victims of complaints were the media outlets considered to be serious and not tabloids.

Some logical, as well as practical, explanations can be extrapolated from the nature of complaints and proceedings of MCT arbitration process. These explanations are drawn from closer observation as well as examination of data in the arbitration cases and may lead to the following conclusions:

  i.   There is, among editors and journalists, a general lack of respect for the rights of other individuals to privacy and to a fair treatment in stories;

  ii. There is lack of understanding or appreciation of the cardinal rules of journalism ethics which emphasise on accuracy, balance and fairness;

  iii. In a competitive media environment, motivation to sell (or scoop) has often tended to lead to publication of rumours, half-cooked information, outright lies or simply to sensationalise;

iv. Some journalists and editors either tend to fall prey to individuals who want to use media to settle personal scores; or they also engage, in order to benefit, in conflicts between individuals and use media to achieve such ends; There are cases of journalists receiving bribes just to tilt facts in stories involving conflicting individuals;

v. There is a general breakdown of newsroom hierarchy and procedures of gate keeping which are primarily intended to help ensure truthfulness, accuracy and fairness of stories. Some editors do not seem to check thoroughly everything that gets printed in their newspapers;

vi. Media professionals in general tend to be careless with facts because they assume the general public is ignorant and uncritical about their work.

PART FOUR

SUMMARY AND DISCUSSION

Chapter 12   Summary and perspectives

12.1   Media in redemocratization

This chapter gives a summary of findings while providing perspectives on the problem of my research. The objective of this chapter is therefore to throw some light as well as insights on what the figures and views in the findings actually represent with respect to the research problem and questions. It is also the objective of this chapter to compare and analyse findings in the different methods applied in this study.

As noted in Chapter 3, Tanzania is estimated to have over 3,000 journalists, who include those with permanent and pensionable employment, correspondents as well as freelancers (Kilimwiko 2009). Most of these work in urban areas such as Dar es Salaam, Mwanza, Dodoma, Arusha and Zanzibar. There are 23 press clubs in Tanzania's 25 regions with a total of 1009 registered members, over 60 percent of them male journalists. This survey reached 221 respondents throughout the country out of whom 66 percent were male while 34 were female. Majority of respondents (66 percent) works for print media while 16 percent works for radio and another 16 percent for television. Of these, majority (55 percent) of respondents are permanently employed followed by 15 percent who are correspondents and another 15 percent of freelancers. About 9 percent work on part-time basis and 7 percent did not indicate their terms of employment.

Role of media in democratization

On the question of the role of media in society majority of responses in the survey, focus groups and in in-depth interviews cited traditional roles such as informing, educating, creating awareness, entertaining and advertising. Very few mentioned roles such as 'watchdog', 'voice of the voiceless' or 'development' as important in a society like Tanzania. Furthermore, while most respondents in the survey could not distinguish general roles of mass media from specific roles in democracy, respondents in focus groups, as well as interviewees in the in-depth group, demonstrated deeper understanding, as critical views about the nature of democracy itself which, they argued, was not responding effectively to the needs and aspirations of the citizenry. Indeed, there appears to be lack of clarity as to what specific role journalists should play in Tanzania unlike in the socialist era when the government organized systematic seminars to train all journalists about their role in a socialist country. A baseline survey conducted in Tanzania last year reveals that majority of journalists in the country "are not clear about the importance of following their conscience and exercising the monitorial, watchdog role of journalists" (see Matumaini 2011: 37). To many journalists today journalism is just a job and has apparently lost the idealism it embraced in the old days when it was regarded as a 'calling' (see Ramaprasad 2001). Another plausible explanation to this lack of

clarity, which is supported by this study, (see also Mfumbusa 2006 and Matumaini 2011), for example, is that poor conditions, as well as poor pay, compel majority of media practitioners to mere employees who are struggling to survive. According to Matumaini (2011) participants in his focus groups discussions revealed that although the private sector had proposed a minimum salary of 250,000/– per week, most employers had not honored the proposal. This environment is compounded by the new free market environment in which forces from the state, market, and elsewhere exploit media practitioners' poverty conditions to meet their selfish ends. There are also threats coming from forces whose interests are jeopardised by exposure in the media.

But critical views of focus groups and in-depth interviewees appear to be in line with those of scholars who have criticized the way multiparty democracy was imposed in Africa in the 1990s by responding more to the needs of international capital than to those of local constituents (see Mafeje 1999; Berger 2002; Hyden et al. 2002; Mukandala 2001).

While majority of respondents in the survey provided general responses – citing information, education, entertainment as the main roles of media in Tanzania's democracy – respondents in focus groups as well as in the in-depth category were in agreement about media's transformative role. As observed in Chapter 4 and 5, the role mass media play in society has an important bearing on the kind of regulatory framework that is established (see Curran 2002; McQuail 2006; Christians et al. 2009). It is rather curious to note that fewer responses (less than 10 percent) mentioned 'watchdog' just as only about 2 percent mentioned 'voice of the voiceless' as important roles of media in society.

On the other hand, most respondents who mentioned entertainment were younger while older journalists evenly mentioned the other traditional roles. This is due to the fact that the entertainment beat which includes sports, showbiz and other forms of entertainment has attracted much younger reporters compared to other journalistic genres. Besides, the entertainment role appears to be gaining surging popularity particularly among the youth such that even informational or educational programmes are presented in an entertaining, often trivial, manner referred to as 'infotainment'. Scholars, such as Robert McChesney (1999), Kaarle Nordenstreng (2001), James Curran (2002), and others who have examined theories of media role in democracy have indentified the trend in which the watchdog role of the eighteenth century media in Europe is giving way to entertainment and profit motives. And since the version of democracy that was imported into Africa reflects the liberal strand practiced in most Western countries it is not surprising that media in Africa also follows whatever is practiced by the media in the West. Indeed, even the traditional roles mentioned above (informing, educating, entertaining, advertising) reflect the nature of journalism curricula which draws its content and emphasis from Western journalistic education (see Mfumbusa 2008).

In both focus group discussions as well as in the intensive interviews a general consensus was that since the reintroduction of multiparty democracy the media had played a significant role in informing, creating awareness, educating (civic education), unearthing scandals as well as providing space for public dialogue and debates. Generally, their views were in agreement with conclusions drawn from the survey findings. However, in all the three cases participants and interviewees were of the view that on specific cases some media had played a more

important, and professional, role than others. They observed that some media were guilty of gross violations of journalistic ethics through publication of lies, false allegations, sensational and biased content either to maximize sales or tilt public opinion to suit interests of owners, politicians and business interests as findings in the arbitration cases in Chapter 11 confirm (see also Mfumbusa 2003, 2008; Rioba 2009; Kilimwiko 2009).

Furthermore, it is important to reflect on the dominant view from in-depth interviews that liberal democracy had responded more to the needs of its staunch advocates – Western donors and international financial institutions – than to the emancipatory needs of majority of citizens. Almost all interviewees maintained that democracy had come to simply mean periodic elections – their questionable freeness and fairness notwithstanding – and concentration of decision making as well as resource distribution powers among urban political elites (see, for example, Blake 1997; Ocitti 1999; Mafeje 2002). It is indeed pertinent to ponder over the main concern by respondents and interviewees that even patterns of ownership of mass media in the country had come to reflect concentration of powers in society rendering them solely accountable to power holders rather than to citizens. At the backdrop of this concern is a gap between what is touted as the ideal on one hand and what happens to be the reality on the other. Both the in-depth and focus groups questioned the relevance of liberal democracy to a society like Tanzania, with editors, for example, arguing strongly that they had a sacred duty, to serve the larger society diligently, truthfully and to demonstrate unwavering support to the ideals of a democratic society. Yet, editors still admit the frustrating environment under which they are expected to live up to public expectations of their roles as one contributor in the editors' focus group pointed out:

> Apart from the normal roles of informing, educating, entertaining, etc, I don't know to what extent we in the media stand for the truth, in all its facets; it would serve this society a great deal if we (the editors and journalists) reflected seriously about what democracy means; what the societal needs are; and stood for these unwaveringly instead of abdicating our primary responsibility and aligning with some ideologies or narrow interests that tend to suppress the truth.

It was easy to see the frustrations in the comments by most editors who happen to know their 'sacred' duty yet are forced by circumstances to flout ethics in order to promote sales or even to retain their jobs.

Whether media plays its role effectively

Interestingly in this case the much younger and much older journalists thought the media did not play any special roles in promoting and sustaining democracy. While the much older journalists might be disillusioned about the changed political and economic circumstances since the beginning of democratization, the younger journalists are somewhat at loss largely because of unmet expectations. Complaints abound from young graduates who have experienced disappointment due to a mismatch between what they learnt in colleges and practical realities on the ground. Sentiments about media landscape that forces journalists to flout ethics to serve various interests emerged throughout this study. This clearly reflects the dilemma that Mfumbusa (2008) has alluded to about the African journalist being forced to practice in the landscape characterised by two sets of values: Western and local. On one hand

the media must reflect the free market tenets of the liberal democratic strand which focuses on profits but on the other it has to attend to the transformative needs of society by covering news and commentaries in ways that put citizens' interest first.

Respondents from the survey, focus groups and in in-depth interviews had similar views about obstacles hindering mass media from playing an effective role in the democratization process. While there were overlaps in emphasis from different groups, they all agreed on common obstacles and challenges the leading of which included media laws and regulations. For example, both focus groups and intensive interviews strongly expressed concern about draconian laws which the government had continued to use to control media two decades after the Nyalali Commission (1991) had called for their repeal or review. Three major problems were identified by these groups. Firstly, the laws in question, such as the Newspaper Act 1976, were meant to serve a one party authoritarian system and hence were inconsistent with the norms of democracy. Secondly, there was a concern that the government itself owned media outlets, and going by the principles of justice, it was inappropriate for the same government to be the accuser of other media, the prosecutor and judge at the same time (see also Berger 2007). Thirdly, there was a concern that often the government applied media laws selectively to punish media outlets that were playing their watchdog role on issues of public interest. During electoral campaigns of October 2010, for example, the government threatened to ban one of the leading serious newspapers, *Mwananchi*, on grounds that it was publishing a string of seditious articles. Later, after the elections, *Mwananchi* newspaper reported the issue to the MCT and upon investigation by a team of respected citizens, led by a university professor of Media Law, the newspaper was cleared of any professional misconduct.

The second obstacle which relates to the first point above is about lack of guarantee to press freedom and access to information. Over half of all respondents to this study noted the need to have laws that enabled mass media to operate without undue restrictions. Matumaini (2011) has shown that about 81 percent of respondents supported the claim that there were threats and intimidation to journalists. According to Matumaini, even focus group discussions in his study also affirmed that almost every journalist experienced threats particularly with regards to draconian laws still in existence.

As respondents in focus groups and in in-depth interviews noted, although the media were freer now compared to the period before reintroduction of multiparty democracy in 1992, the culture of government functionaries and bureaucrats had remained the same. In 2003 former President Benjamin Mkapa initiated a move to enhance a more transparent government which led to the establishment of government spokespersons in government ministries, agencies and departments, including the State House. During the inauguration of a workshop at Bagamoyo in 2003 on "Promoting Open and Accountable Government", President Benjamin Mkapa himself noted that the culture of secrecy had been so ingrained among government functionaries that change of mindsets was inevitable if the initiative was to succeed. Although Mkapa's successor, Jakaya Kikwete also pledged to run an open government and to respect press freedom – which he has largely done without any change to old laws – lack of legislation to guarantee access to information still poses a major obstacle to democratic governance. In 2009 MISA conducted a survey – which is normally conducted annually in the SADC region – in eight ministries and public institutions to measure the

degree of transparency and the results were instructive. Seven out of eight institutions surveyed did not respond to MISA's request for information (MISA Report 2010: 78).

The third obstacle comes from media ownership interference in editorial matters. Respondents in all the three approaches in this study cited media ownership as posing a challenge to how the media in the country operated. There are five major patterns of media ownership in the country which include: government/public; corporate or commercial conglomerates; private/independent; partisan and community. According to the findings, the major threats to editorial independence come from government, corporate and partisan media outlets which constitute over 90 percent of mass media in the country. As was the case in the survey of journalists, both focus groups and intensive interviews also faulted wanton owners' interference in editorial decisions to protect or advance their personal, political or corporate interests. Kilimwiko (2002: 3) describes owners' threats as follows:

> Experience has shown that media owners (whether they be government or business people or a combination of both) have the privilege of intervening on a day to day basis what content is run. This is done through appointing friendly managers, influencing policy in more than the companies they own because of networks of friendship and using channels they own as conveyor belts.

Kilimwiko (2009), who has been editor of various publications before, further maintains that there is a tendency to prohibit criticism and negative coverage; or to suppress important news and information; or to destroy competitors via criticism as well as to compromise diversity for profits and other concerns (ibid). This view of owners' interference, as well as details of how they do it, was dominant in all the groups studied as several anecdotes attest in chapters nine and ten.

The fourth obstacle that also came out strongly in all the discussions – which also relates to the obstacle above – was the power of business interests. Participants in all groups approached in this study noted, or impliedly observed, that with the introduction of free market economy all media relied heavily on adverts for economic sustenance. As such, they maintained, the corporate world always expected to exchange adverts with favours of positive coverage from media outlets (see also Matumaini 2011). This, participants noted, eroded their editorial independence significantly and often led to the 'killing' of stories of public interest which could potentially damage the reputation of companies in question. One contributor to the editors' forum focus group shared an anecdote which vividly epitomizes the challenge that editors face from the corporate world. He said a major cellular phone company in the country sued his publication because of a supposedly 'damaging letter to the editor' that had appeared in the readers feedback page. He observed that as editors, they were facing such pressure from advertisers routinely. Sometimes the advertisers threaten to stop advertising a particular media outlet just because a certain story did not portray them positively.

Another contributor (among editors) shared a similar anecdote about an advertiser who once threatened to withdraw adverts from his newspaper simply because the media outlet had published a court story that involved the company in question. As a result of this conflict, journalistic genres such as investigative journalism on issues of accountability are shunned by media outlets whose owners expect to maximize profit from advertisers – who also include the government. This then leads to what scholars such as McChesney (1999), Curran (2002),

Christians et al. (2009) and others have seen as the declining role of mass media in promoting and sustaining democracy.

The fifth obstacle that hinders media from playing an effective role in democracy is lack of respect for professionalism manifested in gross violation of ethics. In discussions with both focus groups and in in-depth interviews with experts, participants showed a deeper understanding of ethical issues pertaining to media practice in Tanzania. They all were in agreement that although there were different patterns of media ownership the mass media were primarily social institutions with a duty to serve broader interests of the public and the nation. They further maintained that journalists were obliged to serve society diligently and professionally by telling the truth accurately, in a timely and more balanced manner. And that as such, journalists were bound to always adhere to ethics in order to fulfill their roles more effectively. However, as observed above focus groups – almost all of whom are still practicing journalists – appeared to have a deeper insight about circumstances that drive the gap between professional goals for the ideal on one hand and practical realities on the ground, on the other.

Media ethics

Participants in the three groups of respondents in this study maintained that the leading ethical transgressions in Tanzania included, but not limited to, the following: telling lies or false allegations; defaming individuals; taking bribes to suppress or promote information; publishing sensational as well as biased content either to maximize sales or serve narrow interests of owners, politicians and businesspersons; using media as weapons for fighting political or business wars; plagiarizing content as well as failure to respect the right of reply. Most of these violations are also reflected in cases that were filed in the MCT in the period under this research and are listed in chapter eleven.

What is interesting to note is how respondents to the survey responded to the question about what they considered to be their main sources of ethical convictions. Although responses in this category do not show the order of importance it is worth noting that majority (30 percent) of responses mentioned 'personal convictions' followed by 24 percent of responses which cited 'parents and societal values' as sources of ethical convictions. 'Newsroom codes of ethics' came third with about 18 percent of responses followed by 'training in journalism ethics' also with about 17 percent of responses. 'Religion and the fear of God' came last with only 8 percent of responses. These results contrast significantly with the results of a study by Rioba (2009) which found that 'personal convictions' had the least responses while 'training in journalism ethics', 'education', 'parents' and 'religion' came top in a corresponding order (Rioba 2009: 96). One of the explanations for this evolution is that as a society drifts towards liberal political and economic policies individuals increasingly turn to the self for a sense of moral direction – as opposed to the sense of community which was very dominant during socialist years – or prior to colonialism (see Nyamjoh 2005). In other words democratic reforms that have been taking place in Africa, and Tanzania in particular, appear to be entrenching on the continent individualistic values of the liberal strand of democracy while replacing the deep rooted communal ways of life discussed in Chapter 4.

In all the three categories ethical failures in newsrooms were attributed to a number of factors among which the following became more pronounced: Firstly, participants in focus

groups as well as in intensive interviews were in agreement that lack of or poor education among journalists contributed to ethical violations particularly in aspects related to gathering (researching) and writing or reporting news information. Although the profiles of journalists in Chapter eight indicate a satisfactory level of education among the 211 respondents the reality is that lack of specialization and poor enforcement of newsroom discipline (refer to Mfumbusa 2006) affect the gathering and processing of news and other journalistic information. Besides, stiff competition among media outlets and the need particularly by private and commercial media owners to break even or to make profit tend to override other journalistic considerations. But again, respondents rightly observed that although poor or lack of education provided a significant explanation for unethical journalism, it was insufficient because the gatekeepers are expected to be educated and professionally competent enough to enforce codes of ethics. There was a general agreement among respondents that lack of professionalism provided a more plausible explanation to gross ethical violations (again see Mfumbusa 2006, 2008).

Secondly, it was noted across the board that most journalists were poorly paid and often worked under difficult conditions normally without working tools or transport. Lack of incentives coupled with low motivation is said to render journalists susceptible to performing poorly or succumbing to corruption as a way of improvising income. The question of poor pay emerged in all areas of this study and is also supported by other previous studies about Tanzanian journalists (see Kilimwiko 2002; Mfumbusa 2006; Rioba 2009; Mpagaze 2010; Matumaini 2011). Again, it should be noted that although poor pay, irregular or late payment as well as lack of job security are cited as leading causes of corruption among journalists they do not tell the whole story.

Corruption in media also reflects the prevalence of the vice in the whole society as Nyamjoh (2005), Mfumbusa (2008) and Mpagaze (2010) have also noted. In a study he conducted among Tanzanian journalists, Mpagaze (2010) found that 40 respondents 'strongly agreed', 32 'agreed', 10 remained 'neutral', 3 'disagreed' while 2 'strongly disagreed' that corruption was a common phenomenon in the Tanzanian media. In other words 72 out of 87 respondents admitted that corruption was indeed a problem among Tanzanian journalists. Another aspect of corruption which came up in the SAUT focus group – and which has also been noted by Mpagaze – is that there are editors who take money from their reporters, or sources of news, in order to allow publication. In the SAUT focus group it was revealed that some editors discriminate their reporters by sending some to more 'lucrative' assignments, in anticipation of sharing the spoils, while sending others out to 'starve' if they do not normally bring back part of their 'bribes'.

Thirdly, participants in both focus groups and intensive interviews – as was the case in the survey – faulted owners' interference in editorial decisions as posing a serious threat to ethical journalism. They generally noted that although media diversity was desirable for ensuring all voices were heard, patterns of media ownership in Tanzania also tended to encourage self-censorship thereby restricting several groups considered insignificant to owners' interests from access. The aspect of owners' interference has been discussed in details above.

Fourthly, participants in the focus groups as well as in intensive interviews (underscored more by editors and experts) were of the view that the insatiable tastes of the public for gossips and sensational content encouraged unethical practices that aimed at meeting such demands. One editor cited a case of a seasoned journalist, and media owner, who expressed consternation at the fact that in Tanzania the yellow and sensational press sold much more than serious newspapers. As a result even the mainstream, or serious, media outlets were often tempted to go for sensational content and headlines in order to capture the market.

Media regulation

In general respondents appeared to have knowledge of media regulatory framework which constitute the following: i) Laws enacted by government ii) Professionals through media council and other associations iii) Public; through readers, viewers and listeners' preferences iv) Markets; through advertisers preferences (see, for example, Nordenstreng 2010: 424).

Nonetheless, it is significant to note that although one of the leading obstacles to media mentioned by most responses was government laws and threats, still slightly about half of the 211 respondents believe that statutory control of mass media was necessary to ensure ethical journalism. About 40 percent disagreed with the idea of statutory government control while a tenth of responses did not respond to the question. It is important to reflect more on these figures. While about 80 percent of respondents in Matumaini (2011) admitted that there were threats and intimidation largely caused by bad laws, half of respondents in this study think the same government has to intervene to address the unethical situation. This is not a contradiction if understood in the right context. Over half of those who thought government's intervention was necessary clarified that the intervention should be 'minimum' to ensure 'sanity', protection of the innocent and to facilitate wider reach of media in the country. On the other hand, about half of 87 respondents who disagreed with government intervention claimed that governments enacted media legislation to protect their own impunity and not necessarily citizens' right to information an argument that is aptly argued by Blake (1997), Ugbondah (1997) and Berger (2007). Another half viewed self-regulation as a better mechanism which had worked sufficiently in promoting press freedom in the country. But both studies are in agreement about respondents' frustrations with pervasive working environment as well as abiding unethical tendencies on one hand and the threats from politics as well as from the market.

Generally respondents in both focus groups and in expert interviews agreed that regulating media was necessary to ensure protection of societal values and interests, protection of national interests, protection of individuals as well as ensuring accountability among journalists. The main argument was that even with strict laws overseen by MAELEZO[39] and the Tanzania Communication Regulatory Authority (TCRA) there were media outlets that breached ethics indiscriminately an indication that without government intervention things could have been worse. However, respondents noted that although government regulation was necessary for protecting societal, national as well as individual welfare, excessive government control of media since colonial times had limited media role in promoting and protecting

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39   The Information Department of the Government.

those very interests. As such, a controlled media had failed to play its critical and watchdog role, thereby enabling the culture of impunity within government to prevail.

There was a general agreement that apart from minimum government – and other forms of intervention – self-regulation offered the best mechanism for enhancing mass media capacity to play their watchdog role in society. Nonetheless, respondents were also aware of the limitations of self-regulation in the face of corporate and government ownership of major media houses in the country. Often, they argued, the MCT which is spearheading self-regulation in the country had proved ineffective in enforcing its own decisions against some media outlets – or houses – which the Ethics Committee had found guilty of violating codes of ethics. Besides, as some respondents noted, with the advent of liberal democratization the illusion had been created that the threat to press freedom only came from the government. Ronning (1994) illuminates this illusion more appropriately when he argues that too much emphasis has been placed on the state and its negative influences on the media while the problematic influence of privatization and free-markets is often played down. This creates a dilemma in the sense that while it is indeed imperative, in a democracy, to curb the negative influence of government control on media there is also the unchecked negative influence of the free-markets. It is in this context that a consensus appeared to emerge among respondents about the need to ensure an appropriate degree of government intervention to minimize negative influences of the free-market regulatory mechanism while at the same time empowering self-regulation to make it more effective.

Self-regulation and MCT's role

In principle respondents in survey, focus groups and expert interviews agreed that self-regulation was indeed a better mechanism for promoting media accountability in democracy. But a closer scrutiny reveals that there was lack of clarity among almost half of the respondents in the survey about what self-regulation means and how MCT was supposed to promote self-regulation. However, from focus groups and especially the in-depth interviews, the main argument was that self-regulation was better because normally the state does not regulate media – it controls. This argument is aptly elaborated by Ansah (1991) in his analysis of three major crises facing media in Africa's democratization. According to Ansah African media faces the crises of power, ownership and resources. On the crisis of power, Ansah posits that weak states are always suspicious of media because they see them as agents of dissent (see also Blake 1997; Kasoma 2000; Hyden et al. 2002). In this context, Ansah argues, weak states seek to control media through censorship, economic rewards for media toeing the line as well as reprisals to those that maintain a critical stance. He further argues that since most weak states tend to suffer from a legitimacy problem, they end up seeking control of media to ensure coverage that glorifies and promotes their image to the public.

The second major argument was that since governments in a democracy were expected to be accountable to citizens the media were supposed to enjoy a degree of freedom which could allow them to watch the governments on citizens' behalf (see Nordenstreng 2000a: 75). It was in this context that most respondents credited the role the MCT had played since 1997 claiming it had minimized government interference with the workings of mass media despite the existence of the old and strict media laws. Respondents maintained that the MCT

had gained credibility and recognition by both the public and the government as a legitimate mechanism to spearhead self-regulation of mass media in the country. Furthermore, they also were of the view that the MCT had helped reduce the threat to media survival through arbitration of cases which could have ruined the media had the complainants taken them to courts of law. In this context, respondents saw self-regulation, through MCT arbitration, as a quicker mechanism to resolve disputes unlike in courts of law where cases took years to resolve.

Nevertheless, respondents also were of the view that self-regulation under the MCT appeared powerless in an environment in which the major media houses were owned by the corporate as well as political moguls who primarily sought to pursue business and political interests often at the expense of general societal welfare. Secondly, they faulted MCT's self-regulation mechanism for lacking enforcement powers to punish media outlets or journalists who deliberately violated professional ethics. In his study Matumaini (2011) found that 55 percent of his respondents stated that media houses and individual journalists tend not to respect codes of ethics an argument that is also raised by Mfumbusa (2006). Thirdly, respondents also thought the idea of MCT 'shaming' editors and media outlets through its arbitration process was problematic because the same media houses were the main stakeholders who also financed the MCT. Fourthly, MCT was seen as relying too much on donor financial support for its activities which, they argued, eroded its independence as well as legitimacy among its key stakeholders. Since its establishment the MCT has continued to rely heavily on donors for financing its annual budgets. The MCT has a budget of USD 1 million annually which is largely covered by donor countries, led by Sweden, Denmark, Norway and Switzerland and UNESCO. The media fraternity in Tanzania contributes about 8 to 11 percent of this budget (MCT 2011).

What should be done?

The survey also sought to know from journalists what was required to ensure mass media adhered to journalism ethics as a way of enhancing their accountability. Interestingly respondents provide the same responses as in the 2009 study giving journalism training first priority, followed by reforms of media and improved salaries (Rioba 2009: 98). In the views of Tanzanian journalists the issue of continuous training, particularly in journalism ethics and the role of media, appears to be central in enhancing media accountability.

Nevertheless, the changed circumstances under the liberal democratic dispensation and free market economy portend a serious challenge that calls for – not only more training but also – constant dialogue and contemplation among professionals on issues of media role and accountability.

As Kilimwiko (2002) and Mfumbusa (2006) have noted media ownership patterns, for example, with the dominance of the corporate world conducts business closely with the government in ways that do not necessarily serve the general welfare of society or citizens at large. This trend constitutes a challenge to not only press freedom but also to self-regulation of media in general. A case in point is the trends indicating that during general elections major media houses tend to favour the ruling party at the expense of other opposition parties and candidates (see MISA Election Media Monitoring Project 2000, 2005; Synovate 2010 Media

Monitoring Reports). Again of responses proposed legal reforms, constitutional guarantee of press freedom and protection of journalists.

This suggestion echoes what the presidential Nyalali Commission recommended in 1991 about a review or repeal of '40 bad laws', including media laws, which were a snag to democratic dispensation. Although a process has been in place since 2001 to review information and broadcasting policies to guide the new legislation in media its slow pace raises doubts as to whether the government is willing to reform the media and information sector. So far media stakeholders, including the MCT and MISA, have handed over their recommendations for new legislation to the government for consideration in the proposed Freedom of Information Bill as well as the Media Services Bill. The main objective of these proposals is to enact media laws which meet provisions in AU Charters and declarations which were discussed earlier in the introductory chapter. Nevertheless, 8 percent of responses suggested that the role of MCT, Editors Forum, professional associations (including a trade union) should be strengthened while another 8 percent suggested national debate and dialogue on the role of media in enhancing democracy. A few, however, suggested that access to newspapers and other media outlets be extended to rural populations as well if the media is to play an important role in democracy.

Almost all respondents in all categories admitted that MCT had been very instrumental in promoting the idea of self-regulation of media in the country despite the fact that it lacked powers to enforce its arbitration decisions. However, several interviewees, particularly those who had worked closely with the MCT believed that the self-regulatory body did not need teeth. One argument put forth was that invitation of the government to provide teeth to a self-regulatory body would prompt the government to think that self-regulation had failed. Creating such impression, they argued, would encourage the government to intervene by instituting more controls on media. The second argument was that MCT could not build its legitimacy on the basis of self-regulation only to turn and claim teeth from the very government whose proposal for a statutory council it rejected in the first place. The third argument was that the results, or success, of self-regulation could not be seen overnight and that there was progress being made in the current efforts by the MCT and other stakeholders to improve and sustain self-regulation. Interviewees argued further that the sanctions imposed through self-regulation were a sufficient punishment to media that breached ethics because no serious editor was ready to face public admonition very often at the expense of his/her media credibility.

12.2   MCT arbitration

As noted in the survey, focus groups discussions and expert interviews, self-regulation is regarded highly as a desirable mechanism to promote media freedoms and accountability. However, a considerable number of respondents see MCT as a toothless organization which is incapable of disciplining rogue media and irresponsible journalists. This dual image of the MCT and self-regulation comes at the backdrop of another dilemma facing the mass media in a liberal democratic environment; an environment in which the threat to press freedom does not necessarily come from the government as it is traditionally known, but also from

the negative influences of free markets on mass media (see Ronning 1994, McChesney 1999, Curran 2002; Mfumbusa 2008; Christians et al. 2009).

It is significant to note that in the ten years under study (1997–2006) ordinary citizens were the leading complainants scoring slightly over 21 percent followed by politicians who also constituted 21 percent. Of interesting to note is the fact that ordinary people – though fewer in terms of proportionality – are the leading complainants. As in the courts of laws large majority of complainants are normally politicians, businesspersons or other high profile individuals. The fact that ordinary citizens were the leading complainants in the period under study, it can be argued, is indicative of growing trust in the self-regulatory mechanism. Most ordinary people hardly file cases for defamation or other violations by media in Courts of Law and when they do, they do not ask for billions of Shillings as is normally the case with politicians and businesspersons.

However, a closer look again into the origins of those who filed complaints at the MCT in the period under study reveals that two third came from Dar es Salaam and its neighbouring districts. In other words majority of citizens in Tanzania could not access the services of MCT for a number of reasons central of which include the following: Firstly, access to media by most rural Tanzanians is limited. A study conducted by the government in 2007 among citizens on various issues found that in Dar es Salaam about 67 percent of respondents cited radio as their main source of information while only about 44 percent and 43 percent cited newspapers and television respectively. The study results are presented in the table below:

Source of information to people in Dar es Salaam, other towns and in rural areas

Table below provides information about how Tanzanians in major city, other towns and in rural areas access political, sports and international news.

Source of political, sports and international news	Dar es Salaam	Other towns	Rural areas	All
Radio	67	63	56	60
Word of mouth	19	22	22	21
Newspapers	44	24	7	20
Television	43	20	5	18
Citizens meetings	7	13	15	12
Church/Mosque	8	11	5	7
Civil society/NGOs	3	3	2	2

Source: Maoni ya Watu 2007 (a survey by the Ministry of Economic Planning and Empowerment)

In other towns, outside Dar es Salaam, the figures were: 63 (radio), 24 (newspapers) and 20 (television). In rural areas the figures were: 56 (radio), 7 (newspapers) and 5 (television) (Maoni ya Watu 2007: 53). Secondly, majority of citizens, particularly in rural areas can hardly afford even the minimal costs of travelling to file cases in Dar es Salaam or even regional headquarters where arbitration can be handled at press clubs offices. Thirdly, awareness is still low among most citizens in the country on how they could access the services of the MCT in case they have any complaints against media.

It is not therefore surprising that the leading complainants (76 percent) came from Dar es Salaam followed by about 4 percent from Northern Tanzania and about 3 percent both in Lake Zone and Central Zone Tanzania. There were fewer complainants from Southern Tanzania, Western Tanzania, and Zanzibar (all with only 2 percent) of the total number of complainants. The origin of about 5 percent of complainants could not be established due to missing information. However, it is unlikely that the missing information could have altered the pattern of imbalance that is discussed here. What the trend shows is that most complainants come from Dar es Salaam because of proximity, access to newspapers and most of them are politicians, business persons, celebrities, or professionals or civil servants who feel publication of defamatory article exposes them to a much bigger public. In fact even complainants from regions outside Dar es Salaam were either politicians, big business persons, religious leaders or journalists. These are people who have knowledge of the MCT; have access to newspapers; they have the money to cover expenses of following up the cases and motivation or compelling reasons to seek remedy for defamation. Otherwise the cases indicate that ordinary persons outside Dar es Salaam do not have the luxury of complaining at the MCT because apparently they lack awareness of MCT existence or mandate; access to media outlets and the money to cover expenses of travelling to Dar es Salaam or press club centers to launch complaints.

Most of the complaints brought before the MCT in the period under this study, as noted, were about articles that were deemed by the complainants as false or malicious – which had defamed them, subjected them to public ridicule or contempt. Apart from requesting monetary compensation as remedy, or to cover costs incurred in following up the cases, almost all complainants demanded an apology in the same weight they had been defamed. One major explanation that came from all the categories studied was that normally owners would expect editors to be good at increasing sales and not at doing anything that would jeopardize profits or incomes in their media outlets. Although the 2 percent of editors who refuse to comply may appear to be an insignificant number, it is still a blow to those individuals who turn to MCT for remedy believing media people can be held accountable through self-regulatory institution. It is this wanton abuse of professional ethics and seeming impunity that made respondents in all the categories studied in this research to suggest improvements for the self-regulation mechanism, including enhancing the capacity of MCT to issue binding decisions.

As noted in Chapter 11 there are general explanations about main factors contributing to ethical violations which can be extrapolated from the nature of complaints and proceedings of MCT arbitration process and are also supported by findings in survey, focus groups and in in-depth interviews. These explanations can be summed up as:

i.   General lack of respect or consideration for the rights of other individuals to fair treatment in stories;

ii. The cardinal rules of journalism ethics which emphasise the sacredness of truth, accuracy, balance and fairness are not always respected because of the reasons below:

   a) In a competitive media environment, motivation to sell (or scoop) has often tended to lead to publication of rumours, half-cooked information, outright lies or sensational content;

b) Some journalists and editors either tend to fall prey to individuals (mainly politicians and businesspersons) who want to use media to settle personal scores or who want to use media simply to achieve selfish ends.

c) Corruption in the media is also a big challenge: there are cases of journalists receiving bribes just to tilt facts in stories involving conflicting individuals or paying sources of information;

d) There is a general breakdown of newsroom hierarchy and procedures of gate keeping which are primarily intended to help ensure truthfulness, accuracy and fairness of stories. Some editors do not seem to check thoroughly everything that gets printed in their newspapers;

e) Media professionals in general tend to be careless with facts because they assume the general public is ignorant and uncritical about their work.

f) Low levels of education among some journalists and editors are also provided as explanations for poor journalism quality as well as for ethical transgressions.

These conclusions are not only supported by facts in MCT cases studied, they are also augmented by findings in the three categories studied in this research (see also Mfumbusa 2006; Rioba 2009; Kilimwiko 2009; Matumaini 2011).

One of the arguments put forth in favour of self-regulation is that the process of arbitration takes much shorter time to reach verdict while in courts of law cases can drag for years. In the data that is analysed for the period under this research, the longest arbitration at MCT took over a year to reach final verdict while the shortest took less than one month. On average most cases took between three to four months to reach conclusion. Some of the reasons provided for the variations in the period of arbitration include the following:

i. Upon registration of cases complainants are asked, as per procedure, to try settling disputes with the administrative hierarchies of the media outlets in question before the cases could be considered for arbitration. In some cases, the complainants are made to wait for appointments with editors or publishers for months prompting complainants to opt for arbitration at MCT;

ii. In some cases the parties to a complaint find a date slated by the MCT for arbitration practically inconvenient to them prompting postponement for a later date. Some cases are postponed three to four times pending a date that is convenient to both parties to a dispute;

iii. There are also cases in which after a decision is reached at MCT for the parties to settle out of Council negotiations between editors and complainants drag for months without any amicable solution;

iv. Another reason for dragging of some cases is simply non appearance of one or both parties on the date slated for arbitration which leads to postponement to another date;

v. Some cases were settled within one month because of convenience of both parties to disputes and to the MCT itself.

Nonetheless, since shorter periods of arbitration – as stipulated in the constitution – constitute one of the main advantages of self-regulation over courts of law, it does not seem healthy for MCT cases to drag beyond three months. Again the dragging of cases discourages

some complainants from relying on MCT arbitration process in future because it leads to unnecessary costs of following up as well as longer periods of psychological suffering by complainants. As respondents in all the categories studied in this research have observed, wasting this advantage would erode MCT's niche over courts of law thereby discouraging complainants from turning to the self-regulatory mechanism for remedy.

Section 1.4 under rules of procedure states thus:

Because mediation is one of the basic pillars of the Council, the Council cannot help complaints whose express purpose (of complaining to the Council) is to get money. Money awarded to complaints in terms of fines from respondents is only a result of mediation, not the basis of filing complaints in the Council. Therefore, the Council advises any would-be complainant whose purpose of coming to the Council is to get money to take their cases to the courts to law.

Still majority of complainants who take their cases to the MCT tend to ask for monetary compensation as would be the case in the Courts of Law. Although some complainants would ask reasonable amount to cover costs of following up the case, there appear to be two other motives as well: One is to gain monetary compensation for being wronged by media as a remedy for actual damages suffered. A good example is a 17 year old girl named Neema Malekela who brought her case to the MCT claiming that newspaper cartoon stripes defaming a woman bearing her name and profile had prompted her father to withdraw the school fees he was paying for her to join a nursing college. Neema, who came from a poor background, was awarded a 2 million solatium in the hope that it would help cover her school fees and other expenses that her father had withdrawn. Another motivation for monetary compensation sought is to punish the media by having them pay for their mistakes and deterring them from harming others in future. Some complainants who learnt, after arbitration process had started, that they could not get monetary compensation in terms of millions of shillings withdrew their cases and proceeded to the Court of Law.

As noted in the Chapter 11, the leading targets of complaints are serious, well established media outlets. Partly, though significantly, one explanation is that at one time the owners of tabloid newspapers withdrew from MCT because they considered its adjudication as another possible threat to their survival. On the other hand, serious newspapers are considered to have more impact among audiences and hence what they publish is taken more seriously than what is in the tabloids.

12.3   Summary

One critical fact to note in the arbitration process is that whereas the MCT has demonstrated nearly 100 percent compliance this does not tell the whole story about its effectiveness. Looked at from another angle these findings reveal that in over 88 percent of complaints media and journalists are censured for having breached ethics. Again almost in over 88 percent of these cases media houses are brought before the MCT to respond to the same routine ethical transgressions which include reportage of outright lies or concoctions, false or malicious allegations, inaccuracies, vendetta journalism and character (or business) assassination. Although there is 98 percent of compliance to celebrate – as an indication of

MCT's effectiveness in spearheading self-regulation – the over 88 percent of condemnations the media receive every year prompt cause for concern. In other words, if self-regulation of media is to be seen as effective it has to help reduce incidents of ethical violation against individuals and institutions.

Chapter 13   Discussion and conclusions

13.1   Perspectives on research questions

In this research I set out to interrogate the effectiveness of an independent and voluntary media council in spearheading self-regulation of media in a young democracy. I also sought to explore factors that mitigate against effective self-regulation of media through examining views of various stakeholders. My focus is Tanzania which, like the rest of Africa, has been undergoing liberal democratic reforms since mid 1980s. The reforms which were accompanied by demands from media and policy activists for press freedom, including self-regulation, appears to have left no sufficient room for scrutiny of the relevance or efficacy of new policies to recipient countries. While reforms were imperative in order to enhance media capacity to play an effective role in democratization, the negative influence of free markets on mass media in a liberal democratic environment have been highly overlooked (Ronning 1994; Berger 2002; Curran 2002; Christians et al. 2009).

Nonetheless, to be able to understand the context of these changes, a deeper understanding of Africa's historical background for the democratization process was necessary. I have also shown that the literature on theories of democracy trace the origins of the concept in the commonly known city states of ancient Greece and later Rome before it inspired the rest of Western Europe. While the concept of democracy itself is traced in Europe, the abiding spirit of a democratic way of life cannot be attributed exclusively to the West (see for example Dahl 1998; Held 2006; Christians et al. 2009; Mafeje 2002). However, the origins of concepts such as individuals' rights and freedoms, including freedom of speech, freedom of publication and self-regulation are very much part of West European historical social economic and political dynamics (Dahl 1998; Held 2006). They evolved as part of struggles between the aristocrats, the nobilities, the monarchs on the one hand and the rest of the populations – most of who sold their labour for a living – who wanted a say in the way society was governed on the other.

The Western concepts above were imposed on African countries without due consideration of historical realities on the continent. Tanzanian economist Justinian Rweyemamu (1974), for example, posits that pre-colonial Tanganyika consisted of independent producers still involved in pre-capitalist modes of production, generally clustered in socio-cultural groupings referred to as 'tribes'. He argues that the dominant productive system was the village community consisting of working 'owners' of land who were small peasant cultivators and whose independence was regulated by their mutual relationships as members of the community as well as by the need to safeguard common land for common needs (ibid: 4). Although, as Rweyemamu has observed, pre-colonial communities in Tanganyika had some characteristics that are normally associated with Western democracy,

for example equality among free, self-sustaining peasants, there were no social differentiations in terms of classes (ibid: 5). Rweyemamu further observes that since there was no serious competition for land there was also no need for regulation of its use by superior authority, which explains lack of well-organised political units in many parts of the continent.

Furthermore, Rweyemamu argues that the purpose of work was the maintenance of the (land) owner and his family as well as the communal body as a whole, not the creation of value. On the concept of markets, the author observes that market exchanges were peripheral because most producers did not rely on exchange for most of their acquisition for subsistence and that the absence of market exchange as the dominant economic organization encouraged social control of production by kinship, religion and political organization (ibid: 6). But more importantly, Rweyemamu explicates the fundamental differences between Western capitalist democracy and the system it replaced in Africa during colonial dominations:

> Consequently and in contradistinction to the capitalist mode of production which was to be imposed on our communities during the colonial period, social relationships and values were the most important determinants of work organization. In this social organization that subordinated economic goals to wider objectives of societal consolidation and security...the distributive system thus served the purposes of social cohesion and security of subsistence to the individuals (Rweyemamu 1974: 7)

Rweyemamu's account also expounds the argument I have made in this dissertation that even pre-colonial modes of communication, including oral form of journalism, were meant to address fundamental needs of society such as survival, continuity and harmony (Ugboajah 1985; Bourgault 1995; Shaw 2009). These communications, which Ugboajah has termed 'oramedia' such as mythology, oral literature, storytelling, poetry, songs, drama, dance, proverbs and rites of passage served broader societal interests as opposed to purely satisfying individual needs.

This traditional role of communication was replaced by missionaries and colonialists who introduced modern mass media such as newspapers and radio to serve communication needs of the colonial project. The main objectives of missionaries and colonial media were: to civilise and Christianise the natives; to glorify the values and traditions of colonial countries; to justify the colonial project and to promote literacy among the natives. Later on the educated nationalists started indigenous newspapers which they used to agitate for independence and for once, the native press invoked the values, needs and aspiration of the communities to pursue self-determination agenda (Mak'Ochieng 2000; Kasoma 2000; Fourie 2007).

In the post-colonial period most independence governments opted for the 'communication for development' paradigm under a popular notion then that the mass media could be vehicles of development and modernization. But still, while *modernization theory* of media appeared to appeal to most scholars and ruling elites alike, there were other more radical paradigms such as *dissociation theory* which went along with the thinking that post-colonial Africa would be better off in severing economic relations with former colonial masters. This theory was in the same spirit with *liberatory theory* which saw modern mass media as linked to the colonial economy as well as philosophy and hence inimical to local needs. The liberatory theory emphasised a return to traditional or grassroots modes of communication to enable total cultural liberation of Africans.

The fourth *negotiation and integration theory* held that the media played a dependent rather than independent role in the process of development and hence reverses the previous thinking about the power of media in bringing about social change. But suffice it to say, most post independence leaders with their new economic projects ended up using the press to protect the ruling class thereby instituting a culture of impunity amidst corruption and abuse of power. Journalists were jailed and over half of the media were closed just in two decades of independence. On the other hand, former colonial masters and other powerful nations continued their pursuit of economic and geopolitical interests on the continent in ways that influenced policies that undermined efforts by African governments to deliver to the expectations of their citizens.

Even the advent of liberal democratic reforms, as some scholars have argued, was itself a reincarnation of dominant and exploitative relations that had existed since pre-colonial times (Mafeje 2002; Mamdani & dia Wamba 1996; Chachage 1998). Consequently, economic and political reforms along the lines of liberal democracy, forced onto Africa by donors and international financial institutions, have failed to respond effectively to the genuine liberatory needs of majority of citizens because they are not in tune with historical realities on the continent. Calls for press freedom in the context of liberal democracy have not guaranteed a responsible media that can play an important role in promoting and sustaining democracy. Mfumbusa (2006), for example, rightly argues that corruption, plagiarism, conflict of interest, sensationalism, intimidation of sources, and paid write-ups continue to erode public trust in the Tanzanian media amid efforts to strengthen self-regulatory mechanisms. This argument is supported by results of the survey and interviews in this dissertation. Most journalists as well as influential persons view MCT as incapable of addressing professional failures and a considerable number of respondents in the survey even suggested government intervention to address irresponsible journalism. These views are consistent with growing criticism that corporate media are increasingly serving the interests of – and remain accountable to – those who control the free markets rather than promoting and sustaining democracy (Ronning 1994; McChesney 1999; Curran 2002; Christians et al. 2009).

Most African countries today may appear to be consolidating democracy, though with experiences of reversals as has been the case in post-electoral violence in Kenya, Zimbabwe and Ivory Coast. One plausible explanation for this bumpy road to democratization in Africa is that it has responded more to the wishes of foreign intervention – that insists on free markets and formalisms such as periodic elections or regime change – than to pre-colonial values and realities as well as genuine demands for a more equitable and just society prevalent before, during and after colonialism (Ocitti 1998; Mafeje 2002; Shivji 1994). Shivji, for example, argues that "the democratic project in Africa cannot be sustained without the vision of social emancipation guided by a grand social theory":

> It is clear though that such a theory cannot be imported. Such a theory has to be rooted in the experiences of the people's own culture of resistance... the danger, particularly for the African intellectual, is to become part of the 'triumphant' liberal euphoria and thereby abandon the task of raising larger social questions going beyond multi-party and compradorial concerns. (Shivji 1994: 31)

The role of media in the democratization process has largely been taken for granted the same way that liberal democracy has been taken as the only option for Africa's post-colonial reforms. Indeed, structural weaknesses, the dominance of capital in media ownership as well as inherent political behaviour, emanating from Africa's historical political past, compound the environment under which the mass media operate thereby affecting their effectiveness in enhancing democracy (Ansah 1991; Tomaselli et al. 2001; Hyden et al. 2002; Nyamjoh 2005). Politically those in power want to control mass media either through the law or through capital. Corporate capital is increasingly buying ownership of major media houses and using media power to influence ruling politicians for economic interests. The control of technology through laws and capital also means access is determined by the same factors – politics and capital. Again, the mass media in Tanzania, as in the rest of Africa, are increasingly becoming foreign by mimicking patterns of information selection, formats of presentation and content that has little to do with the lives of majority of citizens as Nyamjoh (2005: 2–3) aptly observes:

> Culturally the media are victims of imposed hierarchy of national and world cultures, and also of the cultural industries that have opted for routinization, standardization, and homogenization of media content. This has occasioned the exclusion or marginalization of entire worldviews and cultures that do not guarantee profitability. African world views and cultural values are hence doubly excluded: first by the ideology of hierarchies of cultures, and second by cultural industries more interested in profits than the promotion of creative diversity and cultural plurality.

Nyamjoh further argues that the consequence of this anomaly is "an idea of democracy hardly informed by popular articulation of personhood and agency in Africa, and media whose professional values are not in tune with the expectations of those they purport to serve" (ibid). Also sharing this perspective is Ansah (1991) who posits that with the advent of democratization Africa's media has encountered three major crises: the crisis of power, the crisis of ownership and the crisis of resources. The three crises identified at the initial stage of democratization by Ansah still constitute a major challenge to the role of media in democratization today. While weaker states, with questionable legitimacy, have continued using media to prop up their public image, media conglomerates are increasingly serving profit interests of owners at the expense of other crucial roles of media in a democracy.

In an environment of free markets where media conglomerates are increasingly suffocating smaller media outlets – that are less competitive and have fewer resources – diversity is traded for monopoly of views and news agenda (Ansah 1991; Nyamjoh 2005; Hyden et al. 2002). Again unlike in developed countries where citizens may have other alternative means of getting information and independently sourced views, in young democracies like Tanzania where radio, newspapers and television are the only main sources of official information, the public is easily manipulated by those who control these media. Under such conditions where the citizenry is manipulated by ownership interests, the crucial role of mass media in young democracies such as 'watchdog' and 'voice of the voiceless' are relegated to the margin.

It is not surprising then that among the 221 respondents in the survey it was only about 11 percent of responses (out of a multiplicity of 657 responses) that mentioned

'watchdog' and 'voice of the voiceless' as roles of media in society or in democracy. In fact, Tanzanian journalists do not differentiate much between the role of media in society and in a democracy. This, I have argued, is largely due to the system of journalism education which has always emphasized traditional (Western) roles of media, particularly the 'communication for development' paradigm which was dominant in post-colonial Africa. Also, while media practitioners were initiated through seminars into the socialist ideology since the 1970s, no such systematic efforts were made to prepare them for a role in democratization (Ramaprasad 2001). Moreover, another pertinent explanation is that in the liberal free market environment the media are functioning primarily as business entities hence downplaying the 'watchdog' role which is likely to put them at loggerheads with advertisers who are their main sources of incomes. As such, respondents observed, media owners expect their editors and journalists to keep it safe by focusing more on informational, educational and entertainment roles which guarantee them good rapport with their advertisers while assuring them of constant income and profits.

A central argument from respondents in the focus groups and intensive interviews supported the now common criticism among some scholars that liberal democracy was inimical to the transformative needs of society in general for it tended to serve narrow interests of those who controlled the free markets, including the elites in government (Mafeje 1999; 2002; Berger 2002). Other respondents put it bluntly that liberal democracy was more of a strategy by imperialist nations to access resources and markets in developing world than it was a system of better governance for improved welfare of all citizens. This view is also shared by radical African scholars such as Mamdani & dia Wamba (1996), Chachage (1998), Shivji (2001), Mafeje (1999, 2002), Nyamjoh (2005) and others. This view, as seen in Chapter 6, has also been appositely augmented by Joseph (1997: 363–382) who concurs with another scholar:

> As Dunn observes, "the modern secular constitutional representative democracy, firmly founded on an essentially market economy, dominates the political life of the modern world". While making "democracy safe for the modern capitalist economy", it can also be seen as a "political framework ... to ensure the unobstructed workings of the free market across the globe."

It is in such a context that advocates of self-regulation of media deem it convenient for ensuring freedom of media from government regulation. Although the main argument for self-regulation of media is to promote press freedom and independence of media thereby enabling it to play an effective role in democracy, critical assessment of the concept tells a different story. Self-regulation in the liberal democratic sense largely tends to protect private ownership of media as well as to promote capital interests through communication. Self-regulation emerged out of liberal democracy imperatives to keep government's hands-off businesses and increasingly became a dominant regulatory paradigm in the West after World War II. Increasing public concerns about irresponsible journalism at the time led governments in Europe to try and regulate media which again prompted media practitioners and liberal activists to suggest self-regulation as a defence. Much as self-regulation seeks to promote professionalism and media accountability, evidence suggests that it may not necessarily be a panacea to chronic unethical practices in most newsrooms because conditions for it to

function effectively are constantly threatened by a number of factors, including concentration and monopolistic ownership of mass media which seeks to promote profit interests and rendering media accountability to those who control free markets.

Although self-regulation can employ various methods of accountability from within newsrooms to the public arena they may not necessarily be sufficient to ensure professionalism and media accountability as findings in this research also reveal (see also Mfumbusa 2006). Majority of respondents in this research shared the view that the independent MCT was weak in fostering self-regulation and therefore needed 'teeth' to bite irresponsible media. MCT was also viewed as being too dependent on donors for its sustainability that its own independence was questioned. Also because media owners paid subscription fees to MCT it made them think the Council had no right to admonish them in public.

Furthermore, the dilemma of newsroom values – which subject journalists to Western notions of journalism on one hand and African values on the other – also tend to affect the way media people respond to the idea and practice of self-regulation. On one hand they are busy responding to neoliberal dictates while on the other they are confronted by other situational factors that tend to leave them in a dilemma. Mfumbusa (2003: 93) refers to Gans (1979) who identified several values that are usually embedded in the news, one of which was individualism. He observes that according to Gans the ideal individual struggles against adversity and overcomes more powerful forces in society and nature. But Mfumbusa argues that this view contrasts sharply from his findings in the Tanzanian newsrooms he studied in 2003. He argues that unlike in Gan's research where self-made individuals were admired, the tendency among his Tanzanian interviewees was to tolerate individuals who "beat the system" or who cut corners to earn easy success or wealth.

Nonetheless, newsroom practices in Tanzania, as in many democratising countries, suggest that self-regulation *per se* may not be effective if professionalism, moral imperative to excel, better salaries and working conditions, are not in order or if journalists are subjected to patronizing tendencies of politicians and the business sector (see Mfumbusa 2006; Berger 2007; Gadzekpo 2010).

Generally, the respondents in this research clearly demonstrate an understanding of shortfalls of Tanzania's quasi liberal democracy and its consequent limitations on the role of mass media. While respondents generally agree that democratization has expanded space for public debate and citizens' participation, they still maintain that guarded interests of those who control the markets tend to limit that space. As a result, they argue, the media are technically abdicating their role as the 'voice of the voiceless' or as an effective forum for diverse views – especially those that are opposed to the status quo. Respondents in the focus groups, for example, admit that editors are often given instructions by owners about views or persons that should not be given space or airtime in their media outlets.

Below is my attempt to typologically summarize a range of respondents' views about democracy, the role of media, issues of accountability and the ideal regulatory framework:

Expectations of Democracy	Role of media in democracy	Ethical issues for accountability	Regulatory framework
• Transformative • Responsive to the citizens' genuine needs and aspirations • Enhances citizens participation • Promotes equity and social justice through equitable distribution of resources • Protects societal values and human dignity and community rights, including those of the marginalized • Ensures harmony and continuity	• Inform • Educate • Mobilize • Facilitate debate • Set agenda • Criticize, be watchdog • Be voice of the voiceless • Liberate & transform	• Tell the truth • Be fair to all • Respect societal values • Respect religious values • Expose vices in society • Defend community or societal interests	• Government regulation to meet expectations of transformative democracy • Strong public service media, including grassroots and community media • Self-regulation within the framework of societal norms, professionalism, • Citizens' watch groups • Markets (not central but they have a role)

Looking at the typology above, the views of respondents suggest a strand of thinking which is somewhat different from mainstream Western liberal democratic models particularly in the USA and the UK as described in Chapter 6. The respondents' views, which largely reflect communal values that were central to Africa's pre-colonial communication, appear to be more in tune with the Scandinavian typology presented by Nordenstreng (2006) and McQuail (2007) as: *Information, Surveillance; Criticism, Participation; Forum, Open Access.*

13.2   Conclusions

Five key conclusions emerge from the findings of this research:

Firstly, **most respondents view liberal democracy** which has characterized Tanzania's reform process since mid 1980s and 1990s as **inimical to transformative and liberatory needs of Tanzanians** in general because it has largely responded to the dictates of international financial institutions as well as donors. In other words, neoliberal democracy has failed to respond effectively to deeply rooted values, needs and aspirations of Tanzanian people. In the same vein, respondents in this category view neoliberal media as being unable to respond effectively to the transformative needs of society.

Secondly, **most respondents do not differentiate the functions of media in general from the role of media in democracy** although they demonstrate a clear understanding of the difficulties of their role in the new democratic dispensation. This is probably due to an understanding that the media in democracy have multiplicity of roles including, but not confined to, those that are explicitly democracy related. While in the 1970s and 1980s the government subjected media practitioners to ideological orientation courses on their role in promoting and sustaining a socialist society during democratization this role was left to foreign organisations such as the World Bank and donors agencies. Again the training courses

in the advent of democratization were not as systematic and consistent as was the case during socialist years.

Thirdly most respondents in all the three approaches of this study **view media laws, ownership interference, politicians' as well as corporate sector's influence on their work as major obstacles** to their role in promoting and sustaining democracy. In general respondents further express concern about irresponsible journalism caused by lack of professionalism, poor pay, corruption and conflict of interests which, according to some of them, can be addressed by either government intervention or through a statutory media council. In general, all respondents fault the neoliberal media for publishing lies, shallow or inaccurate reports, biasness and sensationalism. They also attribute this lack of professionalism to low education, poor salaries and changing values among journalists, factors that render them vulnerable to conflict of interest and corruption. Most among respondents in focus groups and interviews deem a strong public service media as well as community media as necessary to bridge the gap as well as to serve as a benchmark for the role the media should play in democracy.

Fourthly, **although respondents generally view MCT as a necessary mechanism to foster self-regulation** – as opposed to government control – **they still view it as ineffective and in need of 'teeth'** to make its decisions binding. Since the mass media function within the context of neoliberal democracy, they tend to be more accountable to two centres of power: politicians and those who control the markets. Respondents' views support a position maintained by Herman and Chomsky (1994), McChesney (1999), Curran (2002) and others about the behaviour of media in advanced liberal democracies. Consequently, instead of assisting in transforming or liberating society, the media are seen as manipulating citizens to satisfy interests of owners, politicians and the business sector which sustain them through adverts.

It is thus not surprising that a considerable number of respondents think minimum government intervention is necessary to ensure sanity among media practitioners and to protect the rights of others. Nonetheless, some respondents in focus groups and intensive interviews think it is not appropriate for the government to own media and at the same time to be the prosecutor, judge and executor of punishment to erring media. Equally important, respondents maintain that often the government use existing draconian laws selectively to punish media outlets that are performing their watchdog role ethically. It is these arguments that seem to give credence to support for self-regulation of media.

Fifthly, although the **MCT seem to have played a significant role in spearheading self-regulation** of media as cases brought before it for arbitration demonstrate, **its effectiveness seems to be limited**. On average in the period under study (1997–2006) the MCT handled about 15 cases each year most of which were from ordinary citizens followed closely by politicians. The list of complainants shows a mix of profiles ranging from national leaders (Tanzanian Vice President for example) to an ordinary 17 year-old girl whose character was defamed in a series of cartoon stripes in a newspaper. However, majority of complainants still come from the Dar es Salaam and its neighbouring districts a proof that other ordinary citizens for example from upcountry may have difficulty accessing MCT services. Two major reasons account for this. One, although they are the leading complainants, most ordinary citizens do not access media as easily as elites and businesspersons do. Two, even if they

accessed media, they tend to lack the money to cover the costs of travel and subsistence while following up their cases.

The duration of arbitration process varied between one month for the shortest and over a year for the longest. However, in some situations the duration of cases was made unnecessarily longer mainly because of non-cooperation from editors or publishers. Compensation or remedy to complainants also varied where the highest was 3,000,000/– while the lowest was just a handshake. Compared to fines that media are obliged to pay in defamation suits in courts of law, MCT's amounts appear extremely modest and a relief to media outlets.

Nonetheless, almost 90 percent of cases were about complaints against false, biased or malicious allegations. This calls for critical reflection. Also it was evident from the findings that there were cases in which editors simply refused to cooperate in the arbitration process and MCT could not do anything about it. This affects not only public trust in self-regulation but also the reliability of the notion that the media in a liberal democratic environment can indeed be willing to be accountable to citizens. This is made more precarious by the fact that codes of ethics in newsroom have a very limited role as mechanisms of accountability. As Mfumbusa (2006) has aptly observed codes appear to have been adopted to avert the government's regulatory intervention rather than to be tools of serious self-regulation. Similar criticism was made by Nordenstreng (2000) about the effectiveness of self-regulation of media in general.

Two concluding statements can then be extrapolated from the conclusions above. The first one is that **liberal democracy does not seem appropriate as a basis for an independent mechanism for self-regulation of media in young democracies** especially in an environment where media are used by owners, politicians and the corporate world as a tool to facilitate their interests at the expense promoting and sustaining democracy. The second statement is that the effectiveness of Media Council of Tanzania – a central mechanism for fostering self-regulation of media – is **weakened by a number of factors** key of which include the following:

– The mass media, particularly privately owned, behave as any other business that seeks profits and treat each other as competitors hence weakening the basis for professionalism as well as professional solidarity;
– The MCT lacks strong backing from all media houses which are the key sources of its legitimacy;
– The MCT's decisions might be adhered to by over 90 percent of parties to arbitration but it does not stop media outlets from repeating the same ethical violations;
– The MCT only waits for individuals to complain even when often the media commit gross violations of the code of ethics to which they committed themselves;
– The MCT does not have a mechanism of ensuring that newsrooms adhere to the code of ethics as a matter of routine;
– The MCT lacks powers to enforce its arbitration decisions something that gives leeway to editors and journalists to violate ethics knowing the nature of consequences;
– The MCT is not widely accessible to majority of citizens, particularly those outside Dar es Salaam and other bigger cities;

– Despite MCT's efforts to promote its various activities, including arbitration verdicts, there is lack of convenient mechanisms through which citizens could discuss them and also channel their complaints about ethical violations;

– The MCT relies heavily on donor funding for its activities such that its independence has been questioned by both the government and other institutions including some media as well as individuals.

To sum up my main conclusions in this dissertation therefore I wish to argue that liberal democracy tradition is inappropriate to serve as a basis for a media regulatory framework in democratising countries because it does not respond to the transformative needs of all citizens. My argument is premised on the findings of this research which show that liberal democracy itself has failed to respond adequately to the values, needs and aspirations of citizens in a country like Tanzania where perpetual problems of poverty, political, economic as well as cultural domination and marginalization of citizens have characterised development paradigms since colonial times. There is a need therefore, as respondents have maintained, for a transformative form of democracy which addresses not only the perpetual problems above but also, one that serves as an appropriate basis for an effective regulatory framework for mass media.

I wish to posit that in a transformative form of democracy the government could – together with parliament, civil society, other citizens' associations, media industry, professional associations, and other relevant bodies – find a consensus on values and modalities that could enhance the capacity of an independent self-regulatory body to address the pitfalls of neoliberal media. While liberal thinking has a tendency to frown on the mention of government in regulating media, under the circumstances of transformative democracy, made evident in this dissertation, such an option is imperative. Nordenstreng (2000a: 77) for example (also concurring with Hamelink 1999) rightly argues that laws, markets and media self-regulation tend to coexist and that even self-regulation itself is always accompanied by some degree of legal regulation 'not to censor but to guarantee that minimum standards of democratic order and human rights are respected'. Italy and Denmark are examples in Europe where self-regulation of media has been strengthened by statutory force. Nonetheless, I would also argue that any government initiative to institute legal regulation of media must be based on consensus obtained through closer consultations with all key stakeholders as was the case in Tanzania's process to formulate new information and broadcasting policy from 2001 to 2003.

Such initiatives have to go hand in hand with the establishment of public service media that would provide a benchmark for good journalism while at the same time playing the role of watchdog; unifying and mobilizing citizens; providing forum for diverse groups to air views; promoting national culture and values as well as setting the agenda for defending and promoting societal interests at all times. Such a typology is supported not only by respondents in this study but also Africa's communal values expressed succinctly in *Ubuntu* philosophy which holds that *Umuntu, n'umuntu ngabantu,* meaning: 'my humanness cannot be separated from the humanness of others' or to put it different, 'my humanity cannot be complete without the humanity of others'.

13.3   Recommendations

These recommendations are largely drawn from the respondents' views and are augmented by my understanding of theoretical issues in media and democracy, particularly the role of media in democratization. Considering wanton violation of ethics among media practitioners; the limitations emanating from negative influences of media ownership, and MCT's inability to enforce its decisions, respondents were generally of the view that something had to be done. 'Self-regulation, yes; but not the way it is.' The following broad suggestions emerged from the findings:

- MCT's powers to enforce its decisions be enhanced, possibly through legislation if need be provided it does not subject it to influence by government or other forces;
- Promote support of MCT by key stakeholders, media owners, editors, journalists and the public in ways that enhance its legitimacy;
- Enhance sustainability capacity of MCT so it does not have to depend on foreign donors for its annual budget;
- MCT's capacity for proactive monitoring and publication of leading defaulters of ethics be enhanced and sustained;
- MCT should enhance public education programmes about good journalism and how citizens can demand media accountability;
- MCT should help enhance newsroom accountability systems, particularly through enforcement of codes of ethics and regular in-house training;
- Enhance MCT's capacity to strengthen and coordinate other journalism associations such as Editors Forum, trade unions, MISA, TAMWA, etc in promoting media accountability;
- Review codes of ethics with stakeholders to see how they can respond to values and needs of society in which they are implemented. Also promote ethics audit seminars and public events to offer opportunity for media practitioners to familiarize themselves with their own codes of ethics and to discuss the depth of ethical challenges as well as possible remedies;

Recommendations outside MCT's self-regulation

The government has a role to play in regulating any monopolistic behavior or cross ownership of media which has a tendency to lead to misuse by owners or interests other than the promotion of public good in general. Main recommendations are the following:

- Campaign for establishment of genuine and independent public service broadcasting as well as other media including community media. The aim is to develop public media to set benchmarks for good and responsible journalism that responds to, and promotes, the values, needs and aspirations of Tanzanians;
- Enhance establishment of media outlets that are aligned with, and supported by, citizens through civil society or public ownership in order to promote civic role of media in promoting and sustaining democracy;
- Establish means through which citizens can audit media performance and demand accountability;

– Lastly, establish a separate Media for Democracy institution to be charged with: specialized training courses on the role of media in democracy; research on media and democratization; in-service training in ethics and accountability, developing training material, media monitoring, publishing reviews of media performance, carrying out public surveys of media use and citizens' views about media performance, engage public in demanding media accountability, work closely with MCT, media houses, civil society and establish mutual relations with government as well as international partners committed to promoting media freedom and accountability.

13.4   Further research

This is one of few research undertakings that have explored the effectiveness of an independent media council in fostering self-regulation of mass media in Tanzania's young democracy. Prior to this, another important research which focused on the effectiveness of codes of ethics was conducted by Dr. Bernadin Mfumbusa who compared enforcement of ethics in two newsrooms. As Mfumbusa observed in the conclusion of his research, media ethics (and accountability) is a relatively uncharted territory in Tanzania as in much of Anglophone sub-Saharan Africa.

One critical area for further study, also identified by Mfumbusa, is more exploration into the nature and manifestations of *laissez faire* newsroom culture which has rendered codes of ethics redundant. As one seasoned media educator argued during an interview in this research the establishment of an institution such as MCT is indicative of the fact that newsroom mechanism for self-regulation has failed or is failing. Otherwise how can we explain the wanton failure by Tanzanian newsrooms to enforce codes of ethics which are an important foundation for self-regulation?

The second area for possible further research is to compare the workings of an independent media council such as MCT with other government councils like those in Uganda and Kenya. Such a comparison could also seek to establish whether the differences in legal status can explain other differences in terms of media ethical practice, the role the media play in democratization, the level of public trust in media, government attitude towards media as well as the extent of markets' influence on media in general.

The third area which has not been part of this research is how, for example, self-regulation can also be enforced in new media such as online journalism, blogs and other internet generated content which are increasingly becoming popular areas of citizen communication. While majority of citizens in countries like Tanzania may not have access to the internet, the little content generated there often finds its way to the public domain through oramedia and other traditional forms of sharing information.

Lastly, there is the need to carry out more studies on forms and structures of 'oramedia' that are practiced and are still relevant in most contemporary African societies to see how they could be synchronized with media and communication policies in young democracies such as Tanzania.

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APPENDICES

Appendix 1.
SURVEY QUESTIONNAIRE

A. Background Information

1. **Name of Respondent**..(Optional)
   Phone………………………   **Email**…………………………………….

2. **Age** (Please tick where appropriate)
   - (a) Under 30 years
   - (b) Between 31 to 40
   - (c) Between 41 to 50
   - (d) Between 51 to 60
   - (e) Over 60

3. **Sex**
   - (a) Female
   - (b) Male

4. **Highest education level attained**
   - (a) Primary education
   - (b) Secondary education (please mention certificate awarded)
   - (c) College education (Please mention diploma awarded)
   - (d) University education (please mention degree awarded)
   - (e) Post-graduate diploma/degree (please mention type of award)

5. **Highest Journalism training**
   - (a) Three months Certificate in Journalism
   - (b) One year Certificate in Journalism
   - (c) Two year Diploma in Journalism
   - (d) Advanced Diploma in Journalism
   - (e) Three year degree in Journalism/Mass Communication
   - (f) Masters in Journalism and / or Mass Communication
   - (g) PhD in Journalism or Mass Communication

6. **Journalism experience**
   - (a) Less than a year
   - (b) 1 – 4 years
   - (c) 5 – 10 years
   - (d) 11 – 20 years
   - (e) 21 years and above

7. **Your current media house**...
   (a) Print media
   (b) Radio
   (c) Television
   (d) Online publishing
   (e) Other……………………………………………………………..

8. **Mode of employment**
   (a) Permanent and pensionable
   (b) Correspondent
   (c) Part-time/Retainer
   (d) Freelancer
   (e) Other………………………………………………….

9. **Your salary level (monthly earnings from journalism)**
   (a) Below 200,000/–
   (b) Between 200,000/– and 500,000/–
   (c) Between 500,000/– and 1,000,000/–
   (d) Between 1,000,000/– and 2,000,000/–
   (e) Above 2,000,000/–

B. **MEDIA ROLES** (These questions require your frank opinions and thoughts about the role of media in society in general and in Tanzania in particular)

10. **Mass media scholars have, over the decades, assigned key roles and functions for mass media in society. What in your opinion is the role of mass media in society today? (Mention at least one role as you see it in contemporary world).**
    (a) ....
    (b) ....
    (c) ....
    (d) ....

11. **In Western developed countries mass media are expected to play special roles to promote and sustain democracy. Do you see the mass media in Tanzania playing any special roles to promote and sustain democracy?**
    (a) If YES, what are these roles?
    ………………………………………………………………………………………………
    ………………………………………………………………………………………………
    ………………………………………………………………………………………………...
    (b) If NO, explain
    …………...………………………………………………………………………………….
    ……………………………………………………………………………………………....
    …………………………………………………………………………………………………

12. **What in your opinion are the main obstacles to mass media in promoting and sustaining democracy in Tanzania?**
    (a) …………………………………………………………………………………….
    (b) …………………………………………………………………………………….
    (c) ……………………………….…………………………………………………

13. What, in your opinion, should be the major roles of mass media in a country like Tanzania?

    (a) …………………………………………………………………………………….

    (b) …………………………………………………………………………….........

    (c) …………………………………………………………………………………..

    (d) …………………………………………………………………………………..

C   MEDIA ETHICS (These questions require your candid opinions and thoughts about the situation of media ethics in Tanzania)

14. Thinking of your own personal convictions, what would you consider to be the main sources of your journalistic ethics? (please outline them in the order of importance, starting with the most important sources)

    (a) ……………………………………………………………………………………

    (b) ……………………………………………………………………………………

    (c) ……………………………………………………………………………………

    (d) ……………………………………………………………………………………

15. There have been public concerns about the credibility of the mass media in Tanzania in recent years. From your experience in the media what do you consider to be the biggest challenges to ethical journalism practice in Tanzania today?

    (a) ....

    (b) ....

    (c) ....

    (d) ………………………………………………………………………………….

16. Various media houses in the world have different ways of ensuring their employees abide by set standards of journalistic practice. What does your newsroom administration do to ensure journalism ethics are adhered to in day to day practice?

    (a) ………………………………………………………………………………….

    (b) ..………………………………………………………………………………..

    (c) …………………………………………………………………………………..

    (d) ………………………………………………………………………………….

D   MEDIA REGULATION (These questions require your candid opinions and thoughts about the question of media regulation and the situation in Tanzania)

17. The issue of media regulation has always been contentious since the beginning of mass circulation of the printed word. In your own understanding, how are media regulated in society? (Please mention at least two ways in which media are regulated in society)

    (a) ....

    (b) ………………………………………………………………………………….

    (c) ………………………………………………………………………………….

    (d) ………………………………………………………………………………….

18. In your opinion, is statutory (government) control of mass media necessary to ensure ethical journalism practice?

(a) If your answer is YES please explain WHY?

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………………………………………………………………………………………………

………………………………………………………………………………………………

(b) If your answer is NO, please explain WHY?

………………………………………………………………………………………………..

………………………………………………………………………………………………..

………………………………………………………………………………………………

19. Do you understand the concept of self-regulation of mass media?

If your answer is YES do you think self-regulation can help ensure ethical journalism practice? (Please explain)

………………………………………………………………………………………………..

………………………………………………………………………………………………..

………………………………………………………………………………………………..

20. In 1995 Tanzania established the Media Council of Tanzania (MCT) an independent, voluntary and non statutory institution to facilitate self-regulation of mass media.

What are your views about MCT's performance since its establishment?

(a) Has the MCT increased efficiency in self-regulating the mass media? (Explain how)

………………………………………………………………………………………………..

………………………………………………………………………………………………..

………………………………………………………………………………………………

(b) Has self-regulation been an incentive in itself for journalists to adhere to ethics?

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………………………………………………………………………………………………

(c) Has self-regulation reduced costs of administering cases and complaints? (Explain how)

………………………………………………………………………………………………

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………………………………………………………………………………………………

(d) Has self-regulation increased public trust of journalism 'profession'? (Explain how)

………………………………………………………………………………………………..

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………………………………………………………………………………………………

(e) Has self regulation ensured accountability on the part of journalists? (Explain how)

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………………………………………………………………………………………………..

………………………………………………………………………………………………

(f) Has self-regulation helped promote press freedom in Tanzania? (Explain how)

………………………………………………………………………………………………

....

………………………………………………………………………………………………

21. **What should be done to ensure the mass media in Tanzania adhere to journalism ethics?**

    (a) ……………………………………………………………………………………
    (b) ……………………………………………………………………………………
    (c) …………………………………………………………………………………...
    (d) …………………………………………………………………………………

22. **What should be done to enhance the roles of mass media in promoting democracy in Tanzania?**

    (a) ....
    (b) ....
    (c) ....
    (d) ....

Thank you for your time !

Appendix 2.
SAMPLE OF MEDIA HOUSES AND PRESS CLUBS COVERED BY SURVEY

	Media / Press Club	Number of journalists	Distributed	Returned
1	Morogoro Press Club & Undergraduate students	60	40	32
2	Zanzibar Press Club	200	60	26
3	Mara Press Club	30	25	10
4	Dodoma Press Club	31	25	9
5	Lindi Press Club	29	25	9
6	Ruvuma Press Club	32	25	9
7	Arusha Press Club	65	25	5
8	Kagera Press Club	34	25	8
9	Global publishers (newspapers)	60	30	11
10	Mwananchi Communications Ltd.	100	30	19
11	Uhuru & Mzalendo	30	25	8
12	Tanzania Daima	25	20	5
13	New Habari (2006)	50	30	8
14	Majira newspaper	25	25	8
15	The Guardian & Nipashe	50	30	8
16	Daily News & Habari Leo	40	30	15
17	TBC (Radio and TV)	50	25	7
18	ITV & Radio One	40	20	7
19	Star TV (Mwanza and Dar)	40	40	12
20	Mlimani (Radio and TV)	10	25	5
	Total	**1001**	**640**	**221**

Appendix 3.
FOCUS GROUPS

SAUT

	Participant	Designation	Role
1	Dr. Joseph Matumaini	Seniour Lecturer at SAUT	Chair of Focus Group
2	Dr. Mjomba Majalia	Seniour Lecturer at SAUT (from Dayster University, Kenya	Observer/participant
3	Joyce Bazira	PhD Candidate (Mass Comm)	Participant
4	Abdala Peteruma	PhD Candidate (Mass Comm)	Participant
5	Nasima Haji Chum	MA student (Mass Comm)	Participant
6	Josephat Mwanzi	MA student (Mass Comm)	Participant
7	Godgrey Kallagho	MA student (Mass Comm)	Participant
8	Salim Said	MA student (Mass Comm)	Participant
9	Oliver S. Njimwa	MA student (Mass Comm)	Participant
10	Martin Malima	MA student (Mass Comm)	Participant
11	Bestina Magutu	MA student (Mass Comm)	Participant
12	Ayub Rioba	PhD Candidate	Researcher

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27	HAMIS DAMMBAYA	EDITOR – RADIO MLIMANI	dammbaya@yahoo.com

Appendix 4.
INDEPTH INTERVIEWS

	NAME OF INTERVIEWEE	DESIGNATION	DATE
1	Professor Issa Shivji	Former President Media Council of Tanzania (MCT)	February 14, 2011
2	Ms. Ussu Mallya	Executive Director, Tanzania Gender Networking Programme (TGNP)	February 18, 2011
3	Mr. Daniel Loya	Executive Director, Tanzania Center for Democracy (TCD)	February 18, 2011
4	Prof. David Mukangara	Former Executive Director, African Peer Review Mechanism (APRM) in Tanzania	February 18, 2011
5	Prof. Mwesiga baregu	Professor of Political Science, Saint Augustine University of Tanzania (SAUT)	February 18, 2011
6	Dr. Joseph Matumaini	Head, Journalism and Mass Comm Department, SAUT	February 18, 2011
7	Mr. Kassim Mpenda	Former Director, Government Information Department (Maelezo)	February 20, 2011
8	Mrs. Ananilea Nkya	Executive Director, Tanzania Media Women Association (TAMWA)	February 21, 2011
9	Dr. Bernadetta Killian	Dean, School of Journalism and Mass Communication (SJMC)	February 21, 2011
10	Judge Joseph Sinde Warioba	Former Prime Minister and Second Vice President (1985–1990) Also former Chairman, MCT's Ethics Committee	February 22, 2011
11	Mr. Jenerali Ulimwengu	Chairman, RaiaMwema publications and also former Vice Chairman MCT's Ethics Committee	February 22, 2011
12	Mr. Francis Kiwanga	Executive Director, Legal and Human Rights Center (LHRC)	February 23, 2011
13	Mr. Gervas Moshiro	Former Principal, Tanzania School of Journalism (TSJ) and Vice Chairman, Administration and Finance Committee of MCT	February 24, 2011
14	Mr. Ernest Sungura	Executive Fund Manager, Tanzania Media Fund	February 28, 2011
15	Mr. Kajubi Mukajanga	Executive Secretary, MCT	February 28, 2011
16	Mrs. Rose Haji	National Director, Media Institute of Southern Africa (MISA-Tan)	March 01, 2011
17	Ms. Joaquina De Mello	Commissioner, Commission for Human Rights and Good Governance (CHRAGG)	March 01, 2011

18	Hamis Mzee	Former Managing Editor, Nipashe newspaper, now editor MCT publications	March 02, 2011
19	Pius Msekwa	Vice Chairman, Chama Cha Mapinduzi (CCM)	March 02, 2011
20	Dr. Fenella Mukangara	Deputy Minister, Information, Culture and Sports	March 02, 2011
21	Dr Augustine Hatar	Seniour Lecturer, SJMC	March 07, 2011
22	Mr. Willy Mbunga	Founding Principal TSJ, Former Director Maelezo (retired)	March 07, 2011
23	Mr. Felix Kaiza	Veteran Journalist	March 07, 2011
24	Mr. Dietrick Kaijanangoma	Assistant Lecturer, SJMC	March 07, 2011
25	Prof. Ibrahim Lipumba	Chairman, Civic United Front (opposition party) and three time presidential candidate	March 08, 2011
26	Mrs. Pili Mtambalike	Programme Manager, MCT	March 10, 2011
27	Mr. Ernest Mrutu	Assistant Lecturer, SJMC	March 10, 2011
28	Mr. Chrysostom Rweyemamu	Former tutor, TSJ and Training editor with New Habari (2006)	March 14, 2011
29	Ms. Anita Mendoza	Assistant Programme Officer, MCT (Monitoring, research and publications)	March 14, 2011
30	Ms. Gloria Mweinyekule	Programme Officer, Media Monitoring, research and publications	March 14, 2011
31	Mr. Nurdin Said	Programme Officer, Laws, Arbitration, Programmes, Standards and Advocacy)	March 14, 2011
32	Ms. Zanele Chiza	Intern at MCT, graduate of Mass Comm from SAUT	March 14, 2011

Appendix 5.
MCT ARBITRATION CASES (1997–2006)

Complaints for 1997

	Complainant/ Profile and home	Media	Complaint & remedy	Filed on	Resolved on	Costs/ damages	Decision
1	Edward Lowassa (politician) Dar es Salaam	Heko newspaper	Defamation: Heko published story claiming Lowassa was among the big shots to be arraigned in court for corruption. (the complainant prayed that Heko be stopped from continuing to tarnish his name)	article published on July 27	resolved on Sept. 23	1,000,000/–	Heko had breached ethics by publishing false allegations and by refusing to apologise after the complainant had demanded so. Heko ordered to pay costs incurred by complainant.
2	Mohamed Enterprises (T) Ltd. (businessman) Dar es Salaam	Alasiri newspaper	False, inaccurate, biased and unsubstantiated article which tarnished good image of the company	article published on July 21 and second on August 1. Complaint filed on Sept. 22	Apology published on Nov. 24	Not indicated	Alasiri had treated the complainant unfairly by not including his side of the story. The newspaper ordered to apologise
3	Masha Abdalla Muhimba (Ordinary citizen) Dar es Salaam	Dar Leo	The newspaper referred to her in a story as a prostitute. She claimed it had tarnished her image, subjected her to public disgrace, contempt and ridicule. She demanded apology and compensation.	article on Sept. 24; mediation on January 7, 1998	Jan. 7 and apology published on January 20	300,000/–	The publication was unethical, libellous and harmed the complainant. Newspaper compensate her with 300,000/– and apology.
4	Awadh Mkanatila, S. Seif and A. Sweya (caretakers of religious organisation) Dar es Salaam	Majira	The newspaper published an article implicating them in corruption. Complainants charged it had subjected them to contempt ridicule and created misunderstanding between mosque leadership and a Trust Fund. They wanted an apology.	article published October 22; mediation on March 12, 1998	Resolved on March 12, 1998	Not indicated	The newspaper apologised as demanded by the complainants and decided by MCT
5	Isaya Letema and Bansella Isumik Dar es Salaam	Director RTD, AG, and Asha Ally	The complainants charged that the respondents had made malicious announcement that the complainants were disobeying a court order to vacate a house owned by the third respondent. They demanded 200,000,000/– as remedy	On Sept. 2, 1997 the third interviewed by RTD; Complaint filed on Nov. 15, 1997	Not indicated	Not applicable	The MCT learnt that the complainants had also filed a case in court and therefore advised parties to pursue proceed in court.

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Complaints 1998

	Complainant Profile / home	Media	Complaint & remedy	Filed on	Resolved on	Costs/ damages	Decision
1	Yssin Nabwera (medical doctor)	The Guardian Ltd Taifa Letu and Nipashe	After mysterious death of Sylvia Haule, the respondent published an article linking the same to an abortion attempt by the complainant. The complainant claimed he was arrested on January 30, 1997 and charged with murder. He demanded apology and compensation for damages and costs	Published first on Jan. 18 and then Feb. 18 and 19, 1997. Complaint filed on April 3, 1998	April 28, 1998	Not indicated	The articles had condemned the complainant instead of stating the facts as allegations. The respondent was ordered to apologise and to agree with the complainant about damages and to report to the Council within 14 days
2	Hillary Mbaga Family (ordinary citizens)	Kasheshe (tabloid)	The respondent had published an article alleging that the grave of the complainants' father Mr. Mbaga had been exhumed by thieves who wanted to get hold of the deceased's jewellery. The complainants claimed the story had disturbed them psychologically and sought apology and compensation	Published on Dec.19, 1997 Complaint filed on Feb. 2, 1998	Not indicated	5,000,000/–	The article was untrue and was based on unfounded rumours. The respondent was ordered to apologise, which he did, and to compensate the complainant with 400,000/–
3	Charles Mndolwa (ordinary citizen/ seaman)	Nipashe, The Guardian, Managing Director Print Afrique and Joseph Shayo	The respondents had published articles alleging that the complainant had died at sea during an accident even when he was still alive. He claimed the story had cause unnecessary anxiety to family and friends and disturbed him psychologically. He demanded apology and compensation	Article published on Dec. 10, 1997. Complaint filed on Jan. 22, 1998	March 3, 1998	5,000,000/–	The two had met to resolve the matter and the respondent offered to compensate the complainant with 100,000/–. The complainant refused. The MCT decided that since the parties had failed to agree and opted for the court of law, they could proceed
4	African Shipping Co. Ltd. (businessman)	Nipashe	The complainant claimed the respondent had published a libellous and malicious article which had damaged the reputation of his company. Demanded apology.	Complaint filed on Feb 10, 1998	***	***	***

No.	Complainant	Respondent	Complaint	Date filed	Resolution		Outcome
5	Isaya Letema (ordinary citizen)	RTD	The complainant charged that RTD had defamed him through a programme titled Majira and he sought apology and compensation	Complaint filed March 30, 1998	***	***	RTD refused to apologise
6	Baraza la Vijana (youth organisation) (Dar es Salaam)	Mtanzania	The complainant charged that the newspaper had defamed them and sought apology and compensation	Complaint filed on April 14, 1998	Rejected on April 30, 1998	Not applicable	MCT rejected case on grounds that it was outdated
7	Yousuf Makamba (Regional Commissioner) Dar es Salaam	Annur	The complainant claimed that the paper had defamed him through an article which had claimed he (Makamba0 was not a good Muslim	Complaint filed on April 18, 1998	Case resolved on Aug 19, 1998	Not applicable	The complainant dropped the case in the last minutes claiming he had been advised to do so by family and friends
8	Prof. Mathew Luhanga (Vice Chancellor) Dar es Salaam	Uhuru	The complainant claimed that the paper had defamed him and the University of Dar es Salaam by alleging that there was favouritism in female students admissions	Complaint filed on May 4, 1998	Not available	Not applicable	Uhuru admitted mistakes and apologised as ordered by the Council
9	Pastor Bisso Jackson. Ntera (Pastor) Dar es Salaam	Nipashe	The complainant charged that the respondent had published an article alleging that he (the complainant) had caused the death of his own daughter by not taking her to hospital and praying for her instead when she was ill.	Complaint filed on May 05, 1998	Not available	Not available	The MCT did not hear the case because the complainant proceeded to court on grounds that the editor was not being cooperative in the matter.
10	Prof. Joseph Mbwiliza (Regional Commissioner) Kilimanjaro	Majira Nipashe Heko Rai	The complainant charged that the newspapers had defamed him	Complaint filed on May 21, 1998	Settled out of Council on Sept 10, 1998	Not available	The MCT allowed parties to the complaint to agree on their own on settlement out of Council.
11	Aristariko Alpohonse (ordinary citizen) ***	Nipashe	The complainant charged that the respondent had published false allegations that he (the complainant) had impregnated a school girl. He claimed it had disturbed him, subjected him to public ridicule and even his own wedding was stopped by his church because of the allegations.	Complaint filed on July 21, 1998	Not available	Not available	***
12	J. G. Macha (employee UDSM) Dar es Salaam	The Guardian	The complainant charged that the respondent had falsely quoted him in a story about things he had not said.	Complaint filed on Sept. 1, 1998	Resolved in Jan 18, 1999	Not available	***

No.	Complainant	Newspaper	Complaint	Date Filed	Resolution	Award	Remarks
13	Asumpta Ndimbo (employee) ***	Mtanzania	The complainant claimed that the respondent had published false allegations linking her to corruption and that it had affected her reputation and that she had been subjected to contempt and ridicule. She demanded apology and compensation.	Complaint filed on Nov. 9, 1998	Resolved on March 1, 1999	Not available	***
14	Dr. Maua Daftari (deputy minister) Dar es Salaam	Daily Mail	The complainant charged that the respondent had published a false article alleging that she had conned her friend of huge sums of money. She claimed her reputation had been affected and she needed redress	Complaint filed on December 23, 1998	Case rejected on March 15, 1999	Not available	***
15	Prof. Mathew Luhanga (VC, UDSM) Dar es Salaam	Alasiri	The complainant charged that the respondent had published an article which claimed that he (the complainant) had plagiarized a speech by former Tanzanian President Julius Nyerere. He sought apology because the article had damaged his reputation.	Complaint filed on July 17, 1998	Case resolved on Sept. 30, 1998	Not available	The Council found the respondent to have erred and ordered the paper to publish an apology
16	Makongoro Nyerere (son of former President and MP)	Kasheshe (tabloid)	The complainant charged that the respondent had published an article alleging that he had been 'raped' by a woman, something that had damaged his reputation. He sought apology.	Complaint filed on December 24, 1998	Not available	Not available	***
17	Msufini (school) Kilimanjaro ***	Mtanzania	The complainant charged that the respondent had published a malicious article alleging that eight pupils had been suspended from the school unfairly	Complaint filed on Aug 5, 1998	Not available	Not available	***

Complaints 1999

	Complainant Profile/home	Media/respondent	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Cleopa D. Msuya (retired former Premier and 2nd Vice President, Tanzania) Dar es slaam/ Mwanga	Habari Corporation and Board Chairman	The complainant claimed that the respondent had included his name in a list of Parliament and Government officials who had failed to repay their motor vehicle loans on time. He sought remedy in terms of apology because the publication had lowered his reputation	article published on July 17, 1999 date of filing complaint not available	Resolved on Nov. 10, 1999 Apology published on Nov.11, 1999	Not applicable	MCT ordered the newspaper to apologise on its front page of the next publication, which it did.
2	Dr. Omar Ali Juma (Vice President of Tanzania) Dar es Salaam	Dar Leo	The complainant claimed that the respondent had published an offensive and defamatory article which had aimed at fermenting discord, tarnishing his good name and destroying his political career. He sought	Complaint filed on April 27, 1999. On May filed amendment to earlier complaint	Resolved on June 9, 1999	General damages	The Council found the article unethical and the journalist/editor irresponsible. The Council ordered the respondent to pay general damages; publish a prominent apology and reprimanded the editor and
3	Ms. Betty Masanja (journalist and TV presenter) Dar es Salaam	Sanifu (tabloid)	The complainant charged that the respondent had published an article that had insulted, degraded and defamed her as a drunkard and irresponsible person. She claimed that although the article did not carry her name, there were compelling facts that identified her as the person being defamed. She demanded conspicuous apology, and compensation	Article published on Jan. 7, 1999	Date of first hearing was March 15, 1999. Editor asked for more time. Second session on June 8, 1999	Not available	On the second session of arbitration, the editor declined to turn up arguing that they had settled out of court with the complainant. But it took three months before the respondent had to pay damages. MCT had to intervene to enable the complainant receive unspecified sum of money.

Complaints 2000

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Issa Batengas Dar es Salaam	Daily Mail and Managing Director	The complainant charged that the respondent had published an article from court proceedings which defamed him by claiming he had been arraigned in court for illegal possession of a firearm. He said the article had tarnished his image in public and had disturbed his relatives and friends. He demanded apology and compensation	Article published on Jan. 5, 2000	Not available Apology published on January 7, 2000***	Not disclosed	The Council found out that the newspaper did err and ordered both parties to agree on the amount to be paid as damages and the respondent to publish an apology within 14 days, which they did.
2	Julius Masaka (politician) Musoma	Mtanzania	The complainant charged that the respondent had published an article claiming that he had raped a school girl and had been arraigned in court. He complained that the allegations were fabrications meant to tarnish his good image and that he had been severely affected by the publication. He demanded 3million as compensation.	article appeared on March 13, 2000	Not available	3,000,000/–	Investigations by the respondent and MCT proved that there had been no such incident and hence the MCT ordered the respondent to pay the 3million for damages because the complainant, who is disabled, had travelled several times from Musoma to Dar es Salaam for the case ****
3	Lucas Maseke Chacha (journalist) Moshi	MECKI (Kilimanjaro press club)	The complainant charged that the respondents had spread disparaging remarks against him on grounds that he was unethical. He demanded apology and compensation.	Complaint filed on June 27, 2000	MCT responded on Sept 15, 2000 On Feb 2001 the responded removed case from MCT	Not available	****
4	S.A massati & Co Advocates for foreign investor ***	Kiu (tabloid)	The complainant charged that the respondent had published a false article alleging that the complainant had threatened to kill a local employee. The complainant claimed that the story had caused him unnecessary disturbance and damaged his reputation. He demanded apology.	Complaint filed on July 25, 2000	Not available	Not available	****

No.	Complainant	Respondent	Complaint	Date filed	Status	Remedy	Outcome
5	Bishop Zakaria Kakobe (bishop) Dar es Salaam	Uwazi (tabloid)	The complainant had complained that the respondent had published false articles defaming his and his church, the Full Gospel Fellowship Church and therefore he demanded remedy.	Complaint filed on July 27, 2000	Not indicated	Not applicable	The MCT learnt that the same case had been filed in the court of law and was hence rejected
6	Jasmin Lema (ordinary citizen) ***	Kiu (tabloid)	The complainant charged that the respondent had published an article alleging that she had participated in dancing competition which was not true. She asserted that being a daughter of devout Muslims she could not have engaged in such indulgencies. She demanded remedy.	Not available	Settled out of Council and signed agreement under MCT on Aug. 12, 2000	Not available	The respondent and complainant agreed to settle out of Council and their agreement was witnessed by the MCT
7	Njelu Kasaka (former cabinet minister and MP) Dar es Salaam	Majira	The complainant claimed that the respondent had published a letter to the editor which had defamed him and lowered his reputation	Complaint filed on Aug. 7, 2000	Not available	Not available	***
8	Ali Bakari (journalist/ businessman) Dar es Salaam	Shangwe (tabloid)	The complainant claimed that the respondent had published false information that he was an impostor who made dubious deals and that he had bribed the police to allow an otherwise improper boxing contest to take place.	Aug. 27, 2000	Not available	60,000/–	The parties settled their differences amicably through the mediation of the MCT Executive Secretary.
9	Mosi Tambwe and Councillors Local government politicians ***	Radio Free Africa and Msanii Africa	The complainants claimed that the respondents had broadcast/published false information which lowered their reputation and contributed to their not being elected. They demanded remedial measures.	Complaint filed on Sept. 7, 2000	Not available	Not available	***

10 Happy Modest (freelance journalist) Morogoro	Sanifu (tabloid)	The complainant charged that the respondent had published an article portraying her as a sexually immoral person. She sought general damages.	Complaint filed on Oct. 5, 2000	MCT responded Oct. 23, asking her to attach the original copy of the tabloid which defamed her.	Not applicable	The complainant informed the MCT that she had dropped her case at the MCT because the respondent had indicated willingness to reconcile. She later dropped demands for money and the paper published an apology on page 4 of its next issue as they had agreed
11 Alex Kajuna Rutta (ordinary citizen, ran for councillorship) Dar es Salaam	Alasiri	The complainant, a candidate for counsellorship at Manzese ward in Dar es Salaam, charged that an article which referred to him as "nshomilye" during campaigns had affected his votes. ('Nshomilye' translates as someone (from the complainant's ethnic group) who is educated. However, in this regard the complainant translated it as someone who boasts around because of his education. He demanded an apology on the same page and 2million Shillings as remedy.	Oct. 9, 2000	Not available	Not applicable	The MCT found the use of the term "nshomilye" in the newspaper as being harmless. The argument was that it was not possible to establish then if it was indeed the use of the term that had robbed him of votes at elections. The complaint was dismissed.
12 Senetor Julius Miselya (politician) Dar es Salaam	Hoja	The complainant claimed that the respondent had published an article which contained false allegations that he was planning to put a court injunction against the national chairman of his party TLP, Mr. Augustine Mrema. He claimed that the article had disturbed him and he needed remedy	Complaint filed on Oct. 16, 2000	Not resolved	5,000,000/-	The case could not be resolved throughout the year 2000. In 2001 Mr. Miselya complained to the MCT about the dragging of his case.

No.	Complainant	Complaint	Date	Amount	Decision
13	Neema Malekela (ordinary citizen) Dar es Salaam	The complainant, who was only 17 years old, first went to the MCT offices to complain about a cartoon strip series which she claimed had portrayed her as of loose character. The MCT asked the editor to listen to her concern but he dismissed her. The cartoon strip had indeed named her and her place of abode, Ukonga in Dar es Salaam. She claimed that she had been subjected to public contempt and ridicule and that her father had refused to pay for further education. She demanded compensation	Complaint filed on Nov. 5, 2000	Resolved on April 23, 2001 She was paid on June 5, 2001	2,000,000/– The MCt found that the respondent had acted unprofessionally and had grossly violated the Code of Ethics which required the media to protect minors. They realised the cartoonist had misused his position to settles scores with Neema through the cartoon strip series. The MCT ordered the respondent to apologise and to pay the 2million for damages which the paper did.
14	Joel Mwezi (teacher) ***	The complainant complained that the respondent had published a defamatory article claiming that he had raped a pupil. He charged that the article had affected him personally and had also affected him at his workplace. He demanded general damages and apology	Complaint filed on Oct. 19, 2000	On May 16, 2001 newspaper apologised He had asked 10,000,000 But settled for 800,000/–	The MCT found that the respondent had acted unprofessionally causing untold damages to the complainant. The MCT ordered the respondent to agree with the complainant on monetary settlement and apology. The newspaper apologised but kept dodging to pay the 800,000/–

Alasiri

Mtanzania

Complaints 2001

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/ damages	Decision
1	Tabora Press Club

Tabora | Msanii Africa | *** | Complaint filed on Jan. 4, 2001 | *** | *** | *** |
| 2 | Ukiwaona Ditopile Mzuzuri (Regional Commissioner) Lindi | Alasiri Nipashe | The complainant charged that the respondents had published malicious articles that had defamed him. He said his reputation had been damaged and he sought remedy and apology | Complaint filed on Jan. 23, 2001 | Resolved on April 23, 2001 | Not applicable | The MCT was satisfied that the editor had erred and hence ordered the respondent to apologise and to pay damages, the sum of which would be agreeable to both. The MCT was later informed that the complainant had been paid an unspecified amount of money. |
| 3 | Josiah B. Gervas (ordinary citizen/ minor) | Dar Leo | The complainant's representative complained that the respondent had published a story quoting the complainant to have said that she left home to live with a man because of her father's bad temper. The complainant demanded remedy. | Jan.30, 2011 | Not available | Not available | MCT responded on Feb. 9, 2001 advising the complainant not to proceed with the case at MCT because it was already in a court of law. |
| 4 | Misana R. Bwire (government employee)

Dar es Salaam | Mwananchi | The complainant claimed that the respondent had published false information which had defamed him and demanded apology | Complaint filed on Jan. 31, 2001 | Not available | Not available | *** |
| 5 | District Commissioner Igunga District

Igunga, Tabora | Mwananchi and Victor Kinambile (journalist) | The complainant claimed that the respondent had filed a false report about civil clashes in Igunga to the respondent (2) who also published the same without any verification. She originally wrote the letter to the Tabora Press Club which also notified the MCT. | Complaint filed on Feb. 9, 2011 | Not available | Not available | *** |

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No.	Complainant	Publication	Complaint	Complaint filed	MCT response	Remedy	Outcome
6	T.T. Kilagwa (manager, TanRoads) Ruvuma	Majira	The complainant complained that the respondent had published false allegations from a correspondent in Ruvuma that he had discouraged companies from purchasing cashew nuts in the region. He charged that the article had subjected him to public ridicule, contempt and hatred. He demanded remedy.	Complaint filed on Feb. 19, 2011	Not available	Not available	***
7	David Mattaka (former Parastatal Pension Fund boss) Dar es Salaam	Rai	The complainant charged that the respondent had published false information that his bank accounts had been frozen by the government because of his alleged embezzlement while in public office. He complained that the allegations had subjected him to public contempt and ridicule. He demanded remedy.	Complaint filed on March 2, 2001	Not available	Not available	***
8	Msafiri Mtemelwa (policician) Dar es Salaam	Nipashe	The complainant charged that the respondent had published an article falsely attributing him as the source even when, he charged, it was not true. He demanded apology and remedy.	Complaint filed on March 21, 2001	On March 29, MCT responded	Not applicable	After following up the matter with the editor of the respondent the complainant informed the MCT that he was being ignored. The MCT advised him to proceed to a court of law.
9	Bishop Jerry D. Mngwamba (bishop) Eastern and Coastal Diocese	Nipashe	The complainant complained that the respondent had published an article which portrayed him as a conman and that it had damaged his reputation in the eyes of his followers and the public at large. He demanded a retraction and apology.	Complaint filed on April 19, 2001	On April 20, 2001 MCT responded	Not applicable	The MCT advised the complainant to not proceed with his case with the Council because it was already in a court of law.

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No.	Complainant	Respondent	Complaint	Date		Amount	Outcome
10	Rev. Moses Sozigwa (reverend) Dar es Salaam	Nipashe	The complainant charged that the respondent had published false information claiming he (the complainant) had been beaten up by his followers to the extent of throwing the bible away. He complained that the article had damaged his reputation and good public standing. He demanded an apology.	Complaint filed on May 3, 2001	Not available	10,000,000/–	***
11	Frederick Siwale (freelance journalist) Mbeya	The Police Force	The complainant charged that he was being targeted and harassed by the police force in Mbeya where he worked as a freelance journalist.	Complaint filed on May 10, 2001	Not available	Not available	***
12	Mirembe Construction (business) Through an advocate	Taifa Letu	The complainant charged that the respondent had published a defamatory article claiming the company (complainant) had been blamed for shoddy work. The complainant claimed the article had damaged the reputation of the company and demanded remedy.	May 14, 2001	Not available	Not available	***
13	Regional Trading Company (Dar es Salaam)	Tanzania Leo	The complainant claimed that the respondent had defamed the company by publishing a false article alleging that the company was paying workers with milk instead of money; which was untrue.	Complaint filed on May 21, 2001	Not available	Not available	***
14	Nassor S. Mousa (freelance journalist) ***	Mwananchi	The complainant charged that the respondent had published a defamatory article which had lowered his reputation and affected his standing in society. He demanded apology and compensation.	Complaint filed on June 4, 2011	On July 24, he wrote the MCT that he and the respondent had settled the dispute amicably	2,000,000/–	Dispute was settled amicably by parties and the MCT closed the case

No.	Complainant	Respondent	Complaint	Date	Action	Amount	Outcome
15	Biblia ni Jibu (religious group) Dar es Salaam	Alasiri	The complainant complained that the respondent had published false article claiming that the group had conducted public meeting to preach while Biblia ni Jibu had stopped such activities since 2000. The complainant demanded remedy	Complaint filed on June 9, 2001	Not available	Not available	***
16	Archbishop Josephat Louis lebulu (Archbishop) Arusha	Msemakweli (religious paper)	The complainant charged that the respondent had published false information quoting him (a Roman Catholic Archbishop) to have said evangelical churches were the most popular among believers. He demanded retraction and apology.	June 9, 2001	Not available	Not available	***
17	Emmanuel Barnabas (ordinary citizen) ***	Dar Leo	The complainant charged that the respondent had published an article that falsely claimed he (the complainant) had raped someone's wife. The complainant charged that the allegations were false fabrications that had tarnished his name in the community. He demanded apology and damages.	Complaint filed on June 20,	On July 23, 2011 MCT wrote the complainant advising him to contact the editor.	500,000/–	The two parties agreed to settle the matter amicably. The paper agreed to apologise and to pay the complainant 500,000/– he had demanded. On Sept. 24, the complainant wrote to the MCT that the respondent was refusing to pay the 0.5million asking him to forgive. On Sept. 26, 2011, the complainant wrote to MCT that he had been paid.
18	Augustine Mrema (national chairman, opposition TLP Party)	Mwananchi	The complainant complained that the respondent had published an article by a columnist which had defamed him. He demanded an apology (three times) and damages.	June 26, 2011	Not available	100,000,000 /–	On January 3, 2002 MCT wrote to the complainant asking him to confirm that the issue had been settled amicably through discussions
19	AI Products (employees)	Mtandao (seasonal newspaper)	The complainants complained that the respondent had published false allegations which had jeopardised their jobs.	Complaint filed on June 28, 2001	Not available	Not available	***

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No.	Complainant	Respondent	Complaint	Date filed		Amount	Outcome
20	Said Nuru Mukiya (ordinary citizen) Dar es Salaam	Rai	The complainant complained that the respondent had published a photo of him inspecting plastic tins and ran a caption that he was a blind man. He charged that the caption was false and misrepresented him.	Complaint filed on July 4, 2001	Not available	8,000,000/–	The MCT was satisfied that the respondent had committed professional error and should apologise and compensate the complainant with 600,000/–. The respondent obliged; apologised and paid the amount in two instalments. The payment was made June 2002 after protracted follow-ups by the complainant.
21	Batuli Juma Mbwana (artiste)	Risasi (tabloid)	The complainant complained that the respondent had published a defamatory article alleging that the complainant was being sought by the police for failure to pay a debt of 80,000/– which she claimed was untrue. She demanded remedy and apology.	Complaint filed on August 01, 2011	Not available	Not available	***
22	Peter S. Macha (Chairman Board of Directors, national Shipping Company) Dar es Salaam	Majira	The complainant charged that the respondent had published a false article alleging that he narrowly escaped from being beaten by NASACO employees. The story had further claimed that the complainant had kept dodging each time employees attempted to present their grievances to him. He demanded an apology.	Complaint filed on Aug. 10, 2001	On Nov. 14, 2001, the complainant wrote to MCT through email that the respondent had agreed to settle the matter.	Not applicable	The MCT allowed the parties to settle the matter out of Council and the respondent published an apology on Nov. 2, 2001 and the matter was closed.
23	Harold Jaffu (secretary general of opposition TLP) Dar es Salaam	Mwananchi	The complainant claimed that the respondent had published false allegations which misrepresented what the Chairman of the Part Augustine Mrema had said about demonstrations by another opposition party. He demanded compensation on behalf of the party chairman and an apology.	Complaint filed on Sept. 3, 2001	Not available	Not available	***

No.	Complainant	Respondent	Complaint	Date filed		Amount	Remarks
24	Abdallah Kitumbi (Secretary General Temeke Footbal Association) Dar es Salaam	Alasiri	The complainant claimed that the respondent had published a defamatory article claiming that he was smelling alcohol during an interview. He demanded apology and remedy.	Complaint filed on Sept. 4, 2001	Not available	Not available	***
25	Augustine Mrema (national Chairman of opposition TLP) Dar es Salaam	Radio One	The complainant charged that his party had paid the respondent 52,000/– to announce their demonstrations but the respondent failed to do so. He demanded remedy.	Complaint was filed on Sept. 4	Not available	200,000,000/–	On October 19, 2001 TLP wrote to MCT to insist that the respondent listen to their concern because they had failed to honor their obligation to announce the party's demo on grounds that it lacked police permit.
26	Hamis Mwita	Radio One	The complainant charged that the respondent had announced false information that he had disrespected a court order something that was untrue. He demanded remedy.	Complaint filed on Sept. 28, 2001	Not available	Not available	***
27	KK Guards (security company) Mwanza	Mtanzania	The complainant charged that the respondent had published false allegations attributing an official with the company as a source. The company claimed that it had its procedures of speaking with media and that the circumstances under which its source was quoted were highly unlikely. The complainant demanded apology.	Complaint filed on Sept. 29, 2001	On Oct. 11, 2001 the respondent accepted to apologise	Not available	On Nov. 9, after the respondent had failed to apologise as agreed, the complainant, through a lawyer, wrote the respondent and copied to the MCT asking to be paid 5million as damages for failure and 50,000/– to apologise on time as legal fees.
28	Monoor Industries Ltd (business) Mwanza	Msanii Africa	The complainant, through advocates, complained that the respondent had published false and unverified allegations about the company thus damaging its reputation and business. The complainant demanded apology	Complaint filed on Oct. 8, 2001	Not available	Not available	***

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No.	Complainant	Respondent	Complaint	Date filed	Response	Amount	Outcome
29	Hawa Ngurume (district commissioner)	Mwananchi	The complainant charged that the respondent had published an article questioning her ability to perform as a district commissioner and she demanded remedy.	Complaint filed on Oct. 9, 2001	Not available	Not available	***
30	Kamati ya Wanawake wa Kiislam (religious organisation)	IPP Media and Group Chairman Reginald Mengi	The complainants claimed that the respondent had defamed Islam especially the Hijab worn by women	Nov. 8, 2011	Not available	Not available	***
31	A.B. Vurugu Insurance Agent Dar es Salaam	IPP Media Daily Mail Financial times	The complainant claimed that the respondents had published defamatory articles which had damaged his reputation. He demanded compensation and apology	Complaint filed on Nov. 16, 2001	On Dec. 27, MCT responded to the complainant.	150,000,000/–	MCT wrote to the complainant on Dec. 27 dismissing the case on ground that the alleged articles were published in 1998 and were not in order with MCT procedural requirements
32	Joseph John Lyoba	The Guardian	The complainant complained that the respondent had published false and inaccurate information attributed to him. The respondent had published an article in which the complainant, a sales official in an arms shop, had claimed that the shop had not started to sell pistols. It occurred that the reporter had only gone to the shop to pose as a buyer and went on to write his article. The complainant claimed that he had been sacked as a result; had failed to secure any job thereafter; his reputation had suffered in the eyes of the community and the consequences had affected his family. The complainant demanded an apology and remedy.	Complaint filed on Nov. 28, 2001	On January 14, 2002, MCT responded to the complainant.	57,000,000/–	On January 14, 2002, MCT wrote to the complainant to inform him that the case could not proceed because it had been long overdue.

Complaints 2002

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Dr Henry Mweinyekule (clergy) Dar es Salaam	Nyakati (religious)	The complainant charged that the respondent had published false allegations against him and UWATA and demanded apology.	Complaint filed on April 14, 2002	Not available	Not available	***
2	Daniel Njoolay (Regional Commissioner) Arusha	Mtanzania Nipashe Majira	The complainant complained that the respondents had been publishing a series of false and malicious information about his regional administration and him personally and that the respondents had never given him the right of reply. The editors of Mtanzania and Majira promptly apologised and the complainant accepted their apology. The editor of Nipashe refused to apologise and the matter was referred to the MCT for adjudication	Nipashe's story appeared on June 2, 2001	The matter was heard by the Council on May 21, 2002	Not available	The council found that the respondent had failed to adhere to the rule requiring journalists top balance their stories by giving the subjects of the story a chance to respond to allegations before publishing. The Council ordered the respondent to apologise and asked both parties to agree on remedial measures.
3	Dr. Joh Mahona (medical doctor)	Taifa Letu	The complainant charged that the respondent had published a false and malicious article which had tarnished the image of Muheza District Hospital and its staff. The complainant further claimed that although the he had been mentioned as a source of some facts in the story, he had neither met nor had an interview with the reporter. He claimed that all things the reporter purported to have been said by him were fabrications. He demanded retraction and apology.	Article appeared on April 8–14, 2002	Resolved on May 15, 2002	Not applicable	The MCT resolved that the respondent send a reporter to the hospital again to write a more balanced article on the situation. The Council also called on the two parties to forgive each other and build harmonious working relations. The complainant was not satisfied by the decision and chose to take the matter further. The newspaper also did not send a reporter to Muheza hospital either
3	TLP (opposition party) Dar es Salaam	Majira	The complainant charged that the respondent had published false and malicious allegations that TLP was facing internal crisis caused by wrangle for subsidies. The complainant demanded apology and remedy.	Complaint filed on May 9, 2002	Not available	Not available	***

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No.	Complainant	Respondent	Charge	Date filed	Outcome	Remedy	
4	Kilimanjaro Christian Medical Center (KCMC) Kilimanjaro	Majira	The complainant charged that the respondent had published a letter to the editor which contained disparaging remarks against the KCMC hospital. The complainant demanded apology. The editor	Complaint filed on May 16, 2002	Not available	Not available	***
5	Sheila Bakari (ordinary mother)	Ijumaa Risasi Tamasha Kiu Hamu	The complainant charged that the respondents had published series of articles about her daughter who is a local actress which were defamatory to the whole family. She demanded apology and remedy.	Complaint filed on June 07, 2002	Not available	Not available	***
6	Benson Mpesya (politicians) Dar es Salaam	Amani (tabloid)	The complainant charged that the respondent had published a false and malicious article which claimed that he (the complainant) was sectarian, boastful, corrupt and likes to harass people. The complainant charged that as a result he had been subjected to public contempt, ridicule and even voters shunned him. He demanded apology and remedy.	Complaint filed on June 8, 2002	Not available	Not available	***
7	Mohans Oysterbay (business) Dar es Salaam	Majira	The complainant charged that the respondent had published a false article purporting that 'redbull' was a poisonous drink and that even the Chief Chemist had confirmed so. The complainant demanded apology.	Complaint filed on June 22, 2002	inconclusive	Not applicable	***
8	Ephraim Lutufyo (ordinary citizen)	Msema Kweli (religious)	The complainant charged that the respondent had published an erroneous article without crosschecking the accuracy of facts hence portraying him and his family in bad light. He demanded remedy.	Complaint filed on July 7, 2002	Not available	Not available	***

No.	Complainant	Respondent	Complaint	Date filed			Outcome
9	Said Hassan Mwinyimvua (artist) Dar es Salaam	Harakati (tabloid)	The complainant charged that the respondent had interviewed him on issues around his work yet went ahead and published an article that branded him a homosexual. The complainant claimed that the article had disturbed him and his relatives and hi sought remedy.	Complaint filed on July 17, 2002	Not available	Not available	***
10	Idda Mushi (journalist) Morogoro	Journalist	The complainant charged that her colleague, a journalist, had spread rumours that were aimed at defaming her character and good standing in society. She demanded remedy	Complaint filed on July 18, 2002	Not available	Not available	***
11	Docky W. Lusinga (artiste)	Risasi (tabloid)	The complainant charged that the respondent had published false and malicious allegations that she had been abandoned by her fiancé because she had turned into a hooker kissing other men in public. The complainant demanded apology and compensation.	Complaint filed on August 6, 2002	Not available	Not available	The MCT wrote the editor of the respondent advising him to meet with the complainant so as to settle the dispute. The editor agreed and met with the complainant after which the respondent published an apology and paid a solatium to the complainant.
12	Joseph Makoko (artist) Dar es Salaam	Nipashe	The complainant, through and advocate, charged that the respondent had reported false allegations that the complainant had threatened former cabinet minister. He demanded a retraction and an apology.	Complaint filed on Aug.7, 2002	Not available	4,000,000/–	***
13	Juma Nyumayo (journalist) Ruvuma	Uhuru (party paper)	The complainant charged that the respondent had published a false article in which he had been identified as one of conmen who masqueraded as journalists in order to attend public functions. The complainant claimed that the article had defamed him and lowered his reputation. He demanded apology.	Complaint filed on Sept. 29, 2002	Not available	Not available	***

No.	Complainant	Respondent	Complaint	Status	Outcome	
14	Flora Nducha (journalist) Dar es Salaam	Ijumaa (tabloid)	The complainant charged that the respondent had published a false and malicious article claiming that she had been abandoned by her fiancé who had married in the US. The complainant claimed that the article had lowered her reputation and she demanded apology as well as remedy for damages.	Complaint filed on Oct. 3, 2002	inconclusive	Not available	***
15	Baby & Tabu Sangawe (ordinary girls)	Rai	The complainants charged that the respondent had reported an article which claimed their parents had been divorced even when this was not the case. They claimed that the article had caused them a lot of disturbance and unnecessary suffering. They demanded apology and general damages.				
16	Seif Sharrif Hamad (secretary general, opposition CUF)	Nipashe	The complainant charged that the respondent had published a false and malicious article claiming that the complainant, who was a prospective presidential candidate for Zanzibar, was not going to stand if reconciliation with CCM stalled again. The complainant demanded an apology.	Complaint filed on Nov. 13, 2002	Not available	Not available	***
17	Legal and Human Rights Center Dar es Salaam	An nuur (religious)	The complainant charged that the respondent had published a false and malicious article claiming that the legal organisation discriminated against Muslims and was full of educated Christians and Bishops. The complainant sought apology and remedy.	Complaint filed on Nov. 22, 2002	Not available	Not available	***
18	Goodluck Elias Ole Laideson (ordinary citizen)	Nipashe	The complainant complained, through an advocate, that the respondent had published a photo of him with a demeaning caption which read: "hoi polloi in deep thoughts"	Complaint filed on Nov. 25, 2002	Not available	Not available	***

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
19	Dr Lwanyantika Masha (politician)	Mwananchi	The complainant charged that the respondent had published false and malicious allegations that he and other signatories had conspired and stolen 61million Shillings. The complainant claimed that the false article had lowered his reputation and subjected him to public contempt and ridicule.	Complaint filed on Nov. 10, 2002	Not available	Not available	***
20	Government	Majira	The complainant charged that the respondent had published a speculative and sensational article about cabinet reshuffle misleading readers and creating unnecessary public anxiety.	Complaint filed on Dec. 11, 2002	Not available	Not available	***
21	Chuma Shomari (media worker)	Tabora TV	The complainant charged that the respondent had aired false and malicious information that he (the complainant) was a conman who was sacked because of soliciting kickbacks from advertisers. The complainant claimed that the report had affected him psychologically and it had lowered his good public standing. He demanded apology and compensations.	Complaint filed on Dec. 23, 2002	Not available	Not available	***

Complaints 2003

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Zarina Madabida (businesswoman) Dar es Salaam	The Guardian	The complainant, though an advocate, charged that the respondent had published a false and malicious story about a controversial Pyramid Scheme, which defamed her character and subjected her to contempt, ridicule and distrust. She demanded apology and compensation	Complaint filed on Jan. 3, 2003	Not available	USD 1,000,000	***

No.	Complainant	Respondent	Charge	Complaint filed	Resolved	Compensation	Outcome
2	Kawawa Rogathe Mushi (ordinary citizen) Dar es Salaam	Komesha (tabloid)	The complainant charged that the respondent had published a biased, malicious and cooked up story defaming his character. The respondent had published a wedding photo of him, which the reporter had taken from his home without permission, and referred to him as ex-husband even when this was not true. He demanded apology and compensation.	Complaint filed on Jan. 6, 2003	Resolved on Feb. 13, 2003	Not available	The MCT resolved that the editor had erred in publishing a family photo without consent or verification of facts from the subject of that story. MCT advised parties to meet and resolve their dispute amicably.
3	Seifuddin Khanbhai (business, Cultural Heritage) Arusha	The Guardian Nipashe	The complainant charged that the respondent had published false and malicious allegations that the complainant had been running a Bureau de Change for ten years without a licence and that he had been arraigned in court to answer charges of tax evasion.. The complainant claimed that the false article had lowered his reputation and affected his business. He demanded apology and compensation.	Complaint filed on Jan. 10, 2003	Not available	20,000,000.–	The MCT ruled that the paper had wronged the complainant by publishing their story without evidence to support the allegations. MCT ordered the respondent to apologise to the complainant and discuss with him on how to settle damages. The parties settled their dispute amicably.
4	Aloyce Menda (journalist)	Misitu ni Uhai	The complainant charged that the respondent had published an article by one Obed Mahenda, which had been plagiarised because it was his original work. The complainant demanded apology.	Complaint filed on Jan. 14, 2003	Resolved on April 15, 2003	Not applicable	The case was dismissed because the complainant could not establish the allegations.
5	Abdulrahman Simba (ordinary citizen) Dar es Salaam	Amani Hamu	The complainant charged that the respondent had published false and malicious allegations claiming that his son, who was a dancer, had died from drug use, which according to him was not true.	Complaint filed on Jan. 28, 2003	Not available	Not available	***
6	Ozu Investment Co. Ltd. Dar es Salaam	Global Publishers Ijumaa (tabloid)	The complainant charged that the respondent had published a photo with women artistes all of who were purported to have had an affair with another male artiste. The complainant demanded apology and compensation for damages.	Complaint filed on Jan. 30, 2003	Not available	Not available	***

#	Complainant	Medium	Claim	Date	Resolution	Amount	Outcome
7	Unique Sisters (trio musicians) Dar es Salaam	Ijumaa (tabloid)	The complainant charged that the respondent had published false and malicious allegations implicating them with sex scandals something that had subjected them to public contempt and ridicule.	Not available	Resolved on March 11, 2003	Not available	The MCT resolved that the respondent had erred and should therefore apologise to clear the name of the complainants as well as agree with them on settlement. The respondent apologised and paid them a solatium.
8	Chem Chem Art Group (art business) Dar es Salaam	Amani (tabloid)	The complainant charged that the respondent had published false and malicious fabrications against their group, claiming that the group's artistes had conned a local food seller in Mbeya. The complainants claimed that the allegations had affected the peace within the group and had subjected the complainants to public contempt and ridicule. The complainant demanded apology and compensation.	The article was published on Sept. 3, 2002	Resolved on March 11, 2003	Not specified	The MCt ruled that the respondent had erred by publishing unsubstantiated facts. The MCt ordered the respondent to apologise and to agree with the complainant on compensation as demanded. The respondent did not comply with the decision of the MCT
9	Joseph Okoch Local government employee) Musoma	Mwananchi	The complainant claimed that the respondent published a false story which was attributed to him even when he had never talked to any reporter of the respondent paper. He demanded apology and compensation.	Complaint filed on Feb. 1, 2003	Not available	5,000,000/–	***
10	Ramadhan Mwinshehe and Issa K. Kadua (artistes) Dar es Salaam	Risasi (tabloid)	The complainant had charged that the respondent had published a malicious article accompanied by a photograph which portrayed the complainants in the company of a man purported to be a homosexual. The complainants claimed that the story brought them into public disgrace, contempt and ridicule. The demanded for apology and compensation.	On Feb. 24, 2003 Complainant wrote a letter to MCT	Not available	Not available	The complainant wrote a letter on Feb 24, 2003 to MCT to report that they and the respondent had amicably resolved their dispute.

No.	Complainant	Media	Nature of complaint	Date		Amount	Outcome
11	Rose Gilbert & Patrick Michael (ordinary citizens) ***	Dira	The complainant charged that the respondent paper was being dropped at their address without prior subscription even when they detested its content.	Complaint filed on March 21, 3002	Not available	Not available	***
12	Msafiri Warioba (ordinary citizen) Dar es Salaam	Clouds FM	The complainant charged that the respondent had run a programme in which his former house-girl who was jailed for stealing had, during an interview, slandered him, claiming he sent her to jail because she had refused his sexual advances. The complainant claimed that he was never contacted by the respondent for his side of the story and the allegations had affected him and lowered his reputation. He demanded apology and compensation.	Programme was aired on June 15 and June 22, 2003	Not available	20,000,000/–	The MCT ruled that the respondent had erred and the respondent admitted. The MCT ordered the respondent to apologise through the same programme and pay the complainant 3million Shillings. The respondent never paid and the complainant moved ahead to court.
13	John Chikomo (Director, JET) Dar es Salaam	The Guardian	The complainant charged that the respondent had published a false and malicious article claiming that he (the complainant) had been terminated from his post because of his inefficiency but was reinstated through the back door. The complainant claimed that the reporter of the article had intentionally written to damage his reputation because he knew all the facts of his case. The complainant demanded apology and compensation.	Complaint filed on June, 2, 2003	Not available	15,000,000/–	***

No.	Complainant	Respondent	Details	Date Filed	Resolution Date	Damages	Decision
14	Zanzibar Government Zanzibar	Dira	The complainant charged that the respondent was carrying out a campaign of incitement by publishing stories aimed at undermining peace and security by selectively digging up facts of Zanzibar history, notably the 1964 Revolution. The complainant further charged that Dira was unethical because it omitted to balance controversial stories and that it was involved in incitement and challenging the legality of the Government of President Amani Karume. The complainant wanted the MCT to intercede the matter and stop the respondent from publishing alleged offensive articles.	Complaint filed on July 15, 2003	Resolved Oct. 2, 2003	Not available	The MCT resolved that Dira had abandoned its official policy ounder which it had been registered. That there was obvious bias in its stories. That stories were laced with opinions that were neither constructive nor unifying. That Dira was justified to criticise the government but questioning its legality amounted to incitement. That the newspaper be separated from its owner who was using it to settle scores with the government. Some of the article the government complained about had legitimate criticism. Dira and government should put their misunderstandings behind.
15	Ramadhani Mwinshehe Ditopile Dar es Salaam	Kasheshe (tabloid)	The complainant charged that the respondent had published false and malicious allegations that the complainant had fought in a Mosque. The complainant demanded a retraction and apology.	Complaint filed on July 28, 2003	Not available	Not available	***
16	George Maziku (journalist) Dar es Salaam	Mwananchi	The complainant charged that the respondent had published false and concocted allegations against him which had lowered his reputation and subjected him to public contempt and ridicule. He demanded apology.	Complaint filed on Sept. 15, 2003	Not available	Not available	***

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No.	Complainant	Publication	Complaint			
17	Frederick James Siwale (journalist) ***	Nipashe	The complainant charged that the respondent had published a false and malicious article that had lowered his reputation and subjected him to contempt and ridicule. He demanded apology and compensation	Complaint filed on Sept. 16, 2003	Not available	Not available ***
18	Christine John manongi (local actress) Dar es Salaam	Kombora (tabloid)	The complainant charged that the respondent had published a photograph of the complainant; juxtaposed it with snapshots of four male musicians and concluded that they all had had an affair with her. The complainant complained that she was entitled to her own privacy and that the way she lived her private life had nothing to do with anybody else. The complainant further charged that the article had lowered her reputation and subjected her to ridicule and contempt.	Complaint filed on Nov. 7, 2003	Not available	Not available ***
19	Tanzania Labour Party (opposition party) Dar es Salaam	Hoja	The complainant charged that the respondent had published false and malicious fabrications that the national chairman of TLP had expressed for having met with President Benjamin Mkapa. The complainant claimed that the article had caused the chairman and the party untold and unnecessary disturbance. The complainant demanded apology and compensation.	Complaint filed on Nov. 12, 2003	Not available	Not available ***
20	Tanzania Labour Party (opposition party) Dar es Salaam	Tazama	The complainant charged that the respondent had published false and unfounded allegations that the national chairman of TLP had been threatened that he would be defaced with acid. The complainant claimed that the article had caused the chairman and the party untold and unnecessary disturbance. The complainant demanded apology and compensation.	Complaint filed on Nov. 13, 2003	Not available	Not available ***

#	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
21	Mwina Kaduguda (sports leader)	Dimba (sports)	The complainant charged that the respondent had published a malicious article claiming that having tasted the sweetness of football leadership in the country, the complainant had sought to extend his term beyond his contract. The complainant charged that the malicious report had defamed him and lowered his reputation. He demanded apology and compensation.	Complaint filed on Dec. 18, 2003			

Complaints 2004

#	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Ubwa Zuberi Ubwa (ordinary citizen) Dar es Salaam	Kiu (tabloid)	The complainant charged that the respondent had published false and malicious allegations, accompanied by his photograph, claiming that he had abandoned his wife for homosexuals. The complainant claimed the article had defamed him and subjected him to public contempt and ridicule. He demanded apology and compensantion	Complaint filed on March 19, 2004	Resolved on Feb. 23, 2005	40,000,000/–	***
2	Ali Makunganya (cartoonist) Dar es Salaam	Alasiri	The complainant charged that the respondent had published his cartoons without his consent and attributed the art to Salome Ndomi. The complainant held that it was plagiarism and demanded compensation of 8million Shillings	Complaint filed on May 10, 2004	Resolved on Feb. 8, 2005	8,000,000/–	The MCT resolved that the respondent did use the complainant's work without consent and his work was attributed to somebody else. The MCT ordered the respondent to pay the complainant a solatium of 500,000/–

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#	Complainant	Respondent	Details of complaint	Date filed	Hearing	Amount claimed	Ruling/Outcome
3	Vicent Kigosi (local actor) Dar es Salaam	Ijumaa (tabloid)	The complainant charged that the respondent had published false and malicious allegations that he (the complainant) had had an affair with the wife of another artiste. The complainant charged that the allegations had disturbed him and lowered his reputation. He demanded apology and compensation.	Complaint filed on May 17, 2004	Not available	100,000,000 /–	
4	Tanzania Breweries Ltd Dar es Salaam	The Guardian Nipashe	The complainant wrote to the MCT seeking advice on news stories that appeared on the respondents' papers which the complainant claimed had a negative connotation about the prize the company had issued to journalists who had covered well its promotional activities. The articles were reporting that IPP media management had ordered journalists who had won the prizes to offer them to charity because they could not accept reward for doing their job.	Complaint filed on June 5, 2004	Resolved on Feb. 8, 2005	Not applicable	The MCT ruled that as a general rule it was unethical for journalists to accept gifts from sources to avoid any compromises. That while organising competitions involving media, the respondent should have involved media professionals in judging professional work. That the Guardian did not err in declining the prizes. But the MCT charged that the Guardian should have acted earlier not after its reporters had been involved in the competition.
5	Temeke Municipal Council Dar es Salaam	Majira	The complainant charged that the respondent had been publishing a series of articles meant to tarnish the image of the Temeke Hospital and gave a list of 8 stories purported to be negative. The complainant prayed that the respondent stops publishing the series until a probe team had investigated the matter and produced a report.	Complaint filed on June 10, 2004	Hearing was set for Feb. 8–9, 2005 and all parties were informed	Not applicable	On February 7, 2005 the Director of Temeke Municipal Council filed a letter to the MCT withdrawing the case on grounds that the two parties had settled the matter amicably.

No.	Complainant / Location	Respondent	Complaint	Date filed	Action / Date	Compensation	Outcome
6	Mbaraka Rashid, Dar es Salaam	Sani (tabloid)	The complainant charged that the respondent had published false and malicious allegations against him with intent to defame. The complainant sought apology and compensations	Complaint filed on June 18, 2004	Not available	Not available	***
7	Ubungo Bus Terminal (taxi drivers), Dar es Salaam	Mwananchi	The complainant charged that the respondent had published unbalanced information which was biased against them. The complainant charged further that when they contacted the editor to have their side of the story heard, they were ignored. They demanded justice from the Council.	Complaint filed on June 18, 2004	Not available	Not available	***
8	Khalfan Said (photojournalist), Dar es Salaam	Uwazi (tabloid)	The complainant charged that the respondent had plagiarised his photos which he had taken for the Guardian newspaper and used them without his prior consent. The complainant demanded apology and compensation.	Complaint filed on Aug 20, 2004	On Feb. 22, 2005, the complainant wrote to MCT	Not available	The Complainant wrote to MCT on Feb. 22, reporting that he and the respondent had settled their dispute amicably.
9.	African General Serives, Dar es Salaam	Dar Leo	The complainant charged that the respondent had published false and malicious allegation to defame the character of the company which had claimed it assisted people to get visa permits to go to the US. The complainant claimed the article had damaged both its reputation and business and demanded apology as well as compensation.	Complaint filed on Sept 14, 2004	Resolved on Feb. 9, 2005	100,000,000 /–	The MCT agreed with the respondent that it was in total fulfilment of its duty to inform citizens on all matters of public interest and that it had done so in accordance with professional ethics. The Council dismissed the complaint.

#	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
8	Fitina Mrisho (ordinary citizen)	Nipashe	The complainant charged that the respondent had published a photograph, with a story, of their daughter who is mentally ill, claiming that the family had chained and handcuffed her for two years, something that she claimed had humiliated the family and subjected them to unwarranted public contempt and ridicule. The complainant demanded a retraction and compensation.	Complaint filed on Nov. 12, 2004	Not available	Not specified	The MCT ruled that the complainant had failed to prove defamation while at the same time, it appeared she had been misdirected to believe that the Council was a judicial organ with powers to order remedy for damages. The Council thus advised her to resort to other avenues of justice.

Complaints 2005

#	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/damages	Decision
1	Chatta Michael (8th Pool Table Entertainment) Dar es Salaam	Hoja	The complainant charged that the respondent had published false and unverified information that 8th Pool Table Entertainment would not participate in Africa pool table tournament which, according to the complainant was untrue. The complainant demanded retraction and compensation.	Complaint filed on Jan. 18, 2005	Not available	Not available	***
2	Kinondoni Municipal (municipal drivers) Dar es Salaam	Alasiri	The complainant charged that the respondent had published unbalanced allegations, claiming they (drivers) had planned to stage a demonstration to see the minister responsible for local governments to present their grievances there. The complainant claimed the information was inaccurate and unbalanced and had subjected them to distrust by employer. They demanded apology and compensation.	Complaint filed on March, 4, 2005	Not available	Not available	***

No	Complainant	Publication	Complaint	Date filed		Amount		Ruling
3	Gideon Ekklesiah	Kiu (tabloid)	The complainant charged that the respondent had published false and malicious allegations that his daughter had confided in them that she was being harassed sexually by him. The complainant held that the allegations were outrageous and had subjected him to public contempt and ridicule. He demanded apology and compensation.	Complaint filed on June 17, 2005	Not available	95,000,000/–	***	The MCT ruled that the editor (who had declined to attend the adjudication) had erred by maliciously intruding into the privacy of the complainant and should hence retract the story; apologise to the complainants and pay the costs incurred by them.
4	Mkami Kasege & Ismail Msengi (teacher and ordinary citizen) ***	Risasi (tabloid)	The complainant charged that the respondent had published false, malicious and defamatory fabrications (accompanied by her humiliating photos) claiming she (first complainant) had been caught two-timing two lovers outside her wedlock and that as a result she had been arrested by police. The complainant claimed that she had never had two lovers; she was not married and had never been to a police station for such allegations. She claimed that the second complainant, who had been mentioned in the story as her second lover, was actually her fiancé. The complainants demanded apology and compensation.	Not available	Not available	Not provided		
5	Japheti Kiyungi (ordinary citizen) Bukoba	Nipashe	The complainant charged that the respondent had published false and baseless allegations which tarnished his image and reputation. Originally the complainant had filed a 10million suit in a court of law but later agreed to withdraw the case and table it before the MCT. The complainant demanded apology and compensation. The complainant further claimed he had suffered blood pressure as a result of the article and had to undergo treatment.	2005 (details not available)	Not available	1,000,000/–		The MCT ruled that the respondent published the story in haste to scoop and hence violated ethics. The Council ordered to respondent to retract the story; apologise to the complainant; censor its reporter for gross misconduct and pay the complainant 1million Shillings as solatium. The Council also wrote a letter of concern to the editor who had failed to show cooperation during the case.

Complaints 2006

	Complainant Profile/home	Media	Complaint & remedy	Filed on	Resolved on	Costs/ damages	Decision
1	Dar es Salaam Institute of Technology Dar es Salaam	Mwananchi The Guardian Channel 10	The complainant charged that during students strike the respondents had published one sided stories without seeking to balance from the institute administration. The complainant prayed that the Council censure the respondents for having failed to give the DIT the right of reply and direct them to apologise for the same.	Articles/ broadcast appeared on Jan 18, 2006	Resolved on May 16, 2006	Not applicable	The MCT ruled that there was no evidence of ill-will on the part of the three respondents because during the strike DIT was obliged to come out with information that they could have used to balance their stories. Yet, the respondents had testified that their efforts to balance their stories were thwarted by the institute administration. The DIT principal dropped his demands and both sides agreed to cooperate in future.
2	Tanzania Ports Authority Dar es Salaam	Tanzania Daima Jackton Manyerere (editor)	The complainant charged that the respondent had published defamatory articles and continued libellous attacks. The complainant charged that they were not given the right of reply. They demanded apology and compensation	Articles appeared between March 22 and 25, 2006	Resolved on April 28, 2006	Not available	The MCT ruled that the respondent erred by not giving the complainant the right of reply regarding serious allegations; the Council noted that the complainant had not denied the veracity of the documents presented by the respondent. The Council ordered the respondent to apologise for having denied the complainant the right of reply and that the two agree on the text of the apology. The two agreed to the decision.
3	Frederick Sumaye (former Prime Minister of Tanzania) Dar es Salaam	Tanzania Leo	The complainant, through an advocate, charged that the respondent had published false, defamatory and harmful allegations which had caused him untold damages to his reputation and good public standing. The complainant demanded a retraction, apology and remedy as the Council may deem fit as well as indemnification of costs.	Articles appeared between March 31 and April 7, 2006	Not available	Not specified	MCT ruled that the respondent had not made any efforts to verify the information; did not contact the complainant for the right of reply. The Council thus ordered the respondent to publish a front page apology; write an apology to the complainant and the public; declare on its front page that it shall cease any further defamation against the complainant and pay the costs incurred in the matter. The editor stuck to the validity of his story and the Council advised the complainant to pursue justice elsewhere

No.	Complainant	Respondent	Complaint	Date			Ruling
4	Tanzania Railways Corporation Dar es Salaam	Tazama	The complainant charged that the respondent had published false, malicious and defamatory allegations without providing the complainant a chance of reply. The complainant demanded, retraction, apology and censure of the respondents.	Articles appeared between July and August 2006	Resolved on Dec.8, 2006	Not applicable	The MCT ruled that the respondent had been unethical and unprofessional by using information from TRC to pursue their own agenda. It appeared the editor had no control of the paper because other stories were being published with the approval of the owner. The TRC was not forthcoming with information and that it was due to this reason a lot of facts ended up being distorted. The Council ordered the respondent to publish an apology; the publisher to cease interfering with editorial decisions and TRC to be more forthcoming with information. Both parties agreed to adhere to the Council decision.
5	Japheti Kiyungi (ordinary citizen) Bukoba	Nipashe	The complainant charged that the respondent had published false and baseless allegations which tarnished his image and reputation. Originally the complainant had filed a 10million suit in a court of law but later agreed to withdraw the case and table it before the MCT. The complainant demanded apology and compensation. The complainant further claimed he had suffered blood pressure as a result of the article and had to undergo treatment.	2005 (details not available)	Not available	1,000,000/–	The MCT ruled that the respondent published the story in haste to scoop and hence violated ethics. The Council ordered to respondent to retract the story; apologise to the complainant; censor its reporter for gross misconduct and pay the complainant 1million Shillings as solatium. The Council also wrote a letter of concern to the editor who had failed to show cooperation during the case.