
5 Guiding Principles

Having discussed the critical issues for the media in covering an election, we now turn to the guiding principles for the media in election mode.

Protection of Sources

Protection of sources is about building and maintaining trust with one's sources. It involves a journalist being able to protect the identity of his or her informants, and being prepared to resist pressure or persecution to reveal how he or she has obtained news. Protection of sources is one of the hallmarks of being a journalist.

Accountability and Truth

Against this background, journalists should strive to achieve credibility in their reporting, to the extent that they would like to be identified with their report. Twentieth-century American writer and journalist, Walter Lipman, in his seminal book *Public Opinion* (1922), argued that the function of news is to signal an event, not to provide a true picture of reality upon which readers could act. Edward J Epstein (1966), another American journalist, further suggests that we might all be better served if reporters admitted that, because of inescapable limitations, they are merely circulators of partial information, and not establishers of truth. Clearly, handling questions of ethics that arise in their work remains a matter of personal integrity for individual reporters, with or without recourse to a written code.

Most of the ethical and professional issues that journalists encounter in covering elections are variants of those they confront everyday in their working lives. However, some election-coverage issues and dilemmas may present themselves in particular ways. Examples of professional dilemmas include: newsworthiness versus balanced coverage, transparency versus integrity of the election process and reporting inflammatory speech (see below and accompanying examples).

Newsworthiness v. balanced coverage

News coverage is typically driven by considerations of what is

distinct and of particular interest in any event. Yet voters require a fair and balanced presentation of manifestos and agenda of different parties, which may not necessarily be distinct or interesting. How can the media reconcile its news function with this public service function? The answer, according to journalist Ibrahim Helal, an Egyptian working for Al Jazeera, is simple: ‘We are trying our best to be comprehensive and accurate. To be accurate, not to achieve an ideological aim’.³⁶ See, for example, the text box opposite written by *Washington Post* Ombudsman Deborah Howell.

In the example opposite, while the *Washington Post* has printed more stories on Senator Obama than on Senator McCain, the *Washington Post* ombudsman considers here whether the argument of newsworthiness justifies the imbalance. Each editor will need to reach his or her own conclusion about these two competing priorities, just as staff members of the *Washington Post* have done. In the end, the US journalists working alongside Deborah Howell justify their decision on the basis of their professional judgement of newsworthiness. They make a solid and convincing argument.

Transparency versus integrity of the election process

One of the reasons that the media plays an essential role in democratic elections is that it is able to subject the election

Box 5.1 Fraudster selected to contest elections

Fraudster Omutela Abekhuya has been nominated to contest the general election unopposed on the Ematetie Peoples Party (EPP) ticket. This is the same Mr Abekhuya, who only a few months ago was found guilty by the High Court of failing to pay his income tax and for not remitting the pension deductions of his staff to the National Pensions Agency. Mr Abekhuya is not in prison only because he reached an out-of-court settlement to pay all that he owed.

process to scrutiny and to expose any malpractice. However, proper administration of an election also depends on security and confidentiality. Balancing these two elements is an issue for lawmakers and those responsible for drawing up electoral regulations. However, it is also a day-to-day practical issue for journalists themselves. See, for example, the text box entitled ‘Fraudster selected to contest elections’.

In our view, this story does not measure up to the journalist

Box 5.2 Obama's edge in the coverage race

By Deborah Howell

Washington Post, Sunday, 17 August 2008, page B06

Democrat Barack Obama has had about a 3 to 1 advantage over Republican John McCain in *Post* page 1 stories since Obama became his party's presumptive nominee June 4. Obama has generated a lot of news by being the first African American nominee, and he is less well known than McCain – and therefore there's more to report on. But the disparity is so wide that it doesn't look good.

In overall political stories from June 4 to Friday, Obama dominated by 142 to 96. Obama has been featured in 35 stories on page 1; McCain has been featured in 13, with three page 1 references with photos to stories on inside pages. Fifteen stories featured both candidates and were about polls or issues such as terrorism, social security and the candidates' agreement on what should be done in Afghanistan.

This dovetails with Obama's dominance in photos, which I pointed out two weeks ago. At that time, it was 122 for Obama and 78 for McCain. Two weeks later, it's 143 to 100, almost the same gap, because editors have run almost the same number of photos – 21 of Obama and 22 of McCain – since they realized the disparity. McCain is almost even with Obama in page 1 photos – 10 to 9.

This is not just a *Post* phenomenon. The Project for Excellence in Journalism has been monitoring campaign coverage at an assortment of large and medium-circulation newspapers, broadcast evening and morning news shows, five news websites, three major cable news networks, and public radio and other radio outlets. Its latest report, for the week of Aug. 4–10, shows that for the eighth time in nine weeks, Obama received significantly more coverage than McCain.

Obama's dominance on page 1 is partly due to stories about his winning the bruising primary battle with Hillary Rodham Clinton and his trip overseas in July. The coverage of June 4, 5, 6 and 7 led to six page 1 stories in *The Post*, including Obama's nomination victory, his strategy, elation among African Americans over the historic nature of his win and his fundraising advantage. Then he made an appearance at Nissan Pavilion with Virginia's Gov. Timothy Kaine and Sen. James Webb, and it became a local page 1 story. During those few days, there was one page 1 reference to an inside-page story about McCain going after Clinton's disgruntled supporters.

When Obama traveled to the Middle East and Europe, the coverage dwarfed that of McCain – six page 1 stories from July 19 to July 27, plus an earlier front-page story announcing the trip. McCain managed one page 1 story and one page 1 reference; the July 25 story said he might pick a vice presidential candidate soon, but that didn't happen. While there was no

front-page story about Obama on July 25, it seemed wrong not to count that day because a photo of him in Berlin dominated the front page. I also counted a story about a *Post*-ABC News poll concerning racism and its potential impact on the election; 3 in 10 of those polled acknowledged racial bias.

Not all page 1 coverage has been favorable. Obama was hit right away with two page 1 stories about Washington insider James A Johnson, a former Fannie Mae CEO, who was criticized for mortgage deals and then withdrew from vetting Obama's potential running mates. A story about Obama's former Chicago church reminded readers of the controversy over his former pastor, the Rev. Jeremiah Wright Jr. There were also stories with a favorable cast – about his patriotism, his first appearance with Clinton and the coverage from his foreign trip.

McCain's page 1 stories were a mix – a story about the flap over former senator Phil Gramm's comment about a 'nation of whiners' over the economy and a story about conservatives wanting to battle McCain on the party platform. But there also were stories about plans to make the federal government more environmentally responsible and McCain's proposal for offshore drilling.

The single most revealing story about McCain – and one of the best *Post* stories on either candidate – was a top-of-the-front-page look at McCain's intellect. The story, by veteran reporter and editor Robert G. Kaiser, was the kind of analysis that tells readers something they didn't know. It was neither positive nor negative, just revealing and insightful.

Another favorite was by business reporter Lori Montgomery on how both candidates will have trouble lowering the deficit with their spending plans. A change of pace was movie critic Stephen Hunter's look at McCain and Obama as film icons – McCain as John Wayne and Obama as Will Smith.

Page 1 coverage isn't all that counts, but it is the most visible. Certainly there were many stories on the politics page and elsewhere in the paper. (I'm not counting opinion columns.) The Trail, *The Post's* politics blog, had dozens of short items about both candidates, all interesting to political junkies. *Post* inside coverage has been a mix of horse-race coverage – stories about endorsements, advisers, who can win where – and issues stories.

Style stories have dealt with the Internet, voters and volunteers, and the cultural aspects of the campaigns. Cindy McCain was featured in a big style spread and Michelle Obama in a metro story about her recent visit to Virginia.

Numbers aren't everything in political coverage, but readers deserve comparable coverage of the candidates.

Bill Hamilton, assistant managing editor for politics, thinks that I'm wrong to put weight on numbers. 'We make our own decisions about what we consider newsworthy. We are not garment workers measuring our product every day to fulfill somebody's quota. That means as editors we decide what we think is important, because that's what our readers look for us to do – not to adhere to some arbitrary standard.

'The nomination of the first African American presidential nominee after a bitter primary campaign and his efforts to unite a party afterward were simply more newsworthy than a candidate whose nomination was already assured and who spent much of that time raising money. In the end, we can and should be judged on the fairness of our coverage, but that is a judgment that must be made over the course of the whole campaign, not a single period of time'.

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principles of maintaining balance and impartiality. Indeed, it raises questions about the decision-making processes of this newsroom. It puts labels and opinion into a news story and makes a judgement, instead of presenting both sides of the story and allowing readers or listeners to judge. The editor has to decide whether the story, and in this particular case the language and tone, are in the public interest and offer the right balance between the competing subjects of transparency versus integrity of the election process.

Reporting inflammatory speech

A paradox is that election campaigns are the times when politicians are most likely to express extreme and inflammatory sentiments – with the chance of such views reaching large audiences. Added to this, elections are the time when extreme views are most likely to have a negative impact, at the same time that campaigning is when expression of differing political views is most important. The regulatory implications of this complex dilemma are for policy-makers to resolve. For journalists, the challenge is to report inflammatory political speech in a manner that is both accurate and least likely to provoke violence or fear. See, for example, the text box entitled 'Kenya Poll Violence: Spreading the Word of Hate'.

Box 5.3 Kenya poll violence: spreading the word of hate

NAIROBI, 22 January 2008, Integrated Regional Information Networks (IRIN)

Inflammatory statements and songs broadcast on vernacular radio stations and at party rallies, text messages, emails, posters and leaflets have all contributed to post-electoral violence in Kenya, according to analysts. Hundreds of homes have been burnt, more than 600 people killed and 250,000 displaced.

While the mainstream media, both English and Swahili, have been praised for their even-handedness, vernacular radio broadcasts have been of particular concern, given the role of Kigali's Radio-Télévision Libre des Mille Collines in inciting people to slaughter their neighbours in the Rwandan genocide of 1994.

'There's been a lot of hate speech, sometimes thinly veiled. The vernacular radio stations have perfected the art', Caesar Handa, Chief Executive of Strategic Research, told IRIN, 'The call-in shows are the most notorious', said Handa. 'The announcers don't really have the ability to check what the callers are going to say'.

Source: UN News Agency IRIN published on 22 January 2008. See: <http://www.irinnews.org/> [accessed 12 January 2009]

UN news agency, IRIN, does well to explain the dilemma and issues in the above example. The agency³⁷ notes that one difficulty in monitoring vernacular (local language/community) radio stations is that the language used is often quite subtle and obscure. In Rwanda, for example, the term 'cockroaches' was used in reference to genocide targets, while in Kenya, various community stations with ethnic audiences called other tribes 'mongooses who have stolen our chicken', i.e. 'thieves who have stolen our land'. The end result is that other communities are dehumanised in the eyes (or ears) and minds of the station's listeners, who then assault communities they now perceive to be their enemies without a sense of any guilt.

IRIN quote Caesar Handa, Chief Executive of private polling company Strategic Research, as saying, 'Hate speech is contributing in a big way to get people to take action as a result of the anger they have been feeling individually. You might have an individual feeling, but when entire communities are rallied to a cause, people find justification and find the community would support them ...'.

Again, it is for editors to choose between whether to air a broadcast or not, taking into consideration any knowledge they have that the broadcast could, for example, seriously damage the electoral environment and render credible elections impossible.

Codes of Ethics or Conduct

Journalism is often described as a ‘profession’ and many journalists are proud to be considered professionals. Other journalists regard their job or career to be a ‘trade’, rather than a profession such as medicine or law. Whatever the conclusion, there is broad agreement that the practice of journalism needs to be regulated by a professional standard or ethical code. A reporter’s credibility and reputation are judged to be alive and well only if his or her last story was in line with such a code of accepted standards.

Codes of conduct may be promulgated by associations or trade unions of journalists, by media houses, individually or collectively, or by regulatory bodies. Such codes are most effective if they are the outcome of a collective process in which journalists and editors themselves participate. There are overarching principles, as ratified by the International Federation of Journalists.³⁸

Codes generally underpin news values and ethics relevant to journalists covering elections. News values include, for example, accuracy, impartiality, honesty and resistance to corruption, avoiding use of language or sentiments that promote violence or discrimination, and correction of inaccurate factual reporting. However, it is often good practice for every newsroom to also develop a code of conduct that covers issues that are specific to elections. Such a code will work better if it is agreed by the national union of journalists in the country concerned, or even one that is embraced across the region. Election-specific issues include reporting opinion poll findings, reporting political rallies and other campaign events, using exit polls and reporting the vote count.

We are aware that many countries have general codes of conduct to guide or regulate journalists in their work. For example, the global news and information company Thomson Reuters has codes of conduct that all its journalists sign up to as part of their contract. All Thomson Reuters journalists are judged on the basis of that code, and there are consequences for any breaches,

'We crafted an editorial policy that would be the framework for an independent news agenda. It included all the desirable features – fairness, objectivity, right of reply, equal time for the opposition – which any well-run newsroom had.'

Milton Walker
Jamaican journalist, on helping set up commercial broadcaster, CVM

including instant dismissal from duty. Bloomberg News, another global financial news service, notes that it has adopted a code of ethics to maintain its professional reputation, to ensure accurate and unbiased news reporting and to protect itself and its employees against accusations of partiality in reporting news. 'As such, violations of this standard of conduct can result in suspension or dismissal'.³⁹

The general principles contained in these ethical codes form the basis for the professional standards that journalists and editors should uphold at all times, including during election periods. Yet, as discussed above, it is also useful to develop a specific code of conduct to address the particular professional dilemmas that may arise during elections in greater detail.

Media codes of conduct are most effective when practitioners themselves are involved in drawing them up. The standards in the code are then seen as aids to effective journalism and not restrictions. Some codes are drawn up by media practitioners alone, while others involve consultation with other stakeholders, including the electoral management body and political parties.

Elements of a code of conduct

A code of conduct for election reporting should ideally include a mixture of general ethical standards, applicable in all circumstances, and those specific to election periods. The United Nations Educational, Scientific and Cultural Organization (UNESCO), as well as regional media organisations across the world, have carried out a certain amount of work in this regard. Below is a suggested check-list of standards, derived from the International Institute for Democracy and Electoral Assistance (International IDEA)'s proposed code of conduct, itself based upon many existing codes from different countries⁴⁰ and aimed at the journalist as a professional:

- The first duty of a journalist is to report accurately and without bias.
- A journalist shall report only in accordance with facts of which s/he knows the origin. A journalist shall not suppress essential information.
- A journalist shall observe professional secrecy regarding the source of information obtained in confidence.

- A journalist shall report in a balanced manner. If a candidate makes an allegation against another candidate, the journalist should seek comment from both sides wherever possible.
- A journalist shall do the utmost to correct any published information that is found to be harmfully inaccurate.
- As far as possible, a journalist shall report the views of candidates and political parties directly and in their own words, rather than as they are described by others.
- A journalist shall avoid using language or expressing sentiments that may further discrimination or violence on any grounds, including race, sex, sexual orientation, language, religion, political or other opinions, and national or social origins.
- When reporting the opinions of those who do advocate discrimination or violence, a journalist shall do the utmost to put such views in a clear context and to report the opinions of those against whom such sentiments are directed.
- A journalist shall not accept any inducement from a politician or candidate.
- A journalist shall not make any promise to a politician about the content of a news report.
- A journalist shall take care in reporting the findings of opinion polls. Any report should, wherever possible, include the following information:
 - who commissioned and carried out the poll and when,
 - the number of people interviewed, where and how were they interviewed and the margin of error, and
 - what was the exact wording of the questions.
- A journalist shall regard the following as grave professional offences:
 - plagiarism,
 - malicious misrepresentation,
 - calumny, slander, libel or unfounded accusations, and
 - acceptance of a bribe in any form in consideration of either publication or suppression.

Codes for media houses, political parties and electoral bodies

We have now looked at codes governing the ethics, conduct and even behaviour of journalists in dealing with various stakeholders when they are covering elections. We, the authors, now suggest a code of conduct for media houses and others, based on the work of other media organisations in this area.⁴¹ This code covers four broad areas, encompassing different obligations attached to the three groups of stakeholders. Some issues, such as the question of what system is adopted for direct access by political parties and the media, are not directly addressed in this code. Such issues are likely to be addressed by national laws, regulations or agreements between stakeholders. Likewise, the question of how the provisions in such a code could be enforced depends upon extraneous factors.

Media houses

- In all media, there shall be a clear separation between fact and comment. News reporting should reflect the facts as they are honestly perceived by journalists. Comment may reflect the editorial line of the publication.
- Publicly owned media shall not express an editorial opinion in favour of or against any party or candidate.
- Publicly owned media have a duty to be balanced and impartial in their election reporting and not to discriminate against any party in granting access to airtime.
- If media houses accept paid political advertising, they shall do so on a non-discriminatory basis and at equal rates for all parties.
- News, interviews, information or current affairs programmes or articles in the public media shall not be biased in favour of or against any party or candidate.
- The media shall provide equitable and regular coverage to all political parties, their candidates and platforms.
- The media shall encourage and provide access to voters to express their opinions and views.
- The media shall promote democratic values such as the rule of good law, accountability and good governance.

- Any candidate or party that makes a reasonable claim of having been defamed or otherwise injured by a broadcast or publication shall either be granted the opportunity to reply or be entitled to a correction or retraction by the broadcaster or publisher or by the person who made the allegedly defamatory statement. The reply or correction shall be broadcast or published as soon as possible.
- News coverage of press conferences and public statements concerning matters of political controversy (as opposed to functions of state) called or made by the head of government, government ministers, or members of parliament shall be subject to a right of reply or equal time rules. This obligation acquires even greater force when the person making the statement is also standing for office.
- Publicly owned media shall publish or broadcast voter education material.
- Voter education material shall be accurate and impartial and must effectively inform voters about the voting process, including: how, when and where to vote, to register to vote and to verify proper registration; the secrecy of the ballot (and thus safety from retaliation); the importance of voting; the functions of the offices that are under contention; and similar matters.
- Voter education shall include programmes in minority languages and programmes targeted for groups that traditionally may have been excluded from the political process, such as women and people with disabilities.
- Media houses should monitor their own output to make sure that it conforms to the standards set out in this code of conduct.

The media does indeed take these standards seriously. For example, in November 2008 (ahead of general elections in April 2009), public broadcaster the South African Broadcasting Corporation (SABC) held meetings with the regulator (the Independent Communications Authority of South Africa [ICASA]), the Independent Elections Commission (IEC) and political parties and committed to the following standard:

- To adhere to the legislative and regulatory framework established to ensure free and fair coverage and to ensure that the editorial code and policies are followed.
-

- News decisions during elections, as it is always done, will be driven by judgement of news staff and that they will take into account the views, policies and campaigns of all political parties. Editors will make decisions on news value and not political agendas.
- That any pressures and complains experienced by our editorial staff – where political parties seek to influence editorial decision – should be reported to the relevant editorial and regulatory heads.
- All news and programming staff are required to familiarise themselves with the ICASA election guidelines as well as the SABC's editorial policies and the guidelines developed for election coverage. They must also ensure that they are rigorously followed and implemented.
- In addition to its usual coverage and programmes, the SABC also committed to go an extra mile in its election coverage and gathering of material for special election programmes by:
 - utilising its networks of journalists to gather material from rural and urban areas of the country, to tell the stories of citizens in the villages and cities, and the stories of politicians, parties and their campaigns,
 - using its bureaus all over the world to provide foreign perspectives on the elections, and
 - utilising its broadcast facilities to take programmes to the people and election events, and to tell the stories from where the people are, in as many languages as possible within platform limitations.
 - providing platforms for citizens, as well as politicians and political parties, to relay their campaign messages on national, regional and provincial programming on an equitable basis as prescribed in the ICASA election regulations.
 - offering wide and balanced analysis of election issues by a panel of election analysts on its platforms.
 - providing results broadcasts as and when the IEC releases them in a way that will inform, contextualise and explain them to our audiences and viewers.⁴²

Political parties

We have established the importance of codes of conduct and now turn to another difficult and complex issue – the conduct of political parties in dealing with journalists. A growing number of countries have adopted codes of conduct governing the behaviour of political parties and candidates during elections, while the conduct of electoral officials is also subject to strict professional standards. We see overlaps in these three sets of ethical standards.

The media is increasingly recognised as playing a crucial role in free and democratic elections, particularly by communicating political messages from parties and candidates, by relaying important voter information from election administrators, and by subjecting the election process to independent scrutiny and comment.

The crucial role of the mass media imposes particular ethical obligations on journalists and editors, in the same way that other codes present an obligation to other stakeholders. There have been suggestions that a joint code of conduct be adopted by all stakeholders – the mass media, political parties and electoral authorities – to ensure that they behave ethically and respect one another’s rights and freedoms. Below are outline guidelines for a code regarding the conduct of political parties in dealing with the media:

- All political parties and candidates shall respect the freedom of the media.
- Political parties and candidates shall not harass or obstruct journalists who are engaged in their professional activities.
- Incumbent political parties and candidates shall not abuse their office to gain unfair advantage in access to the media. This provision applies to all media, but is of particular relevance when publicly funded media are under direct control by the government of the day.
- Political parties and candidates shall not offer bribes or inducements to journalists or media houses to encourage them to attend campaign events or to report favourably on the party or unfavourably on other parties or candidates.
- Political parties and candidates should not misrepresent the stated positions or any other factual information about other parties and candidates.
- Political parties and candidates should avoid using language

that is inflammatory or defamatory, or that threatens or incites violence against any other person or group.

- The party leaderships shall ensure that the standards of tolerance and free debate contained in this code of conduct are communicated and fully explained to campaign workers. Parties should take full responsibility for the words and actions of those campaigning on their behalf.

Electoral management bodies

The Electoral Commission, as the body that manages political transition, is the most important institution in any democracy. It is necessary that an Electoral Commission have absolute integrity and is respected by all players: political parties, civil society and other citizens. Where such a body has failed to live up to its tasks and obligations, as in Kenya in 2007 and Zimbabwe in 2008, conflict – often violent – has followed. That is why an Election Commission’s relationship with media deserves scrutiny. We share guidelines on what should shape this relationship below:

- Electoral management bodies shall respect the freedom of the media, including their editorial independence and right to express political preferences.
- Electoral management bodies shall respect the right to freedom of expression of parties and candidates.
- Electoral management bodies shall conduct the election in an open and transparent manner.
- Electoral management bodies shall endeavour to make sure that their activities are open to scrutiny by the media to the fullest extent possible.
- Electoral management bodies should not favour any media outlet in the distribution of either paid advertising or free information material.
- Electoral management bodies should use the mass media, among other means, to convey timely and accurate information to enable the electorate to exercise their right to vote in an informed manner.
- Electoral management bodies should only impose such restrictions on reporting – for example, at the polling station and the count – as are strictly necessary to ensure the integrity of the electoral process.

TESTIMONY

Milton Walker – Jamaica

My first experience in covering a national election was in 1993 when I reported for the state-run Jamaica Broadcasting Corporation (JBC). It was a tense period, as the newsroom was divided with some reporters supporting the opposition party and others subservient to the ruling party. The director of TV news was appointed by the ruling party and in fact was known to have been a supporter of that party.

The tradition had been for the station to be essentially a mouthpiece for the government and established interests in Jamaica. The opposition was rarely given a significant voice in the state-owned media. There was frequent interference from the director, as he sought to push the party line. This led to frequent clashes. I remember one morning the director called the producer of the morning news bulletin after the 7a.m. newscast and demanded to know why she had led with a story from the opposition leader. There were also calls from government ministers to the newsroom, upset with particular stories and demanding more favourable coverage. The atmosphere was highly charged around election times, as the station would be attacked verbally. Opposition supporters would hurl verbal abuse at the crews covering political assignments, although none was ever harmed physically. Soldiers were always deployed on the compound a couple weeks before an election, leaving a few days after the poll.

Covering the actual election was a challenging task in and of itself. Jamaica is a mountainous island with several mountain ranges running across the island. This makes television transmission a nightmare. On Election Day, the engineers would perform miracles so we could get footage back from various cities, towns and regions all over the island. We were able to send back video and audio broadcasts from three locations outside the capital. This was very exciting and rewarding, as on a normal day we would have to drive back into the television studios in the capital to show the footage on air. I was sent to cover the south-western and central region of the island, with the highlight being responsible for covering the Prime Minister voting in his constituency. In the evening, I was assigned to a counting centre to observe the vote-counting process and send back results for that station. The elections of 1993 were also unique, as this was the first time we used cellular telephones to communicate with the station and colleagues. This allowed us to respond to events quickly as we were constantly in touch.

'The elections of 1993 were also very unique as this was the first time we used cellular telephones to communicate with the station and colleagues. This allowed us to respond to events quickly as we were constantly in touch.'

Milton Walker

Shortly after the 1993 elections, I moved to the privately run CVM Television station as news editor. This was a new era for media in Jamaica, as it was the first time big business had owned a major national electronic outlet with a potentially powerful voice. How would it deal with editorial matters? Would it pander to its own narrow sector interests? Suffice it to say, most of those fears were not realised (at least in the first seven years), as the owners took an almost hands-off approach. The newsroom was also helped by the fact that there were early divisions on the board and ownership, which probably distracted any thoughts of interference. We also had a team that strongly upheld journalistic conventions.

We quickly set about crafting an editorial policy that would be the framework for an independent news agenda. It included all the desirable

features – fairness, objectivity, right of reply, equal time for the opposition – which any well-run newsroom had. We also decided to broaden the range of issues we covered to include matters previously untouched.

Among these issues were rural news, inner city matters, corruption in the public service, crime and police excess. But it's in the coverage of political matters that I believe we made the most valuable contribution to the deepening of our democracy. For the first time, the opposition and civil society had a reasonable opportunity to voice its concern about government policy and put forward alternative views on television, the most powerful medium in Jamaica (the election of 3 September 2008 was largely believed to have been won on TV).

During parliamentary debates, we carried all speakers, including the opposition ones, live and gave equal time to all. We were also free to criticise all parties without fear of retribution or sanction. On the campaign trail, we gave both parties equal coverage: if we covered one rally live, we gave the same amount of time to the other. We also gave both parties a set number of minutes of airtime for free, often in prime time. Additionally, a political party was free to pay for airtime whenever they wished.

However, there is another side to covering elections in Jamaica. Elections are generally exciting periods with motorcades, rallies, biting political ads on television and a usually festive atmosphere, although there are incidents of violence in some areas. In one year,

a strong third party emerged on the scene and contested all 60 seats in the parliament. Because opinion polls suggested it could win several seats, the media decided to offer the party equal time and provided roughly the same level of coverage as the other two main parties received. This posed quite a challenge, as with our meagre resources we are often unable to cover every single event. We do get assistance from some independent television companies, and sometimes the political parties record their rallies themselves. However, we accept tapes from the parties only if they provide the unedited copy of, say, the leaders' speeches.

Marshalling all the footage and material from all over the country can be quite a challenge. In earlier times, we used couriers and Jamaica's domestic airline to fly our tapes back to the capital, where we could broadcast the material. Needless to say, this was a risky undertaking, although loss of a tape was extremely rare. On Election Day, we often devoted all our resources to coverage of each administrative region's key seats, in particular the marginal seats that often decide who wins the poll. There are also the national debates to consider, which are organised by the Debates Commission and manned by the Media and Press Associations. There are usually three debates involving the leaders, the finance spokespeople and a third sector area decided on the basis of issues.

There is also a downside to covering elections in Jamaica. The battle for political power can be fierce and intense, and some supporters get carried away. There is also violence in some inner-city and low-income areas located in marginal seats. These issues are tough and sometimes risky to cover. Journalists have been threatened and shot at – though thankfully none has ever been injured. On the night of the general election in 2002, shots were fired in the vicinity of our station (we heard them from inside the building). Our general manager's car was shot at while she drove home on election night. We don't believe she was targeted, but it was a frightening experience. There are other challenges as well: during the elections of 2002, our cameraman and news editor were detained and their camera seized by the police during an incident at a polling station in the central region. They were later released after we complained to the Ministry of National Security and the Police Commissioner.⁴³

TESTIMONY

Makereta Komai – Fiji Islands

A military coup in Fiji in December 2006 ousted the last democratically elected government – Laisenia Qarase – and ushered in an interim government, led by military strongman, Commodore Frank Bainimarama. On taking power, the Commodore told his island country as well as the international community that he was committed to returning Fiji to full democracy as soon as possible.

The head of the EU Delegation in the Pacific, Dr Roberto Ridolfi, has said that if Fiji delayed the conduct of polls for more than three years, funds allocated for sugar and other EU-funded projects would be further reduced – bringing economic pressure to bear on a political matter and an example of how foreign influence can affect the course of democracy. Fiji has agreed to a roadmap designed by the EU to take the country back to democracy and to have a general election during 2009.

Going back to the election of 2006, following a proclamation issued by the then Acting President, Ratu Joni Madraiwiwi, on 2 March 2006, parliament was dissolved on 27 March ahead of elections scheduled for 6–13 May. According to the then Supervisor of Elections, Semesa Karavaki, the extended voting period was due to an increase in the number of polling stations (1,096 compared to 796 in the previous elections).

Indigenous Fijians make up about 51 per cent of the country's approximately 880,000 population, while Indians make up 44 per cent. In the 71-member House of Representatives, 25 seats are open to all communities, while the remaining 46 are reserved for the country's different ethnic groups.

A total of 338 candidates, including 30 women, and 24 political parties registered for the elections. The elections were the third conducted under the 1997 Constitution, which brought about significant changes to the electoral process and the composition of the House of Representatives (parliament). They were held under a preferential voting system called the 'alternative vote', which is modelled on the Australian voting system. In the Pacific, Papua New Guinea and Nauru use the same voting system in a modified form. From independence in 1970, Fiji used the simple majority voting system or 'first past the post'. In the lead up to national elections, a nationwide registration of voters eligible to vote (those 21 years and over) was conducted to determine the electoral rolls.



Even though there was no national census, at the end of the voter registration it was confirmed that 480,000 voters would participate in the 2006 elections.

The main issue in the 2006 elections was the proposed Reconciliation Tolerance and Unity Bill, which included provisions for an amnesty for persons involved in the 2000 coup. The government argued that the slow pace of investigations and court hearings related to the coup represented an obstacle to its efforts to promote national unity. It insisted the bill would strengthen stability and peace by bringing the 'coup culture' to a close. However, the bill was severely criticised by the ethnic Indian community and academe. The Fiji Labour Party (FLP) and Fiji's military forces vowed to reject the bill. The highly politicised military slammed the bill as unfairly favouring indigenous Fijians. The final results gave a narrow majority to the ruling *Soqosoqo Duavata Ni Lewenivanua* (SDL) party, which won 36 of the 71 seats in the House of Representatives. Its rival, the FLP, took 31. The United Peoples Party (UPP) and independents took two seats each.⁴⁴

TESTIMONY

Irene !Hoaes – Namibia

I covered the national and presidential elections for the Namibia Broadcasting Corporation (NBC) in 2004. I had been a journalist for a year. It was both a scary and an exciting experience. I did not know what to focus on, as the briefing was not really done properly. Voter turnout was much lower than the 80 per cent that voted in the first democratic elections in 1989, which catapulted the country's first black independence government to power.

In the intervening years, it appeared that apathy had set in, partly because political parties made promises along the way that they did not keep and people started changing their attitudes towards the whole concept of voting. For example, at independence there were promises of free education up to tertiary level, housing and opportunities for career building for every citizen. However, under the democratic rule the Government of Namibia chose after independence, all was not well, as many had anticipated. Education became unaffordable, especially for the low paid members of society, job opportunities were only for a few lucky ones, and to make matters worse, even those with academic training joined the thousands of unemployed on the streets. This situation led the electorate to change their minds: they now saw voting as enriching the chosen few or allowing politicians to go on enjoying their luxurious lifestyles without having to worry about the poor majority. One could also argue that voter apathy sets in because of lack of knowledge needed for informed participation, but counter arguments are that the political parties did not fulfil promises made during their election campaigns. One can also argue that few election campaigns have fully addressed key issues or the electorate's concerns.

I was assigned to cover or report on the election process in the three towns of Karibib, Omaruru and Usakos, and the surrounding rural areas, including communal and commercial farms located in the western part of the country (the Erongo Region). This is one of the regions where poor unemployed Namibians survive on less than one \$1 a day, while a few make a living through small-scale mining or working as farm labourers on commercial farms. On the first day of the election, my duty started at Karibib Municipality, one of the town's two polling stations. The process was to start at seven o'clock, but by nine o'clock only five people had voted. My journey continued to Usakos, a neighbouring town located only 30 kilometres away. At the Usakos Municipality Hall,

which is one of the town's three polling stations, I found about 100 people queuing and, according to the returning officer, more than 100 others had already cast their votes by midday (which was earlier that day).

My journey then continued to Omaruru, but I had to pass through Karibib Municipality and another polling station at a primary school, just to ascertain that the process was running smoothly. I was informed that only 300 voters had cast their ballots at both polling stations by midday, out of the 8,000 who had registered for the election. I went on to Omaruru, hoping that the situation in Usakos and Karibib would improve later in the day or during the second day of voting. At Omaruru, the situation was far better than in the other two towns. I observed that all three polling stations there recorded more than 1,000 voters each, bringing the total number of voters close to 4,000 or 48 per cent of those registered. Nonetheless, I observed generally that the Electoral Commission did not really create awareness, so people were unable to prepare themselves for the elections or did not even know when the election was on.

At some polling stations, there was no indication that an election was taking place. There was not even a single poster indicating that voting was due to take place at the villages. I personally think that more people would have voted, if only enough awareness had been created. This task was not only for the Electoral Commission, of course, but also includes the political parties, who should have created enough awareness to entice people to go and vote for them.

Another aspect that discourages people from voting are the long queues that they have to endure in the heat and sometimes rain before they can actually vote. With the country's new Electronic Voting System, hopefully things will improve, as this process is faster than the manual voting system.

Reporting on the actual voting process, the Namibia Broadcasting Corporation mostly focused on how many people voted, how many were turned away for not having the relevant documents at the time of voting, whether people were on time and how many could not vote by deadline. Other journalists focused on shortcomings, such as logistical problems, computers glitches or insufficient ballot papers or ballot papers that did not arrive in time.

For me, the main challenge was treading the fine line as a journalist for a state-run broadcaster – mindful of the unwritten mantra that we should not cast the government or its agencies in a bad light.⁴⁵

Commonwealth Observer Group report

Uganda Election, 2006

Note: *Uganda was governed virtually as a no-party state and candidates had to contest as individuals in elections in the period after Yoweri Museveni came to power in 1986 after a five-year guerrilla war. But after 2001 domestic and international pressure for the restoration of multiparty democracy in Uganda became more persistent. In 2003 the Constitutional Court ruled that sections of the 2002 Political Parties and Organizations Act (PPOA) which prevented political parties from operating while the Movement system remained in place, were unconstitutional. The Court went further in 2004 to declare sections of the PPOA which restricted political meetings and the registration of political parties also unconstitutional. In July 2005, in accordance with the provisions of Article 69 of the Constitution, a second referendum was held to decide which political system to employ in the governance of the country. Despite the opposition boycotting the process and a low turn-out nationwide, the government supported the change and secured a 92% vote in favour of restoring multi-party elections. Parliament also voted controversially, in August 2005, to lift the constitutional two-term limit on the office of the President to allow unlimited terms. Several political parties emerged, or were revived, in expectation of the change to a multi-party dispensation. Parties such as the Uganda People's Congress (UPC), Democratic Party (DP) and Conservative Party (CP) which prior to 1986 had been permitted to exist, but not to contest elections under the Movement system, became fully operational. The National Resistance Movement-Organisation (NRM-O) became the political party created by the Movement system. New opposition groups also included the Reform Agenda (RA), now part of the Forum for Democratic Change (FDC), and cross-party pressure groups such as the Parliamentary Advocacy Forum (PAFO). There are other smaller political parties, but these do not make any significant electoral impact.*

Balance in news coverage

Members of the observer group listened to Ugandan radio stations, watched television news and election programmes, and read the English language national newspapers. During deployment, each two-person team was accompanied by a translator, who translated news programmes and newspapers produced in vernacular languages.

Our purpose was both to acquire information and to assess the balance of the media coverage of the elections. The group observed that both the state-owned *New Vision* and the privately owned *Daily Monitor* (the two daily newspapers with the largest circulations) made some efforts to provide a degree of balance in their coverage of the elections. Where treatment of a story in one paper displayed slant or bias, this was often counterbalanced by the treatment of the same story in the other. So coverage in the print media as a whole was somewhat balanced.

The electronic media were more demonstrably biased. The group observed, for example, that news coverage on UBC TV was overwhelmingly focused on the incumbent, with the other four candidates not receiving equitable treatment. The tone and portrayal of the incumbent's coverage also tended to be far more positive than that of other candidates. WBS TV was more balanced in its coverage of the two most prominent candidates, which nonetheless far exceeded that of the other three.

Media monitoring carried out by other international and domestic observer groups broadly confirmed our own assessment.⁴⁶ The European Union Election Observer Mission's data shows that the *New Vision* gave more positive and neutral coverage to the incumbent and more negative coverage to the Forum for Democratic Change (FDC) presidential candidate, than to any other candidate. The *Daily Monitor* gave more negative coverage to the incumbent than to any other candidate. Data provided by the Uganda Journalists Safety Committee (UJSC, part of the DEMGroup) shows that in the electronic media as a whole, coverage of the National Resistance Movement (NRM-O) tended to be more positive while that of the FDC was more neutral or negative.⁴⁷

Regulation and laws

The principal legal provisions regarding 'equal opportunity' for presidential and parliamentary candidates to appear on programmes in the state-owned electronic media are provided in the Minimum Broadcasting Standards, which are included in the Electronic Media Act (1996).

This provides that 'where a programme that is broadcast is in respect to a contender for a public office, then each contender is given equal opportunity on such a programme'. Enforcement of this provision is vested in the Broadcasting Council. However, the Council lacks the capacity to monitor and enforce this provision. It has only an arm's-length oversight role. It may respond to complaints, but as of 17 February it claimed to have received none.

The observations of the group, and analysis of the media monitoring data, indicate that the Uganda Broadcasting Corporation has not lived up to the requirements of the Electronic Media Act.

No formal standards or regulations appear to exist for the print media, other than the relevant sections of the Penal Code. The group was informed that both the *New Vision* and the *Daily Monitor* sought to uphold proper journalistic standards.

The regulatory framework governing media and elections is contained in the Press and Journalists Act (1995), which established the Media Council; the Electronic Media Act (1996) which established the Broadcasting Council and includes the Minimum Broadcasting Standards referred to above; the Electoral Commission Act (1997); and the Uganda Broadcasting Corporation Act (2005), which consolidated UTV and Radio Uganda as Uganda Broadcasting Corporation (UBC TV and UBC Radio).

Guidelines

There were no enforceable codes of conduct or guidelines. On 1 December 2005 the Electoral Commission issued a code of conduct in the form of Campaign Guidelines for Presidential Elections, 2006. This provided for equal treatment to be given by the state-owned media to all candidates and their agents. Candidates would enjoy freedom of expression. Provision was made for the imposition of penalties, but the code of conduct has not been enacted.

On 4 January 2006, the Electoral Commission issued Campaign Guidelines for Parliamentary Elections, 2006. These stated that candidates should not be denied reasonable access to and use of state-owned communication media. It did not make provision for penalties.

Media freedom

Uganda enjoys plural media and the airwaves have been liberalised. Freedom of expression, including freedom of the press and other media, is guaranteed under the Constitution. Uganda's print and broadcast media represent a range of political viewpoints and allegiances, and for the most part appear able to present the free expression of these viewpoints.

However, there have been some exceptions. Radio station KFM was temporarily closed in August 2005 because of an alleged breach of the Minimum Broadcasting Standards. The same station was jammed from 24 to 26 February 2006 after it broadcast independent vote tallies. Access to the website of KFM and the Daily Monitor was blocked on 24 and 25 February.

Sections 36–40 of the Penal Code, CAP 120 of the Laws of Uganda, restrict the publication, sale and distribution of publications which, on the discretion of the Minister, are injurious to public interest.

Human Rights Watch and the Uganda Human Rights Commission have alleged government intimidation of the media during the arrest and trial of the FDC presidential candidate. They documented a government directive issued on 23 November 2005, banning media outlets from running stories on him on the basis that this might prejudice his trial. The press largely ignored the ban.⁴⁸

Background

Newspapers in Uganda account for combined daily sales of about 100,000, with an estimated total readership (owing to multiple users for each copy) of about 1.5 million, or about 5 per cent of the population.⁴⁹ In contrast, an estimated 64 per cent of the population rely primarily on the electronic media (largely radio), while 34 per cent rely on word of mouth.⁵⁰

Television

Uganda Broadcasting Corporation Television (UBC TV) is a state-controlled commercial television service. Formerly Uganda Television (UTV), it was merged with Radio Uganda in 2005 to form the Uganda Broadcasting Corporation. It broadcasts mainly in English, but also in Swahili and Luganda. UBC covers a radius of 320km from Kampala. Wavah Broadcasting Service (WBS TV) is a privately owned commercial TV station. WBS TV covers an area of 120km centred on Kampala. It also broadcasts, or is planning to broadcast in Jinja, Masaka, Mbarara and Mbale. There are also regional television stations and interest-driven broadcasters where religious programming is prominent.

Radio

The liberalisation of the airwaves provided for the establishment of many private, commercial and community radio stations, mainly on the FM waveband. The state-owned radio service is UBC Radio, operating five stations nationwide. There are also about 100 privately owned radio stations across the country. The group was informed that about one in four of these have a link to a political party, one in six to a religious organisation and one in eight to an ethnic group. Some 46 per cent of advertising revenues are derived from government or parastatal sources.⁵¹

The group was informed that many radio stations are owned by known government officials, political party members, sympathisers or candidates, some of whom contested the 2006 elections. This enabled them to promote their policies on their radio stations.

Print media

The *New Vision* is a daily newspaper founded in 1986. Originally entirely government-owned under the Ministry of Information, it was listed for privatisation in November 2004. The government remains the majority shareholder, with 80 per cent of the newspaper's shares held by the Ministry of Finance. Its English language circulation is about 35,000 (Monday to Saturday) and 37,000 (Sunday). There is also a Luganda language edition, Bukedde.

The *Daily Monitor* is a privately owned daily founded in 1992, publishing in English. Its circulation is 32,000 (Monday to Saturday), 33,000 (Sunday). The product portfolio of Monitor Publications Ltd also includes 93.3 K FM. The paper claims to be 'free from the influence of government, shareholders or any political allegiance'.

Commonwealth Observer Group report

Solomon Islands Election, 2006

Note: *Some 453 candidates filed nominations in respect of the parliamentary elections. A candidate for one constituency was returned unopposed. Thirteen political parties contested the elections, some political parties claiming the same candidates. Only three registered voters in a constituency are required to sponsor the nomination of a candidate.*

Media

The Solomon Islands enjoys a free and robust media, which played a critical role throughout the election period, including in raising awareness about the election preparations, process and procedures. The media also highlighted the many challenging issues facing citizens in their first post-crisis⁵² national parliamentary elections.

During the period in which Commonwealth observers were present in the Solomon Islands, we received the impression that the media took its role and responsibility to the nation seriously and carried out its task of reporting the elections with fairness, objectivity and impartiality. We received no complaints and saw no evidence of media bias or perceived bias towards any individual political party or candidate during the election campaign. We met with representatives of print and electronic media during our consultations.

All media organisations in the Solomon Islands are members of the Media Association of Solomon Islands (MASI). The association is working on a Code of Practice for Media in the Solomon Islands. The code is a voluntary charter to balance the rights and responsibilities of the Solomon Islands media in a free and democratic society. It upholds both the rights of the individual and the public's right to know. It takes into account the traditional values of the Solomon Islands way of life and the duty to hold public institutions to account, consistent with freedom of expression and the public interest in exposing corruption and malpractice.

Print media

The print media comprises two main newspapers – the daily *Solomon Star* and the bi-weekly *National Express*. Both are published in English. There are no newspapers in Pijin.

The *Solomon Star* is privately owned by a pioneer Solomon Islands journalist. It is published in Honiara from Monday to Friday. More than 60 per cent of the average daily circulation of 5,000 copies is sold in the capital, while the rest are distributed only in those provincial urban centres to which a daily flight is available.

Unreliable air transportation has prevented newspapers from being flown to most of the provinces. Prior to the recent crisis, the newspaper was widely circulated in all provinces. However, the tension has caused planes to stop flying to many places, resulting in the drop in circulation to most parts of the country. *Solomon Star* management say the situation is slowly returning to normalcy. During the period of the elections, the *Solomon Star* circulation jumped to an average daily circulation of 7,000 copies.

The *Solomon Star* covered the elections extensively in the weeks leading up to and throughout polling and counting of votes. Its news stories and commentaries made strong references to the need for clean elections.

The *National Express* published little political advertising except for news and commentary on the elections. The newspaper is printed in Fiji and air freighted back to the Solomon Islands for distribution.

The Electoral Commission used the print media, especially the *Solomon Star*, to educate the voters about the elections. In the lead-up to polling day, the Commission published full-page advertisements in the newspapers explaining to voters the various steps for voting and giving voters an update on the preparations for the elections. Election advertising in the media continued even up to the day of polling as there is no law preventing this from happening.

Electronic media

There are no local television stations. Satellite TV is available at hotels and to those who can afford it. There is no local content on such stations.

There are two radio stations in the Solomon Islands: the government-owned Solomon Islands Broadcasting Corporation (SIBC) and the commercial FM radio station, Paoa FM, which is owned by the *Solomon Star*.

SIBC is established under the Broadcasting Corporation Ordinance of 1976. The law stipulates that the government provides an annual grant to the corporation on an annual basis. It also empowers SIBC to accept and broadcast advertisements to supplement its budget.

SIBC is heard in nearly all parts of the Solomon Islands and is a 24-hour service. The Electoral Commission used SIBC on a daily basis to inform voters about the election process and preparations.

The Commission had to pay for its use of radio, just like any other organisation throughout the election period. No political party, individual or group received free airtime to advertise election material on SIBC.

SIBC reported extensively on the campaign and preparations for the elections on its news and current affairs programmes on a daily basis. In the lead-up to polling day and counting of votes, SIBC reporters were sent to various provinces to report on the conduct of polling and the results of counting. They sent regular daily reports, which kept listeners throughout the nation up to date on the progress of the polls and the counting of votes and the eventual declaration of results.

Paoa FM, a radio station which targets youth, also provided 'user pays' airtime for election advertising, though few candidates or parties made use of this facility.