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<th>Press freedom in Commonwealth countries</th>
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A new chapter in the evolution of the Commonwealth opened with the adoption by Heads of Government in 1991 of the Harare Declaration. Before that the Commonwealth had accepted without question the existence within its membership of a wide variety of administrations. The majority were democratic, but some practised a limited amount of democracy, some ruled with one party and some with military rule. One or two, such as the Idi Amin regime in Kampala, exercised extreme brutality and total denial of human rights. Yet Uganda remained a full member of the Commonwealth.

In many countries the press suffered greatly. Under colonial rule there had often been a large measure of freedom of expression, but news was frequently managed, press activity was considerably restricted, and from time to time quite draconian restrictions were imposed.

After independence colonial decrees were in many cases carried over and some of the the new governments used them to greater effect than had happened originally. In a number of countries, such as Kenya, Tanzania, India, Pakistan, and The Gambia, such decrees stand to this day on the statute books.

In many parts of the Commonwealth journalists showed professional bravery by resisting the pressures - and they still do - but often in the end, particularly in most parts of Africa, they were worn down and political reporters were forced into practising what a great Zimbabwean journalist of the Eighties, the late Willie Musururwa, used to call scathingly "speech journalism." Stories, he said, ran to a formula like this:

- The honourable minister was warmly welcomed to X...
- The minister said...
- The minister added...
- The minister concluded...

Independent media were not allowed. Radio and press were government-owned by one means or another and in a one-party state one newspaper might be owned by the government and another by the party and as the party was the government the voice was a single one.
In colonial days British expatriate journalists ran much of the media and their standards of professionalism and ethics, which were rather better than is generally the case in the national press of Britain today, were adopted by local journalists, especially in the last years, so that at independence many countries had a number of able and independently minded journalists in senior positions.

Many more came into the profession as the media were localised, but soon their ambitions, enterprise and enthusiasm were blunted as they found themselves increasingly subject to government interference and later even personal harassment and physical assault. The result of all this was a deterioration in the content and quality of the journalism. There was no shortage of people wanting to go into journalism. It is always an occupation that attracts young people because of the element of glamour and freedom of action that it seems to the layperson to offer.

But when young journalists in many Commonwealth countries found themselves confronted with serious political problems to which there seemed no end, many moved on to other jobs outside journalism. Bright people were snapped up for public relations work, which in the private sector had the twin attractions of being more lucrative and taking them out of the political firing line. Others were picked off by their governments for press information work. The frustrating result of this process was that those international press organisations offering training opportunities in order to improve the quality of the media in developing countries found that a continual drainage of talent was undermining their work. As fast as capable journalists were trained they were lost to the press, which now began to suffer an increasing lack of professionalism as well as any independent journalistic input.

What I am painting in this paper is a general picture. The pattern applied in some countries much more than in others, but generally this was what happened in the years following independence - particularly in Africa but elsewhere as well - when the Cold War was at its height.

In some countries the quality of the media became extremely low. There was no element of investigation. Reporters asked few questions, let alone the right questions. They relied on what was handed out to them by their government press office. At its worst, in places like Tanzania and Guyana, government statements were printed almost verbatim, often without even an element of interpretation.
With the end of the Cold War came international moves for so-called
good governance, improved human rights, the end of the one-party state and
military regimes. There followed privatisation and relaxation of the rules
against independently owned media.

Malawi, from having a single government-owned newspaper, suddenly
spawned a dozen or so privately owned publications. Similar changes took place
in Tanzania. Independent newspapers appeared in Ghana, Uganda and Guyana
and today just about every Commonwealth country has its independent press.

Many governments, however, continue to control the electronic media,
which reach a much wider public than the press, especially in less developed
countries where radio remains by far the most important medium
of communication. An encouraging development recently, however, was the
decision in Ghana to allow 30 private radio and TV stations.

The effect on the printed media of this sequence of events has in some
countries been to produce an explosion of outspoken and often sensational
journalism. It was only to be expected that journalists would quickly take full
advantage of the new freedom of expression. Suddenly, it seemed, the sky was
the limit and any idea of being cautiously critical at least in the first stages of
change was hardly considered.

Not surprisingly, journalists who had been cowed by governments for so
long were not sure how to handle this new freedom. Newspapers exceeded the
bounds of decency, used extreme language, and published material which was
often libellous or would result in legal prosecution, even in countries where the
traditions of press freedom are most liberal.

Many countries are still in only the early stages of multi-partyism or the
creation of more democratic government. The transition is fragile. In some
cases the same political leaders have remained in power under the new
constitutions. They are unused to criticism and remain sensitive
to it.

For quite different reasons they find it just as difficult to adapt to the new
form of government as the journalists do.

The journalist's job in a democracy is to make the politicians
uncomfortable but not to abuse them. The politician who has been accustomed
to "speech journalism", never being asked the awkward questions, used to daily
flattery and telling deferential reporters what to write, is finding it difficult to
adapt to the new situation.
The almost inevitable result of this process will be a backlash from the politicians. In some countries, for example Zambia, this has begun to develop. Although President Frederick Chiluba came into office after a multi-party election extolling the idea of a free press and promising that the government and party papers would be privatised, four years later the papers remain in state hands. The main independent paper was recently raided, and the editor and other executives put in jail. An edition of the paper was stopped - something that had never happened in Zambia before.

Three years into office the President had changed his views. He said in 1994: "It is not up to the press to make the rules of democracy. Even if the leader is wrong it is not African to accuse him publicly."

Kenya has turned into a multi-party state, but the press there is being harassed more seriously than ever. Last August 100 journalists signed a petition accusing the government of persecuting journalists and using brutal methods to prevent them from doing their work. They said there had been 56 instances of persecution, violence or harassment since the beginning of 1995.

There is a need in this situation therefore for intensive training programmes aimed at examining what is the role of the press in a free and democratic country.

Many journalists would argue that there can be no limits to press freedom - or the independence of the journalist, as I prefer to term it. They would say: publish and be damned. But that is neither sensible nor realistic. There have to be some rules, some limits to what you can say, some sense of responsibility. The laws of libel are a limit and they are necessary to protect the individual - including the politicians.

Freedom of expression does not mean the freedom to say and print anything you like. The individual must have the right to put his views, but he or she must also have the right to be protected from the infliction of any personal hurt. He or she must not be ridiculed. Comment must be fair. It must not be based on prejudice, whether in relation to a person's race, skin colour or creed or his or her personal opinion.

On the other hand, legal constraints can be over-used and become a weapon with which to control the journalist. This is a developing trend. The legal system is increasingly being used as a different way of gagging the press.
In its 1996 report, Reporters Sans Frontieres points that now, instead of openly attacking journalists or the media they work for, governments hide behind restrictive legislation and compliant judges. This has happened in Lesotho, Swaziland, Kenya, Zambia and Zimbabwe.

In the Commonwealth there is now a determination to improve the quality of our democracy, to make good the lapses of the Sixties and Seventies, to move away from one party or military rule to multi-partyism. The point was reached at the Harare summit in 1991 where Commonwealth leaders realised that unless this happens the organisation would lose its credibility. For too long the Commonwealth had been strong on rhetoric and short on action.

The principles laid down in the Singapore Declaration of 1971 and the Harare Declaration of 1991 are now to be more strictly applied and are supplemented by the Millbrook Plan of Action which turns the Commonwealth into a rules-based association. Nigeria has been suspended from membership and next year if the situation in the country is unchanged could be expelled.

All this does not mean acceptance of the Westminster system as the Commonwealth norm; other patterns may be more applicable in some countries. Constitutional experiments need to be made. One is going on now in Uganda with the introduction of a no-party system, a no-party government and, just last week, no-party elections. There the press is free and varied and incidents involving journalists are few.

The recent report of the British House of Commons Foreign Affairs Committee on the Role of the Commonwealth said that the Committee had asked the Foreign and Commonwealth Office how the British government interpreted the expression "free and democratic political processes" used in the Singapore and Harare Declarations. Its reply was: "...those by which every citizen has the right to take part in the conduct of public affairs, directly or through freely chosen representatives. The basis of the authority of government is the will of the people, expressed in periodic and genuine elections, by universal suffrage and held by secret ballot."

The reply went on: "How these universal principles are worked out in practice has to be looked at according to the circumstances of each country. The Westminster system is not the only model available. What can be done in an ethnically divided country with a history of conflict is unlikely to be the same as in a more unified society..."
The principle must be that people are free to choose their form of government and their rulers. The Oxford Dictionary defines democracy as "government by the whole people of a country."

There is no way such a system can be introduced and maintained without freedom of expression. It is the main pillar on which democracy has to be built. No election can be free and fair without a free media.

The Commonwealth declarations do not contain any explicit reference to freedom of expression, even though all 53 member countries subscribe to it as members of the UN. It is disturbing that Commonwealth heads of government are apparently still so nervous of criticism that so far they have been unwilling to spell out this freedom for themselves.

Pressure is building up for the omission to be rectified at the next Commonwealth summit, which is in Edinburgh in October 1997.

Generally there is greater freedom of expression in most Commonwealth countries today than there was a decade ago. The worst excesses against the media today are occurring in non-Commonwealth countries. In Algeria, for example, where 22 journalists were killed last year.

The situation in the Commonwealth, as elsewhere, fluctuates. Except for a short period during the Emergency imposed by Mrs Indira Gandhi in 1975-7, the vigour and independence of the Indian press has been a beacon in South Asia. Nonetheless, journalists are still subject to assault and abuse from extremists in many areas of the country. In one or two instances they have been murdered by terrorist groups. In Kashmir restrictions on the operation of the media are tight and reporting is hazardous.

Pakistani journalists are also being more frequently subjected to violence from religious, political and ethnic groups as well as terrorists. An alarming number of incidents are being reported, although the freedom of expression is considerably improved from the days of the Zia military regime and, going much further back, from the time of the Ayub regime.

In Bangladesh, where press freedom in guaranteed in the constitution, the media have been freer since the restoration of civilian rule, but violence against journalists is still quite frequent and newsprint distribution and the provision of government advertising is used to pressure the press.
Sri Lanka is a somewhat different case since the country is suffering civil war and in such a situation there can be arguments for a certain amount of censorship if lives are to be preserved. This is especially true if the conflict is ethnic, as in Sri Lanka. When the new President took over in 1994 the press was given its head, but now censorship has returned.

In all four South Asian countries, continued monopoly use of state radio and TV must be a cause for prime concern.

In Africa, where there remain so many problems, Nigerian journalists have retained remarkable vigour and courage in the face of repeated military governments. Today they face the most ruthless administration in the 36 years since independence, but despite harassment, persecution, and physical assault many of them continue to speak out. The main newspapers are shackled, some of them closed down, but underground newspapers are being produced with editors sometimes having to move their abodes from day to day to escape arrest.

The press in South Africa, on the other hand, is now one of the freest in the world - in great contrast to the apartheid days when it was harassed by a proliferation of some of the most complicated media laws imposed anywhere in the world. In Namibia, too, the constitution entrenches freedom of expression that reverses the situation there before independence.

In Zimbabwe, media independence has declined, the dominant newspaper group being controlled by the government and the independent press having suffered pressures leading to a reduction of titles and diminution of criticism. The government opposes the principle of private broadcasting, as also does the government of Kenya.

It is disturbing that although Cameroon was admitted to the Commonwealth last year its press is far from free and the military ruler of The Gambia said last year that journalists were "the illegitimate children of Africa."

Even areas like the Pacific are not free of government interference of the press. In Papua New Guinea freedom of expression is guaranteed under the constitution and the media takes full advantage of it, although they have still been prevented from entering the rebel island of Bougainville.

In other places, notably Tonga, Western Samoa and Vanuatu, the media has been under increasing pressure. In Western Samoa a new law requires disclosure of sources of information in defamation cases.
But the independence of the journalist is not only threatened by governments and by pressure and physical threats from rebel movements or terrorist organisations. It can also be affected by powerful media owners. Although journalists may be operating in an environment free from government interference what he or she writes may be dictated by employers.

The growing concentration of ownership in a few hands in such countries as Australia, New Zealand, Canada and Britain threatens to lead to a conformity of the viewpoints expressed. Worse, in terms of the electronic media in particular, external companies can swamp the local media, as in the case of the Commonwealth Caribbean where the loudest voice is that of CNN.

The electronic revolution of the last few years should make for greater openness and freedom of expression worldwide. It is certainly becoming more difficult to keep secrets. Governments are increasingly less able to control the flow of information. But if the means of communication fall into the hands of a few powerful individuals responsible only to themselves that is also a serious prospect.

On the brighter side, the fact that millions of individuals can now tap into a massive variety of information worldwide does mean that the days when whole peoples could be kept in ignorance of what was going on outside their country's borders are gone for ever.

Although holocausts can still happen - as we have seen recently in Rwanda and the former Yugoslavia - they are quickly found out. The horrors of Hitler's Germany, Stalin's Soviet Union and Mao's Cultural Revolution could not be kept secret for long today. Too many eyes are watching - and that can only be a great advance on the past.

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