

Press Freedom: 'We have seen our worst enemy – and it is us.'

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Freedom of expression is not just about legal niceties. It is also about an enabling environment. It is important therefore, that journalists are equipped with the capacity to exercise that role.

There is a proliferation of training institutions in Kenya today, the majority of them seeking to produce journalists who are better prepared for the job. The task would be helped along if we were confident that these training institutions were doing a sterling job. Our cities and major towns are packed with media schools whose menu of courses includes anything that can attract the extra student. The quality of this training is often not regulated.

The *Media Council of Kenya* is putting in place a regulatory system that would monitor these institutions and ensure that they really do offer quality education. The Council should hasten that process.

As long as our journalists are not sufficiently equipped to gather and disseminate information, they will not know what to do with the freedom that is due to them. But training and an enabling environment offer no guarantee of achieving the freedom envisaged by the Windhoek Declaration that came out of the 26th session of UNESCO's General Conference. World Press Freedom Day, celebrated on May 3rd, is a child of the meeting in the Namibian capital from April 29 to May 3, 1991.

The media must be equipped to enable journalists to do their work effectively. Unfortunately, the focus is often on the hardware in the newsroom rather than ensuring the security of journalists. The Kenyan journalist is often sent to a dangerous environment without adequate equipment. They cover riots without protection. They are not psychologically prepared for and protected against the vagaries of the environment they are constantly exposed to. In the post-election violence of last year (2008), few journalists received any preparation on how to deal with the scenes of murder and destruction.

We in Kenya have undergone a sea change in circumstances compared to the situation two decades ago. But we are not out of the woods yet. Too often, attention is focussed on the role of the other three Estates and the pressure they bring to bear on the media. I am under no illusion that those threats are real.

The Executive, Judiciary, Legislature and civil society have the desire, reason and capacity to interfere with the environment in which journalists work. Too frequently, they hinder free gathering and dissemination of information. There are also subtle threats that today's media face along with the traditional ones. When the Executive threatens the media we can only hope that the citizens will rise up and threaten to vote it out in five years if it does not let go. If the Legislature threatens the media, we would like to believe that the risk of being voted out will scare it off. If the Judiciary threatens the media, we should be put in a position to believe that sense will prevail and be among the learned friends.

But perhaps the biggest threat to press freedom and democracy may not be the usual suspects. The greater danger may come from big business and institutional regulatory systems that are often driven by advertising, vested interests and influence peddling. These threats present themselves as angels of

mercy, speaking the language of freedom without any interest in freedom. Today, media ownership is converging. The days are long gone when owning media was left to idealists whose only interest was to do journalism. We have consequently lost some of our space.

This contrary to the second Windhoek Declaration, which says: 'By an independent press we mean a press independent from governmental, political or economic control or control from control of materials and infrastructure essential for the production and dissemination of newspapers, magazines and periodicals.'

What do we have instead? Today's journalism is about the shilling, not information. Advertisers have spread an elaborate network to monitor content. They spread their money only in media houses that do their bidding and carry content that they agree with. Stories are killed because the big spenders do not like them although they are newsworthy.

Concentration of media ownership in this globalised world may make good business sense but it certainly does not make good journalistic sense. The third Windhoek Declaration reads: 'By a pluralistic press, we mean the end of monopolies of any kind and the existence of the greatest possible number of newspapers, magazines and periodicals reflecting the widest possible range of opinion within the community.'

We mourn the folding up of the *Daily Metro*. History will judge whether or not it presented additional opinion in the community but the priorities of business are different from the priorities of journalism. Shareholders care only about how stories reflect on the balance sheet. This is a threat to journalism and to free press. The emerging trend where accountants and marketers are the leading voices in editorial decisions is a threat to our trade.

Concentration of ownership also limits the diversity of the press. To what extent does the press reflect the face of our nations? We have witnessed a development in Kenya which is threatening indeed.

Parliament recently passed a bill that the president signed into law. The Kenya Communications (Amendment) Act 2008 was, to say the least, badly handled. The media, in their collective wisdom, that there were sources that would not be given airtime and space. It may have been a tactical tool in the media's arsenal but it was also a threat to freedom of expression. The government spokesman had to resort to issuing leaflets in the streets. An institution that can reduce the government to such indignity is powerful indeed. It is a threat to freedom of expression in its own right.

There is a difference between the media and a dictatorial regime if they unilaterally throw out all the guidelines of freedom of expression and decide to deny you voice, space and time purely on the basis that they do not like what you are saying or that they disagree with what you are saying. They are both a threat to freedom of expression. Could we in Kenya be close to that threshold? Have we already crossed it?

Freedom of the press is also threatened when much of the information gathering is conducted by poorly paid correspondents and journalists who have no bargaining power. This goes against the spirit of the Windhoek Declaration.

A big part of the job of gathering information in Kenya is conducted by correspondents who are poorly paid and poorly provided for. They are a threat to freedom of the press. Perhaps we have seen our worst enemy – and it us.

The Windhoek Declaration condemns censorship; encourages freedom of expression; repudiates murder, arrest, detention, censorship, economic and political pressures; encourages constitutional guarantees of freedom of the press and association and calls for co-operation among African journalists and African media.

We need to take note of Declaration 12: ‘To assist in preservation of the freedoms enumerated above, the establishment of truly independent, representative associations, syndicates of trade unions of journalists and associations of editors and publishers is a matter of priority in all the countries of Africa where such bodies might exist.’

Our country as it relates to the freedom of journalists presents a sad case. Trade unionism is not thwarted by the Executive, the Legislature or the Judiciary but by an incendiary force that should be the champion of press freedom.

The media cannot pick and choose which Windhoek declarations to enforce and which to gloss over. It is the combination of all these freedoms that contribute to freedom of the press. We have no option but to call on all those forces that impinge on the declaration to recognise the spirit of Windhoek and let the media be truly free.

As we reflect on 18 years of Windhoek Declaration let us collectively consider what the Executive, the Legislature, the Judiciary and the fourth estate can collectively do to expand the democratic space. We have come so far and we still have a distance to travel. Let us do so together.

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The text of **The Windhoek Declaration** can be found at:

http://portal.unesco.org/ci/en/ev.php-URL_ID=5348&URL_DO=DO_TOPIC&URL_SECTION=201.html