
The Media's Role in Curbing Corruption

Rick Stapenhurst

Abstract

The role of the media is critical in promoting good governance and controlling corruption. It not only raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption. The effectiveness of the media, in turn, depends on access to information and freedom of expression, as well as a professional and ethical cadre of investigative journalists.

This paper examines how the media have exposed corrupt officials, prompted investigations by official bodies, reinforced the work and legitimacy of both parliaments and their anti-corruption bodies and pressured for change to laws and regulations that create a climate favorable to corruption. The paper considers, too, how the media can be strengthened, highlighting private versus public ownership, the need for improved protection of journalists who investigate corruption, press freedom and media accountability.



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Corruption is a problem that all countries have to confront. Solutions, however, can only be home-grown. National leaders need to take a stand. Civil society plays a key role as well. Working with our partners, the Bank Group will help any of our member countries to implement national programs that discourage corrupt practices. And we will support international efforts to fight corruption and to establish voluntary standards of behavior for corporations and investors in the industrialized world.

The Bank Group cannot intervene in the political affairs of our member countries. But we can give advice, encouragement, and support to governments that wish to fight corruption—and it is these governments that will, over time, attract the larger volume of investment. Let me emphasize that the Bank Group will not tolerate corruption in the programs that we support; and we are taking steps to ensure that our own activities continue to meet the highest standards of probity.

—*James D. Wolfensohn, President of the World Bank*
1996 Bank-Fund Annual Meetings Speech

Civil society and the media are crucial to creating and maintaining an atmosphere in public life that discourages fraud and corruption. Indeed, they are arguably the two most important factors in eliminating systemic corruption in public institutions.

—*"Helping Countries Combat Corruption: The Role of the World Bank"*
PREM, September 1997

A free Press is not a luxury. A free Press is at the absolute core of equitable development because if you cannot enfranchise poor people, if they do not have a right to expression, if there is no searchlight on corruption and inequitable practices, you cannot build the public consensus needed to bring about change.

—*James D. Wolfensohn, President of the World Bank*
in a speech to the World Press Freedom Committee
Washington, D.C., November 8, 1999

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Foreword

The importance of controlling corruption to spur sustainable development is well documented. A critical element of a country's anti-corruption program is an effective media. The media has a dual role to play: it not only raises public awareness about corruption, its causes, consequences and possible remedies but also investigates and reports incidences of corruption aiding other oversight (and prosecutorial) bodies.

The World Bank Institute is a leader in helping countries design and implement anti-corruption programs. For nearly five years, the Governance and Finance Division (WBIGF) has facilitated investigative journalism workshops in Africa, Central and Eastern Europe and more recently, in Latin America and South Asia (planned). Over 25 workshops have been held for nearly one thousand journalists from more than one dozen countries. Pedagogical materials have been translated in French, Kiswahili, Amharic, Russian (forthcoming) and Ukrainian (planned). Recent developments include the adaptation of these materials for electronic media journalists; planned are further adaptation of materials for self-instruction via the internet and the development of an investigative journalism module on a CD-ROM, being developed collaboratively with the Africa Media Partnership.

The effectiveness of the media, in turn, depends on access to information and freedom of

expression, as well as a professional and ethical cadre of investigative journalists. Additionally, such issues as private versus public ownership of the media, the need for improved protection of journalists who investigate corruption and media regulation are critical.

This paper, the first in a series exploring the media's role in curbing corruption, draws upon, and extends the analysis contained therein, a Teaching Note prepared by Alexander Norris, Reporter at the *Montreal Gazette*. Noting the relationship between Corruption and Press Freedom, the paper examines both tangible and intangible ways in which journalism serves as an impediment to corruption. It also considers how the media can be strengthened, to enhance their role in curbing corruption. Future papers will develop some of these issues further.

Rick Staphenurst is a Public Sector Management Specialist at the World Bank. The author would like to acknowledge the comments of Tim Carrington, Akin Fatoyinbo, Rod Macdonell and Mark Nelson, and the assistance of Elsa Pilichowski and James Quigley in production. The views contained herein are entirely those of the author and do not necessarily represent the views of the World Bank Institute.

*Daniel Kaufmann, Manager
Governance, Regulation and Finance Division,
World Bank Institute*

The Media's Role in Curbing Corruption

The roots of corruption are grounded in a country's social and cultural history, political and economic development, bureaucratic traditions and policies. To generalize, it tends to flourish when institutions are weak and economic policies distort the marketplace.¹ Corruption distorts economic and social development, by engendering wrong choices and by encouraging competition in bribery rather than in the quality and price of goods and services and, all too often, it means that the world's poorest must pay for the corruption of their own officials and of multinationals' agents.² Moreover, available evidence shows that if corruption is not contained, it will grow. Once a pattern of successful bribes is institutionalized, corrupt officials have an incentive to demand larger bribes, engendering a "culture" of illegality that in turn breeds market inefficiency.³

In its simplest terms, corruption can be defined as *the abuse of public power for personal gain or for the benefit of a group to which one owes allegiance*. It occurs at the intersection of public and private sectors, when public office is abused by an official accepting, soliciting, or extorting a bribe. As a single transaction, corruption takes place where there is a meeting of opportunity and inclination. Klitgaard⁴ has developed a simple model to explain the dynamics of corruption:

$$C (\text{Corruption}) = M (\text{Monopoly Power}) + D (\text{Discretion}) - A (\text{Accountability})$$

In other words, the extent of corruption depends on the amount of monopoly power and discretionary power that an official exercises. Monopoly power is large in highly regulated economies, whereas discretionary power is often large in developing countries and transition economies where administrative rules and regulations are often poorly defined and which are plagued by a weak rule of law. And finally, accountability may also be weak, either as a result of poorly defined ethical standards of public service, weak administrative and financial systems and ineffective watchdog agencies.

Successful strategies to curb corruption will have to simultaneously seek to reduce an official's monopoly power (e.g. by market-oriented reforms), his/her discretionary power (e.g. by administrative reforms) and enhance his/her accountability (e.g., through watchdog agencies). Such strategies comprise a system of checks and balances, designed to manage conflicts of interest in the public sector and limit situations in which conflicts of interest arise or have a negative impact on the common good. They embody a comprehensive view of reform, addressing corruption in the public sector through government processes (leadership codes, organizational change) and through civil society participation (the democratic process, private sector, media).

A complementary schema, focusing on knowledge and data as a prerequisite for anti-corruption

strategies, has been proposed by Kaufmann⁵, who states that

$$AC \text{ (Anti-corruption Efforts)} = \\ KI \text{ (Knowledge and Information)} + \\ LE \text{ (Leadership)} + CA \text{ (Collective Action)}$$

In other words, successful anti-corruption programs (AC) are dependent on knowledge and information (KI) plus leadership (LE) plus collective action (AC). Here again, the importance of information and the involvement of civil society, including the media, is central.

Reform is initiated and supported not only by politicians and policy makers, but also by members of civil society and by the media. Indeed, the World Bank has stated that “civil society and the media are crucial to creating and maintaining an atmosphere in public life that discourages fraud and corruption. Indeed, they are arguably the two most important factors in eliminating systemic corruption in public institutions.”⁶

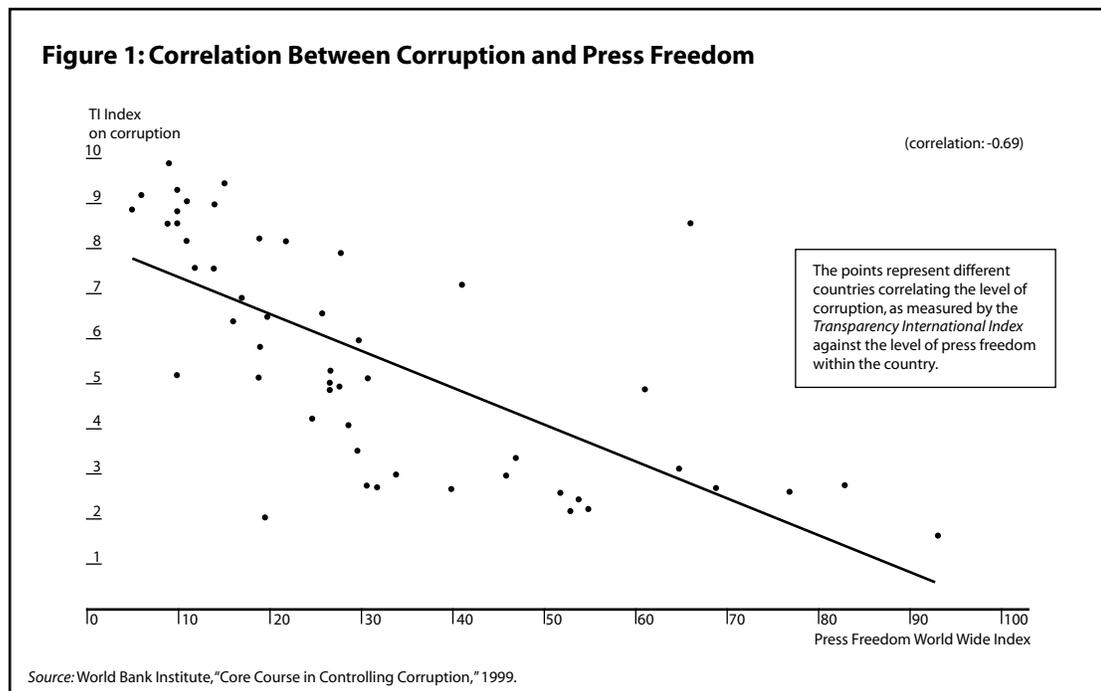
Specifically, while the role that a free press can play in investigating, reporting and thereby helping combat corruption is now well recognized, as-

sessments and descriptions of the precise means by which news media can perform this function appear to be scarce⁷—despite the fact that there is a strong correlation between the incidence of corruption and the extent to which the media is free (see Figure 1).

This paper seeks to fill that gap by laying out a tentative typology of ways in which journalism can help curb corruption. The typology draws on examples of recent stories by contemporary journalists that have been published over the past decade. The paper does not constitute an integral survey on the subject, rather it focuses upon the study of the role played by the media in curbing corruption. In so doing, the media’s tangible and intangible effects are analyzed as well as ways to strengthen and safeguard its role in the society.

The Media as a Tool Against Corruption: Tangible vs. Intangible Effects

The media can act as a force against corruption in ways that are both tangible and intangible. The tangible, readily identifiable, ways in which the



news media perform this function include those in which some sort of visible outcome can be attributed to a particular news story or series of stories—for instance, the launching of investigation by authorities, the scrapping of a law or policy that fosters a climate ripe with opportunities for corruption, the impeachment or forced resignation of a crooked politician, the firing of an official, the launching of judicial proceedings, the issuing of public recommendations by a watchdog body, and so on.

Intangible effects, by contrast, can be characterized as those checks on corruption which arise from the broader social climate of enhanced political pluralism, enlivened public debate and a heightened sense of accountability among politicians, public bodies and institutions that are inevitably the by-product of a hard-hitting, independent news media.

The tangible ways in which journalism serves as an impediment to corruption

The tangible ways in which journalism can serve to curb corruption can take a variety of forms. Most spectacular among them is when corrupt bureaucrats or public office-holders are impeached, prosecuted or forced to resign after their misdeeds are exposed to public light. However, journalism also acts directly to curb corruption in other, less spectacular but, arguably, equally important ways.

Reporting, for example, may prompt public bodies to launch formal investigations into allegations of corruption. Furthermore, news accounts disseminate the findings of public anti-corruption bodies, thus reinforcing the legitimacy of these bodies and reducing the ease with which interested parties who hold power can meddle in their work. Conversely, when journalism exposes flaws and even corruption within the various bodies of the state (the courts, police and anti-corruption task forces) corruption is put on check. Furthermore, if the resulting public pressure leads to a reform of those bodies, the long-term effectiveness and potential of the media to act as a counterweight against corruption is strengthened.

Box 1: Latin American Heads of State

President Bucaram in Ecuador

In Bucaram's case, an investigative story published in the daily *Hoy* showed how the president known as "El Loco" had diverted money he had raised during a Christmas telethon to help the poor. Amid a national uproar, Bucaram was later ousted by Congress for "mental incapacity."

President Perez in Venezuela

In Venezuela, two investigative stories in the Caracas daily *El Universal* have been credited with precipitating Perez's downfall. One, relying on confidential sources, reported that the president had misappropriated \$17 million in missing discretionary funds. Other leaked documents from the Central Bank and Foreign Ministry, Simon reports, indicated that "Perez and two aides had made millions by changing Venezuelan currency into dollars just ahead of (a) devaluation." After Venezuelan lawmakers began impeachment proceedings, Perez was forced to step down.

President Collor in Brazil

In Brazil, investigative pieces published by various outlets set the stage for Collor's departure as president. In early 1991, a *Jornal do Brasil* reporter used a computer access code provided by a senator to examine federal finance ministry files and discovered that "money distributed to the president's wife... and earmarked for charity had gone to her relatives and family in her hometown."¹⁰ The following year, after months of cultivating Collor's brother as a source, *Veja* magazine published an interview in which the brother, Pedro Collor, accused the president's campaign treasurer, Paulo Cesar Farias, of running a multimillion-dollar influence-peddling ring on Fernando Collor's behalf. Congress set up a commission to investigate the charges. During its hearings, a flurry of hard-hitting insert reports by various outlets—particularly *Isto It* magazine and the *Folha de São Paulo* and *Estado de São Paulo* newspapers—drew on a variety of documents including bank records, cancelled cheques, telephone records, and even photographs of Collor's lavish private residence, as well as interviews with senior officials and their aides to reinforce a picture of massive high-level corruption within the Collor administration. It ultimately emerged that Farias had extorted more than \$55 million from firms in exchange for favorable treatment by the government; at least \$8 million was passed on directly to Collor. By year's end, amid a national uproar, Collor stepped down—one day before he was to be impeached.

Source: Simon (1998).

There are cases when reporting on corrupt or ethically questionable behavior does not result in immediate investigations, prosecutions or resignations, but does arouse the ire of the public, which exercises another form of sanction: electoral defeat at the ballot box for a single elected office holder or an entire government. Hard-hitting journalism can also expose flaws in policy, laws or regulation that foster a climate ripe for corruption, thus creating pressure for reform. And even before anything has been published, mere inquiries by reporters about apparent wrongdoing can elicit preemptive responses by authorities eager to protect the public image of their institution before any allegations have been aired.

What follows is a more detailed discussion of these various tangible effects that journalism has in curbing corruption. Wherever possible, contemporary examples are provided to help illustrate how journalism has played this function.

INVESTIGATING AND EXPOSING CORRUPT OFFICIALS AND OFFICE-HOLDERS

The most obvious examples of journalism's potential for curbing corruption can be seen when politicians or other senior public officials lose their jobs as a consequence of the public outcry or legal proceedings that follow the fearless reporting on corruption. Examples of this kind of outcome are not hard to find—particularly from contemporary Latin America, where a surge in media reporting on corruption over the past decade has helped force no fewer than three heads of state from office, namely Ecuador's Abdala Bucaram, Venezuela's Carlos Andres Perez and Brazil's Fernando Collor de Mello (see Box 1).

Heads of state have been far from the sole targets of such hard-hitting investigative reporting. Cabinet Ministers, members of the United States' House of Representatives (see Box 2) ended up losing their jobs as an indirect or direct result of media reporting.

In some cases, the success of independent media reporting in the firing of corrupted gov-

Box 2: Other Politicians

Cabinet Ministers in Colombia

In Colombia, two Colombian cabinet ministers resigned in mid-1977 after the weekly news magazine *Semana* published a surreptitiously recorded cellular phone conversation in which they discussed then-President Ernesto Samper's plan to give half of the government's radio concessions to his friends, according to a report in the *Columbia Journalism Review*. Other published news pieces linking Samper himself to the Cali drug cartel received more widespread international attention. While Samper ultimately survived an impeachment attempt and served out his full term, the stories led to the resignation and arrest of his defence minister and are widely believed to have cost him much of his domestic and international political support.

United States—The Case of Dan Rostenkowski

In the United States, for example, Dan Rostenkowski, a former member of the House of Representatives, lost his congressional seat after the *Chicago Sun-Times* published a series of investigative reports over the course of two and a half years. The series showed how, as head of the House's powerful Ways and Means Committee, Rostenkowski had wrongfully taken hundreds of thousands of dollars from his campaign funds and congressional allowances. This reporting "helped lead to Rostenkowski's indictment in May 1994 and his subsequent defeat in November 1994," according to Investigative Reporters and Editors, a U.S. based journalists' group, and Rostenkowski pleaded guilty to corruption charges on April 9, 1996.

Source: Investigative Journalism Online Resource Center.

ernment officials has needed cooperation from international institutions. This is what happened in Kenya in 1996 where the press reporting over a plot organized by the Minister of Health had the effect of pressuring directly the government and indirectly the International Monetary Fund (IMF) to take actions (see Box 3). Jumping ahead, it needs to be stressed that an independent press played an important role in this case. While the independent Kenyan press reported on the scandal, the government-owned press was used as a conveyor belt by the government and the Minister himself to fight back the allegations against him without any comment on the scandal.

When public officials lose their jobs because they have been found guilty of corruption, a variety of related deterrents to corruption—such as public humiliation, loss of prestige, social standing and income, among others—are simultaneously reinforced. Furthermore, the political turbulence that follows the ouster of high public officers helps increase the standards of public accountability, thereby providing another deterrent to major corruption by others in the future.

Contrast these outcomes—resignations, investigations, even prosecutions of prominent office holders, up to and including heads of state—with what had transpired in Indonesia, where independent news media faced persistent censorship and repression for years—conditions that allowed grand corruption and related unsustainable economic practices to flourish unchecked, culminating in the recent economic crash and the nationwide political upheaval that followed. Lin Neumann, the Asia program coordinator for the New York-based Committee to Protect Journalists, has noted wryly that, in the aftermath of the economic meltdown, former President Suharto was finally “forced by the RVIF to acknowledge the degree of involvement in the economy by his own family. But for decades,

Neumann noted pointedly that “such a discussion could lead Indonesian journalists to jail. The Suharto children thus acquired major interests in everything from cloves...to toll roads, to a subsidized national car company, telecommunications, and media without having to defend themselves in the press.”⁸ The “only widely trusted Indonesian publication, *Tempo* magazine, was closed by Suharto in 1994,” Neumann adds, because “its reporting on the Suharto family, economic corruption, and human rights abuses in East Timor were an embarrassment to the regime.”⁹

Had a vigorous independent press been allowed to do its job properly and exposed domestic and world public opinion to the pervasive corruption that so characterized the Suharto regime, checks against such corruption might have been reinforced within civil society, the state apparatus and the international community. As a result, some of the most egregious corruption-tainted investment and economic-policy decisions that helped propel Indonesia into its current crisis might not have been made—or might at least have met a more compelling challenge. The corrupt role model that Suharto and his family were to become for some of their countrymen might likewise have been more compellingly undermined.

Box 3: Involvement of International Institutions

Kenya: The 1996 scandal

The independent Kenyan press shed light on the malaria control-chemicals deal organized by the Ministry of Health, Mr. Donald Kimutai. The press reported that non-approved malaria chemicals were going to be bought through a foreign firm, Equip Agencies Ltd., at a price far higher than the price necessary to buy the goods locally. Also, a side payment of 400,000,000 Kenya Shillings was made to Equip Agencies Ltd. by the Health Ministry while no goods were delivered. This scandal burst out during the visit of an IMF team in Nairobi. That team put pressure on the government to clear the scandal. Mr. Kimutai was first transferred to the position of chairman of the Industry Commerce Development Corporation (ICDC) and only in a second stage, under the insistence of the IMF, he was fired.

Source: Githongo (1997).

PROMPTING INVESTIGATIONS BY OFFICIAL BODIES

Even if it usually does not result in the ouster of a public office-holder or bureaucrat, hard-hitting reporting by independent-minded reporters sometimes provides the initial seed that prompts official bodies to launch formal investigations of their own.

Such was the case after a series of *Miami Herald* stories in 1996 which “established how a prominent American bank may have abetted the kind of corruption that undermines democracy throughout Latin America.”¹⁰ The series has been described by the IRE as instrumental in prompting a criminal investigation by the U.S. Justice Department.

Likewise, stories published in 1997 by the *Dallas Morning News* on allegations of contract fraud and mismanagement by top officials in Dallas public schools helped precipitate an investiga-

tion by the Federal Bureau of Investigation into school corruption.¹¹ In a similar case, the FBI and Arkansas state police launched an investigation following publication of a 1986 series in the *Arkansas Democrat-Gazette* identified corruption throughout a local municipal court system.¹²

The Brazilian Parliamentary Commission of Inquiry that ultimately led to Collor's demise was also set up partly in response to the findings of investigative press reports.

REINFORCING THE WORK AND LEGITIMACY OF THE STATE'S ANTI-CORRUPTION BODIES

Sometimes, too, journalists' stories can play a critical role in reinforcing the effectiveness of public anti-corruption bodies—even when the stories in question are not, strictly speaking, investigative reports that reveal wrongdoing of some kind.

Simply reporting in a regular, detailed way on the work and findings of these bodies can reinforce public scrutiny of them and, hence, the independence of such bodies from vested interests within the power structure that might otherwise be tempted to interfere in their work.

Journalists and the news media, it must be stated, often have a symbiotic relationship with the official bodies that investigate or prosecute corrupt officials. Journalists' immediate interests are served by their work in that they provide reporters and their outlets with strong, dramatic stories to pursue and publish.

The interests of the anti-corruption bodies are equally served because reporting on their activities builds public support for their work—and, hence, reinforces their legitimacy—creating a climate that may make politicians who are the subject of their inquiries less inclined to meddle in or undermine their operations. Another beneficial side effect of the publicity that journalists bring to the work of such bodies is that it may encourage witnesses to wrongdoing to step forward and testify about what they know.

Such a symbiotic relationship was in evidence in Brazil in the months leading up to the 1992 resignation of former president Collor. Likewise,

Box 4: The News Media As a Check on the Integrity of State Anti-corruption Bodies

City of Detroit

An example of the way in which the news media have acted as a check on the integrity of state anti-corruption bodies—in this case the judiciary—was in evidence in 1981 in the U.S. city of Detroit, when a radio station's investigation of corruption and irregularities in the local bankruptcy court was credited with leading to the dismissal and retirement of several judges, lawyers and bankruptcy trustees, as well as a change in the way judges are assigned to cases. The reporting also prompted investigations by the FBI and a Federal Grand Jury.

Montreal Municipal Judges

Less dramatically, a *Montreal Gazette* expose of lax work ethics among local municipal court judges, resulting undue delays in the rendering of judgments—and the undue burden these delays imposed on the entire justice system—prompted the provincial minister of justice to crack down on the magistrates with a view to ensuring greater swiftness in the processing of cases and the handing down of rulings. The newspaper's expose reinforced the judiciary's accountability and hence its potential effectiveness as an instrument against corruption (as well as other forms of wrongdoing).

Sources: Investigative Journalism Online Resource Center and Macdonell (1993).

in Italy, the press played a key role in disseminating the findings of anti-corruption magistrates, thereby helping to shape the widespread public sentiment that has powered the anti-corruption reforms still under way.

When aggressive reporting seizes upon and amplifies key findings of prosecutors, investigators, legislative committees or other public bodies that investigate corruption, this cannot but raise public pressure for corrupt officials to be held to account.

STRENGTHENING ANTI-CORRUPTION BODIES BY EXPOSING THEIR FLAWS

Still, there are limits to this kind of cooperation. There is always a danger, of course, that journalists

may become too close to the official anti-corruption bodies that have the potential to provide them with a steady flow of punchy, dramatic stories. The potentially problematic nature of such relationships is evident when one considers that these very bodies can themselves turn out to be corrupt, or tainted by corruption. No public body—or private entity, for that matter—can be immune from corruption, after all (see Box 4). With this in mind, it is crucial for journalists to maintain a healthy spirit of independence with respect to police, prosecutors, the courts and other public bodies charged with rooting out, prosecuting and issuing rulings on corruption cases. Ultimately, when journalism maintains its independence and casts its critical gaze on these bodies themselves from time to time, it can serve to expose weak-

nesses within them and, ultimately, to reinforce their effectiveness in curbing corruption.

HELPING TO SHAPE PUBLIC OPINION HOSTILE TO “SLEAZE” IN GOVERNMENT

Even when reporting on outright corruption or other questionable behavior by public figures does not lead directly to indictments, prosecutions or impeachments, it can still help shape public hostility to such activities that can ultimately lead to electoral defeat for individual politicians or, indeed, for entire governments (see Box 5).

PRESSURE FOR CHANGES TO LAWS AND REGULATIONS THAT CREATE A CLIMATE FAVORABLE TO CORRUPTION
Investigative journalism can also curb corruption

Box 5: Shaping Public Opinion

“Cash for Questions” in the United Kingdom

The “cash for questions” scandal in the United Kingdom was a case in point. Members of Parliament in the Conservative government of former prime minister John Major were caught by reporters agreeing to accept cash payments from private parties in return for lobbying for their interests by asking public “questions” to ministers in the House of Commons. The ensuing uproar is widely believed to have contributed to public disgust over “sleaze” in public life that led to current Prime Minister Tony Blair’s landslide victory over Major in the subsequent nationwide parliamentary elections, in 1997.

It was a sting-type operation by the *Sunday Times* newspaper in 1994 that helped set off this scandal. The paper reported that one of its journalists, posing as a businessman, had persuaded two Conservative MPs to express willingness to accept a payment of more than \$1,000 (U.S.) in return for lodging parliamentary questions. A parliamentary committee began investigating the two legislators, and a Gallup poll the same year indicated that 61 per cent of those queried “agreed that the Tories are ‘sleazy and disreputable,’ as opposed to 18 per cent who feel that way about the Labour Party.”

Corruption in Canada

Press reporting of ethically and legally questionable behavior by members of former Canadian prime minister Brian Mulroney’s Progressive Conservative government—a number of whom ended up before the courts on corruption charges—may also have played a role in that party’s spectacular election defeat under Mulroney’s successor, Kim Campbell, in 1993. General elections that year saw Campbell preside over the party’s loss of official status in the Canadian House of Commons, when it was reduced from a government with an overwhelming majority of seats to a minor party with a mere two seats in Parliament.

Italy

A more profound reshaping of the political map in the wake of corruption allegations occurred in Italy after anti-graft investigators and magistrates uncovered a vast web of corruption and kickbacks in 1992. The so called “Tangentopoli” (Bribesville) scandal not only produced sweeping judicial and electoral reforms; it also ushered in a thorough public repudiation of key mainstream political parties—particularly the Christian Democratic and Socialist parties—that had held sway in postwar coalition governments. Revolted by the stench of corruption, voters tossed out incumbent after incumbent in national elections. Widespread media reporting on the interrelated scandals as they unfolded undoubtedly played a key role in hastening this historic repudiation of corruption in high places and the resulting reshaping of Italian political culture.

Source: Barbash (1994).

Box 6: Media Pressure in the United States

This was how WTLC Radio in Indianapolis concluded a series of pieces in 1984 and 1985 that examined past corruption in the government of the U.S. state of Indiana and criticized weaknesses in existing laws which it said could lead to more corruption. The radio station offered up its own list of recommendations, including the establishment of a new public watchdog body and expanding the authority of the state ethics commission and attorney general.

The effects of the *Miami Herald* series, mentioned above, linking a U.S. bank with corruption in Latin America, went beyond mere recommendations. The series actually prompted U.S. authorities to amend federal banking regulations so as to remedy some of the flaws the stories had identified.

Source: Investigative Journalism Online Resource Center.

by identifying flaws or weaknesses in laws and regulations that create a climate favorable to corruption. In so doing authorities are prompted to change, or consider changing, those laws and regulations. Such pressure for changes to laws can come in the form of specific recommendations from a media outlet (see Box 6).

Moreover, when journalists are stymied in their efforts to uncover questionable behavior by officials—particularly their use of public funds—media outlets sometimes become strong proactive forces in favor of improved disclosure. Such disclosure, or the potential for it, can often act as a strong disincentive to corruption. In Canada, the *Montreal Gazette's* lengthy court battle—still under way—to gain access to the expense accounts of elected members of the provincial legislative assembly can be seen in this light.¹³

ANTICIPATION OF ADVERSE MEDIA PUBLICITY

PROMPTING A PREEMPTIVE RESPONSE

Sometimes, mere inquiries by journalists—in the absence of a story's publication or of conclusive proof of wrongdoing—can lead to a tangible response from authorities eager to protect their reputations and those of the institutions they represent (see Box 7).

Intangible effects of journalism on corruption

Most often, though, journalism's effects as an impediment to corruption are probably less tangible and more indirect than the preceding examples might lead one to believe. The craft must be seen not merely in terms of the direct impact it has had in specific instances of "sleaze" or corruption, but also in the context of the broader role that journalism plays in society.

Corruption expert Michael Johnston has identified a variety of factors that help to sustain corrupt practices. In many instances, aggressive, independent journalism is one of the most effective countervailing forces acting against these factors. This is clearly the case when it comes to weak political competition, which, as Johnston has observed, generally plays a role in sustaining "most serious cases of entrenched political and bureaucratic corruption."¹⁴ Hard-hitting, independent journalism can act as an indirect check on the sort of corruption that would otherwise flourish in the absence of such competition simply by presenting a variety of points of view and thus informing public debate in a way that enhances political and economic competition. It can perform a similar function by providing actors in the marketplace with a broad variety of economic information as well. As Johnston has observed: "Stronger political and economic competition can enhance accountability, open up alternatives to dealing with corrupt networks, and create incentives for political leaders to move against corruption."¹⁵

Two other factors closely correlated with high levels of corruption are "low levels of mass participation in politics and weak protection of civil liberties."¹⁶ Here, too, independent news media have an obvious, if indirect, counterweight role to play. This is particularly so when the news media foster debate of the sort that encourages members of the public to get involved politically, and when news media outlets take the lead in pressing for enhanced civil liberties in which they have a strong vested interest—like freedom of expression.

“Shared knowledge”¹⁷ among a restricted circle of beneficiaries of corruption has been identified as another characteristic of corrupt environments against which independent, aggressive journalism can serve as a most effective counterweight. Insofar as journalism disseminates knowledge about public decisions and procedures beyond small cliques of decision-makers, it can play a major role in undermining this precondition to corruption.

Since beneficiaries of corruption also “have a stake in...freezing out critics and holdout agents and clients,”¹⁸ the press can, here too, serve as a check against corruption insofar as it is an obvious potential ally for those who suffer personal loss because they have refused to take part in corrupt exchanges or systems. Such parties often turn to journalists, who in turn use them as sources,

either for the record or on a not-for attribution basis. The accounts they provide can, in turn, serve as leads for investigative news stories, or as allegations which—provided there is sufficient substantiation and right-of-reply rules have been duly observed—can be aired publicly in the form of news items.

Another type of source that often provides leads for investigative stories is organized civil society: non-governmental organizations, trade unions, pressure groups, lobbies, citizens’ groups among others. As Johnston has noted:

Organized, active groups in civil society can be a check on the state and on each other, as well as a basis for direct countervailing action. They are critical to accountability because transparent procedures mean little if there is no one to look in: corrupt states abound in inspectors, commissions of inquiry, and recordkeeping requirements that create and conceal corruption rather than reveal it, because no one outside the state can demand a meaningful accounting.¹⁹

Such civil-society organizations often work hand-in-hand with news reporters, who broadcast and hence reinforce these groups’ demands, sharpen their lines of inquiry and disseminate their findings to a broader public.

Moreover, since corruption often requires horizontal coordination among agencies, increasing their independence from each other, “or encouraging competition among them where possible in terms of appropriations, functions and location,”²⁰ can be, a useful way of undermining one of the conditions required for certain types of corruption. It is not hard to see how the news media can play a role in this regard, particularly when they carry stories highlighting disputes or rivalries between organizations such as police forces or regulatory bodies.

Johnston recommends the instituting of checks and balances within government, such that its various arms are encouraged to keep a wary eye on one another.

Box 7: Media and Pre-emptive Responses: The Cases of Minneapolis and Quebec

Such was the case in 1996 when the *Minneapolis Star-Tribune* began making inquiries about the relationship between a local strip club and several vice-squad police officers. The officers were alleged to have “received special gifts and favors from the...club while failing to pursue serious violations that could have closed the business.” The police department responded to the inquiry by launching an internal investigation of its own.

Likewise, Gerard Latulippe resigned from his cabinet post as solicitor general of the Canadian province of Quebec in 1987 three days after being confronted by two *Montreal Gazette* reporters about allegations of favoritism and conflict of interest. One of the concerns in the Latulippe case involved the minister’s hiring of a law firm which in turn gave part of the contract to his girlfriend. Another involved three contracts his office awarded to a consulting firm owned by his friends and former law partners. Another issue was on a severance agreement he signed with his former law firm before entering politics in which he was to receive a percentage of fees paid by his former clients—which were mostly public bodies—in return for helping the law firm to keep them as clients. Latulippe’s resignation was tendered before any story had been published.

Sources: Investigative Journalism Online Resource Center and Marsden and Robinson (1987).

The necessity of well-maintained public records, if this is to occur, cannot be understated. If no such records are available, it is difficult to see how the various arms of the state apparatus—or indeed anyone else, for that matter—can keep tabs on how discretion is exercised and who benefits from it, whether in policy decisions, procurement, hiring or any other manner of decision.

A skills-building exercise in which journalists in Ethiopia, Mauritius, Tanzania, and Uganda have taken part in recent years illustrates this principle well. The exercise, as part of a workshop sponsored by the World Bank (formerly Economic Development) Institute, has seen local reporters sent out to “test” various repositories of public documents for the transparency with which they handle those documents and make them available to journalists. The exercise highlights one of the ways in which journalists, through their regular use of public documentation, can frequently reinforce the recordkeeping function of the state.²¹

Box 8: Privatization of the Media and Corruption in Mexico and Ghana

Shortly after the former Mexican administration of President Carlos Salinas Gortari relinquished state control over all television in 1989 and eased controls on importation of newsprint the news media began reporting more aggressively on government corruption. Sergio Sarmiento, vice president of news for Mexico's private TV Azteca, told an international conference of broadcasters in Toronto in May 1998 that the network's coverage of corruption and other stories its pro-government rival once refused to cover has helped the private network jump from a 5 to 25 percent audience share. The government-owned network has responded by covering more such stories itself, he said.

Yao Dzeikpor, head of news for Ghana's government-owned television network, told a similar story, according to a report in *Free!* “Over the last nine months, we have seen a new television station on (the air),” it quoted him as saying. “The sort of things that they cover were not the things the government would have allowed us to cover two or three years ago. We have also found the light and are also moving in that direction, very gingerly.”

Sources: Simon (1998) and Powell (1998).

Since the very notions of enhanced political and economic competition which underpin so many of Johnston's observations are predicated on the widespread accessibility of publicly available information, it is not hard to see how, here too, the media have a critical role to play in reinforcing the conditions that allow corruption to be tackled most effectively.

How Can The Media Be Strengthened?

Private versus public ownership

Some analysts have suggested privatization of state-owned news media could be a means of strengthening their autonomy and, hence, their capacity to curb corruption.

“In many countries,” observes Jeremy Pope, “the government itself is the largest media owner, which can undermine the independence of the media. “Where this happens,” he suggests “efforts should be undertaken to strengthen the independence of the media, possibly through privatization of existing state-controlled media.”²² Undoubtedly, privatization can sometimes have beneficial consequences in this regard (see Box 8)

However, privatization may not always produce the desired results—particularly when it takes place in a poor nation with a small, entrenched business elite that has close ties to power-holders in the state apparatus (see Box 9).

Publicly owned media, on the other hand, do sometimes aggressively assert their independence—even in poor countries. In Benin, for instance, the state-owned newspaper *La Nation* is protected from interference by the government of the day by a constitutionally-empowered oversight body composed of state- and non-government appointees.²³ Likewise, although journalists at Uganda's state-owned *New Vision* newspaper have been known to complain that political considerations color the paper's news judgment and its reporters' assignments, it has been known to publish hard-hitting reporting on allegations of corruption within the administration of President Yoweri Museveni, most notably on business ties between Ugandan property

Box 9: The Rise of "Media Moguls" in Tanzania and Russia**Tanzania**

As Lawrence Kilimwiko, chairman of Tanzania's Association of Journalists and Media Workers, has observed, the rise of private-sector news media in that nation has been accompanied by the "emergence of media moguls who use their power to shield corruption."

"Despite the facade of liberalization—with four TV stations, seven radio stations and over eight daily papers—there is government voice everywhere," Kilimwiko observed in a paper presented to a WBI-organized investigative-journalism, workshop in Bagamoyo, Tanzania, in February 1997. "We might be boasting of (a pluralistic) media," he adds, "but in reality they are all led by one voice with journalists being turned into megaphones (for) the views of the owners and their allies in the state at the expense of the public good."

One means by which the Tanzanian government has retained some measure of control, Kilimwiko explains, is through the issuing of licenses: "The government has been very selective in issuing of media licenses to a few people who are known to be strongly aligned to maintaining the status quo." Kilimwiko cites a case in which an unnamed proprietor of one of the country's private-sector "media empires... directed his media executives to black out (a) story" about the son of a prominent Tanzanian killing his farm attendant.

Russia

In the former Soviet Union, too, the dependency of private newspapers on powerful financial interests has diminished their potential to act as agents for change, according to journalists who addressed the Feb. 16, 1998, launch of Index on *Censorship's* new Russian edition at The Freedom Forum European Center. The international free-speech foundation reports on its online newsletter Free! that speakers "remarked on a distinct 180-degree turn the Russian media have taken in their practice of free speech since *glasnost*... At the start of *glasnost*, said David Hearst, deputy foreign editor at *The Guardian*, newspapers were an engine of reform, widely read in Russia. Those same newspapers today depend on rich financial groups to survive, he said, and therefore become pawns of competing power interests in the Kremlin." John Lloyd, associate editor of *The New Statesman*, reportedly said this was among factors that have weakened public faith in the news media. It means that you can't trust any revelation, Lloyd was quoted as saying. "It may be true. It may not. And if true, it is usually in support of some other motive."

Sources: Kilimwiko (1997) and Paul (1998).

magnate Sudhir Ruparelia and Brigadier Jim Muhwezi, minister of state for primary education.²⁴

Public broadcasting corporations of such countries as the United Kingdom, Canada, Australia and South Africa also have developed loyal and respectful audiences thanks to the independence of their journalism, whereas the private media empire of former Italian prime minister Silvio Berlusconi, for example, has not always enjoyed such a reputation (see Box 10).

The ideal solution is probably a mix of private and public news media with a wide diversity of ownership enforced through a strong anti-trust law.

The need for improved protection of journalists who investigate corruption

In discussing the ways in which journalism can act to curb corruption, it is important to keep in mind that journalists who seek to expose it often have to

face moral and physical threats. In Kenya, for example, the division of society into ethnic groups creates a sense of fear on Kenyan journalists that while denouncing corrupted practices by a member of the same ethnicity, they might affect their ethnic community too.²⁵ This creates a sense of moral obligation that might impede journalists from presenting free and accurate reports. Although this psychological threat is outweighed in importance by a more physical risk, its consequences should not be undervalued.

Too often free journalists publish reports on corrupted practices at risk of their own lives. Examples of journalists being harassed, jailed or even killed, after writing about corruption are depressingly easy to find (see Box 11).

Outright murder, too, is all too frequently used as a tool to silence reporters who uncover corruption (see Box 11). Examples of such vio-

lent deaths can be found around the world. In Thailand, journalist Sayomchai Vijitwittayapong of the daily newspaper *Matichon* was shot to death in 1998 after investigating allegations of corruption linked to a building project and reportedly turning down a bribe offer to stop his investigation.²⁶ In Colombia, journalist Oscar Garcia Calderon, of *El Espectador*, was killed, colleagues say, while investigating links between bullfighting and organized crime.²⁷ In Russia, Larisa Yudina, editor of *Sovietskaya Kalmykia Today*, was found dead of multiple stab wounds and a fractured skull after being threatened for her exposes on local corruption.²⁸ These are but some of the most extreme examples of the dangers of reporting on corruption.

Indeed, it appears that journalists who report on corruption probably run a higher-than-average chance of being slain. Of the 17 reporters killed in the first half of 1998, according to the New York-based Committee to Protect Journalists, at least seven—from Colombia, Mexico, the Philippines, Russia, and Thailand—had investigated or denounced cases of corruption.²⁹

Although little can be done to protect journalists from moral threats, the protection of journalists' rights and their safety is critical to ensure the full role of journalism in curbing corruption. Steps in this direction have been taken by South Africa where proposals to the Open Democracy Bill contain provisions for the protection of government employees against reprisals, in the case where they disclose information about corrupted practices (whistleblower clause).³⁰

*Access to information*³¹

"The ability of the citizen to obtain information in the possession of the State" can be defined as access to information.³² The "right to know" is linked inextricably to accountability, a central tenet of good governance. Informed judgment, is difficult, if not impossible, when official activities and government decision-making processes are not open to public scrutiny. In the absence of such scrutiny, governments can make major resource

commitments without either ex-ante or ex-post review and debate.

Generally, governments have little difficulty in providing information to the public that reflects well on itself. The problem arises, by contrast, when the information reflects the opposite; here, a "voluntary disclosure by government" approach often does not work as both politicians and bureaucrats often try to hide embarrassing information.³³

Box 10: Private Media in Italy

The enormous potential for conflict of interest in Berlusconi's former dual role as head of government and of the country's main private media empire was noted in a 1994 *Columbia Journalism Review* article by Antony Shugaar. "As prime minister," Shugaar wrote laconically, Berlusconi "will decide whether to respond to public pressure and pursue antitrust action against his own media empire. And, as prime minister, he will be greatly affected by the way that media empire covers his political activity."

Even when Berlusconi's flagship newsweekly *Panorama* did run an investigative piece—after Berlusconi had left office—alleging the media mogul had received a sizable block of Mafia votes in the March 1994 elections, the story was compromised by questions that were immediately raised about the motives behind publication of this scoop. As Shugaar noted in a subsequent article for the *Columbia Journalism Review*, journalists at rival outlets quickly dismissed it as a ploy by the magazine's editor to keep his job. "Berlusconi has been considering replacing (*Panorama* editor in chief Andrea Monti) for some time with somebody closer to him politically," he quoted Leo Sisti, an investigative journalist with the rival newsweekly *L'Espresso*, as saying. "This scoop was actually a way for Monti to make it difficult to fire him."

In the end, posing the question strictly in terms of private-versus-public ownership may be the wrong approach. Both state and private-sector proprietors have their own vested interests to protect, and the concentration of media ownership in the hands of one or the other of them, or even in the hands of a small number of both—is only likely to heighten the opportunities for journalistic "gatekeeping" by editors acting on behalf of proprietors—a control that can only ultimately limit journalism's potential as a tool for curbing corruption.

Source: Shugaar (1994).

While governments should seek to encourage attitudinal changes which would relax restrictions on disclosures and increase the accessibility of decision-makers to the press and public alike, the problem with administrative guidelines will always be that, at the end of the day, discretion remains.

Legislation guaranteeing access to information may be the only alternative. Hence the demand for access to information legislation. Such legislation can establish a right of review (e.g., by an Ombuds office), establish practices that should be observed, impose time limits within which requests for information must be handled, and identify those categories of information to which access is guaranteed. Arguments against such legislation include those regarding cost and efficiency; however it is necessary to consider the costs of failing to enact such legislation, which includes a lack of accountability and transparency and a fertile environment for corruption.

The Johannesburg Principles, established in 1995, are deeply important as their goal is to provide a balance between the citizen's right to access to information and the State's right and duty to protect its security. Specifically, Principle 11 states that

Everyone has the right to obtain information from public authorities, including information relating to national security. No restriction on this right may be imposed on the ground of national security unless the government can demonstrate that the restriction is prescribed by law and is necessary in a democratic society to protect legitimate national security interest.³⁴

Defence, national security, foreign relations, national economic reasons, law enforcement and personal privacy, and other "official secrets" may have legitimate claims to protection or exemption from access-to-information legislation. But what those secrets can permissibly be is a matter for debate. In the United Kingdom, the culture of official secrecy is strong—until the late 1980s all government information, including what kind

Box 11: Actions Against Journalists

Jailed Journalists in Vietnam

Incarceration is one method authorities sometimes use to punish journalists who report on corruption. In Vietnam, Nguyen Hoang Linh, former editor of the state-run business newspaper *Doang Nghiep*, was one of the 129 journalists around the world who the Committee to Protect Journalists reported as being unjustly jailed at year's end in 1997 as a result of some aspect of their work. In this case, reporting on corruption appears to have prompted his arrest—on charges of revealing state secrets—and incarceration. "The charges," the Committee reports, "were linked to articles he wrote that explored questionable practices of Vietnam's General Customs Department in the purchase of coastal patrol boats. Local journalists said the arrest was interpreted as a warning to reporters to stay away from stories about government corruption."

Murders in Argentina and Mexico

A particularly notorious case in Argentina was the 1997 murder of photojournalist José Luis Cabezas, who was investigating police corruption. In Mexico, where journalists have begun pushing the boundaries of reporting on corruption, there have been killings of journalists as well. Luis Mario Garcia Rodriguez of the Mexico City daily newspaper *La Tarde*, for example, was shot by assailants who ambushed him on February 12, 1998, not long after publishing a series of articles which reported that members of the Federal Judicial Police were collaborating with leaders of the Tijuana drug cartel. Garcia had also "reported extensively on corruption in the National Attorney General's office," the Committee to Protect Journalists reports.

Source: Committee to Protect Journalists (1998).

of biscuits were served to the Prime Minister, was technically an official secret—and that culture has been transmitted throughout the Commonwealth. In Malaysia, for example, the Internal Security Act defines any reporting of military activities without permission as a breach theoretically punishable by imprisonment; and the "principle of national responsibility" says that anything the government considers undesirable cannot be covered.

Martin and Feldman state that some preconditions are required in order to enjoy a free access

to information. Those main preconditions are: political stability, independent judiciary and the presence of adequate infrastructure. First, political stability is necessary since, by making politicians more secure on their positions, it reduces the fear of citizens involvement in decision-making. Second, an independent judiciary system is required in order to perform its role of intermediary between the government and the people and to make the government accountable. Third, the presence of a good set of infrastructure for communications is important for the actual access to information. These infrastructures range from physical (e.g., radio and television) to personal ones (e.g., education).³⁵ While the role played by the media in spreading information has been already discussed, the importance of literacy is not to be underestimated given that access-to-information legislation presumes a generally high literacy rate. Fourth, data adequacy and accuracy is another precondition for free access to information. Several studies show that too often data coming from developing countries are less reliable and more subjective. It follows that monitoring and caution should be adopted in dealing with data coming from developing countries.

The above four preconditions are more likely to be met by developed countries. Developing countries, in general, are more likely to experience political instability, inadequate data and have inadequate infrastructure. It follows, therefore, that access to information is more likely to be restricted in developing countries. Nonetheless, the liberalization of access to information in developing countries would be an important step for ensuring government accountability and transparency as well as for the promotion of press freedom.

The International Federation of Journalists has agreed, at the African Regional Conference of July 1996, upon the importance of the right of access to information and upon the need to constitutionally guarantee that right. They also argued that “African states must accept that the citizen’s right to know is the lifeblood of democracy and take urgent steps to improve the flow of

Box 12: Free Access to Information in Selected Countries

South Africa is one of the few countries in the world that guarantees access to information at the constitutional level (Section 16 of the 1996 Constitution). In Namibia, despite the absence of specific legislation which guarantees access to information, a commitment exists to increase accountability and transparency. In Uganda the constitution contains a clause which states the right of every citizen to access to information. However, the Ugandan Parliament has approved laws that have divided information into classes of available and non-available information. Only a few of those classes is freely accessible, thus impeding the access to information. Also, government officials, having made the oath of secrecy, do not release any government facts or data.

A paradox characterizes Malaysia. The Malaysian government is committed to increase information technology even though it is not committed to freedom of expression and access to information.

Source: International Federation of Journalists (1996).

accurate, reliable and professional information to all citizens.”³⁶

People often argue that too much openness can impede free and frank exchanges of opinion between public officials—that officials cannot operate efficiently in a goldfish bowl. This argument has some merit, but it must be weighed against the alternative: secrecy and a lack of accountability. Quoting former U.S. president Woodrow Wilson: “everyone knows that corruption thrives in secret places and avoids public places and we believe it is a fair presumption that secrecy means impropriety.” Therefore, freely accessible information pertaining to government activities is necessary in order to ensure accountability of government officials.³⁷

Media accountability

While greater accountability from public officers to the public, including through the media, is important, the media themselves have to be accountable. In this regard, accountability refers to the media “being answerable to the people and State for its actions.” It also involves an “awareness by

the journalist that whatever he/she writes, plays or screens must promote, preserve and entrench the democracy for which he/she has been given a definite role in the constitution.”³⁸ Journalists aim at defending the constitution and the validity of its democratic principles must, at the same time, adhere to its rules. The Ghanaian constitution, for example, affirms commitments to “freedom, justice, probity and accountability, the rule of law, the protection and preservation of fundamental human rights and freedom and the unity and stability of our nation.”³⁹

The media must act in accordance with these values. In Africa, for example, the media are empowered to lead the crusade against corruption, underdevelopment, diseases as well as the promotion of democracy and human rights; in promoting these ideals, it plays a watchdog role. At the same time, it must ensure its own accountability.

Some major drawbacks to media accountability can be found.⁴⁰ First, media’s primary aim is to get news published. An aim which reflects a direct financial need of the media house itself. Some have argued that, in order to be profitable, the media have to ‘sell’ their wares.⁴¹

Second, the perception of a polarization of the media between governmental and non-governmental practitioners leads to a public perception of insufficient accountability of the media. Programs specifically aimed at minimizing this perceived polarization should therefore be implemented.

Third, the reluctance and unwillingness of public officials to disclose information to media practitioners builds obstacles to media accountability. If the preconditions listed in the previous section are met, a freer access to information could be implemented in accordance with the limits imposed by national security, international relations and personal privacy.

Fourth, a judicial system which is too oppressive severely limits media freedom. The fear of being put in jail or of having to pay large amounts as a consequence of a libel suit may cause the media not to risk publishing certain matters even though

they are in the public interest. An independent and liberal judicial system is thus an important component to ensure media accountability.

Finally, an important component to ensure media accountability is freedom of the media. Only if it is free, can media reporting provide reliable and responsible information. This issue is further discussed in the following section.

*Freedom of the Media*⁴²

A free media, along with an effective parliament and an independent judiciary, is one of the prerequisites for good governance. With regard to curbing corruption, the media has a dual role: to raise public awareness about corruption and to investigate and report incidences of corruption in a professional and ethical manner.

To be effective, the media has to be free. In addition to having access to information, journalists should be able to investigate and report without being physically intimidated by governmental authorities; in all too many instances, however, journalists have been harassed, assaulted, arrested, and even killed in the line of duty (see Box 11). In some ways even more insidious is the technique of “covert coercion”—that range of laws and government actions that is used to censure journalists, close publications, hamstring finances, or simply encourage a culture of self-censorship brought on not by responsible prudence but by government pressure, of “safe” reporting that offends no one in office.

Many countries require the registration of newspapers as a matter of form; some governments take away licenses at will. Section 17(1) of Tanzania’s Newspaper Regulations, for example, require that newspapers may not change their address, the provisions of their constitutions nor even their “objects,” that is, their aims and values; two tabloids were banned under this regulation in June 1998.

Governments can, and do, put pressure on the economics of the newspaper business. In many developing countries, the main source of advertising is the government; in recent years Zambia, Malawi, Uganda, and Bangladesh—among others—have

Box 13: Charter for a Free Press

1. Censorship, direct or indirect, is unacceptable; thus laws and practices restricting the right of the news media to freely gather and distribute information must be abolished, and government authorities, national and local, must not interfere with the content of print or broadcast news, or restrict access to any news source.
2. Independent news media, both print and broadcast, must be allowed to emerge and operate freely in all countries.
3. There must be no discrimination by governments in their treatment, economic or otherwise, of the news media within a country. In those countries where government media also exist, the independent media must have the same free access as the official media have to all material and facilities necessary to their publishing or broadcasting operations.
4. States must not restrict access to newsprint, printing facilities and distribution systems, operation of news agencies, and availability of broadcast frequencies and facilities.
5. Legal, technical and tariff practices by communications authorities which inhibit the distribution of news and restrict the flow of information are condemned.
6. Government media must enjoy editorial independence and be open to a diversity of viewpoints. This should be affirmed in both law and practice.
7. There should be unrestricted access by the print and broadcast media within a country to outside news and information services, and the public should enjoy similar freedom to receive foreign publications and foreign broadcasts without interference.
8. National frontiers must be open to foreign journalists. Quotas must not apply, and applications for visas, press credentials and other documentation requisite for their work should be approved promptly. Foreign journalists should be allowed to travel freely within a country and have access to both official and unofficial news sources, and be allowed to import and export freely all necessary professional materials and equipment.
9. Restrictions on the free entry to the field of journalism or over its practice, through licensing or other certification procedures, must be eliminated.
10. Journalists, like all citizens, must be secure in their persons and be given full protection of law. Journalists working in war zones are recognized as civilians enjoying all rights and immunities accorded to other civilians.

either restricted advertising to specific newspapers or have withdrawn all advertisements except those appearing in the state-owned press. Elsewhere, governments have restricted and controlled newsprint imports or apply punitive tax audits.

Some governments level charges of contempt or of insulting parliament, the head of state, or even the country as a whole. In Cameroon, the offense is “abusing and insulting” the members of the National Assembly. In Kenya, until the recent repeal, sedition legislation had a similar effect: in March 1998 the Broadcasting Minister told the media that they were taking “advantage” and warned that they “did not appreciate [their] responsibility for protecting President Moi’s image.” The crimes of seditious libel and criminal defamation can be used in a similar fashion.

Ownership, too, can limit media freedom. In a majority of developing countries, the gov-

ernment owns at least a section of the print media, and in broadcasting, state ownership is even more prevalent. While this is not necessarily bad, some governments believe that the media is an arm of the administration and a vehicle for official propaganda.

An example of a set of principles to counteract these restrictions was set out in the Charter for a Free Press approved by journalists from 34 countries at the Voices of Freedom World Conference on Censorship Problems held in London, January 16–18, 1987. Boutros-Ghali, the then-United Nations secretary general, declared that: “They (the Charter’s principles) deserve the support of everyone pledged to advance and protect democratic institutions.” He added that the provisions, while non-binding, express goals “to which all free nations aspire.” (See Box 13).

“So vital is the role of the media and the freedom of expression along with that of the press that it has been called the first freedom. Indeed any successful attack on human rights by governments often starts with a suppression of freedom of the press. Once this freedom is denied, governments are free to abuse basic human rights without publicity and frequently with impunity.”⁴³

Freedom of expression is limited in many countries, for a variety of reasons. In Ethiopia, for example, freedom of expression has been almost limited to the extreme, first by a Marxist government and even now by continuing economic under-development. Even today, according to the International Federation of Journalists, police agents intimidate journalists who, in the worst cases, have been imprisoned with the charge of “having incited the public against the state, thereby creating a danger of public disturbances.”⁴⁴ In Ghana, by contrast, press freedom is limited by old colonial laws (such as the law of sedition and criminal laws) which discriminate against journalists in court cases. The threat of expensive and often damaging libel suits imposes a burden on journalists and in turn on press freedom.

Laws declaring “freedom of expression” require support and enforcement from the courts. An independent judiciary is the protector of a free press. Without an independent judiciary, press freedom is likely to be illusory. A prerequisite for building a free press, therefore, is a legal system that is independent of political influence and which has a firm constitutional direction supporting the concept of a free press. This direction to the courts may be influenced by Article 19 of the International Convention on Civil and Political Rights, which states:

Everyone shall have the right to freedom of opinion and expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Quite often laws of defamation, in protecting the reputations of people, inhibit the right of a free press. The U.S. Supreme Court in 1964, in deliberating over the case of *New York Times vs. Sullivan*, reviewed the common law of defamation and made it conform with the freedom of expression guarantee. The Court laid down the following rule: when a public official sues for libel in respect of his/her conduct in office, he/she has to prove the falsity of the defamatory matter and that the publisher published the matter intentionally and carelessly.⁴⁵

Press councils

In many young and fragile democracies, media experiences are limited and there is a tendency for the media to be less “responsible.”⁴⁶ In this regard, there may be merit, for example, in the establishment of Press Councils. Although Press Councils have not generally been very successful, they can be constructed to provide an open forum for complaints against the media by the public, to chastise the press when it is irresponsible and, through these means, influence (to a degree) its behavior. Press Councils need to be independent and directed by people widely respected for their non-partisan standing and their integrity. These bodies should not have powers of legal sanction which could enable them to become powerful censors. They should rather have the prestige and integrity that give their public reports a strong moral force.

A very fine line exists between responsible and irresponsible journalism. As such, time and place are important factors that should influence judgements. Indeed, the moral force of a Press Council is a better way to secure a reasonable press, rather than providing governments and courts with wide-ranging powers to curb the press. Manifestations of press irresponsibility often lead to calls for laws and systems that assure only a “reasonably” free press. Experience shows that the term “reasonably” is highly subjective and that acceptance of it in this context is the first step down a slippery slope towards diverse forms of censorship.

Box 14: The Role of the National Media Commission in Ghana

The National Media Commission (NMC), established in 1992, accomplishes the following functions:

1. Insulate state-owned and private media from governmental control.
2. Defend and promote the freedom of the media.
3. Protect all media practitioners from eventual abuses of their rights.
4. Protect the public and individuals from abuses of their rights by the media.
5. Increase journalistic standards.

In its division into smaller committees, the NMC handles complaints settlements which, in the majority of cases, leave the parties satisfied. This activity also improves the working standards of the media. Skepticism has been raised over the independence of the NMC from the governing elite.

Source: International Federation of Journalists (1997).

Self-regulation by the media

The most effective system for guaranteeing freedom of the press is one where the press itself must be able to make careful judgements on its own. Self-discipline, self-consciousness of media workers, the code of ethics that members of the profession accept are critical elements of media accountability. This self-imposed regulation is an attempt by journalists themselves to set out rules and principles that guide them to ensure a responsible and free press.⁴⁷ To provide publishers and journalists with freedom is also to burden them with difficult decisions regarding public responsibility. In the 1960s, *The New York Times* received several thousand pages of documents from a source within the U.S. Department of Defense. These documents, which dealt with the war in Vietnam, became known as the Pentagon Papers. The editors of *The Times*, after assuring themselves of the authenticity of the documents, agonized for days over whether or not it was responsible to publish. They weighed considerations of national security against the public's right to know. They decided to publish. Their decision was not taken lightly and it emerged that many individuals of experience, in public affairs, the law and the press had different

perspectives on the issue. None could claim a monopoly of wisdom and furthermore, none claimed that the judgements of journalists were necessarily inferior to those of experts from other professions.

The decision to publish the Pentagon Papers was carefully weighed by the courts, which concluded that the freedom of the press, as expressed in Amendment I of the U.S. Constitution, was of greater significance in this instance than national security claims made by the U.S. Government. Consistent judgements of this kind by an independent court system can serve, over time, to build a tradition of press freedom.

Through the responsible judgements of editors and journalists, combined with judicial support, a tradition and culture of press freedom develops. This culture is, above all, the most important guarantor of press freedom and of the ability of the press to fully operate as a watchdog on public office holders. The tradition must provide for the press to be tough in its scrutiny of the work of those who enjoy the public trust. The press culture, evident in many democracies today, contains a sense that it is the duty of the press to afflict the comfortable (those holding public office), in order to comfort the afflicted (the public as a whole).

Undoubtedly, such a culture can lead to press irresponsibility at times. Complaints about invasion of privacy by the press are not new. This is an inevitable price to pay, and an independent and wise judiciary and an effective Press Council may be able to assist in curbing excesses.

The burden of ensuring a responsible, independent media must be shouldered primarily by the media themselves. Journalists must work hard to build public regard. They must demonstrate their independence, objectivity and professionalism each and every day in order to earn public trust and confidence. At the same time, it is imperative that the owners of the media ensure that journalists are paid wages which encourage independence, rather than dependence, on the corrupt practices of a few, well-placed public officials.

Numerous national and multinational media organizations focus on the preservation of the free-

dom of the press (see Box 14). The Press Foundation of Asia Committee, the Canadian Committee to Protect Journalists, the International Federation of Journalists and the World Press Freedom Committee are but a few of the organizations which should be supported for their efforts to help governments put in place laws and arrangements that correspond with the dictates of the principles of a free press.

Investigative journalism training

Investigative journalism can be defined as “the collection and processing of facts about current events for dissemination to the public through the medium of newspapers, magazines, radio and so on.”⁴⁸ Its implementation requires journalists to have excellent skills which must be mastered and learned. In particular, research, analytical and communication skills have to be learned by the practitioners in an effort to make their work more effective. Furthermore, journalists have to acquire the capacity to make sound and balanced political, as well as social, judgments. Failure to do so would jeopardize the reliability of their work.

If journalists are expected to cover and present news fairly and accurately, they have to possess the tools and appropriate knowledge for it. This becomes especially important when they are required to provide an easy, although truthful, explanation of the news to the public.

Media practitioners who have not acquired all the qualities that such a job requires should receive appropriate training. Training becomes especially valuable when it aims at avoiding errors and deficiencies in reporting. The most common errors occur in the collection of thorough facts and data, in the analytical processing of the data, in the drawing of the logical conclusions from observed facts and, lastly, in the statement of the events. These errors can be easily avoided with an appropriate training which would also improve the quality of

Box 15: WBI's Investigative Journalism Training*

WBI has facilitated over 20 investigative journalism workshops for more than one thousand journalists from two dozen different countries. The objective of these workshops is twofold: i) to raise the awareness of journalists of the critical importance of the issue of corruption and its harmful impact on development; and ii) to improve the skills of journalists so that they can investigate and report incidences of corruption in a professional and ethical manner.

Three types of workshops have been developed: an Introductory Workshop, built around the case study of intrigue and corruption in a fictitious country, Freedonia, where junior journalists are taught basic investigative skills; an Advanced Workshop, for senior reporters, where the focus is on searching repositories of public information, interviewing and the use of the Internet; and an Editors' Workshop.

Planned is the adaptation of these materials to the electronic media, assistance to the formation of regional networks of investigative journalists and a greater use of partner institutions in the delivery of this program.

journalism and enhance media credibility.⁴⁹ Together with providing appropriate tools, training must make journalists understand the nature of corruption and the need to fight corrupted practices.

Working in tandem with the Uganda Management Institute, Media Trust in Mauritius, the Association of Journalists and Media Workers in Tanzania, the West Africa News Agency Development project and others, the World Bank Institute (WBI) has helped journalists in developing countries hone their skills with regard to investigative reporting as well as to understand public accountability systems and the operations of modern business (see Box 15).

While investigative journalism training increases the awareness of the existence of corrupted practices among journalists, complementary strategies have been adopted by certain states in order

* Workshops have been held in Benin, Ethiopia, Malawi, Mali, Mauritius, Tanzania, Uganda and Ukraine with journalists from these countries as well as from Albania, Burkino Faso, Cameroon, Comoros, Congo, Côte d'Ivoire, Georgia, Latvia, Madagascar, Niger, Senegal, Seychelles, and Turkey. Support for these workshops has been provided by the Governments of Canada, Denmark, France and the United Kingdom as well as by UNDP.

to make the public more aware of the damages caused by corruption. In this respect, a study was carried out in Tanzania to measure the public perception of corruption.⁵⁰

In addition, another study titled EDI's (now WBI) *Anticorruption Initiatives in Uganda and Tanzania—A Midterm Evaluation*, concluded that the World Bank Institute is on the right track with its journalism-training program, that its "workshops were generally judged to have addressed journalists' educational needs," and that the seminars raised the subsequent quality of newspaper articles dealing with corruption; the study further observed, though, that the legal environment (in the two countries) is a continuing constraint for a free press.⁵¹

In that regard, WBI is currently developing and delivering in 1999 and 2000, Distance Learning courses with simultaneous video-conferencing in Uganda, Ethiopia, Ghana and Ethiopia, which focus on key journalistic and legal issues. The sessions examine topics such as freedom of the press, access to information and press councils. The issues are presented by experts and then discussed and debated by about forty to fifty journalists in the four countries. Indeed, in another study on Distance Learning courses offered by another group at WBI it was found that the Distance-Learning technology does not, in the view of participants who have received Distance Learning, diminish the quality of the learning and pedagogy in comparison with the more traditional on-site training. It is expected that Distance Learning courses will be delivered in some francophone Africa countries in the year 2000. In concluding this overview of WBI's Distance Learning for journalists, it can be noted that this form of training will be increasingly offered by the institute as it is cost-effective and allows for greater impact and synergy through the bringing-together of journalists from several countries.⁵²

Conclusions

The role played by the media in curbing corruption has proved to be extremely valuable. The advantage of the media is that the population can be

reached easily through circulation of newspapers or radio and television. Often, reports on corrupted practices by government officials have provided the starting point for a series of consequences such as the launch of investigation or judicial proceedings, resignation among others. Together with these visible effects, media reporting has also had equally important indirect effects thanks to the role it plays in society.

To be able to act as a vigilant watchdog over the conduct of public officers, it is vital for the media to be freed from political interference. Too often, especially in developing countries, media are state-owned or state-influenced. This leads to unreliable reports that are of no help in curbing corruption or in attempting to change the existing situation. Aiming at reinforcing media independence, state-owned media should be treated at arm's-length by the government, as is the case of the BBC and the CBC, and Benin's government-owned newspaper, thereby averting interference and unreliable reporting. At the same time, mechanisms have to be set in place to ensure that media are owned by different proprietors.⁵³

The power of the media needs to be strengthened starting from providing forms of protection to practitioners who are under threats or risks that might endanger their lives and work. The media also have to be allowed to gather reliable data and information from government bodies within the limits imposed by the imperatives of defence and security considerations. Without reliable access to information, the media are severely limited in their anti-corruptive role.

Media practitioners have to possess an extensive set of skills which prove necessary in the fight against corrupted practices. If not mastered already, these skills should be acquired through clearly-focused training and seminars which should be organized on a regular basis.⁵⁴

The media, often referred to as the Fourth Estate coming after the Executive, Legislative and the Judiciary, play probably a more important role than the other Estates since "it is through the mass media that a nation communes with itself and with

other nations beyond. It is in that way that the authorities within a nation [...] sense the problems and aspirations of the people they are established to serve. Conversely, it is through the same channel that the people sense the capacity and policies of those authorities.”⁵⁵ Quoting Madison:

A popular government without popular information or the means of acquiring it is but a prologue to a farce or a tragedy; or perhaps both. Knowledge will forever govern ignorance; and a people who mean to be their own governors must arm themselves with the power that knowledge brings. 🍀

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