Handbook of Research on

Combating Threats to Media Freedom and Journalist Safety

Sadia Jamil

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Handbook of Research on Combating Threats to Media Freedom and Journalist Safety

Sadia Jamil
Khalifa University, UAE

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Section 1
Threats to Media Freedom and the Safety of Journalists in South East Asian and South Asian Countries

Chapter 1
> *Ramon R. Tuazon, Asian Institute of Journalism and Communication, Philippines & Asian*
> *   Media Information and Communication Centre, Philippines*
> *Therese Patricia San Diego Torres, Asian Institute of Journalism and Communication,*
> *   Philippines*

In the Philippines, the assault on the press has gone digital. While Filipino journalists continue to face physical, verbal, and legal threats and attacks, cyber-attacks and online harassment/trolling were identified in 2018 as the second worst threat against them, after low wages and poor working conditions, according to the International Federation of Journalists and the Southeast Asia Journalist Unions. Websites of news outlets have also been hacked and taken down. These challenges make the press vulnerable to self-censorship and may even lead to fatal outcomes. This chapter seeks to fill the gap in the literature on the digital types of assault on the Philippine alternative press, focusing on the experience of alternative news media outlets—independent media particularly critical of the government. It explores the range of such threats and attacks and the responses, legal frameworks, and remedies in place that are used to combat dangers of this nature.

Chapter 2
> *Prabhjot Sohal, Panjab University, India*

India ranks 140th among 180 countries worldwide in the World Press Freedom Index (WPFI), according to the 2019 report by Reporters Without Borders (RSF). In 2018, India was 138th in the same index and 136th in 2016. For the media of the world's largest democracy, this is disconcerting. The slide in the country's press freedom ranking is indicative of a complex and hostile social, political, and economic environment pushing at the boundaries of media that is struggling to perform independently as the fourth estate. This chapter takes a critical look at imminent threats to freedom of speech and expression faced by the Indian media in the contemporary situation. The first objective of the chapter is to identify diverse threats to the Indian media, specifically journalism. The second objective is to trace both immediate as well as distal factors that breed hostility towards the media, with a focus on press laws and constitutional provisions in India.

>   *Janina Islam Abir, Independent University, Bangladesh*
>   *Tanbir Farhad Shamim, Ministry of Public Administration, Bangladesh*

Reports by international organizations suggest that physical violence and threats against journalists and bloggers continued with impunity in Bangladesh, resulting in the country being ranked as 146 in the World Press Freedom Index 2018. Considering the increasing incidents of violence against journalists and attacks on media freedom, this chapter specifically aims to shed light on Bangladeshi laws and policies, which are related to media freedom and to protect media from crime against journalists. Relying on Beata Rozumilowicz's concept of media reform and stages of media reform, the study urges that Bangladesh is in under the rule of democratic rule for years that symbolizes the primary transition stage. However, the enactment of statutes on digital media, access to information, defamation, and so on epitomize the pre-transition stage of the media reform concept. Hence, the study questions the legal and media structure of Bangladesh with the historical and document analysis of laws and policies.

>   *Fahad Mahmood, Institute of Communication Studies, University of the Punjab, Lahore,*
>   *Pakistan*

Journalists have always faced restrictions on their freedom of speech and threats to their security in Pakistan. During Pakistan's 2018 general elections, the country's media was also managed and controlled to create a maligned pubic-sphere to misguide the Pakistani voters. Public sphere was maligned through misinformation, political propaganda and distortion of facts and maneuvering of journalism. This created ill effects for public discourses on democracy. Findings obtained through in-depth interviews of twenty journalists, who covered elections 2018, revealed that strategic media maneuvering was witnessed during the country's 2018 elections. Media freedom was largely constrained and journalists faced physical, psychological and financial threats in the line of their duty and for their efforts to foster democracy in the country. This study revealed Pakistan's long history of dictatorship, weak political system, and national psyche of control as the major reasons for such happenings.

    Samiksha Koirala, College of Journalism and Mass Communication, Nepal

Although Nepal has entered a new era of democracy and press freedom since 2006, self-censorship still exists in the reporting/editing of many Nepali journalists. Nepal has more than 100 years of press history, most of it has faced pressure from the government if not censorship. Drawing upon interviews with journalists, the chapter demonstrates how self-censorship is being practised in Nepali media houses as a result of state power, the culture of impunity, commercial interests, and political inclination of journalists. While highlighting these agents, the chapter also aims to explain the difference in practices of self-censorship by gender and type of news media.

    Gilang Desti Parahita, Gadjah Mada University, Indonesia
    Nyarwi Ahmad, Department of Communication Science, Gadjah Mada University, Indonesia

This study investigates factors that dampens the Indonesian journalists' freedom and safety in the Post-Soeharto's New Order. To address this research objective, relevant journal articles have been scrutinized. And the in-depth interview data have been derived from the interviews of a former member of the Indonesian Press Council and four journalists who served four prominent Indonesian mainstream media including TEMPO, the Jakarta Post, Metro TV and CNN Indonesia. These data have been analysed using the qualitative and thematic analysis.

    Siti Nor Amalina Ahmad Tajuddin, Sultan Idris Education University, Malaysia
    Roslan Ali, Sultan Idris Education University, Malaysia

The Internet is a modern Pandora's Box which has exceptionally altered the way we disseminate and receive information messages, particularly news. Despite technological innovations being the apex of our history, it is undeniable that they pose new challenges and threats to a different degree. Hence, this study examined the risks and challenges faced by the Malaysian media professionals in this new age and how technological developments had impacted their work. Situated within the framework of the technological determinism theory, this study employed a qualitative semi-structured interview with thirteen (13) Malaysian journalists. This study found several challenges related to the journalists' safety and their professionalism. Media professionals, such as journalists and editors, often caught in a paradoxical and risky situations, which challenge the process of news production and deliverance ethically and legally. Journalists, who participated in this study, were pressured to produce more story ideas and deliver news assignments with shorter deadlines. This not only impacted the online news quality but also the credibility and transparency of the news organization.

This study aims to examine the impacts of secular nationalist and Islamic-based populist communication strategies advanced by Jokowi and Prabowo on the Indonesian media and journalists' freedoms during the presidential elections of 2019. To address this topic, this study uses the qualitative methods of document review and in-depth interview of four senior editors of Indonesian news channels including Kompas TV, CNN INdonesia, TV one and INews TV. This study uses thematic analysis to analyse the qualitative data.

Section 2
Threats to Media Freedom and the Safety of Journalists in Eastern Mediterranean and African Countries

In the neoliberal media autocracy of Turkey, mass media are propaganda tools rather than the public watchdogs. The coup attempt in 2016 gave the government additional power to institutionalise this regime. Critical journalists have become the enemies of the state and suffered from threats from various sources. This attack on critical journalism is increasing alongside the deepening of the democracy crises, positioning journalists as victims. This study argues that bridging the fields of journalism safety and victimology would benefit journalists. Therefore, a critical analysis of reports on journalism safety, opponent journalists' social media posts, and related news was performed in order to discuss the possibility and advantages of bridging this gap to help journalists deal with victimisation. The findings demonstrate the acceptance of journalists as a new subject for victims' rights might activate new mechanisms of protection for them. This means searching for new rights can contribute to their physical, mental, and moral recovery.

This study seeks to investigate different types of threats which affect the journalists' safety in Egypt and how do they manage their work in the presence of the diverse threats. The study analyzes the Egyptian legislative framework in order to explain whether it protects media freedom and journalists or it needs further reforms. To address the research objective in detail, the study also incorporates the feedback of 45 Egyptian journalists belonging to government's partisan and private media organizations.

Gifty Appiah-Adjei, University of Education, Winneba, Ghana

Journalist safety is vital to media freedom as it shows stakeholders' duties to protect the media from crime and to guard media freedom. The media have the power to combat problems via coverage, yet evidence submits that journalist insecurity persists in Ghana. So, the study aims to examine how the Ghanaian media are tackling journalist insecurity through coverage. Using agenda-setting and framing theories, content analyses of 66 news stories from newspapers, and five interviews are used to gather data to study the coverage and framing of journalist insecurity in the media and how they tackle threats to media freedom. Thematic analysis of data gathered showed that the newspapers were unable to give prominence to the problem because only 30.60% of total editions gave attention to the issue. Also, the media failed to present journalist insecurity as an issue that needs national attention because only 10.6% of the news stories used thematic frames. This undermines media freedom as it allows journalist insecurity to thrive, hence, failure to advocate journalist safety.

Adamkolo Mohammed Ibrahim, University of Maiduguri, Nigeria
Umaru A. Pate, Bayero University, Kano, Nigeria
Abdulsamad Muhammad Usman, Bayero University, Kano, Nigeria

Over the last two decades, Nigeria has been struggling to consolidate its democratic processes to ensure peaceful campaigns and free and fair polls. But electoral processes require the free flow of verified electoral information and citizen's participation – phenomena that only free media can guarantee. As enshrined in the nation's constitution, it is expected that freedoms of expression and press will be guaranteed during polls times and always. On the contrary, election times are often dejection time for Nigerian journalists. Hence, concerns are being raised about what factors are responsible for causing threats to journalists during poll times and how the menace can be mitigated. Drawing on the experiences of 12 journalists who were interviewed face-to-face, this chapter found aggressive journalistic practices, overconfidence, and breach of journalistic ethics responsible for threats to journalists' safety. The chapter concludes that professional incompetence is one of the critical factors exposing Nigerian journalists to threats.

Umaru A. Pate, Bayero University Kano, Nigeria
Sharafa Dauda, Department of Mass Communication, University of Maiduguri, Nigeria

This chapter interrogates long-established and wide-sprung threats to media freedom and journalists' safety in Nigeria. The study used semi-structured interviews to explore field and newsroom experiences. The findings revealed the types of threats to media freedom and journalists' safety, non-existing safety frameworks, mitigation and protection measures, and recommendations on how to protect media organisations and journalists from threats. Consequently, the participants clamoured for constitutional provisions to protect journalists from threats; enforcement of existing and additional constitutional provisions and laws to deter violations against media freedom; establishing and empowering institutions

to certify journalists; instituting policies for routine editorial staff training on conflict, safety, and sensitive reporting; and reviewing the NUJ Constitution to address contemporary media and journalism practices and issues, among others.

Chapter 14

Florence Namasinga Selnes, Makerere University, Uganda
Gerald Walulya, Makerere University, Uganda

This chapter contributes to journalism research from the Uganda's context by investigating the types and sources of threats to journalists' safety and media freedom in the country. The authors achieve this by examining relevant documents on the state of journalism in Uganda and interviewing journalists. There are two overarching questions that this chapter is concerned with, which are What are the types of threats to journalists' safety and media freedom? and What are the sources of threats to journalists' safety and media freedom in Uganda? The investigation is grounded in theory about journalists' safety and media freedom. The data were collected through document analysis and interviewing of a purposively selected of sample of journalists in Kampala. The data was collected between April and May 2019 in Kampala, Uganda's capital. The findings show rampant violations against journalists and the media. The violations include physical assault, intimidation, arrests in addition to destruction of journalists' property such as cameras. These are perpetuated by security agencies.

Section 3
Threats to Media Freedom and the Safety of Journalists in North and South America

Chapter 15

Ruben Arnoldo Gonzalez, Autonomous University of Puebla, Mexico

The aim of this chapter is to describe Mexican journalists' responses to constant threats and aggressions. In doing so, it draws on 93 semi-structured interviews conducted in 23 of the most violent states of the country. The results indicate that violence against news workers has a twofold set of implications for the practice of professional journalism: On the one hand, constant attacks on media staff have promoted the development of a more elaborated journalistic performance, based upon factual reporting, diversification of sources, collaborative coverage, and the creation of journalists' associations. On the other hand, however, in many cases the same situation has also inhibited reporters' and newsrooms' jobs by forcing them to self-censorship and the dependence on government official versions of sensitive issues such as crime news or corruption, amongst other passive routines. The simultaneous coexistence of both outcomes provides evidence of the operation of multiple journalisms within the Mexican media system.

Chapter 16

Yennue Zarate Valderrama, Universidad Autonoma Metropolitana (UAM-X), Mexico

Safety of journalists has been studied as part of freedom of expression. This chapter seeks to address issues surrounding journalists' safety and censorship in Colombia by shedding light on a triple menace: the decrease in journalistic quality, citizens' right to information, and the influence on journalists' professional behavior by analysing the multifaceted press censorship from 2008 to 2012, which occurred

before the Peace Accord between FARC guerrilla and former president Juan Manuel Santos. Media ethnography and in-depth interviews were used. Employing the Bourdieu's theory of professional field, the praxis, rationale, and censorship of journalists during the conflict were mapped. The findings shed light on how the censorship went on during a more stable period in the conflict and how journalists were silenced and threatened.

Chapter 17

Mariateresa Garrido, University for Peace, Costa Rica

To be a journalist in Venezuela is very dangerous. In the past decade, there has been an increase of attacks against media and their personnel. On the one hand, attacks against journalists include harassment (physical, digital, legal), illegal detentions, kidnapping, and assassination. On the other hand, digital media have experienced blockages (DNS), internet shutdowns and slow-downs, failures in the connection, and restrictions to access internet-based platforms and content. Since 2014, the situation is deteriorating and limitations to exercise the right to freedom of expression have increased. However, this issue remains understudied; hence, this chapter considers primary and secondary data to analyze the types of limitations experienced by Venezuelan digital journalists from 2014 to 2018, explains the effects of ambiguous regulations and the use of problematic interpretations, and describes the inadequacies of national policies to promote freedom of the press.

Foreword

Journalism as an independent institution is under attack. Threats to media freedom and journalists' safety are on the rise across countries from north to south, but it is more evident in countries ruled by autocratic regimes. This book fills a gap in the literature on journalists' safety and attempts to combat threats to freedom of expression and freedom of speech on a global scale. It is genuinely diverse as it brings together scholars and media experts from across continents. It gives space for those who are living and witnessing the threats to write about them. The research presented is rich and organic. It is a window to journalism realities in countries we rarely read about in journalism studies literature. The book delivers what it preaches, being global.

Zahera Harb
School of Arts and Social Sciences, City University London, UK

Foreword

Journalists today not only write news. They have also become the news.

All over the world, we hear stories of journalists threatened, attacked, and killed. The assault on journalists has become the new normal. This should not be the case.

Equally worrisome is the diversity of attacks against journalists. Physical attacks have metamorphosed to include insidious and latest types—cyber attacks, psychosocial violence, and weaponization of laws.

From journalism classrooms to newsrooms, would-be journalists and working journalists are learning how to push back against enemies of truth telling and press freedom—antagonists who have since multiplied and have become more emboldened. Some individuals and institutions traditionally regarded as guardians of truth and freedom have almost overnight transformed themselves into their own nemesis, some even taking the lead in the attacks.

Journalists must now realize that the first line of defense can be found within themselves—their firm commitment to truth telling.

This book, Combating Threats to Media Freedom and Journalist Safety, provides valuable lessons on pushing back, shared by media scholars and researchers worldwide who have meticulously documented both the assaults and the heroic initiatives to protect the truth and our freedoms.

Combating Threats to Media Freedom and Journalist Safety is not only for journalists and media scholars but also for every individual who needs to realize that what is at stake in issues of journalist safety is our humanity, because truth and freedom define us.

Ramon R. Tuazon
Asian Institute of Journalism and Communication, Philippines & Asian Media Information and Communication Centre, Philippines

Ramon R. Tuazon *is the president of the Asian Institute of Journalism and Communication (AIJC) and secretary general of Asian Media Information and Communication Centre (AMIC). He is also a trustee/board member of the AIJC.*

Preface

A free media is seen by many as the hallmark of democratic societies and as a vital addition to the powers of the executive, the legislature and the judiciary (Barendt, 2005; Schultz, 1998). Freedom of expression and freedom of information are the indispensible components of free media. Without these two basic rights, an informed, active and participating citizenry is impossible (Carlsson & Poyhatri, 2017; Jamil, 2017). Together with these two rights, media also supports advocacy of human rights, public discourse and plurality of ideas, good governance and democratic accountability. For this reason, media are considered to require special protections to enable them to operate freely. It follows therefore that journalists need to be free and safe to provide the content that is carried on media platforms (UNESCO, 2013a, 2013b). However, in the past decade, killings of journalists around the world suggest that journalism is no more a safe profession and threats to journalists' safety are seriously affecting the freedom of media in many countries. According to the Committee to Protect Journalists, 1,312 journalists were killed between 1992 and 2018, and the killers remained unidentified in the majority of cases especially in non-democratic regimes. There are countries worldwide (such as China, Egypt, Turkey, Brazil, Mexico, Somalia, the Philippines, India, Pakistan, Sri Lanka, Bangladesh, Syria, Iraq, Afghanistan and Russia) where media freedom has largely declined due to violence against journalists, their killings and imprisonment, and the climate of impunity (Reporters Without Borders, 2019; Committee to Protect Journalists, 2018).

Journalism scholars recognize the potential risks to journalists and there has been a growth in academic research investigating the safety of journalists for the past five years. Some of the studies include: journalists' protection in conflict situation from practical, legal and humanitarian perspectives (Lisosky and Henrichsen, 2011); organized crimes against journalists in Mexico (Relly et al., 2013); typology of digital risks to journalists (Henrichsen et.al, 2015); journalists' killings and physical targeting (Cottle et al., 2016); threats to journalists' safety in Kenya (George, 2016) and Pakistan (Jamil, 2017, 2018); challenges to journalists' protection in Nepal (Adhikary et al., 2016); freedom of expression, impunity and journalists' online and offline protections (Larry, 2017; Carlsson and Poyhatari, 2017).

The issues of media freedom and safety of journalists are widely recognised among international organizations such as Freedom House, International Federation of Journalists (IFJ), Committee to Protect Journalists and Reporters Without Borders, and has become a prime issue for the United Nations. For example, in 2012, the United Nations has adopted a 'Plan of Action on the Safety of Journalists and the Problem of Impunity' to combat impunity and crimes against journalists, and to ensure safe working conditions for them and promote greater freedom of expression and media freedom. Organizational initiatives (such as UN Plan of Action on Safety of Journalists), are successful if working journalists and journalism students are aware of the nature of existing threats within their countries that will help them in adopting preventive strategies while at work. Also, it is equally important to consider the "dis-

tinctiveness" of the issues of journalists' safety and media freedom, and the "interconnections" between these two crucial issues (Berger, 2017). Therefore, this book addresses the issues of media freedom and diverse threats to safety of journalists in different countries of the world. Besides, this book aims to aware journalists and journalism students about the diverse types of risks that they may encounter in both conflict and non-conflict situations. Thus, the core purpose of this book is to gather international researchers to share problems that affect the freedom of media and to underline threats to safety of journalists in various countries of the world.

To initiate this worldwide effort, in June 2018, the editor of this book commenced contacting scholars from around the world to contribute their various studies to the issues of media freedom and threats to safety of journalists. By August 2019, scholars from Philippines, Pakistan, Bangladesh, Nepal, India, Malaysia, Indonesia, Turkey, Egypt, Uganda, Nigeria, Ghana, Colombia, Mexico and Venezuela had submitted their chapters after a few rounds of revisions.

All the chapters ranging from Chapter 1 to Chapter 17 are thematically segregated in three sections, which have been classified on the regional basis. The first section consists of eight chapters (1-8) that focuses on various threats to media freedom and journalists' safety in South East Asian and South Asian regions including Philippines, India, Bangladesh, Pakistan, Nepal, Malaysia and Indonesia. The second section consists of six chapters (9-14) that addresses threats to media freedom and journalists' safety in East Mediterranean and African countries including Turkey, Egypt, Nigeria, Ghana and Uganda. The third section comprises of three chapters (15-17) that underlines journalists' safety issues in North and South American countries including Mexico, Colombia and Venezuela.

The concluding chapter, written by the editor, emphasizes the adoption of a multi-stakeholders' approach in order to combat threats to media freedom and journalists' safety. The concluding chapter also offers recommendations for initiatives at various levels (such as government, media organizations, journalists' unions, academia and civil society) so as to promote a safe and free working environment for those who produce journalism.

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Acknowledgment

Introduction

Freedom of media is essential for the existence of democracy, free flow of information and civic engagement. Media as a watch dog of public interest and carrier of information is the most dynamic institution of civil society and can only flourish in a democratic and tolerant culture (Wahl-Jorgensen et al., 2016). All over the world constitutions, international conventions, media organisations recognise the pivotal status of media freedom to establish relation between state and media. The concept of media freedom is associated with two other freedoms: freedom of expression and freedom of information (Barendt, 2005; Schauer, 1982).

Freedom of expression (FOE) is a fundamental human right, and a precondition for many other democratic rights. While it is a basic human right, its practice must not violate other human rights (such as right to privacy, reputation, religion and so on). And thus it requires individuals to exercise responsibility and respect for the rights of others. For a responsible practice of the right to freedom of expression, this fundamental right is not absolute in many Western and non-Western countries and it is subject to certain limitations that vary in various socio-political and cultural contexts. This implies that the right to freedom of expression has legal, ethical and moral dimensions (Barendt, 2005).

Freedom of information (FOI) is an important right that is enshrined in many international instruments and it is very crucial for the public accountability, the equal treatment of all people under the rule of law and the legitimacy of democratically elected governments (Chapman and Hunt, 2016). Amiri (2015) suggests:

The most important argument in favour of considering FOI as a human right is that access to government information is a requirement of exercising the human right to freedom of expression enshrined in international human rights instruments. . . . Many argue that without access to public information, the right to freedom of expression cannot be fully exercised. (p. 33)

Public's ability to exercise their right to freedom of expression without any unjustified restriction and to avail their right to freedom of information is essential for democratic rule (Carlsson and Poyhatri, 2017, p. 12). Thus the rights to freedom of expression and freedom of information are indispensible for the existence and effective functioning of a free media. The presence of freedom of the media and safe environment both are crucial to the practice of journalism. This means that professional journalists, media workers and bloggers must be allowed to practice their rights to access to information, freedom of expression and routine work without restrictions and threats. To ensure a free and safe working environment for journalists and media workers, is the responsibility of the state, courts, media organizations and journalists' unions, NGOs and civil society.

WHY SAFETY OF JOURNALISTS, FREE LANCERS, BLOGGERS AND MEDIA WORKERS MATTERS?

Safety of journalists is essential to protecting all citizens' right to reliable information and journalists' right to provide this information without any pressure and fearing for their safety. Violence, threats and intimidation in the contemporary world, assume different forms and are exercised for varied purposes (Cottle, 2016). But all place journalists at high risk. Are journalists only the victim of violence and threats? Obviously No! I say so because the notion of who is journalist has redefined. Digitization and widespread transition process involving politics and economics all together have changed the way journalism is practiced, and now new actors such as free lancers and bloggers are also part of journalism apart from professional journalists and media workers. Reports by international organizations monitoring violence in journalism profession across the globe suggest that the majority of those who are attacked or killed are professional journalists or media workers – who are full time employee of media organizations in various countries (Committee to Protect Journalists, 2019). However, news media organizations also rely and rather more on freelance journalists, and these journalists are particularly exposed to the risks of working alone in war and conflict zones, but do not have the same level of safety as full-time employed journalists do. This changing milieu of societal violence in global context is important therefore, for a deeper understanding of the threats faced by working journalists, media workers, freelancers and bloggers across the globe (Cottle, 2016). Hence, this book does not only take into account threats to media freedom, but also it reflects on what diverse types of threats journalists, bloggers, freelancers and media professionals face in various countries of the world.

THREATS TO JOURNALISTS' SAFETY AND IMPUNITY TO CRIME AGAINST THEM

In the past one decade, journalists' killings around the world suggest that journalism is no more a safe profession and threats to journalists' safety is seriously affecting the freedom of media in many countries. According to Committee to Protect Journalists, 1312 journalists have been killed between 1992 and 2018, and the killers remained unidentified in the majority of cases especially in non-democratic regimes. There are countries worldwide (such as China, Egypt, Turkey[1], Brazil, Mexico, Columbia, Somalia, Nigeria, the Philippines, India, Pakistan, Sri Lanka, Bangladesh, Syria, Iran, Iraq, Afghanistan and Russia) - where media freedom has largely declined due to violence against journalists, their killings and imprisonment, and the climate of impunity (Committee to Protect Journalists, 2018).

Confronted with authoritarian governments and military forces that are willing to silence them at any cost, journalists too often pay the ultimate price for reporting on corruption, organized crime and purely local issues in many authoritarian and even democratic regimes (like Pakistan, India, Bangladesh). Journalists are not the only ones targeted; free lance media workers and bloggers are now also feeling the pressure for expressing their views (Jamil 2017). Violence against journalists takes various forms including: murder, physical assault and rape; psychological pressure including surveillance, threats to their lives or their relatives; arbitrary detention during demonstrations or other public events; arrests and convictions on trumped-up criminal charges; attacks on media property, including vandalism and arson; arbitrary police raids on editorial offices and journalists' homes. All these forms of violence against journalists have resulted in an increased level of their self-censorship in many countries of the world.

Apart from self-censorship, journalists and media workers are experiencing various forms of censorship and suppression such as: physical surveillance, digital surveillance and monitoring, gate keeping, propaganda – disinformation, threats, anti-terror and secrecy laws, criminalization of encryption and/or anonymity, hate speech and harassment, and organized crime (Carlsson and Poyhatri, 2017; Jamil 2017). These are challenges to working journalists in many countries. However, those who work in zones facing social, ethnic and political stress, armed conflicts or disaster situations, are living a very risky professional life as a journalist. A lack of journalists' safety and professional training is further worsening situation in many conflict-ridden and war prone countries, where journalists are severely handicapped to protect themselves when reporting under conflict and non conflict situations. Equally apprehensive is the fact that for more than nine in ten cases of journalists' killings, the crimes remain unsolved. The end result is a vicious cycle of impunity, besides to a very likely chilling effect on society in a climate of fear and self-censorship.

Impunity is a severe obstacle to safeguarding the freedom of media. The failure to properly investigate and prosecute crimes against journalists needs to be addressed without any delay. By efficiently prosecuting criminals, governments can reduce the number of future attacks. There is a need to highlight the barefaced number of unresolved journalists' murders and the lack of punishment for their perpetrators around the world and especially in countries where the culture of impunity is thriving rampantly. For instance, Committee to Protect Journalists' Impunity Index (2019) reveals that the Philippines, Pakistan, Bangladesh and India rank in the top twelve of those countries that do not probe and prosecute journalists' killings and violence against them.

Interestingly, threats to journalists' safety are not only a crucial issue is societies confronting war, conflicts, ethnic disputes, political instability and a lack of democratic rule. But, in many democratic countries that are ensure public welfare and the provision democratic rights (such as freedom of expression, access to information etc), journalists do face online threats, harassment and abuses and they are forced to be silent on major societal debates, to mention a few: ethnic and racial diversity, Islamphobia, same sex marriages, equality and human rights (Nilsson and Örnebring, 2016; Landsverk Hagen, 2015).

THE GROWING MENACE OF DIGITAL RISKS

Digital safety is a crucial and integral part of the issue of safety of journalists. In many Western and non-Western countries of the world, digital surveillance of electronic communication of professional journalists, media workers and bloggers have become a routine. And this goes beyond international standards on privacy and freedom of expression.

The digital risks of arbitrary surveillance of journalists' digital communications, e-mail, social media accounts' and online data hacking; phishing; fake domain attacks, Man-in-the-Middle (MitM) attacks, Denial of Service (DoS); disruptive attacks on website; online life threats and blackmailing and abuse emanate from various sources ranging from State-based actors to third parties including: political parties, religious organizations, ethnic groups, militant organizations and even public (Jamil, 2017). More extremely, some media actors are being killed for their online journalism. According to a UNESCO's report published in 2015, "a large proportion of journalists killed in recent years were easy targets because they were exposed by the digital tools they use" (Digital Rights Foundation, 2018, p. 2).

From 2011-2013, 37 of the 276 killings of journalists condemned by the UNESCO Director General were killings of journalists whose primary platforms were Internet-based. Many, if not most, of the other journalists who were killed also used digital tools in their daily work, which may have exposed them in various ways. (Henrichsen et al., 2015, p. 8)

Markedly, some safety risks have simply been transferred from the offline world to the online world. For instance, death threats are now communicated through emails, mobile calls, wats app and social media messages. In many countries, journalists' movements are being exposed through cell phone linked geo-location data, their personal lives being visible on social media, and their communications meta-data being mined. Journalists are now exposed to online verbal abuse and female journalists are facing sexual harassment offline and online both. Digital security issues are constantly undergoing changes because now journalists need protection from threats such as website defacement, compromised user accounts, confiscation or theft of their digital resources, and online intimidation, disinformation, and smear campaigns (Henrischsen et al., 2015). Hence, when analysing the issues related to safety of journalists, digital security appears as an integral component that should be addressed.

THE INTERCONNECTION BETWEEN MEDIA FREEDOM AND JOURNALISTS' SAFETY

In the past decade, international organizations monitoring media freedom have recognized that journalists are killed and abducted even in countries where the freedom of media exists (Freedom House, 2019; Committee to Protect Journalists). In contrast, there are countries where media freedom is subject to restrictions, repressive laws, censorship; and yet media professionals and journalists do not experience physical attacks and violence. Therefore, it is imperative to understand the threats to media freedom (that involve censorship, legal and economic restrictions, constraints to freedom of expression and access to information) and journalists' safety, their families and sources. One common thread of threats to media freedom and journalists' safety is the legal framework of any country – no society can validate violence against journalists to restrain their right to freedom of expression, and definitely no country (even with authoritarian political system) has laws that legalise journalists' killing, kidnapping, physical attacks and intimidation. The key concern in media freedom is about the nature of laws that restrain the operation of a free media, journalists' right to free expression and their access to information; and the application of laws. On the other hand, the major issue in journalists' safety is about the rule of law and the protection of their individual rights to life and freedom and the assurance of a safe working environment (online and offline both). The rights to media freedom and individual's safety are enshrined in the Universal Declaration of Human Rights; however, they carry diverse considerations to bear. For instance, any limitation on a journalist's right to free expression do not necessarily affect on his or her right to life and safety. Thus, it is essential to consider the "distinctiveness" of the issues of journalists' safety and media freedom, whilst at the same time also it is important to remember the "interconnections" between these two crucial issues (Berger, 2017).

CONCLUSION

Threats to media freedom and journalists' safety take various forms in various countries of the world, which actually reflect the socio-political and economic milieu of each country. There is a pressing need to understand issues at national level and to focus on multi-stake holder approach to resolve online and offline threats to journalists and constraints to media freedom. This implies to devise national policies, effective decision-making and solution-oriented debate at all levels for promoting safe and free journalism. These efforts must also reflect the essence of the "UN 2030 Agenda with its 17 goals and 169 targets. Goal 16 is to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels", which explicitly promotes safety of journalists and addresses the issue of impunity. The Goal 16 of further specifies:

16.1 significantly reduce all forms of violence and related death rates everywhere, 16.3 promote the rule of law at the national and international levels, and ensure equal access to justice for all, 16.10 ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements. (Carlsson & Poyhatri, 2017, pp. 13-14)

Considering the growing restrictions on media freedom and increasing violence against journalists in many countries – especially those mentioned above, research within this area is needed than ever before and thus this book addresses how different sorts restrictions and risks are affecting the state of media freedom and journalists' safety in the Philippines, Pakistan, India, Bangladesh, Nepal, Turkey, Egypt, Indonesia, Malaysia, Mexico, Veneuzela, Colombia, Nigeria, Ghana and Uganda.

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ENDNOTE

[1] According to Committee to Protect Journalists (CPJ), 262 journalists were jailed in 2017. CPJ's statistics suggest that Egypt, Turkey and China are the three worst countries in terms of journalists' imprisonment, and these countries are responsible for putting 134 journalists (out of total 262) behind the bars that constitutes 51 per cent of the total number of journalists in prison (Aljazeera, 2017).

Section 1

Threats to Media Freedom and the Safety of Journalists in South East Asian and South Asian Countries

Chapter 1
Digital Threats and Attacks on the Philippine Alternative Press:
Range, Responses, and Remedies

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ABSTRACT

In the Philippines, the assault on the press has gone digital. While Filipino journalists continue to face physical, verbal, and legal threats and attacks, cyber-attacks and online harassment/trolling were identified in 2018 as the second worst threat against them, after low wages and poor working conditions, according to the International Federation of Journalists and the Southeast Asia Journalist Unions. Websites of news outlets have also been hacked and taken down. These challenges make the press vulnerable to self-censorship and may even lead to fatal outcomes. This chapter seeks to fill the gap in the literature on the digital types of assault on the Philippine alternative press, focusing on the experience of alternative news media outlets—independent media particularly critical of the government. It explores the range of such threats and attacks and the responses, legal frameworks, and remedies in place that are used to combat dangers of this nature.

INTRODUCTION

This chapter explores the digital threats and attacks against alternative media outlets in the Philippines, with a particular focus on the experiences of Bulatlat and Kodao Productions, which made headlines in 2018 and 2019 following the distributed denial of service (DDoS) attacks on their news websites.

While the Philippine press as a whole has continued to face physical, verbal, and legal threats and attacks, the digital forms of assault have increased. Cyber attacks and online harassment/trolling were

ranked the second worst threat to Filipino journalists in 2018 according to the International Federation of Journalists (IFJ), and the same was identified among the external and internal threats to journalists during the 2018 National Risk Assessment Workshop of the National Union of Journalists of the Philippines (NUJP).

Alternative media outlets that publish news online are among the most vulnerable to online harassment/trolling, hacking, and DDoS attacks. These challenges make them susceptible to self-censorship (International Federation of Journalists, 2018) and expose them to life-threatening situations. "Long term" research conducted by the Committee to Protect Journalists (CPJ) shows that "physical attacks are often preceded by phone or electronic threats," as over 70 percent of murder victims had reported receiving threats before their death (Committee to Protect Journalists, 2011, para. 21).

"Alternative press" and "alternative media" are used interchangeably in this chapter. Small and independent (Villadolid, 2005), alternative media outlets in the country typically do not generate income through advertising; they are not controlled by economic and political interests, and they strive to remain steadfast in upholding their rights and responsibilities as the truth-telling watchdog in a democracy. Their limited budget, usually from donations, results in limited reach. Thus, they take to social media to promote their media outlets and the stories they publish, maximizing their online networks.

Though the reach of alternative media is much lower than that of the dominant media giants, the threats and attacks they face are an indication of the significance of their reportage.

Based on findings from a review of documents and key informant interviews, and guided by the prevention, protection, prosecution, and partnership (4Ps) framework, the researchers discuss the responses of alternative media outlets Bulatlat and Kodao Productions to the digital threats and attacks they have received, as well as the existing legal frameworks and remedies used to address perils in the digital age of information warfare.

LITERATURE REVIEW

Alternative Media and Challenges in Digital Security

The alternative press is participatory and investigative; it seeks to cover "underreported groups and issues" (Lievrouw, 2011, p. 23). This form of media "privileges journalism practice that is closely wedded to notions of social responsibility. And it replaces the ideology of 'objectivity' with overt advocacy and oppositional practices" (Atton, 2003, p. 267). It typically uses first-person accounts by ordinary people and "collective and antihierarchical forms of organization which eschew demarcation and specialization – and which importantly suggest an inclusive, radical form of civic journalism."

In the Philippines, alternative media agencies uphold a tradition of fighting for freedom and democracy. In contrast with the mainstream media, they are not owned or controlled by large private corporations (Maslog, Tuazon, Abunales, Soriano, & Ordenes, 2016). They are described as "fiercely independent" alternative news organizations (Southeast Asian Press Alliance, 2019, para. 7) that "play a crucial role in informing the people about issues and concerns of public interest that are usually overlooked by the mainstream media" (para. 5). They have become prone to digital attacks as they provide online platforms for people's voices that state and non-state actors ignore or suppress (Southeast Asian Press Alliance, 2019).

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During the martial law regime of President Ferdinand Marcos from 1972 to 1986, the alternative press courageously continued to inform the public after the dominant media agencies were taken over by the government and managed by cronies of the administration (Villadolid, 2005; Maslog et al., 2016). It was the alternative media that "defied government instructions on how to frame stories" even in the face of "constant harassment and intimidation" (Maslog et al., 2016, p. 19).

At present, alternative media outlets have adapted to "current news production trends," using print, radio, video, online media, and social media to continue providing information unavailable in the main-stream press (Maslog et al., 2016, p. 19).

There is a network of alternative media in the country called AlterMidya or the People's Alternative Media Network, composed of "independent and progressive media outfits, institutions and individuals" including print, broadcast and online media (Libres & Villanueva, 2018, p. 7). On its website, AlterMidya (n.d.) lists among its members 10 online and print news outlets, including Bulatlat, and six multimedia outlets, including Kodao Productions. The media outlets in the network "seek to redefine Philippine journalism by reporting stories from the margins, amplifying the voices of the oppressed and bravely filling the gaps that the dominant media… often overlook" (Libres & Villanueva, 2018, p. 7).

In Southeast Asia, the growth of social media has led to online attacks and harassment against journalists. Trolling, which "consists of posting messages with the aim of sparking a conflictive debate" (Reporters Without Borders, 2018, p. 19), is particularly popular in the Philippines, with Filipino journalists "hard hit by what appear to be coordinated attacks by pro-government 'troll armies'" (International Federation of Journalists, 2018, p. 9). According to Reporters Without Borders (2018, p. 22), attacks from troll armies may be organized by "non-state groups" on one hand, or "set off at the highest levels by regimes that want to use the web to spread their repressive model" on another. These armies can be defined as "commenters paid by the authorities to silence online dissidence" (Reporters Without Borders, 2018, p. 22).

Women journalists, in particular, experience doxing, trolling, cyber stalking, cyberbullying, hate speech, public shaming, and intimidation/threats (UNESCO, 2018). In the section on the Philippines in *Underneath the Autocrats: South East Asia Media Freedom Report 2018*, IFJ (2018, p. 43) noted that women journalists, described as easier online targets, have been "bombarded with threats on social media to rape them or their children, or wipe out their families."

International Federation of Journalists (2018, p. 42) cited the case of Filipina journalist Julie Alipala, attacked on Facebook by Phil Leaks, which "posted an image of Alipala on its Facebook wall and accused her of having been paid to defend the Abu Sayyaf." This came after her report on the "deaths of seven young tribal men from the Sulu province who the military claimed were members of the Abu Sayyaf extremist group" and whose families "said they were farmers on their way to harvest fruit when they were attacked by the soldiers" (International Federation of Journalists, 2018, p. 42).

In the comments on the said post, "trolls called for Alipala to be killed under Duterte's Tokhang campaign against drug addicts and peddlers where cops shoot first and then scramble to present plausible evidence of guilt" (International Federation of Journalists, 2018, p. 46). Alipala was relocated by her employer because of the threats.

A problem in understanding attacks against women journalists is that many incidents are said to be left unreported. Due to fear of professional consequences, female journalists—especially those in the early part of their career—are less likely to report incidents (UNESCO, 2018).

Male members of the Philippine press are not exempted from online attacks. One case is that of Manuel Mogato—winner of a Pulitzer Prize for his Reuters team's coverage of the country's "war on

drugs"—who "had his Facebook account defaced and profile picture replaced" with the blog logo of a popular Duterte supporter (International Federation of Journalists, 2018, p. 42).

Attacks on male journalists also extend to their female family members: "This tactic was used on award-winning photojournalist Ezra Acayan when trolls called for the rape of his mother and sister" (International Federation of Journalists, 2018, p. 46).

In addition to individual abuses, news media outlets are also at risk of digital surveillance and distributed denial of service (DDoS) attacks (Berger, 2017).

DDoS is a type of denial of service (DoS) attack. DoS happens "when one computer and one Internet connection is used to flood a server with packets with the intention to overwhelm the site and make it inaccessible to others" (Henrichsen et al., 2015, p. 27). DDoS, on the other hand, attacks a computer using a number of computers and connections usually distributed around the world (Henrichsen et al., 2015). Both types of attacks seek to overload websites and render them inaccessible.

Attacks such as DoS and DDoS prevent online news media from disseminating information, resulting in censorship. As the news websites are taken offline and media actors consequently require technical assistance, the attacks can also lead to extra costs and financial losses. A takedown may also lead the public to believe that a news website no longer exists (Henrichsen et al., 2015).

For individual journalists, online abuse and threats can have "an intimidating or 'chilling' effect" (Berger, 2017, p. 42), and online sexual abuse and gendered harassment, in particular, can lead to "a very distinct form of chilling effect" which "may spread beyond the female journalistic community" (Milivojević, 2016, p. 32).

In Philippine's newsrooms, for example, the anonymous attacks that make journalists vulnerable have "resulted in some degree of self-censorship," with journalists "being asked to water down or even pull reports seen as too critical of the Duterte administration which might invite retaliation from the government and its supporters" (International Federation of Journalists, 2018, p. 43). In fact, in the 2018 IFJ-SEAJU survey, censorship was identified by 13.2 percent of respondents as "the worst threat to their profession."

Another form of attack that may lead to fatal consequences is red-tagging or red-baiting of journalists, which can be executed online or offline. According to VERA Files (2018), red-tagging or red-baiting can be defined as harassment or persecution of an individual who is identified or suspected to sympathize with communists. Red-tagged individuals face risks such as interception/recording of communication, examination of bank records, restricted travel, seizure of assets, and detention without charges, and in "most extreme" cases, may "lead to warrantless arrests, torture, enforced disappearances (ED), or worse, extrajudicial killings" (VERA Files, 2018, para. 23).

In the report by International Federation of Journalists (2018, p. 46), Filipino journalist Inday Espina-Varona, who won the RSF Prize for Independence in 2018, wrote about being red-tagged—how "military-linked Facebook accounts" accused her of "being a propagandist for the Communist Party of the Philippines in 2015." She also described how military officials used Facebook to accuse her of "being in cahoots with alleged rebel arsonists" when she "shared a post on the burning of a school by paramilitary and military forces." She added, "Only the loud protests by journalist groups and my move to file charges led to a public withdrawal of the claim and an apology from officers" (International Federation of Journalists, 2018, p. 46).

In addition to these public attacks on social media, she also received attacks through private means. In an interview with Agence France-Presse (2018, para. 3), Espina-Varona shared, "After a particularly

hard-hitting column, I find 50 to 80 private messages calling me a liar, an ugly woman, and mostly these are sexist attacks."

When stories about digital threats and attacks against journalists, media workers, and media outlets in the country are published, they often cover individual cases such as the ones discussed above, usually with no distinction between attacks on dominant media and alternative media. This study seeks to fill the gap by looking into the most recent experiences of two alternative media outlets—Bulatlat and Kodao Productions.

Responses to Digital Threats and Attacks on the Philippine Press

Past responses to digital threats and attacks against the press are discussed using two parts of the 4Ps framework—prevention and protection—with the third "P," partnership, cutting across the measures discussed.

Prevention: In anticipation of potential digital threats and attacks, prevention measures need to be in place in order to help journalists and media outlets avoid such forms of assault.

While several media and nongovernment organizations in the Philippines have implemented training programs and produced materials that seek to protect journalists and media workers (Tuazon, San Diego, Lopez, & Abunales, 2017), capacity building programs and learning resources specifically on digital security appear to be limited. Those that do exist have not yet been documented in detail.

The report on the Philippines in the book Defending Journalism published by International Media Support (IMS) based in Denmark (Tuazon et al., 2017) cited a digital security training conducted by the Peace and Conflict Journalism Network (PECOJON) together with an anonymous partner organization based in Germany and Manila. It also cited training programs by NUJP that emphasize journalist safety and ris assessment in the local context (Tuazon et al., 2017).

Apart from the safety and risk assessment training, NUJP with support from Internews published the Philippine Journalist Safety Guide: A Handbook for Filipino Journalists, which features a chapter on digital and information security (Olea, 2018).

A study conducted by non-profit media, technology and culture organization EngageMedia (2017), looked into perceptions of safety and security among journalists in the Philippines and found that most of the journalists interviewed for the study were aware of digital and online risks, but have not yet made clear connections between their online communication behavior and their physical safety.

Other training programs and resources that seek to protect journalists by equipping them with knowledge and skills in digital security have yet to be documented and disseminated, such as the series of safety training programs for journalists conducted in 2019 by the Asian Institute of Journalism and Communication (AIJC), NUJP and IMS. One of the topics covered is digital security.

Protection: One of the most important measures that can help journalists when they are already facing digital threats and attacks is psychological support. This "offline" strategy for addressing digital attacks on the press is being done in the Rappler newsroom, on top of upgrading security and strengthening digital safety defenses.

Moreover, in Rappler, online threats "can't just be dealt with by blocking, muting, reporting, deleting and ignoring"; apart from these, every threat is recorded, and data is stored for possible legal action (Kilman, 2017, p. 39).

NUJP and the Center for Media Freedom and Responsibility (CMFR) both monitor, publicize, and help address threats and attacks against journalists in the Philippines. NUJP's chapter offices across the

country notify the national office every time a journalist is under attack; investigations and the release of reports/statements follow. CMFR likewise issues alerts every time it receives reports on threats or attacks committed against journalists (Tuazon et al., 2017).

In the government, the Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media—now referred to as Presidential Task Force on Media Security (PTFoMS)—was created after President Rodrigo R. Duterte issued Administrative Order No. 1, s. 2016 on October 11, 2016. According to AO No. 1, the tasks of PTFoMS include the following: (1) inventory of all cases of violence against media workers perpetrated by state and non-state actors for purposes of categorizing, such as unsolved cases, cases under investigation, cases under preliminary investigation, cases under trial, and cases under appeal; (2) investigation of unsolved cases; (3) monitoring and reporting to the Presidential Task Force of Cases on the development of cases in the inventory; (4) receipt and monitoring of reports on—and provision of protection for—media workers in danger; and (5) investigation and prosecution of new cases. These cover all forms of threats and attacks against Filipino journalists, including digital ones. As of this writing, no reports have been published on digital threats and attacks filed by media workers and resolved by the Task Force.

Other mechanisms in place include relevant policies and laws that can help address digital security issues surrounding the press.

Policy and Legal Framework and Remedies for Addressing Digital Threats and Attacks on Journalism

This section covers the fourth "P" in the 4Ps framework—**prosecution of perpetrators of threats and attacks against the press.**

In the Philippines, the 1987 Constitution provides a legal framework for the safety of the press with its strong human rights orientation and explicit provisions supporting press freedom, freedom of expression, and the right to information (Tuazon et al., 2017).

There is some form of protection for the press in the Cybercrime Prevention Act of 2012 or Republic Act No. 10175, one of the first laws in the country specifically criminalizing computer crime. Punishable under this pioneering law include the following types of cybercrime offenses: (1) offenses against the confidentiality, integrity and availability of computer data and systems, e.g., illegal access, illegal interception, data and system interference, misuse of devices (for the purpose of committing any of the offenses listed in this law), cyber-squatting; (2) computer-related offenses, e.g., forgery, fraud, identity theft, (3) content-related offenses, e.g., cybersex, child pornography, unsolicited commercial communications, and (4) libel, as defined in Article 355 of the Revised Penal Code. A problem with this law, however, is the criminalization of cyber libel, which was upheld by the Supreme Court as constitutional (Tuazon et al., 2017).

The Supreme Court adopted a decree that journalists have used to address threats—the writ of amparo (2007), which "guarantees legal remedy for journalists under threat, families of slain journalists, and witnesses to the killing of journalists and victims of human rights abuses" (Tuazon et al., 2017, p. 232). It offers interim reliefs including a Temporary Protection Order, Inspection Order, Production Order, and Witness Protection Order (Tuazon et al., 2017).

The Country Report on the Cases of Slain Filipino Journalists by the UNESCO National Commission of the Philippines (2013) partly describes how the writ of amparo works:

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Under this mechanism, an individual may petition for a writ if there is a threat to or violation of right to life, liberty, and security. If the writ is granted by the court, the respondent is obligated to explain, not just deny, his/her role in the illegal acts alleged by the petitioner as well as to turn over to the petitioner all information pertaining to these illegal acts. If the respondent is a public official or employee, he/she is further required to recover and preserve evidence related to the crime against the person identified in the petition, identify witnesses, and obtain statements from them, and identify and bring to court the person or persons involved in the crime.

A related writ issued by the Supreme Court which took effect on February 2, 2008 is the writ of habeas data. The Supreme Court (A. M. No. 08-1-16-SC) describes the writ of habeas data as

A remedy available to any person whose right to privacy in life, liberty or security is violated or threatened by an unlawful act or omission of a public official or employee, or of a private individual or entity engaged in the gathering, collecting or storing of data or information regarding the person, family, home and correspondence of the aggrieved party.

According to the Rule on the Writ of Habeas Data (A. M. No. 08-1-16-SC), individuals—including journalists facing digital security threats or attacks, a member of their immediate family, or a relative within the fourth civil degree of consanguinity or affinity—may file a petition for the writ of habeas data, which should contain the following:

(a)   The personal circumstances of the petitioner and the respondent;
(b)   The manner the right to privacy is violated or threatened and how it affects the right to life, liberty or security of the aggrieved party;
(c)   The actions and recourses taken by the petitioner to secure the data or information;
(d)   The location of the files, registers or databases, the government office, and the person in charge, in possession or in control of the data or information, if known;
(e)   The reliefs prayed for, which may include the updating, rectification, suppression or destruction of the database or information or files kept by the respondent.

RESEARCH FRAMEWORK

The study was guided by the prevention, protection, prosecution, and partnership (4Ps) paradigm. While the 4Ps paradigm was originally used for anti-human trafficking initiatives, the researchers found it appropriate as the same framework was utilized during multi-stakeholder consultations on the Philippine Plan of Action on the Safety of Journalists organized by AIJC and IMS, where participants from various sectors were invited to share recommendations on journalist safety efforts focused on (1) **prevention** measures that can reduce risk or the incidence of attacks (this also covers creating an enabling environment for press freedom); (2) **protection** programs and mechanisms that can help journalists when they are in danger, and enable them to continue their work; (3) **prosecution** of perpetrators, which includes actions taken after journalists are threatened or attacked; and (4) **partnership** or collaboration among various sectors to help ensure safety of journalists.

MATERIALS AND METHODS

This study sought to address the following objectives:

1. To identify the types of the digital threats and attacks against alternative media outlets Bulatlat and Kodao Productions;
2. To determine the responses of Bulatlat and Kodao Productions to digital threats and attacks; and
3. To identify existing policy and legal frameworks and remedies available to and utilized by Philippine alternative media outlets experiencing digital threats and attacks.

Using qualitative and exploratory research design, the researchers conducted a review of reports and relevant documents on the most recent digital threats, attacks, and responses of alternative media outlets Bulatlat and Kodao Productions. Published/released in 2018 and 2019, the documents include (1) the list of online harassment cases and web attacks against journalists from July 1, 2016 to February 28, 2019, obtained from CMFR, (2) local media reports on the attacks against Bulatlat and Kodao Productions, (3) the digital forensic investigation report by Sweden-based Qurium – The Media Foundation, a group of digital forensic experts supporting media agencies facing similar online attacks, (4) and reports on the civil complaint that the Alipato Media Center (publisher of Bulatlat), Pinoy Media Center (publisher of Pinoy Weekly), Kodao Productions, and AlterMidya – People's Alternative Media Network filed against IP Converge Data Services, Inc. and Suniway Group of Companies, Inc. and their respective officers.

The findings were validated and enriched through interviews with key informants, from whom the researchers obtained additional references including a copy of the full civil complaint previously cited as well as web links, screenshots of video reports, and social media pages showing examples of digital threats and attacks. The key informant interviewees were selected through purposive sampling. Selection criteria for interviewees included the following:

1. First-hand knowledge and experience of digital threats and/or attacks against the alternative media outlets covered in the study;
2. Leadership role in the alternative media outlets included in the study;
3. Authority to permit publication of information about digital threats and attacks experienced by their alternative media outlets as well as their responses and the legal frameworks and remedies they used, if any.

Semi-structured face-to-face interviews were conducted in June and July 2019 with the following: Jola Diones-Mamangun, executive director of Kodao Productions who is also president of the Philippine chapter of the International Association of Women in Radio and Television (IAWRT); Ronalyn V. Olea, Bulatlat managing editor and IAWRT Philippines treasurer; and Danilo A. Arao, associate editor of Bulatlat and board secretary of Kodao Productions who is also a founding member of AlterMidya, a columnist at Pinoy Weekly, and an associate professor of journalism at the University of the Philippines Diliman.

The results were analyzed using the constant comparative technique and the 4Ps paradigm.

RESULTS AND DISCUSSION

Types of Digital Threats and Attacks Against Bulatlat and Kodao Productions

Web-based Philippine news media outlets that belong to the alternative tradition of the press have been subjected to various forms of digital threats and attacks. This section presents study findings from each methodology—the document review and the key informant interviews.

Findings of the Document Review

The documents reviewed, published/released in 2018 and 2019, include CMFR's list of online harassment cases and web attacks against journalists from July 1, 2016 to February 28, 2019; local media reports on attacks against Bulatlat and Kodao Productions; the digital forensic investigation report by Qurium – The Media Foundation, and reports on the civil complaint filed by alternative media organizations against the sources of the DDoS attacks.

The results are categorized into online harassment cases and attacks on websites.

Online harassment cases: Among the 17 victims of online harassment recorded by CMFR, one journalist is from a web-based alternative news media outlet—Raymund Villanueva of Kodao Productions, who is also the deputy secretary general of NUJP.

The case recorded was on August 2, 2018, the same day NUJP released a statement condemning the red-tagging of Villanueva and demanding that "the Armed Forces of the Philippines and the AFP Reserve Command immediately investigate and sanction the officers and personnel of the 101st Technical and Administrative Services Group for maliciously and recklessly maligning and endangering our deputy secretary general Raymund Villanueva of Kodao Productions and other colleagues" (National Union of Journalists of the Philippines, 2018, para. 1).

NUJP (2018, para. 2) described how the AFP Reserve Command posted on its Facebook page photos from Villanueva's Facebook account, "tagging him as part of the New People's Army and supposedly out to takedown businesses in the country." As of this writing, the whole page is no longer available on the social networking site.

Attacks on websites: As for the web attacks in CMFR's listing, nine were recorded during the said period. The organizations affected include independent, non-profit media agencies Philippine Center for Investigative Journalism (PCIJ) and VERA Files; NUJP; and alternative media outlets Kodao Productions, Pinoy Weekly, and Bulatlat.

In July 2016, the websites of PCIJ—www.pcij.org and www.pcij.org/blog—were under attack. According to the report, the attack followed the publication of PCIJ's "reports on the drug war of the Duterte administration" and "Know Your Rights" advisories. This was reportedly confirmed by its executive director, Malou Mangahas. CMFR (2016, para. 3) published an article on the attacks, explaining that the advisories by PCIJ were about "citizen's rights during police operations and custodial investigation based on primers by the Free Legal Assistance Group." According to a post on PCIJ's Facebook page, the attackers wrote a "phrase with explicit curse and threat" into their stories (PCIJ, as cited in CMFR, 2016, para. 2).

CMFR reported that the website of non-profit online news organization VERA Files had also been taken down in January 2018 after its publication of a report critical of the president and his daughter. According to a news report, a DDoS attack hit the website about 30 minutes after VERA Files published

a story on "President Rodrigo Duterte and his daughter and Davao City Mayor Sara Duterte-Carpio's alleged failure to declare over P100 million in investments in their respective statements of assets, liabilities and net worth" (Lagrimas, 2018, para. 1).

The NUJP website likewise experienced hacking in January 2017 after it published "statements against the government's crackdown on the media" (CMFR, 2018, para. 7). In February 2019, NUJP's website was also subjected to DDoS attacks, which made it inaccessible.

The latter took place after the DDoS attacks on alternative news sites Kodao Productions, Pinoy Weekly, and Bulatlat, which, according to the CMFR report, experienced the same form of cyber attack in December 2018 after their publication of stories on the 50th founding anniversary of the Communist Party of the Philippines (CPP).

CMFR recorded similar DDoS attacks against Bulatlat in January 2019. According to news reports by Rappler and Bulatlat itself, the renewed series of attacks followed Bulatlat's publication of reports on (1) the lowering of the minimum age of criminal responsibility and its consequences on the welfare of Filipino children, and (2) the release from jail of peace consultant Rafael Baylosis after the court dismissed trumped-up or fabricated charges against him (Ellao, 2019a; Ellao, 2019b; Buan, 2019). As a result, the media outlet had to "move the website to a more secure host."

This "more secure host" was provided by the group of digital forensic experts at Qurium – The Media Foundation. A report by Qurium (2019) explained the details of the DDoS attacks experienced by Bulatlat, Kodao Productions, Pinoy Weekly, and AlterMidya, as well as the websites of human rights groups critical of the government, since December 2018.

Interview Findings

The key informant interviewees represent Bulatlat and Kodao Productions—Jola Diones-Mamangun, executive director of Kodao Productions; Ronalyn V. Olea, Bulatlat managing editor; and Danilo A. Arao, Bulatlat associate editor and Kodao Productions board secretary. Their other relevant affiliations are listed in the methodology.

The interview findings revealed that the types of digital threats and attacks received by Bulatlat and Kodao Productions include DDoS attacks, use of malware, and surveillance; email, social media, and mobile threats; red-tagging; and trolling.

DDoS Attacks, Use of Malware, and Surveillance: During the interview with Arao, he emphasized that the DDoS attacks "happened at the height of certain reportage of issues"—specifically, stories critical of the government. Thus, he surmised that Bulatlat "can only point to the state as being responsible for the DDoS," as state actors "are the ones who are at the receiving end of [their] critical reportage."

Arao added that the attacks require resources that only powerful actors can acquire, because Qurium's study revealed that the attacks were "launched not just through hundreds of computers but thousands of computers." This, he said, addresses people's suspicions that the attacks were self-inflicted, because the alternative media outlet does not have access to such resources.

"We have to realize that media repression is just one part of the overall state repression," Arao said. He underlined the need to contextualize the attacks on the media based on the "overall state repression of basic sectors of society," pointing out that human rights groups in the country were also victims of DDoS attacks.

In the literature review, Henrichsen et al. (2015) similarly noted that online attacks may come from state-based actors. Moreover, serving as platforms for people's voices makes the alternative news organizations vulnerable to such digital attacks (Southeast Asian Press Alliance, 2019).

The interview with Olea, on the other hand, revealed more types of digital threats and attacks against Bulatlat, including malware and surveillance. In fact, it appears that the Bulatlat website had been under surveillance long before the DDoS attacks.

Email, Social Media, and Mobile Threats: There are also email threats as well as online threats on Bulatlat's official social media accounts, examples of which are tweets tagging Bulatlat and calling to boycott "corrupt media" and "fake news."

Worse, Arao shared that he and Raymund Villanueva of Kodao Productions have received threats on their lives and the lives of their family members; death threats are typically received via mobile phone.

Red-Tagging: Red-tagging or red-baiting is another issue, according to Arao and Olea. Olea shared that Rigoberto Tiglao, Manila Times columnist and former press secretary of the administration of President Gloria Macapagal-Arroyo, has repeatedly mentioned Bulatlat in his columns. The most recent as of this writing was published in May 2019. Olea shared a copy of the latest column, where Tiglao (2019) wrote, "The website Bulatlat for instance posts nothing but news articles and opinion pieces critical of government since it was set up, expounds on the same propaganda line the party undertakes in different periods of time, and even covers on the ground the CPP and NPA's anniversary celebration."

Kodao Productions has also experienced red-tagging according to its executive director, Diones-Mamangun. Apart from the attack on Villanueva, the alternative news media outlet itself was labeled as a "propaganda team" of the Communist Party of the Philippines.

Diones-Mamangun noted that on May 13, 2019—election day—the website of Kodao Productions was once again attacked and taken down after it published a story on police officers' distribution of the Philippine National Police newsletter that contained "black propaganda." It instructed readers not to vote for certain party lists, which they tagged as "communists." The website was restored by Kodao by afternoon.

Red-tagging or red-baiting not only discredits members of alternative news media outlets; it also puts them in danger as it can lead to human rights violations such as warrantless arrests, enforced disappearances, and extrajudicial killings (VERA Files, 2018).

Trolling: Another problem encountered by Kodao Productions is trolling. "We never run out of trolls," Diones-Mamangun shared in Filipino. She said that so far, the worst case of trolling happened on May 17, 2019, when she posted a livestream of the Black Friday protest in Pasay City, where demonstrators contested the results of the midterm polls and demanded full transparency.

In the part of the video showing Prof. Danilo A. Arao, board secretary of Kodao, netizens left comments, calling him "stupid," accusing him of being paid to join the rally, and wishing ill on his family ("I hope your child gets raped, and your mother is robbed and stabbed by a drug addict.")

The Facebook post (Figure 1) earned the ire of trolls, with comments reaching 6,000 on the day of posting alone. "If you have 6,000 comments, perhaps 5,000 of those are trolls, whose comments are answered by their fellow trolls," Diones-Mamangun noted in Filipino. "Now, you will notice that there are also commenters who support the people's action—but as soon as they post, trolls will hit them back again. That's how they are." Such practice of posting messages in order to spark "conflictive debate" is typical trolling behavior, as described by Reporters Without Borders (2018, p. 19).

The interview findings show that most of the online attacks are against media outlets, while individual attacks are less frequent, at least in the case of Bulatlat and Kodao Productions. It must be noted, how-

Figure 1. Hate comments addressed to protesters, including journalists, are shown here in screenshots from the Kodao Productions livestream of the May 17, 2019 Black Friday protest contesting midterm election results

ever, that there are alternative journalists like Arao and Villanueva who are red-tagged and also receive death threats, as Olea emphasized.

Local Responses to Digital Threats and Attacks

The findings are discussed and analyzed based on three parts of 4Ps framework—prevention, protection, and partnerships.

Prevention: Alternative media outlets have used various prevention measures to reduce risk or the incidence of attacks—these are categorized into migration and upgrading, proactive inspection, offline safety tactics, and straightforward monitoring and reporting.

Migration and Upgrading: Bulatlat, with assistance from Qurium, has acquired more secure hosting. Kodao Productions, on the other hand, not only migrated to another web host but also upgraded to a stronger firewall.

Proactive Inspection: Bulatlat has likewise become more proactive in its digital security process. According to Arao, "Without talking about the details, we've become more conscious of how to better secure the website and… our digital communications." He elaborated:

…even if it's hosted right now by Qurium, just because we have a secure server, there's no such thing as a hack-free website. [If] even the Pentagon or the White House can be hacked, what more alternative sites like ours? So we try to ensure that everything is in place. Of course, we do check them every now and then but because of the DDoS attacks… we've grown accustomed to checking the integrity of the website even more.

Referring to Bulatlat, Kodao Productions, AlterMidya, and Pinoy Weekly, Arao added, "We're all security-conscious now."

Offline Safety Tactics: In addition to tech-based solutions, Arao noted that Bulatlat in particular uses "not just new technology but old technology to ensure that the communication process will be both

seamless, swift, but at the same time, secure." Even if threats and attacks are digital, prevention mechanisms may include basic practices such as the use of a "buddy system," monitoring the location of staff to ensure their safety, and avoiding the use of—and even disassembling—mobile phones if necessary.

Arao notes that when Bulatlat staff or editors "want to be really secure in their homes" and "if, at any given time, they… think that their communication with [the editorial team] would be detrimental in terms of giving away their location," then they disable their mobile phones. He explained further:

It's not just enough to turn it off. You need to separate the cell phone, the battery, and the sim card… And more than that, you have to put it inside a can… so that the signal will not reverberate.

Straightforward Monitoring and Reporting: Additionally, in an effort to prevent new attacks, Arao stressed the need to "communicate the attacks in a way that is not really alarmist," by merely stating "the fact that it's happening."

He noted the importance of having a "level-headed attitude" when it comes to dealing with digital attacks in order to avoid provoking new attacks, especially because no website can be hack-free. "We have to make sure that we don't sensationalize everything," Arao said. "We still need to qualify why it's an attack… and the fact that something can be done about it."

Protection: In the face of digital threats and attacks, Philippine alternative media outlets have enabled journalists and media workers to continue their work through the following protection programs and mechanisms: availing of digital forensic services, dealing with trolls and documenting threats and attacks, and maximizing social media and other platforms to ensure uninterrupted publication.

Availing of Digital Forensic Services: Olea said that before seeking assistance from Qurium, Bulatlat first approached Access Now (another non-profit organization), whose advocacy is "focused on digital security for journalists and human rights organizations." Access Now, which has a helpline and an office in Manila, scanned the Bulatlat website for threats and vulnerabilities. It was the first to detect malware on the site.

Initially, Bulatlat tried to deal with the problems detected by Access Now by installing Cloudflare, a form of DDoS mitigation. Eventually, Access Now referred Bulatlat to Qurium because it did not have the capacity to provide digital forensics and web hosting services.

Qurium agreed to provide rapid response service to Bulatlat. Bulatlat's website was migrated from a commercial web host into Qurium's secure hosting. An investigation of the DDoS attacks followed, which led to the digital forensics report that traced the sources of the DDoS attacks. Upon Bulatlat's referral, Pinoy Weekly and AlterMidya also availed of Qurium's services.

Kodao Productions, on the other hand, responded to the DDoS attacks by paying for a new web host. Diones-Mamangun said this has resulted in a financial burden for the alternative media outlet. She shared in Filipino, "Payment for web hosting is annual, not monthly, so if your website is attacked and you need to get another hosting service, that's another outlay. That's why our expenses are growing." Such financial losses are also cited in the literature review as a consequence of DDoS attacks (Henrichsen et al., 2015).

Dealing with Trolls and Documenting Threats and Attacks: For social media attacks, Olea shared that Bulatlat's response is to check whether the source is a fake account or not, take a screenshot, then block. She explained in Filipino, "There is no written policy but we discuss it during office meetings. Our agreement is that we should not engage. If an individual's posting of [malicious] comments is consistent, that's when we resort to blocking." This is validated by Arao: "The general rule is, 'Don't feed the trolls.' So we usually ignore them." He noted that Bulatlat documents "serious threats."

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An exception to the general rule against "feeding" trolls, according to Arao, is when they find the need to engage "with what [trolls] claim to be facts or with what [trolls] claim to be more 'superior' analysis" compared to theirs. He adds:

So sometimes… I do engage them. And we don't draw the line anymore between personal opinion and institutional stand. Because if you're from the alternative media, usually, your political perspective would… most likely be consistent with the institutional stand. So for example, when you talk about red-baiting, the institution would be against it and it would be… surprising if in their individual capacity, [journalists] would be in favor of red-baiting or they would be tolerant of it.

Arao notes that apart from taking screenshots, Bulatlat also records "header codes" when threats are received via email. These codes can help trace the server from which the email originated. Olea noted that whether a threat or attack is physical or digital, it is documented in case the record is needed in the future.

Maximizing Social Media and Other Platforms: Diones-Mamangun also described different types of workarounds (when Kodao Productions was under attack). She expressed appreciation for Facebook as a platform for sharing their news productions, pointing out how her media outlet's Facebook page has never been blocked or taken down. "We can freely post on Facebook," she said in Filipino. "Whether or not the website is down, it is automatic for us to post news on Facebook." In addition, Kodao Productions uses online audio distribution platform SoundCloud for its audio productions—specifically, its paid service that provides more storage for large audio files.

Videos, on the other hand, are shared via Facebook and YouTube. The shorter "breaking news" videos, typically under two minutes, are shared on Facebook, while 30- to 40-minute videos are uploaded on YouTube then linked to Facebook. She noted, however, that it is easier to search for the news reports on YouTube.

According to Diones-Mamangun, in order to promote content, Kodao Productions covers all bases by having a presence on not only Facebook and YouTube but also on Twitter and Instagram. As discussed in the literature review, journalists use social media to distribute news and interact with people as well—despite the security issues that come with such platforms (UNESCO, 2018). Alternative media outlets have kept up with news production trends, using different channels, including social media, to share information (Maslog et al., 2016, p. 19).

In response to the May 2019 trolling incident, Kodao Productions chose not to block the trolls and instead opted to study the post, starting with careful documentation by volunteers. The Facebook users who responded to the post but have not yet "liked" the page were invited to do so. "I'm sure that even if the users include trolls, they will say yes so that they can gain access, right?" Diones-Mamangun said in Filipino.

Similar to Arao's suspicions about the attacks on Bulatlat being state-sponsored, Diones-Mamangun also holds the belief that there is a "political motive" behind the reactions of the trolls to her livestream of the Black Friday protest in Pasay City. In Filipino, she mused, "Otherwise, why do they need to monitor us?" As Arao pointed out, "We mattered enough to be attacked no matter how small we were because of the critical nature of our reportage."

Partnerships: Different stakeholders have been tapped by the alternative press as partners in protecting journalists from digital attacks and threats.

Bulatlat, Pinoy Weekly, and AlterMidya all benefited from Qurium's digital forensics and web hosting, which were part of its rapid response service, provided at no cost. After Qurium first released its

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forensic report internally, Olea said Bulatlat consulted "digital rights activist friends" to corroborate the findings. She noted that while the Filipino digital rights activists they contacted—from Access Now, Computer Professionals' Union, and EngageMedia—knew how to go about the investigation, they are unable to conduct it due to the lack of infrastructure, which is expensive.

"We still maintain constant communication with them," Olea shared in Filipino. "They also find it interesting. We think Bulatlat has been subjected to DDoS for a long time, but we did not have the technical know-how to figure it out before. We thought it was just a problem with bandwidth, but the problem persisted even after we bought hosting with unlimited bandwidth." Arao likewise emphasized the need to seek help from "people who know a lot about cybersecurity." He noted, "We don't make pretensions."

Safety training courses also help journalists know what to do should they face a threat or attack, as Arao pointed out. An example is the safety training for women journalists organized by the Asian Institute of Journalism and Communication in partnership with IAWRT Philippines in June 2019, where Olea served as resource person for the session on digital security.

Arao also pointed out the importance of the media working together to promote journalist safety. He reiterated that the cyber attacks "do not operate in a vacuum," and are "symptomatic of the overall media repression under the Duterte regime." He noted, "That's why we're only too happy that last May 3, the Freedom for Media, Freedom for All coalition also took time to mention the cyber attacks against the alternative media," in addition to the attacks against "big media outfits" Rappler, ABS-CBN, and the Philippine Daily Inquirer. He noted that "the very existence of media [is] being threatened and we don't just want to look at the dominant media but also the alternative media because we are victims, too."

Furthermore, Arao emphasized how Bulatlat's "partnership with Qurium" has enabled them to continue doing their jobs. He shared the advice they received from Qurium: "We do what we do best, you do what you do best."

Combating Digital Threats and Attacks: Policy and Legal Framework and Remedies

Prosecution: This section covers the fourth "P" in the 4Ps framework—the prosecution of perpetrators of digital threats and attacks, including related actions taken after journalists are threatened or attacked.

Alternative media outlets in the Philippines made history on March 29, 2019, with the filing of a civil complaint against cyber attackers.

According to interviewees Arao and Olea, following the digital forensic investigation by Qurium that traced the sources of the DDoS attacks, the plaintiffs—Alipato Media Center (publisher of Bulatlat), Pinoy Media Center (publisher of Pinoy Weekly), Kodao Productions, and AlterMidya – People's Alternative Media Network—filed a civil complaint against IP Converge Data Services, Inc. and Suniway Group of Companies, Inc. and their respective officers.

As described in the civil complaint, a copy of which was obtained by the researchers (*Alipato, et al. vs. IP Converge, et al.*, 2019), both IP Converge Data Services, Inc. and Suniway Group of Companies, Inc. are engaged in the information technology (IT) business.

The alternative media outlets hope to hold the defendants accountable and pray that they pay for the damages the plaintiffs sustained under each of the three causes of action identified—4.00PHP (0.078 USD) for each cause of action or a total of 12.00 PHP (0.24 USD). According to the civil complaint, the plaintiffs should be indemnified for (1) the damage they suffered pursuant to Article 20 of the Civil Code—"Every person who, contrary to law, wilfully or negligently causes damage to another, shall in-

demnify the latter for the same"; (2) the losses and injuries sustained by the plaintiffs as a consequence of the defendants' acts pursuant to Article 21 of the Civil Code—"Any person who wilfully causes loss or injury to another in manner that is contrary to good morals, good customs or public policy shall compensate the latter for the damage"; and (3) the direct or indirect violation of the plaintiffs' freedom to maintain publications pursuant to Article 32(3) of the Civil Code:

Article 32. Any public officer or employee, or any private individual, who directly or indirectly obstructs, defeats, violates or in any manner impedes or impairs any of the following rights and liberties of another person shall be liable to the latter for damages:

…

(3) Freedom to write for the press or to maintain a periodical publication

On top of these are the actual damages for each of the four plaintiffs amounting to a total of 293,042.00 PHP (over 5,500 USD), "attorney's fees" amounting to 200,000.00 PHP (over 3,800.00 USD), and the "costs of the suit," the figure of which is not specified in the complaint (*Alipato, et al. vs. IP Converge, et al.*, 2019).

Arao emphasized that apart from the courses of action previously mentioned, which "had to do with certain Civil Code violations," the main concern is the damage inflicted by the DDoS attacks on the work of the journalists. He explained, "That's why we look at the DDoS case as a testament to how the DDoS is an attack on press freedom itself. It's not just a simple inconvenience for us."

Arao said that before the four plaintiffs made the decision to file the civil complaint, they considered several options and had to deal with "different perspectives on how to handle the fight." He recalled, "Do we file a civil case? Do we file a criminal case? Or do we just engage in a shame campaign?" After a long debate, the four alternative media groups were able to stand united. Perhaps this is the "silver lining" to the crisis, he said.

As of this writing, Bulatlat is unable to disclose details of the reply of the defendants, but Arao noted that it was a "general denial of everything." The two IT companies filed a counter-claim, asking for a total of 6.5 million PHP (around 125,000.00 USD) in damages.

It appears that for Qurium, the Philippine case was rather "unique" as it was their first time to put together a strategy that was "not a shame campaign." Arao noted that "public engagement will be there, [but] the courts will be used" as well. "We want to exhaust all remedies," he added.

The National Union of Peoples' Lawyers (NUPL) served as legal counsel for the plaintiffs. NUPL has also been engaged by Kodao Productions for its legal defense needs. In the past, it has sought help from pro bono lawyers of the Public Interest Law Center (PILC), according to Diones-Mamangun.

Given the limited resources of the alternative press, the expenses for the case were raised with the help of concerned individuals and groups in the Philippines who voluntarily contributed funds, as well as money typically used in the media outlets' daily operations. According to Arao, "We had to make certain adjustments or sacrifices [in the] daily operations so that whatever limited money we have will go specifically to the filing fee." The fee was "something like 11,000.00 or 12,000.00 PHP" (a little over 200 USD), but such an amount can be "quite astronomical" by the alternative media's standards, he said. An example of the belt-tightening that had to be done was cutting down on office supplies.

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Arao noted, however, that coverage did not suffer as a result of the depletion of resources. He emphasized that those in the alternative media are proficient in covering news even with the smallest budgets.

CONCLUSION

Despite being composed of small organizations compared with the mainstream media, the alternative press continues to face digital threats and attacks due to the critical nature of its reportage. As this is the very strength of the alternative media outlets, they need to continue safeguarding the rights and responsibilities of journalists and media workers amidst such cyber attacks.

Based on the findings, following are ways to counter digital threats and attacks on the news media, especially the alternative press.

In terms of **protecting** journalists in danger and enabling them to continue their work, news media outlets need to put together a system for responding to threats and attacks, ensure the use of a secure host, prepare documentation and avail of digital forensic services when under attack, and use social media and other platforms to continue publishing, deterring disruptions to the work of journalists.

Standards in documenting digital threats and attacks should be developed and widely shared. In addition to the traditional narratives, documentation should cover technical aspects of these types of assault, including the techniques and tactics used by cyber attackers.

International media freedom and development monitoring groups such as the Committee to Protect Journalists and IFEX as well as UNESCO should review and update their monitoring criteria and indicators to include those related to online and digital rights and freedom. Some indicators covered in the annual Freedom of the Net Index may be adopted. These groups should include digital threats and attacks in their regular alerts, and denounce such actions globally and immediately.

Prevention measures that can reduce risk or the incidence of attacks include using a strong firewall and being proactive in checking the security of the website and digital communications. Staff and editors alike should have safety consciousness, and must know strategies for preventing threats and attacks. In addition to the digital strategies, they should also use traditional ones such as practicing the buddy system, monitoring the location of staff, and deactivating potential surveillance tools like mobile phones.

In sharing information about cyber attacks, media outlets should avoid being "alarmist" and sensational, as Arao suggested. They should be "level-headed" in discussing how they are dealing with the situation so as not to provoke new attacks.

Specific provisions on how to deal with digital threats and attacks within the 4Ps framework should be included in the forthcoming Philippine Plan of Action on the Safety of Journalists. The Philippine Plan is anchored on the UN Plan of Action on the Safety of Journalists and the Issue of Impunity and is being developed through a participatory process involving media, government, academe, and civil society, led by the Journalist Safety Advisory Group composed of the Center for Community Journalism and Development (CCJD), Philippine Press Institute (PPI), CMFR, NUJP, IMS, and AIJC.

In the area of **prosecution** of perpetrators, the justice system should be well equipped to deal with cybercrime cases. Judges' decision-making should be contextualized within the nuances of a digital society. Prosecutors and investigators should also be equipped with skills that can be used in cybercrime investigations, such as digital forensics. The Philippine Judicial Academy should enhance course content on cybercrime.

To what extent are existing cyber laws able to prevent cyber attacks against citizens and journalists? Do they provide restitution for those affected? There is a need for an independent review of all relevant cyber laws with the purpose of introducing amendments or proposing new laws based on the security needs of the press. Caution must be exercised, however, so that legislation will not result in restrictive interpretations that could narrow freedom of expression and the right to information.

Partners and stakeholders in safeguarding press freedom should collaborate more closely with internet intermediaries such as Facebook and Google in undertaking more proactive work in order to prevent and address illegal, unethical, and unprofessional online practices that undermine press freedom and freedom of information. These intermediaries should be more transparent in reporting individuals and groups behind such practices.

In developing social media policies related to cybersecurity of alternative news media outlets, among the resources that can be reviewed as a guide for policy advocacy and action is the Facebook Transparency Report, published every six months and disaggregated by country. Providing data on Facebook's enforcement of policies, the report covers the following: Community Standards Enforcement, Intellectual Property Infringement, Government Requests for User Data, Content Restrictions Based on Local Law, and Internet Disruptions.

In building more **partnerships** for the protection of the press from digital threats and attacks, education and training should be among the priority areas for collaboration.

Digital rights are basic human rights that form part of the provisions of Article 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights. There is a need to educate government officials and the public about the basic principle of digital rights as human rights.

Media and Information Literacy (MIL) is the first line of defense against information disorder and all forms of attacks on individual freedoms. Thus, MIL initiatives should educate individuals about their corresponding duties and obligations in the exercise of freedom of expression and its corollary rights.

Young people are among the heaviest users of social media in the country as of 2019, with those in the 18- to 24-year-old age group identified among the top users, followed by users from 25 to 34 years old and those from ages 13 to 17 (We Are Social & Hootsuite, 2019). The youth, including young creative professionals, have also been found to work as fake account operators or political trolls (Ong & Cabañes, 2018). Thus, it is urgent to revisit and update the Department of Education's MIL Curriculum Guide for Senior High School Students to ensure the integration of competencies in the areas of ethics and social responsibility. The role of news media in a democracy should also be emphasized.

Civil society organizations and media NGOs who are at the forefront of press freedom initiatives should take the lead in putting pressure on the government to address digital attacks and threats on the press, by first increasing public consciousness, then transforming public grief into public political action.

Cybersecurity should be covered in all journalist safety training courses, as well as in the curricula of journalism schools. More training programs for women journalists and journalism educators, in particular, should be organized, as women in media are perceived as easier targets and are less likely to report threats and attacks. Digital rights activists, such as the individuals who corroborated the results of the digital forensics report by Qurium, can be invited as resource persons. Members of web-based media require continuous education on cybersecurity, especially with regard to the different types of technological intrusions and how these can be addressed.

Digital threats and attacks against citizens and journalists should be discussed in news media platforms and public forums to create greater public awareness, interest, and understanding of such issues, concretizing their impact on individual rights and freedom.

FUTURE RESEARCH DIRECTIONS

There is also a need for partnerships in the area of research, particularly in the conduct of interdisciplinary and multidisciplinary studies on digital forms of assault on the press. Communication and journalism researchers should work with experts in behavioral psychology, sociology, and computer engineering.

Future research on the safety of journalists and media workers in the Philippines, which could also be interdisciplinary and multidisciplinary, should build on this exploratory study by comparing and contrasting experiences of alternative media and mainstream media regarding digital threats and attacks.

Research on journalist safety and security should be promoted by international professional organizations such as the International Communication Association (ICA), International Association of Media and Communication Research (IAMCR), and Asian Media Information and Communication Centre (AMIC).

The Commission on Higher Education should encourage all journalism schools to integrate journalist safety, including cybersecurity, in the curriculum. AIJC, with support from UNESCO, has developed a model course syllabus which can be used by the schools.

AIJC should also maintain and expand its online repository of teaching-learning resources on journalist safety to include more materials on cybersecurity. It should invite credible local and international organizations to contribute.

Alternative and mainstream media organizations will mutually benefit from continuing to support each other especially when confronted with threats and attacks, digital or otherwise. Together they stand stronger in pushing back against media repression.

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KEY TERMS AND DEFINITIONS

Alternative Press/Alternative Media: Independent, progressive, and typically non-profit news media outlets, journalists, and media workers covering stories of the oppressed and marginalized, upholding a tradition of fighting for freedom and democracy.

Denial of Service (DoS): A form of digital attack that seeks to overwhelm a website, rendering it inaccessible, using one computer and one internet connection.

Distributed Denial of Service (DDoS) Attack: A type of DoS attack that seeks to overload a website and make it inaccessible using numerous computers and connections, usually distributed around the world.

Doxing: Extraction and publication of private, identifiable information about an individual with the intent to cause harm.

Malware: A portmanteau of "malicious" and "software," this refers to software designed to gain unauthorized access to and/or damage a computer system.

Red-Baiting/Red-Tagging: A form of harassment or persecution of a person identified or suspected as a communist sympathizer.

Trolling: The act of posting messages, typically on social media, with the intention of triggering conflictive debate.

Chapter 2
Shooting the Messenger, Slowly, but Surely:
A Review of Imminent Threats to Freedom of Media and Journalistic Integrity in India

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ABSTRACT

India ranks 140th among 180 countries worldwide in the World Press Freedom Index (WPFI), according to the 2019 report by Reporters Without Borders (RSF). In 2018, India was 138th in the same index and 136th in 2016. For the media of the world's largest democracy, this is disconcerting. The slide in the country's press freedom ranking is indicative of a complex and hostile social, political, and economic environment pushing at the boundaries of media that is struggling to perform independently as the fourth estate. This chapter takes a critical look at imminent threats to freedom of speech and expression faced by the Indian media in the contemporary situation. The first objective of the chapter is to identify diverse threats to the Indian media, specifically journalism. The second objective is to trace both immediate as well as distal factors that breed hostility towards the media, with a focus on press laws and constitutional provisions in India.

INTRODUCTION

On September 5, 2017, while returning home from work, as Gauri Lankesh, editor-publisher of a Bangalore-based, regional language weekly newspaper, *Gauri Lankesh Patrika*, stepped on her doorstep, she met the deadly fate she had been dreading for a while. Three unidentified men riddled her body with seven bullets, piercing through her head, neck and chest, leaving her dead on the spot. The 55-year-old Lankesh, a journalist-activist, who was popular among the Dalit rights activists and several Left-wing groups, was an outspoken critic of the caste-based social stratification system in India. Lankesh was re-

garded as a fearless proponent of human rights and a vehement opponent of the recent rise of nationalism in India. Obituaries penned by her friends and sympathizers described her as incorrigibly argumentative and bold. She was an influential political organizer and mobilizer, who had taken several socially and politically marginalized voices under her wings.

Lankesh's murder is the most high-profile, cold-blooded, murder of a journalist in India in a long time (BBC, 2017). Considering her stature and contribution to journalism, she was honored with the prestigious Anna Politkovskaya Award posthumously (The Hindu, 2017). Following Lankesh's murder, a chill pervaded in the country's newsrooms stirring speculation that many other journalists and activists were on the assailants' target list. The prime accused in her murder, Parashuram Waghmore, admitted to killing Lankesh to save his religion. He also confessed to having never read Lankesh's work. He claimed that he had learned from sources that it was blatantly against Hindutva, an ideology Waghmore passionately followed.

The World Press Freedom Index (WPFI) by Reporters Sans Frontières (RSF) puts India at 140 among 180 countries. The ranking is an indicator of a complex undercurrent that is a combination of social, economic and political factors. The WPFI index, similar to the International Freedom of Expression Exchange (IFEX) index, defines press freedom in a multidimensional sense. The WPFI uses a survey methodology to evaluate the perception of press freedom within legal, political, institutional and professional environments. To compute the rankings, the index assesses physical and psychological threats and attacks, perceived as well as real, among local and foreign press workers, media activists and other related non-governmental agencies in the country (Becker, Vlad, & Nusser, 2007). While the index is pinned on how threats to press freedom and journalistic safety are perceived, it has been established that journalists' perception of political and economic threats is fairly concurrent with the real indicators of political freedom and ownership structures in a society (Hanitzsch & Mellado, 2011). According to statistics compiled by the Free Speech Hub for India, by the Indian media watchdog foundation, The Hoot, in the year 2017, three journalists were killed for their journalistic work, 46 were attacked for their reporting, 27 were detained, arrested or had cases registered against them, while 12 were threatened for their journalistic work (The Hoot, 2018). The report claims that the social and political environment in India has steadily grown worse for journalism and journalists since 2017. According to Committee to Project Journalists (CPJ), five journalists were killed in 2018. This warrants a critical look at the events that have occurred in the past to study their implications on the freedom of the press, journalist safety and journalistic integrity in the present and the future.

MATERIALS AND METHODS

This chapter is based on an analysis of documents/texts that are related to press freedom and journalist safety in India. Data includes official public statements of The Editors Guild of India (EGI) issued since 2016 expressing its concerns; reports of global and national media watchdogs; and news coverage in Indian and international media. The aim of the document review is to screen the presence of threats to journalism and press freedom as articulated and perceived by the press and its stakeholders, and to critically analyze them by identifying probable causal factors within the Indian context. The chapter includes a concise background of the Constitutional and legal provisions related to freedom of the press in India, as well as lack of other protection mechanisms thereof. In presenting a background of the legal provisions and their political usage, the chapter aims to establish the concept of state capture as its

theoretical base. The examples of threats to freedom of press and journalists' safety cited in the chapter are situated with the current context and the structural limitations of the legal and political systems in an attempt to underline the causal links between them.

FINDINGS AND DISCUSSION

Freedom of the Press in India: Legal Safeguards and Threats

The Constitution of India under Article 19(1)(a) guarantees freedom of speech and expression as a fundamental right to every citizen of the country. The right to freedom of speech and expression also embodies the 'Right to Know', which is codified as the Right to Information Act, 2005 (RTI). The 'Right to Know' is an essential provision to foster transparency and accountability in a democracy; it is concurrent with the right to disseminate information and the right to freedom of speech and expression, and is the foundation of a free and independent press. However, the sub-clause of the Article also mentions 'reasonable restrictions' specified in Article 19 (2) that may override the conferred right to a reasonable extent, however, only following a sanction of law and not just an executive order, as is the case with most provisions in the Constitution. Therefore, the law safeguarding freedom of speech and expression in India is interpreted as the right to freedom of speech and expression as long as there isn't a direct conflict with the laws concerning (a) the sovereignty and integrity of India; (b) the security of the State; (c) friendly relations with foreign States; (d) public order; (e) decency or morality; or comes in conflict with laws related to (f) contempt of court; (g) defamation; or (h) incitement to an offence (Government of India, 1950).

The 'reasonable restrictions' mentioned in the sub-clause of Article 19 relate to some of the most draconian laws stemming from the colonial past of India. The Official Secrets Act, 1923 (OSA) is one such draconian law of a colonial legacy that allows the government and government authorities to label anything as an "official secret" and deny information about it by citing secrecy and confidentiality for national security and safety purposes. Since the law does not explicitly state what constitutes an "official secret", it allows arbitrary assigning of information into a confidential class. The sanction to deny information is not the only concern with the law. The Act also levies heavy punitive consequences on persons/groups charged for espionage or sedition – 14 years of imprisonment or fine, or both.

In 1999, journalist Santanu Saikia was charged under the OSA by the Central Bureau of Investigation (CBI) for writing an article in *The Financial Express*, a national daily newspaper. The article was based on a leaked Cabinet note on divestment policy of the government of India. However, in 2009, the Delhi High Court acquitted the journalist stating in its order that publishing a document that is merely labeled as 'secret' shall not render the journalist liable under the OSA (Garg, 2009). Owing to a similar liberal interpretation of the OSA by the judiciary, a Kashmiri journalist, Iftikhar Gilani, who was arrested under the Act for downloading a publicly available document from the Internet in 2001, was released after he had already spent seven months in prison. In 2011, *Mumbai Mirror*, crime reporter, Tarakant Dwivedi alias Akela, was charged with criminal trespassing under the OSA for publishing a story in the newspaper revealing how weapons procured by the Railway Protection Force (RPF) after the 26/11/2008 Mumbai terror attacks were being stored in an armory with a leaking roof at the Chhatrapati Shivaji Terminus station in Mumbai. The Bombay High Court dismissed the case against the journalist after an RTI enquiry

revealed that the armory in question was not situated in a prohibited area, therefore reporting about it or disclosing its details was not a criminal offence (Deepalakshmi, 2019).

In India, as these examples illustrate, where there has been a dispute between the state/law and the right to free speech and expression of an individual or group, the judiciary, especially the Supreme Court (SC) of India, has usually decided in favor of free speech and expression, and has upheld the democratic ethos of the Constitution of India. While deciding such cases of conflict, the SC has honorably followed the principles of proper balancing and objectivity; the principle of due process of law; the principle of reasonableness of restrictions; and the principle of procedural, as well as that of substantive process (Sorabjee, 2018). Yet there is a limit to how far even the judiciary supports freedom of speech and expression. For example, recent objections by the political opposition in India against the draconian and silencing nature of the criminal defamation law and its Constitutional validity has not been entertained by the SC, as their political leaders were asked to stand trial for criminal defamation cases filed against them by the ruling party leaders (Sharma, 2016). In fact, the political will to do away with the criminal defamation law remains weak worldwide (Bhatia, 2016).

India continues to have the provision of a criminal as well as a civil defamation law leading to imprisonment up to two years, or fine, or both. The 'reasonable restrictions' related to defamation are laid out in Section 499 of the Indian Penal Code (IPC), 1860. In 2004, the Tamil Nadu state government withdrew 125 defamation cases it had filed against *The Hindu* newspaper after the newspaper's publishers filed a petition with the Supreme Court (SC). The petition questioned the constitutional legality of the criminal defamation law and stated that the law violated the constitutional provision of free speech and expression. This was the second time that the state government had withdrawn defamation cases in large numbers, after an impending SC decision on the legality of the existing law, and therefore, ensuring that the law remains, albeit toothless, to harass and silence journalists and political opposition (Committee to Protect Journalists, 2004).

The past few years have seen a number of defamation cases filed against the media in India, many of which have been withdrawn. In 2018, industrialist Anil Ambani's Reliance Group filed 28 defamation cases, of which 20 were against several media organizations and journalists for their critical reporting of an aircraft deal by the Indian government to procure 36 Rafale jets from France and the Reliance Group's alleged profiteering role in the deal. Similarly, defamation suits filed by The Adani Group against the online news portal *The Wire* were also withdrawn. The news portal had also filed an appeal at the SC in a criminal defamation case filed against them by prominent ruling party leader Amit Shah's son, Jay Shah, for publishing an allegedly defamatory article about him on its portal. In June 2019, three journalists were arrested and charged with criminal defamation by the provincial government of Uttar Pradesh (UP), India's most populous state, for defamatory content against the UP Chief Minister, Yogi Adityanath. The Editors Guild of India called this action by the government a brazen misuse of law to ultimately silence the press (Editors Guild of India, 2019).

An analysis of the criminal defamation cases filed by the corporations and industrialists in India, by the online news portal *Scroll.in,* revealed that most such cases were filed in the state of Gujarat, specifically Ahmedabad, since the court fee to file any suit is capped at INR 75,000 in Gujarat, as per the Gujarat Court Fee Act of 2004. The court fee varies in India, and usually the defamation suit fee is a percentage of the damages claimed by the complainant. This acts as an unintended deterrent, discouraging complainants from demanding heavy damages. However, what with this unique situation at courts in Gujarat, damages worth thousands of crores were demanded from Indian media and publications after paying a comparably miniscule court fee (Yamunan, 2018). Moreover, choosing a distant location for

filing the defamation suit also ensures harassment of journalists and media as one has to be physically present for the court hearings.

The antiquated sedition law in India has also been used by successive governments to silence dissent and muzzle the press. According to the sedition law under Section 240A, which is part of the section on "Offences against the State" of the IPC, any "words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government" are punishable by law, a fine and a maximum punishment of life imprisonment. The law was declared unconstitutional by Allahabad High Court in 1954 following its verdict on a sedition case filed against Ram Nandan by the government of India for his alleged inflammatory speech. In his speech, he had blamed the Congress party government for failing to address issues related to poverty and for its mismanagement of the prevailing agrarian crisis. Objection was also taken to his comments on Jawaharlal Nehru, India's first Prime Minister, and his role in the Partition of India. This decision was eventually overturned by the Supreme Court in 1962, in the famous Kedar Nath case, and it was held that the sedition law is constitutional (Narrain, 2011).

In 2012 and 2013, around 9000 men and women, protesting against the setting up of a nuclear power plant in the southern-India state of Tamil Nadu, were arrested for sedition and for waging war against the government. Many of those charged were not even named in the police chargesheet. In 2014, 60 Kashmiri students in Uttar Pradesh (UP) were charged with sedition for cheering the Pakistan cricket team during a match against India (Biswas, 2016). Dissent among students in Indian universities has particularly been crushed using the sedition law. In 2016, Jawaharlal Nehru University in Delhi, a group of students was charged with sedition for organizing a protest, where anti-India slogans were allegedly raised. In 2017, 66 students of Panjab University, Chandigarh, were booked under sedition for a protest organized against fee hike that had led to clashes with the police (Siddiqui, 2017). In 2018, Chhattisgarh-based journalist Kamal Shukla was charged with sedition for sharing a cartoon with alleged 'derogatory' references against the Indian judiciary and the government in a social media post (Outlook, 2018). In another social media-related case, in 2019, the UK-based, Indian origin rapper Hard Kaur aka Taran Kaur Dhillon was charged with several cases under the IPC, including sedition for an Instagram post on the Uttar Pradesh Chief Minister, Yogi Adityanath. In a *suo motu* action by the police, sedition cases were registered against Assamese litterateur Hiren Gohain, and RTI activist-journalist Akhil Gogoi for their comments on the Citizenship (Amendment) bill during a protest meet in 2019 (Press Trust of India (PTI), 2019). Besides the laws mentioned in this section, laws related to hate speech, obscenity and national security are frequently used in an arbitrary manner to silence dissent in public and media (Siddiqui, 2017).

Attempt to change the Constitution by the successive governments in power is also a significant threat to the freedom of speech and expression and the rights of Indian citizens guaranteed and protected by the Constitution. The Right to Information Act (RTI), 2005, is a crucial transparency law of India, and attempts to allegedly dilute it by limiting the power and independence of the Chief Information Commissioner (CIC) and increasing the power of the federal Government in the Right to Information (Amendment) Bill, 2019, were met with protests, calling the amendment a blow to the transparency law and India's democracy (Venkat, 2019). In 2015, the Supreme Court struck down the National Judicial Appointments Commission Bill 2014 (NJAC), as an unconstitutional law, stating that it would have undermined the freedom and independence of the Indian judiciary by bringing it under the control of the legislature (Rajagopal, 2015). Overall, there has been a concerted move by the government towards

excessive and coercive centralization of command and power in India, and this has had an impact on all aspects of civic life, which can be discrete and long lasting (Jaffrelot, 2019).

The 'End of Impunity in India' report (Indian Federation of Journalists (IFJ), 2016) highlights the perils of being a journalist in India. Besides the use of draconian laws against the media, denial of information and controlling access to sources, those accused of killing or harassing the media persons enjoy considerable immunity. The police and administration, especially in areas of conflict, are allowed to function with impunity. They often get away by citing administrative ploys, which makes it challenging for journalists to claim their rights (Murthy, 2018). According to 'Dangerous Pursuit', a 2016 report by the Committee to Protect Journalists (CPJ), the United Nations' demand of the judicial status of killings of journalists in India has not been met (Committee to Protect Journalist (CPJ), 2016). This reflects the casual attitude of the state towards the safety of the journalists and a need for a media sensitive policy.

CONTEMPORARY ISSUES AND THREATS

Reporting Crime and Corruption

In 2019, at the 70th anniversary of the Geneva Association of UN Correspondents (ACANU), United Nations (UN) General Secretary António Guterres expressed his concerns over increasing threats to journalists' safety around the globe. Sharing statistics compiled by the United Nations Educational, Scientific and Cultural Organization (UNESCO), which advocates freedom of the press, Guterres said, "most of the journalists and media workers killed, injured and detained were covering politics, crime, corruption and human rights". Guterres pointed out that local correspondents working in non-conflict zones were most vulnerable to threats (UN, 2019). Journalists working in small towns across India often find themselves in harm's way as they usually work independently and cover issues that challenge the status quo of locally powerful interest groups.

In 2017, Patricia Mukhim, editor of the *Shillong Times* – a newspaper published from the eastern Indian state of Meghalaya – narrowly escaped when two kerosene bombs were hurled at her residence in Umpling, Shillong. In 2019, Mukhim and the newspaper's publisher, Shoba Chaudhuri, were convicted under a 'contempt of court' case by the Meghalaya High Court for publishing stories in the newspaper that questioned the integrity of the HC judges. The ruling was eventually overturned by the Supreme Court of India and a notice was sent to the HC in the case. In 2018, in the eastern Indian state of West Bengal, two local journalists, Biplab Mondal and Manas Chattopadhyay, were assaulted while covering a village council's nomination process. The same year, a stringer and a freelance journalist, Navin Nischal and Vijay Singh, were run over by a private vehicle and killed in Arrah, Bihar, raising questions about the security of small town journalists (Ranjan, 2018).

In 2018, Rachna Khaira, a Jallandhar-based correspondent of *The Tribune*, revealed a large-scale privacy breach in the personal data of individuals stored in the government's 'Aadhaar' cache with the Unique Identification Authority of India (UIDAI). Khaira, and her newspaper editor, Harish Khare, were charged by the government agency under IPC Sections 419 (punishment for cheating by impersonation), 420 (cheating), 468 (forgery) and 471 (using as genuine a forged document) for carrying out and publishing the investigative report. Soon after the publication, Khaira joined the international news portal *Huffpost India*. In an interview, Khaira admitted that the benefits of working with a large media organization included better access to resources and enhanced personal safety (Babushahi Bureau, 2018).

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The Rachna Khaira case, and the mysterious death of the *India Today* journalist, Akshay Singh, who was investigating the Vyapam Scam – corruption scandal in college admissions and job recruitments in the central Indian state of Madhya Pradesh – in 2015, point at the immediate need for laws that protect whistleblowers and journalists. At present, the Whistle Blowers Protection Act of 2014, ensures a basic safety cover for those making public-interest disclosures in India. Following a Supreme Court decision in 2011, no specific laws or guidelines for protection have been laid out, and petitioners are required to approach the High Court for case-specific protection mechanisms and allowances (Press Trust of India (PTI), 2011).

Reporting Conflict

India hasn't been involved, directly, in an international war or war-like conflict for over a decade. However, several parts of India – in north, north-east, center and south-east – are affected by chronic conflict as a result of separatist movements, Maoist insurgency, tribal rebellion, and other civic unrests. Kashmir, within the Line of Control (LOC) in India, is among the deadliest places for a journalist to work. Prominent international peace, security and human rights agencies, such as, the UN, Amnesty International, and the RSF, among others, have routinely acknowledged and reiterated that the Kashmir-based journalists face multi-layered threats from internal and external sources alike. The plight of media in Kashmir has received significant attention, because of the unique international interest in the region. By contrast, journalists working in other conflict zones in India are struggling to even have their accounts of personal safety threats and infringement of press freedom across to the nation's mainstream media. In a sense, there is a class among conflict reporters as well. Journalists working in conflict zones of greater economic or political priority, and those employed with bigger media organizations are given – relatively speaking – preference and privilege, while journalists working in low-priority conflict zones and those working independently or with small, local media organizations are usually neglected. Besides, in an armed conflict journalists can be either working independently or can be embedded with one of the belligerent forces, and their rights and safety situation will be decided by this status of engagement.

Journalists in conflict zones face multiple threats, from being caught between an enemy cross-fire to being physically intimidated by power groups during news production routines. In such circumstances self-censorship becomes their only recourse. Under international law, journalists reporting from armed conflict zones are accorded with the status and rights of a citizen. However, they can lose this status by getting involved in any sort of hostility pertaining to the prevailing conflict (Balguy-Gallios, 2004). In such cases, mostly the burden of proof is on the journalist and can involve a long-drawn battle with the law and state machinery abetting harassment of all types. Besides, there is also an obligation on the state to provide media in conflict zones any available advance information about attacks. But this has rarely happened, and the few exceptions that have been made have specifically involved the state-owned or state-supported media.

In June 2018, one of the more moderate voices in Kashmir, Shujaat Bukhari, a high-profile journalist and editor, was shot dead by unknown assailants outside his office in Srinagar. The killers remain at large, and a threat of similar fate continues to loom on other journalists in Kashmir. Bukhari's assassination has taken Kashmir's media back to the 1990s when militancy was at its peak in the state and the press was almost kaput. In 2019, the Indian government also withdrew government advertisements, which are a major source of revenue for small and medium newspapers, from two Kashmiri newspapers, *Greater Kashmir* and *Kashmir Reader*, for their reporting on human rights violations in the region. Journalists in

Kashmir, especially those working with electronic media, or camerapersons, who are easily identifiable because of their equipment, become victims of targeted violence initiated by security forces, as well as the insurgents, who see them as siding with the other. Journalists working with national media outfits face more hostilities from locals in most conflict zones, as compared to journalists working with the local media (Pal & Bukhari, 2019).

In October 2018, Achyutananda Sahu, a video journalist working with the state-run national media channel, *Doordarshan*, was killed while covering the build-up to a provincial election in the Maoist-hit area of Chhattisgarh, while two of his colleagues narrowly escaped. Sahu was embedded with the security forces and was caught between crossfire during a Maoist attack. *Doordarshan* was criticized for not providing any protective gear to the journalists. A day later, Chandan Tiwari, an *Aaj News* journalist, was found dead under mysterious circumstances in the Chatra district of the radical left-hit Jharkhand state. He had lodged police complaints against two death threats that he had received on his phone. The India Journalists Union (IJU) president, Amar Devulapalli, called for action by the state to protect journalists and criticized media organizations for failing to follow existing guidelines to protect journalists in conflict zones (International Federation of Journalists (IFJ), 2018).

Reporting Sensitive Political and Social Issues

With the rise and need for activism in journalism and the emphasis on reporting developmental issues, risks to journalists have increased manifold. Reporting on political, social and ideological issues that clash with the interests of certain groups has led to harassment – and even deaths – of several journalists in India. Gauri Lankesh's murder illustrates the dangers a journalist is exposed to in an environment with growing hostility and mistrust. In India, the rise of nationalism, populist politics and disenchantment with political opposition has led to the besiegement of liberal thought and given way to radicalization in all aspects of social and political life. In 2013, Narendra Achyut Dabholkar, a Pune-based medical doctor and rationalist, was shot dead by two unknown assailants. Dabholkar was a fierce proponent of rationalism and ran an anti-superstition organization, Maharashtra Andhashraddha Nirmoolan Samiti (MANS) that challenged the menace of superstition and black magic in the state. Dabholkar had been receiving death threats since the 1980s, when he became a social worker (The Economist, 2013).

In 2017, a self-styled god man, Gurmeet Ram Rahim Singh, was convicted of raping two female followers in his massive cult compound, Dera Sacha Sauda, in Sirsa, Haryana. The rape cases date back to 2002, and were first published in a local Hindi newspaper *Poora Sachh*, by its editor-publisher Ram Chander Chhatrapati. Not long after, Chhatrapati was shot by two armed assailants. He succumbed to the injuries a month after the attack. Singh's conviction verdict given by a Special CBI court at Panchkula, in north India, led to massive protests by his followers, and also led to physical attacks on several media persons covering the verdict. In 2019, after years of thriving under political patronage and impunity, Singh was eventually convicted of the journalist's murder as well (Das, 2017; Bhardwaj, 2017).

Social media has become the latest platform for targeting and abusing journalists due to differences of opinion or vested interests. Abusive trolling and threats to journalists, especially women journalists and senior journalists by organized groups and followers of a particular ideology or individuals has been one of the major concerns expressed by the Editors Guild of India in its statements since 2018. In 2019, after a terrorist suicide attack that killed 42 Indian security personnel in Pulwama, Kashmir, a prominent TV journalist, Barkha Dutt, received thousands of threat messages, phone calls and social media abuses in a coordinated digital mob-attack. This happened after she, like other journalists who were targeted,

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came out in support of Kashmiri civilians who were being attacked by revenge-minded lynch mobs across India. Four people were eventually arrested in the case (Scroll.in, 2019). Several journalists and public figures who faced online bullying eventually decided to quit the social media, citing the toll that it took on their mental health.

In 2019, a faction of Indian media also reported a 'freeze' in government advertisements given to their publications, and attributed its critical reporting of the government's policies as the reason behind the withdrawal of ad-spend by the government. However, officials of the government have denied such allegations (Withnall, 2019). The same year, in July, The Editors Guild of India (EGI) also objected to the decision of the Union Finance Ministry to deny entry to government-accredited journalists in its offices without prior appointment. The guild stated that this decision by the ministry was arbitrary and was making it difficult for journalists to access government sources (Editors Guild of India, 2019). In August 2019, the absolute information blackout and state lockdown under a curfew imposed by the Government of India in the northern province of Jammu & Kashmir, following the repeal of the controversial Article 370 and Article 35A of the Indian Constitution, was noted by UN as a dangerous precedent with a potential to change the status of Indian democracy (Ratcliffe, 2019).

Workplace Safety and Security

A journalist is exposed to various occupational hazards, especially at places where they are least expected. During news production processes the focus is so intense on developing a 'nose for news' that training the eye for dangers takes a backseat. In 2016, Ravi Kanojia, a promising young photojournalist, working with *The Indian Express*, died after being electrocuted by a high-tension electricity line in Jhansi, Uttar Pradesh. Kanojia was on an assignment to report on a water train that was being sent from Jhansi to drought-hit Bundelkhand in the province. To capture a bird's eye view of the water train, Kanojia climbed on top of an adjacent train when he was accidently electrocuted by the high-tension line running overhead. In 2012, Tarun Sehrawat, a photojournalist with *Tehelka* magazine, died after contracting falciparum malaria, typhoid and jaundice on his return from an assignment in Abhujmarh, Chhattisgarh. Sehrawat's colleague, Tusha Mittal, who had accompanied him on the assignment, remained severely ill for several days. It was found that the two journalists had no training to keep themselves safe in a forest terrain; they had not taken malaria prophylactics; they did not carry treated bed nets and slept on the ground in open. The journalists also did not carry chlorine tablets to treat water before consumption. Kanojia and Sehrawat's deaths were seen as preventable casualties and several media professionals pointed out the organization's responsibility in providing journalists with health, travel and safety training and resources (Sankar, 2016; Manocha, 2012).

Besides working in precarious situations, low wages, miniscule benefits, job insecurity and unstructured working hours are some of the professional issues that make journalism less lucrative than other media professions. Journalism, unfortunately, is not counted among high-skilled jobs in India. Media organizations and policymakers have not acknowledged that journalism practice requires years of rigorous field-work and desk experience to acquire and hone reporting, writing, editing, and analytical skills. The public perception of journalism and journalists' approval ratings have also plummeted owing to the worldwide phenomenon of fake news, increased public awareness about sensationalism in news and partisan journalism. Besides, there is a huge disparity within the media industry. Salaries and perks given to journalists vary widely in India, depending on experience, organization, location of work, the type of media, reporting beat, expertise, and personal and professional skills.

Gender discrimination is also a significant concern at the media workplace and requires immediate attention. Discrimination among genders begins with skewed hiring practices, salary discrepancies, arbitrary beat allotments, and is usually experienced the worst at the level of everyday news production in the form of bullying or sexual harassment. While Indian media has always discussed and reported sexual harassment and assault cases in professional and domestic settings, it has shamefully shielded the wrongdoings of its own professionals within its organizations. In 2013, the gang-rape of a 22-year-old female photojournalist, an intern with an English newspaper in Mumbai, shocked and angered the media. Every media outlet spoke out against such heinous sexual crimes and demanded protection of female journalists with speedy justice to the victims (BBC, 2013). However, in 2018, a stark silencing chill was witnessed in the Indian media when several female journalists on social media disclosed personal accounts of years of sexual harassment, abuse and crimes committed against them by their colleagues, senior editors, and prominent public figures from the fields of art, cinema and literature. Barring a few media outlets, the Indian media largely chose to ignore and not report the largest wave of #MeToo movement that unfolded on social media. However, due to mounting public pressure, fear of being discredited, legal and moral pressure from women's rights groups, several media organizations acknowledged the sexual harassment cases and took action against the accused employees (Saberin, 2018). Nevertheless, the #MeToo disclosures have not gone without a severe backlash in India. Female journalists who made public disclosures have had to face threats, intimidation and defamation suits demanding exorbitant damages from the accused (Safi, 2019).

CONCLUSION

The incidents of muzzling of the freedom of press and threats to the safety of journalists discussed in the chapter are derived from the analysis of media coverage of the issue, as well as reports by media watchdogs and official statements issued by the Editors' Guild of India. The media's coverage of threats to journalism and freedom of speech and expression reflects its own perception of the problem, and also reveals the dimensions of the discourse of free speech and expression created by the media. The chapter focuses on only the most prominent and relevant cases in each category related to the social, economic and political context that impacts the freedom of speech and expression and safety of a journalist. On analysis, it is revealed that there is a prevailing systemic control of the state on the functioning of the press, and that the control influences every aspect of professional and individual life. The existence of draconian laws of a colonial legacy, systemic corruption at all levels of the state, crony capitalism thriving on a nexus between big businesses and political elites, rise of nationalism, social and religious intolerance and unequal distribution of wealth and power among the masses, emerge as some of important the factors that have relegated the need for freedom of speech and expression and threatened the integrity of the journalistic profession in India.

American journalist and diplomat Henry Anatole Grunwald said, "Journalism can never be silent: That is its greatest virtue and its greatest fault. It must speak, and speak immediately, while the echoes of wonder, the claims of triumph and the signs of horror are still in the air." The voice of a nation's press is the voice of its citizens, and silencing the press is a blow to democracy. India has always been struggling to build an independent and safe fourth estate. The Constitutional provisions, which act as safeguards and threats to the freedom of the press and journalists' safety, listed in this chapter give the structural view of the environment within which with the press negotiates its power and rights. The second segment of

the chapter categorized the various types of threats to the freedom of speech and expression and journalistic integrity. It is important to note that a journalist's integrity towards the profession also hinges on perception of personal safety, among other things. The review of the contemporary issues ailing Indian media reveals a need to have more stringent legal safeguards, and abolition or softening of some of the draconian laws. There is also a need for a concerted effort by all stakeholders in the society to address social, political, and cultural issues that come into conflict with media reporting. An organizational-level policy to ensure journalist safety and security is imperative. Media stakeholders should work on building a safe and productive work environment for the journalist.

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KEY TERMS AND DEFINITIONS

#MeToo Movement in India: It refers to the social movement wherein the #MeToo hashtag was used on social media by women journalists, media professional, and women from the fields of arts and entertainment, to publicly disclose personal accounts of sexual harassment at workplace by their colleagues, senior journalists and public figures.

Freedom of the Press: It is defined as the right of the press and the media to publish and disseminate information freely, independently and accurately without any external or internal pressures, curbs or censorship. According to the principle of free press, the press or the media also has the right and the duty to decide the public interest value of any information.

Occupational Health and Safety of Journalists: The term refers to a set of conditions related to health and safety of workers in the profession of journalism. It includes associated labor laws, human rights and organizational policy that have an impact on health and safety of journalists.

Chapter 3
What Compels Journalists to Take a Step Back?
Contextualizing the Media Laws and Policies of Bangladesh

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ABSTRACT

Reports by international organizations suggest that physical violence and threats against journalists and bloggers continued with impunity in Bangladesh, resulting in the country being ranked as 146 in the World Press Freedom Index 2018. Considering the increasing incidents of violence against journalists and attacks on media freedom, this chapter specifically aims to shed light on Bangladeshi laws and policies, which are related to media freedom and to protect media from crime against journalists. Relying on Beata Rozumilowicz's concept of media reform and stages of media reform, the study urges that Bangladesh is in under the rule of democratic rule for years that symbolizes the primary transition stage. However, the enactment of statutes on digital media, access to information, defamation, and so on epitomize the pre-transition stage of the media reform concept. Hence, the study questions the legal and media structure of Bangladesh with the historical and document analysis of laws and policies.

INTRODUCTION

The media freedom and national security policies are two inalienable theses in the scholarship of freedom of speech and safety of journalists. In the context of Bangladesh, press freedom is profoundly related to the legislature of the state as the constitution of the People's Republic of Bangladesh has given freedom of expression, freedom of thoughts, and freedom of the press long back in 1972. The Constitution (1972) has guaranteed the freedom of thought and conscience in its article 39 (1). The constitution has

also given the freedom of speech and expression to its every citizen along with the freedom of the press (The constitution of Bangladesh, 1972).

However, the article has some exemptions including the interests of the security of the states, public order, decency or morality, or in relations to contempt of court, defamation, or incitements to an offense.

It is quite evident that there are some exemptions in the constitution that can restrict the freedom of expression for the citizen and press. Even then, those exemptions were not meant to trouble the free operation of the media.

Bangladesh is in under the rule of successive democracy for last several years hence make the call for freedom of speech more obvious than ever before (Ahamed, 2015). Media freedom has a distinct character in the formation of a democratic country (Voltmer, 2014). Nevertheless, national laws and policies regarding media freedom often deliberated as less significant than the practice of journalism. It doesn't shed much light on how power or authority should protect media personnel, and ensure object and operations. Hence, Freedom House report 2017 pointed Bangladeshi media as partly free with the second-lowest score in the legal environment (The Freedom House, 2017). The legal environment of Bangladesh regarding media is threatening the free functions of the press in Bangladesh. Considering the legal context of the country, the chapter presents the concept of media reform and legal obstacles and discusses the media scenario of the country along with media freedom status. The chapters reflect on major media laws of the country through document analysis and findings of the interviews are also discussed to answer research questions.

LITERATURE REVIEW

Media Laws, Policy and Press Freedom

The role of journalists in the smooth functioning of the country has famously apprehended to people from all over the world. And they can only do their work fearlessly if they are provided with legal backing from the country. There are many national and international studies on press freedom, media overview and threats towards journalists in Bangladesh (Khatun, Abir, Rhaman & Rahman, 2017; Islam, 2007; Salam, 1997; Rahman, 2000; Alam, 1992; El Bour, Frey & Rahman, 2017; Frey, 2017; Rahman, 2016; Ahmed, 2009).

Aforesaid studies focus on freedom of the press in Bangladesh along with the issues that affect the press freedom of the country. According to Frey (2017), the perception of core values of journalism differs in different countries of the world hence Bangladesh also has debated the idea of objectivity and truth that perhaps have an impact on the press. A few studies have suggested that the socio-political history of the country has influenced media laws and policies of the country to some extent.

The scholarship and philosophy of media freedom are still in under the influence of the dominant four press theory of 1956 in the third world country (Nordenstreng, 1997). Whereas this chapter has taken support from Beata Rozumilowicz's (2002) concept of 'Media Reform'. She says media freedom and access should be supported by the legal, socio-cultural, institutional and economic system of the country and press freedom may be achieved through media reform. Therefore, the press freedom of Bangladesh largely depends on media and laws and policy. And repressive laws and policy can potentially stop the pen of the journalists.

Ash (2016) argues that 'Self-regulation' can be as problematic as the restriction inflicted by the government. He has drawn an example of Hollywood film studios in 1934 when they used to follow strict self-incited policies. Unlikely in Bangladesh, journalists are afraid ad intimidated by the strict laws and policies imposed by the authority and in cases, they also censor themselves because of the intertwined relationship among politicians, media owners and journalist union leaders (Khatun, Abir, Rhaman & Rahman, 2017).

Not only the present legal and policy situation is going against its constitution, but it is also contradictory to the universal declaration of human rights (1948). According to Article 9 of the declaration, no one shall be subjected to arbitrary arrest, detention or exile. However, In Bangladesh journalists got arrested, harassed without any warrant or concrete complain against them.

This chapter aims to fill up the vacuum in the field of research in media laws and security policies by assessing any inadequacies in national security policies, planning, and coordination relating to the safety for journalists in Bangladesh through a qualitative approach. Semi-structured interview of senior journalists, editors, leaders of journalists' union and policymakers of the field has been conducted along with document analysis.

This study aspires to graph the national security policies of Bangladesh towards ending impunity in crime against journalists by document analysis of existing media laws and policies of Bangladesh that will manifest the preparedness of the legislature in terms of creating safe and secure media functions.

To identify the stumbling block for the media freedom of the country, the following questions worked as the driving force:

1.   What are the supportive and regulatory laws and policies in Bangladesh in terms of media freedom?
2.   How these laws and policies are operated and regulated media operations of Bangladesh?
3.   What are the thoughts of journalists and policymakers about the dominant laws and policies and media freedom status and how do the laws and policies influence the journalists?

The chapter has made an effort to draw on finding from a total of 15 interviews of journalists, editors, leaders of journalists' association and policy makers in order to validate the findings from the document analysis of relevant laws and policies. The data derived from the interview and document analysis ensures that the media laws and regulation impinge media freedom and safety of journalists rather than dispensing protection.

Media landscape of Bangladesh

History of Bangladeshi press is weaved with the history of undivided India. Thus, the history of the press in this area can be followed back to 1780 when the first newspaper of the continent got published from Calcutta. The name of that newspaper was 'Hicky's Bengal Gazette' which was shortly shut down by the East India Company. However, this newspaper has spurred the birth of Bangla newspaper. Bengal Gazette and Shomachar Dorpon both published in 1818, was the first newspapers in Bangla language (Salam, 1997). Eventually, with the advancement in technology and education, more and more newspaper and magazines were beginning to publish from Bangladesh. Both newspapers and radio have played a very significant role in the history of liberation war movement of Bangladesh in 1971.

In 1964, the first television channel of the then East Pakistan 'Pakistan television' has started its operation as only state-owned television channel (Deepita, 2006). After the liberation war, the name of the

television channel was changed to 'Bangladesh Television (BTV) and it was the only television channel of the country till 1990. After 1990, the media industry of the country has gone through major waves of change in almost every sector. Shifts in political power, economy and privatization of the media sector gave birth to a new era of the media in Bangladesh. Presently, there are around 826 daily newspapers, 44 television channels, 12 state-owned radio centres (Bangladesh Betar), 28 FM radio and 32 community radio station (active 14) in Bangladesh (Rahman, 2016).

Status Of Press Freedom In Bangladesh

This book chapter focuses on media freedom and its relation to the media laws and policies of the country. Generally, democratic governments are expected to have a more liberal approach in terms of ensuring press freedom. However, Bangladesh having the democratic government for long has evident signs of violence against reporters in the field, blocking of news websites, and arrests of journalists (Reporters Without Borders: 2019). Bangladesh has ranked 150th among 180 countries of the world. The most regretting factor is this is the lowest in all south Asian countries. In addition, data derived from the Committee to Protect Journalist (CPJ) also shows that 21 journalists were killed since 1992 (CPJa, 2019). They have also shown their concern over the harassment and violence against journalist during national election of 2018 (CPJb, 2019). The statistics and reports on press freedom and status of journalists have demonstrated the existence of threats and dangers in the media landscape of Bangladesh.

MATERIALS AND METHODS

This chapter is based on the qualitative analysis of dominant media laws and policies along with the in-depth interviews of journalists, media policy makers, and academicians. The qualitative data derived from the document analysis of laws and policies have worked as the foundation of the paper that enables the better understanding of the media landscape of the country. Likewise, the in-depth interview data has helped the authors to gather data to validate the derived from document analysis and literature review.

The chapter has discussed a broad range media laws and policies of Bangladesh from The Printing Presses and Publication Act, 1973 to Digital Security Act 2018 to facilitate substantial discussion on media laws and policies of Bangladesh and its impact of journalists. Laws were selected based on relevance to the objectives of the paper and it has only included laws that substantially influence the media freedom of the country.

The study also incorporates fifteen interviews of journalists, editors, leaders of journalists' union and policy experts. To ensure confidentiality, the names of interviewees have been replaced by numbers (1-15).

FINDINGS AND DISCUSSION

In 1823, British rulers attempted to promulgate an ordinance requiring compulsory licensing for all newspapers and periodicals. A few prominent natives appealed against the decision. However, the court rejected their appeal saying: India is not an independent country, so the laws and rules consistent with an independent state cannot be applicable in India (Sajen, 2015).

Though decades passed away, the independence of the press from barriers and obstacles are yet to achieve. Bangladesh has a long history of regulatory acts and policies to control the press since the colonial period. The first act that will always be reminisced as a regulatory act for the press is the official secrets act of 1923.

The Official Secrets Act of 1923

Official Secrets Act 1923 is widely known as one of the most notorious acts that restrict the information flow and provides a shield to corruption and injustice. It was claimed that this law will protect the economic interest and safety concern of the country. According to the law, public servants shall not disclose any official data in the ground of domestic safety and security ground. According to the act:

5(2) If any person voluntarily receives any secret official code or password or any sketch, plan, model, article, note, document or information knowing or having reasonable ground to believe, at the time when he receives it, that the code, password, sketch, plan, model, article, note, document or information is communicated in contravention of this Act, he shall be guilty of an offence under this section.

3A. (1) No person shall, except under the authority of a written permit granted or on behalf of the Government, make any photograph, sketch, plan, model, note or representation of any kind of any prohibited place or of any other place or area, notified by the Government as a place or area with regard to which such restrictions appear to 2[the Government] to be expedient in the interests of the security of Bangladesh or any part of or object in any such place or area (Official Secrets Act, 1923).

Aforementioned clauses are examples of ill-explained act where journalists can easily be held guilty. Under the pretext of this act, the culture of non-accountability and secrecy has been nurtured and encouraged in all level of the government. The formation of the right to information act 2009 has finally made public offices obliged to disclose all information on public demand lately. However, the culture of keeping secrets from the eye of journalists has yet to change. Editor of a daily newspaper states:

We have started working newspaper in a time when the official secrets act 1923 was immensely powerful and the turbulent political situation of the country had made it worst. Since we had no legal structure to guarantee the free flow of information, we were completely dependent on our `Source' and personal relationship with officials. Albeit we were not daunted by the act; it has made whole cultural differences in terms of sharing information and more importantly the relationship of public offices and journalists were also molded under the official secrets act. (Interviewee 9)

Azad (2019) has expressed the same view says:

Old laws that exert influence upon the working of the media in one way or the other are the Special Powers Act of 1974, the Official Secrets Act of 1923, Contempt of Court Act 1926, Copyright Act 2000 and the Code of Criminal Procedure (CrPC) P.15.

Though, colonial acts couldn't intimidate the spirit of journalists; it has shaped the culture in a way that might take longer to re-mold. Even the ground of the official secrets act seems obsolete in the cur-

rent context since the concern over national security and the restricted area has almost no legimacy (Yeasmin & Rahman, 2012).

The Printing Presses and Publication Act, 1973

The printing presses and Publication Act came into effect in 1973 immediately after the emergence of Bangladesh as an independent country. The act discusses the registration system of printing presses and newspaper publication. According to the act, publication of any newspaper or book is the subject to prior permission from Deputy Commissioner. This act has a mixed influence on the press freedom scenario of Bangladesh since it was among the first acts related to the press formed in independent Bangladesh. The act was formulated to ensure a systematic operation of the press in Bangladesh and to stopover the unauthorized presses and their publications. However, a few magazines and newspaper were shut down then using the act could be seen as oppressive action (Moitra, 1993). Though the act has less regulatory approach than many other acts and policies of the current time, the following clauses of the act have a glimpse a crude intention,

5. No newspaper shall be printed or published except in conformity with the provisions of this Part and unless there subsists an authenticated declaration in respect thereof.

7. The printer and the publisher of every newspaper shall appear, in person or by an agent authorized in this behalf in accordance with the rules, before the District Magistrate within whose local jurisdiction such newspaper shall be printed or published and shall make and subscribe, in duplicate originals, a declaration in Form B (The Printing Presses and Publication Act, 1973).

The following clauses have mentioned the official procedures that one/organization needs to follow to publish a newspaper which shows the complicated licensing process of the newspaper. And publishers can face unduly harassment and be the victim of registration authorities' wrath upon not maintaining a good relationship with them.

Press Council Act, 1974

The Press Council Act 1974 was formulated to form unrestricted press and establish a separate and independent body to ensure the free functioning of the press. The Council is designed to ensure the standard practice of newspaper and news agencies of the country. However, the power and scope of the council are astonishingly limited compared to the goal and objective of the organization. According to section 12(1) of the Press Council Act (1974):

Where, on receipt of a complaint made to it or otherwise, the Council has reason to believe that a newspaper or news agency has offended against the standard of journalistic ethics or public taste or that an editor or a working journalist has committed any professional misconduct or a breach of the code of journalistic ethics, the Council may, after giving the newspaper or news agency, the editor or journalist concerned an opportunity of being heard, hold an inquiry in such manner as may be provided by regulations made under this Act, and if it is satisfied that it is necessary so to do, it may, for reasons to

be recorded in writing, warn, admonish or censure the newspaper, the news agency, the editor of the journalist, as the case may be.

Individual or organization can file complain against the newspaper or news agency to the Press Council. The ground of, such complain, should be unethical journalism, defamation, display of a bad taste in journalism or any other professional misconduct. However, the power of the council is only to summon and reproach the convicted party. Interviewee 6 urge to augment the capacity of the press council, says:

Any grievances against journalists or media house have to go through the investigation of the press council. If found guilty, the press council shall punish the journalist and media under their jurisdiction can be a solution to the ongoing rising concern. It will reduce the command of the government over the media and will also rejuvenate the scope of the press council.

Journalists are not getting adequate support from the press council that they were supposed to provide. Hence, journalists have left with almost no support from an autonomous body.

Another interviewee discusses harassment of journalists under contemporary laws:

Based on one report, more than 60 cases were filed in almost 60 districts of the country against a prominent newspaper editor. As a result, he had to traverse the country for months to avoid arrest…. We can only avoid this sort of harassment by making the press council powerful enough to deal with the complaints against newspaper and journalists (Interviewee, 9).

The interviewee has emphasized on constructing the press council an up-to-date organization that can ascertain the safety of journalists along with monitoring the press to guarantee the quality of writing.

Right to Information Act, 2009

The right to information act is a milestone not only to the journalists but also a positive response to the citizens' rights. Right of Information Act has the capacity to cater the journalists and the citizens with public information and public officials are obliged to give information, unlike the official secrets act. Right to information act has proven advantageous for India for ensuring transparency and accountability in the public sector (Agarwal, 2011). Likewise, Bangladesh also has high hope for the right to information act. However, the lengthy process of getting information, less awareness of journalists and fear of easy identification are making journalist reluctant to use the act. Interviewee 10 argues:

Right to information act has claimed to give information on demand. However, it is a lengthy process that takes almost 15 working days or more to get information. Under these circumstances, it's difficult to utilize the act since journalists are working under the pressure of deadline.

Hence, one of the most supportive acts is also not helping out journalists at an optimal level. Academic experts have also demanded the awareness campaign and workshop for journalism students as well as ordinary citizen to escalate the use of right to information act.

The National Broadcast Policy 2014 (Draft Approved)

Draft of National Broadcast Policy was approved by the parliament to bring all private broadcasters under the regulation of a distinct broadcasting commission. Though it was expected that the policy would be a breakthrough to make private broadcasters of the country independent and courageous, in reality, it has very little power to bring any difference in the media. According to the policy, the broadcasting commission will be formed to monitor and regulate the private broadcasters in case of violation of policy. However, the ministry of information will still hold the majority share of power and control.

The goals and objectives of the policy mentioned below glean the intentions to make a policy to uphold the freedom of the mass media as a basic right of the citizen.

1.2.1 keeping intact the basic rights of the citizen and individual freedom, ensuring freedom of mass media and its liabilities

1.2.2 Maintaining international regulations and standard in expressing opinions through the media and upholding its freedom, as well as bringing variety, credibility, neutrality and ensuring the free flow of information.

3.3.1 No program or news should harm the interest of the state.

5.1.6 Broadcast which causes mockery or derogatory remarks against a military or law enforcing officer, mockery of government officials who works against crime, who determines the magnitude of a crime or officer involved in affirming the punishments of a crime ;

5.1.7 Leakage of information to any country or broadcasting that may cause distrust or conflict between Bangladesh and any other country, broadcasting of propaganda against a friendly country of Bangladesh that may cause distrust among the nations. (The national Broadcast Policy, 2014)

The ambiguous and ill-explained clauses mentioned above have made the ray of hope dimmed. For instance, 'interest of the state', 'mockery or derogatory remarks against a military or law enforcing officer', 'broadcasting of propaganda against a friendly country' are needed to explain with the proper example. Otherwise, the misuse of the following terms can be precarious for journalists.

Interviewee 8, below, explains how has policy makers ignored the recommendations given by journalists and academician:

Journalists and academicians were exceptionally vocal during the formulation of broadcasting policy. A committee was also formed to critically analyze the policy and suggest recommendations to the policymakers. However, the recommendations given by the committee were not taken into consideration.

Thus, this study has pronounced the good intention of journalists and scholars in the field. They have tried to collaborate with authority in order to bring systematic and positive change in the media, but there are certain factors (such as political ideology, the difference in opinion and volatility) affect their relationship with authority.

Digital Security Act 2018

Digital security act has lately received a huge amount of criticism from scholars and activists due to its coercive clauses. This act is the modified version of the Information and Communication act that is allegedly responsible for curbing the freedom of journalists and activists. Interviewee 5 says about the controversial ICT act and its modified version as follows,

The positive or negative side of a law depends on how the authority has been using it. A former minister was enraged with one of my colleagues to a level that he managed a person to file a case against my colleague using the ICT act. Since the person was fixed by the minister, the law enforcing agency took immediate action against him. They arrested the reporter overnight without giving any chance to support himself….. So, there is every possible reason to get scared of the modified version of the ICT act since journalists were the worst victim of the act.

Article 29 of the law says (2018), if a person commits an offense of publication or broadcast defamatory information as described in section 499 of the Penal Code 1860 in any website or in any electronic format then he will be sentenced to a term of imprisonment not exceeding 3(Three) years or fine not exceeding Tk.5 (Five) lac or both.

According to article 32 of the law (2018), if any person commits any crime or assists in committing crimes under the Official Secrets Act, 1923, through a computer, digital device, computer network, digital network or any other electronic medium, he or she will be punished for a maximum 14 years in jail or a fine of Tk 25 lakh or both.

Section 31 of the act says, a person will be found guilty if he or she deliberately publish or broadcast something on a website or in electronic form which can spread hatred and create enmity among different groups and communities, and can cause deterioration in law and order (Digital Security Act, 2018).

Aforementioned sections are able togive a rough idea of the law and its possible impact on journalism. The act has also given the power to the authority to remove or block any electronic data and search, seizure and arrest without warrant. The International Federation of Journalists (IFJ) has labeled the law as `Draconian law (IFJ, 2018) since it has scope to curtail media freedom and freedom of speech of people. Likewise, IFJ, interviewee 6, a reporter from one of the dominant dailies of the country has disdained the act saying 'it's a black law in the history of freedom of press and freedom of speech'.

Interviewee 7 has shown her concern over a few articles of the act saying:

If the digital security act lasts, journalists will hardly be able to use any digital devices for investigative journalism. Under this act, no one can secretly use a digital device to record, shoot or collect information. Perhaps the clause is important for misuse of ICT and social media, but the act can be used against journalists to frame them…. Think about journalists who have uncovered corruption, crime and anti-social activities using hidden devices, they will be convicted under this act. Now, you can question the ethical aspects of using secret devices in journalism. That will be a completely different discussion and welcome tenable dialog on it too.

Interviewees have also expressed that they are not denying the necessity of the digital security act since criminals and anti-social people are using facebook and other social media to create conflict in the society. However, they have reservation regarding the possible implication of the law. Interviewee 11 says:

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I do realize the importance of digital security act since prevailing laws are not able to cover the problems of social media information dissemination. And I believe that the law is not created to control media. As we deal with information, data, and reports; it can scrutinize our functions. My point is about the type of legal steps that the law has been undertaking to arrest and punish the accused person… … … ….We know that many dangerous criminals (Such as, drug dealers, killers, corrupt people) are roaming freely outside the jail on bail. However, the government has made 14 offences of digital security act out of 20 non bailable. For instance, charges were brought against 41 people in total for the tragic rana plaza incident, 1100 people were died in that incident. Even then only one of them is in prison currently, 2 accused died, 6 runaway, 32 accused are on bail. In this reality, making a non bailable act will obviously make people skeptical.

Although most of the interviewees have expressed their concern over the digital security act it wasn't taken as a threat to journalists by the Prime minister and the ministry ("PM's ICT adviser defends,"2018). They have rather viewed the act as a positive step to control digital dangers.

The following discussion was churned out from the responses of interviewees on how to have a legal system, press laws, and journalistic practices decide the actions of journalists.

DISCUSSION

Inadequate Legal Protection

Journalists have been attacked, killed, threatened and beaten up in Bangladesh is not a rare scenario. The most pitiful fact is even if there are adequate proofs, criminals enjoy impunity for violence against journalists. Interviewee 14, a victim of such violence during the road safety movement[1] says:

I was assigned to cover the road safety movement of young students in 2018. It happened on the third day of the movement, I was taking pictures since the situation was seemingly going out of control. However, it was between students and a large group of people who were trying to impede the students. Suddenly I have realized that a group of people is running after me to snatch my camera with iron rods and sticks. As I was not prepared at all, they caught me easily and beaten up with full force. Other journalists clicked pictures and wrote reports on the incident. Even, anyone can certainly identify the people behind the attack from the photographs taken and published. However, police did not take any concrete action against the attackers. The state minister has promised to take strict and immediate action that never came true.

Journalists became victim while covering news of the road safety movement is the most recent of an incident of attack against journalists, but not the only one in the context of Bangladesh. Whenever journalists talk about safety and security, they talk about the unsolved killings of journalist couple Sagor-Runi[2]. Interviewee 3 describes the helplessness of journalists referring to the killing of the journalist couple:

The law can't even ensure my safety as the citizen of the country, let alone the safety as a journalist. As a citizen of the country, I have the right to get justice from the state. But what happened in case of Sagor-Runi? They did not get any justice as even the ordinary citizen of the country. Journalists are not

demanding any special treatment from the state. They only want to get support from the law that any citizen expects from the country.

The unsolved mystery of journalists killing is discouraging aspiring journalism students and young reporters of the country. Interviewee 9, a journalism educator and researcher has explained the impact of possible legal hazards on students saying,

Journalism students are not equipped enough to deal with the professional hazards. They see the legal constraints and its consequences on a regular basis. Since journalism is a knowingly vulnerable profession, students tend to think twice before taking it as a profession……I can't say the inadequate legal support and impunity has no influence on the young journalist. It would be the possible reason behind the lesser amount of investigative reports, these days.

The establishment of the safe and secure press is utmost important not only for the current journalists but also for the future journalists and the future of the press, to be specific the future of the press depends on instantaneous solution to this issue.

Contradistinction Between Responsible Journalism and Self- Censorship

Journalists are working in breakneck pressure in online journalism era, hence making silly mistakes are not rare. Mistakes in grammar or spelling are not the concern of this study though. The Prime minister of Bangladesh has said that the journalists can easily avoid legal hazards if they do ethical and responsible journalism (No false news, no worries, 2018). Journalists also agree on the relationship of work pressure and mistakes in editing, writing and placing the news and (White, 2014). Making mistakes due to work pressure and competition lead journalists to irresponsible journalism. However, self-censorship is utterly a different practice. Self-censorship includes ignoring the newsworthy item, softening the tone and changing the angle of the news (Çipuri, 2015).

According to Interviewee 12, a young reporter from an Online News Portal:

Responsible journalism remains in theory of journalism lately since the owners and editors of the online news portals are running after breaking news and scoop item. Knowing the lack of cross-checking and absence of authentic source, editors publish news. Moreover, if anyone wants to stick to the principles of journalism, it would be difficult for him/her.

This study uncovers that the presence of irresponsible journalism has substantially changed the concept of journalism by publishing/broadcasting fake/half true/sensational news.

Journalists, in this study, have also admitted the subsistence of self-censorship in journalism. The reasons behind Self-censorship might be vary person to person, but interviewees unanimously acknowledged the presence of self-censorship. Interviewee 13, an experienced reporter has expressed his frustration regarding self-censorship:

There was a time when only the state owned media used to do self- censorship. But the current scenario is almost same for all media. Both state owned and private media houses are doing self-censorship that

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has demolished the aura of media… … … We had started journalism with a dream and passion that no longer exists.

The study detects job dissatisfaction among Bangladeshi journalists and the deliberate use of media laws and policies are also the reason behind such bitterness. Interview 10, has accused the law for self-censorship by saying,

A veteran journalist from Faridpur (i.e. a district under Dhaka Division of Bangladesh), Probir Sikdar was arrested after a local political leader filed a case against him. He was threatened and harassed by the local influenced group as well[3]. This type of incident makes other journalists extra careful since they know very little amount of support will be provided by their workplace. The same thing happened when famous photographer and writer Shahidul Alam was arrested during road safety movement. It makes me bothered to a point that I have started become extra careful while preparing report.

Journalists have expressed their concern regarding the proliferation of self-censoring tendency among journalists. They have also mentioned that the misuse of laws is not the only reason behind self-censorship. Interviewee 9, a journalist of a daily newspaper and researcher argues:

Journalists cannot solely be hold responsible for self-censorship. They do not censor only to keep themselves safe, they censor to fulfill the demand of their owners and editors as well. Since most of the media outlets of the country are owned by corporate owners, they repeatedly use journalists to achieve their business agenda. They justify their action by saying that they have to make profit in order to run the media, to pay the reporters and other staffs. To survive, they try to balance the interest of advertisers and political elites. We regularly receive advice from the editor regarding what to highlight and what to hide.

Some other interviewees have also revealed the same practice in respective media houses. They have said that the media structure, ownership, political ideology of the owners is the major determining factor in self- censorship.

The Role of Journalist Union/Federation to Combat the Threats

While talking about the safety and security of journalists, discussion on the role of journalists Union/Federation is inevitable. Mansur (2009) has also confirmed the role of media organization in his study and said "these bodies are to improve the working conditions of journalists and to fight for the removal of barriers in the execution of their duties" (p.59). However, though the interview response of the study validates the ideal role of such organization, the factual contribution of the organizations, is questioned by the interviewees. For instance, Interviewee 15 states:

These organizations basically negotiate with the government for the pay scale, pension and other facilities of the journalists. However, the problem is in the unity of these organizations. They are united and have strong difference in political views. Since their political views control the functions, they cannot function properly.

Rahman (2016) has also expressed his concern over the ownership pattern, commercialization and market oriented media content which support the tension of the journalists and scholars regarding commercialization of media and controlling ownership.

CONCLUSION

The chapter divulges the legacy of colonial press laws and policy to contemporary media laws and policies of Bangladesh through the document analysis and in-depth interview among journalists, policymakers and scholars. The data derived from document analysis of selected laws and policies and in-depth interview bring back the connection between historical influence and present practice since most of the present laws have the influence of the Official Secrets Act and The penal code 1860.

The study has also highlighted the presence of supportive laws and policies that can work to ensure the freedom of press and safety of journalists (Such as Right to Information Act, Press Council Act 1974) in response to the first research question. The outright implication of the following acts can bring visible change in the media landscape of the country.

Moreover, modification and amendments are needed in some laws (e.g., Digital Security Act, Broadcasting Policy) to obliterate the fear from the mind of journalists since these laws are blatantly known as regulatory laws.

The chapter has made an attempt to understand the influence of media laws and policies on journalists and also on the overall media atmosphere of the country. It is evident from the findings of the interviews that journalists are intimidated by the regulatory laws that often result in self-censorship and growing dissatisfaction. The press freedom and the press law of the country are intrinsically related to the free operation of the press. Hence, no matter what the intentions of journalists are, it's difficult to maintain the professional integrity and commitment in the presence of regulative laws.

The authors consider that the implication of compassionate laws and policies can rather be vitally important to restore the freedom of the press than to work on the contrary. Therefore, the policymakers have to understand exigent demands supportive laws to end the impunity for the crime against journalists.

Since the study could not address the threats and case by case analysis of legal hazards faced by journalists, future researchers can opt for case by case analysis which will be effective to understand each case of crime against journalist in details.

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ENDNOTES

[1]   The road safety movement 2018 was public protest initiated by the students of Bangladesh in demand of safer roads. The protest was sparked by the death of the two college going students who became the victim of horrifying competition of two buses. The protests of their classmates of the students rapidly spread throughout the country.

[2]   Sagor and Runi were a journalist couple who got killed in their apartment in 2012. Despite of huge media attention and concern, the motives and killers are yet to be found.

[3]   Probir Sikder was arrested after a local political leader filed case under article 57 of ICT law 2006. He was taken to remand for alleged libel on the minister.

Chapter 4

Combating Bullets With a Pen:
The Importance of Free Media and the Safety of Journalists for Building a Public Sphere for Democracy in Pakistan

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ABSTRACT

Journalists have always faced restrictions on their freedom of speech and threats to their security in Pakistan. During Pakistan's 2018 general elections, the country's media was also managed and controlled to create a maligned pubic-sphere to misguide the Pakistani voters. Public sphere was maligned through misinformation, political propaganda and distortion of facts and maneuvering of journalism. This created ill effects for public discourses on democracy. Findings obtained through in-depth interviews of twenty journalists, who covered elections 2018, revealed that strategic media maneuvering was witnessed during the country's 2018 elections. Media freedom was largely constrained and journalists faced physical, psychological and financial threats in the line of their duty and for their efforts to foster democracy in the country. This study revealed Pakistan's long history of dictatorship, weak political system, and national psyche of control as the major reasons for such happenings.

INTRODUCTION

Journalism becomes a lighthouse in authoritarian societies - where citizens' struggle for true democracy seems never ending. An urge to grab political power for those present in political arena is ever increasing in authoritarian societies. This gives birth to a variety of situations where-in establishing a true democratic set-up is compromised. These situations range from dictatorship to numerous shades of controlled democracy. All these create challenges for media freedom and safety of journalists (Cottle, Sambrook & Mosdell, 2016; McNair, 2000; Muhlmann, 2010).

Safety of journalists cannot be separated from media freedom. Journalists' struggle for media freedom gives a challenge to those who want to control political and social order. This gives birth to the threats

to journalists' safety. Journalists are intimidated, threatened, subjected to violence and in extreme cases killed. Therefore, the freedom of media and journalists' safety are interconnected, rather complement each other (UNESCO, 2018; and Cottle, Sambrook, & Mosdell, 2016).

A fair democratic process depends on free flow of information to citizens. This free flow of information should be based on principles of objectivity, truth, impartiality, balance and fairness (McQuail, 1992). Nevertheless, the free flow of information and the public's right to know are suffered, when security to journalists is threatened and media freedom is restricted. This information gap and a lack of access to information create serious consequences for public sphere (McNair, 2000). In today's world, public sphere depends on information disseminated through media (Dahlgren, 1995). The author believes that the role of public sphere becomes more important during the election period in any country. The author believes so because any misleading flow of information within public sphere can result into a democratic set-up that is not a true representative of aspirations of voters.

History of Pakistan's journalism is filled with many examples, which explains how journalists face security threats, when they make efforts to establish democracy in the country through their objective reporting (Niazi, 1992). Consequently, Pakistan is considered as one of the most unsecured countries for the journalists to perform their duties (Jamil, 2018). Situation for freedom of speech is also very dismal in Pakistan. Threats to freedom of speech and security of journalists in the country are caused by intolerance, terrorism, religious and ethnic rifts, weak state institutions, dictatorship and fragile democracy. Interestingly, threats to journalists always become potent, whenever powerful circles in the Pakistani politics and military/or civil establishment try to bring their favorites into government in Pakistan (Mahmood, 2017; Shahid & Butt, 2017; Niazi, 1992). These threats reach to a peak level during the transitions of political set ups from one government to the next. Democratic regimes, in Pakistan, have always found it difficult to proceed with success because of mistrust on the system, corruption and manipulation of facts and election process. Therefore, the majority of democratic setups have resulted in ending up their journey half way or before, and many times the country's army took over the power and established dictatorship.

In Pakistan, there have been accusations of engineered and controlled election process from opposition parties for almost all general elections in the past (Niazi, 1992; Jabbar, 2010). For the country's 2018 elections, concerns regarding the fairness of election process were raised and news media was substantially managed and controlled by the political parties for their political goals. Reporting of manipulated facts and political propaganda also raised concerns over the free flow of accurate information, effectiveness and freedom of political discourse and strength of public's decision-making within the public sphere (Khan, 2017). Not only this, reports by international organization highlighted that the reporting of Pakistan's 2018 elections was not safe for the working journalists and many of them faced life threats (Committee to Protect Journalists, 2018; International Federation of Journalists, 2018).

Considering the aforementioned facts, hence this study investigated the threats faced by the Pakistani media and journalists during the country's 2018 elections. This study also explored how different threats to media freedom and security of journalists affected the public sphere.

THEORETICAL FRAMEWORK

Habermas's Theory of Public Sphere

For this study, Habermas's theory of public sphere was used as the theoretical framework. The purpose of using this theory was to explore how restrictions on media freedom and threats to security of journalists affected the public sphere in Pakistan. The notion of public sphere was first conceptualized by Habermas (1984). He suggested:

By public sphere we mean first of all a realm of our social life in which something approaching public opinion can be formed. Access is guaranteed to all citizens. A portion of the public sphere comes into being in every conversation in which private individuals assemble to form a public body. (Habermas, 1984, p. 49)

Habermas further claimed:

The bourgeois public sphere could be understood as the sphere of private individuals assembled into a public body, which almost immediately laid claim to the officially regulated 'intellectual newspapers' for use against the public authority itself…To the principle of the existing power, the bourgeois public opposed the principle of supervision–that very principle which demands that proceedings be made public. (Habermas, 1984, p. 52 cited in Livingstone and Lunt, 1994, pp. 9-17)

Past studies showed that the notion of public sphere has undergone many transformations ever since the first time it was conceptualized by Habermas. The discussions, guided by well informed public opinion's leaders and their followers in cafes and bars, were influenced by the growth in print journalism first, followed by an epidemic of news bulletins and current affairs' talk shows on television. In recent times, the growth of social media has offered new challenges and opportunities for the role of public sphere in democratic process and during election periods in many parts of the world (Bohman, 2010). For example, traditional media together with social media provide a public sphere to citizens that help them to: access political information, develop their opinion based on the disseminated information within that sphere, debate issues and held accountable those in power (Livingstone & Lunt, 1994, p. 9).

Notwithstanding the well-acknowledged value of public sphere in facilitating a free flow of information, political discourse, democratic and electoral processes, one must consider Habermas's argument (1989) that the public sphere exists now merely as a "promise". "Party politics and the manipulation of the mass media have resulted in 'a refeudalization of the public sphere, where representation and appearances outweigh rational debate and where the rational–critical public is transformed into a mass, manipulated by persuasive authority" (cited in Livingstone & Lunt, 1994, p. 9-16). Past studies revealed that the notion of public sphere has been undermined by, among other possible factors, "an interventionist state, new techniques of opinion management and a loss of institutional meeting places. This refeudalization of the public sphere turns politics into a managed show in which political parties routinely seek the acclamatory assent of a depoliticized population" (cited in Livingstone & Lunt, 1994, p. 9-16).

When analyzing the case of Pakistan, there was a suspicion on fairness of the country's 2018 election and concerns were raised that media's disseminated information was managed and controlled for vested political interests of political parties. Dissemination of distorted facts and political propaganda

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also raised concerns over the free flow of accurate information, effectiveness and freedom of political discourse and strength of public's decision-making within the public sphere (Khan, 2017). Keeping in view these facts, thus this study was underpinned by the theory of public sphere to evaluate how different threats to media freedom and security of journalists affected the public sphere.

LITERATURE REVIEW

Journalism Practice, Democracy and Public Sphere

Journalism is practiced for many causes, which determine the structure and functions of journalism in any society It is assumed that a good practice of journalism leads to the goal of democracy in any society (Muhlmann, 2010). How does that practice make it possible? The creation of public sphere plays an important role in it. Journalism provides information about political environment, structures and actors and state and non-state institutions' operation. That information is given within a larger framework of society that includes social structures, actors and institutional operation other than politics. This information is analyzed, approved/disapproved, alerted/adapted and then retained to create an information driven environment where rationality of human minds is guided and decisions are made. Those decisions shape the future of democracy in any society (Häussler, 2018; McNair, 2000). Therefore, a lot is dependent on sources, structure, actors and evolution of public sphere that are all considered as crucial for strengthening the democratic structure. In democratic societies, the public sphere provides information to the voters for their decisions to favor or disfavor electoral candidates of their choice (Saeed, 2010). Elections results are outcomes of strategic abilities of political forces contesting elections to manage public opinion in their favor. The public sphere decides who will rule the country. The voice of public sphere could be sober and well-audible uttered with confidence; it could be a noise not meant to understand anything; it could also be a whisper guiding many, but still it astray others (Häussler, 2018). Public sphere is a battle ground where war for democracy is fought.

Media Freedom and Safety of Journalists in Authoritarian Regimes

In authoritarian regimes, like Pakistan, freedom of speech and the freedom of media are always at risk of restrictions and pressures by the ruling authorities (Jamil, 2018; Niazi, 1992). Democracy always nourishes, when freedoms of speech and media, conquer the sectors of oppression, destroying the bunkers of lies and unveiling venom hidden under the garb of propaganda. There is also a greater threat to democracy, when risks to the safety of journalists increase. Quest for freedom of media freedom and threats to journalists' safety goes together for pursuing the goal of true democracy. When a regime is resorted to the measures to control freedom of speech and media, then the brigade of those journalists, who keep themselves adhere to the values of objectivity, truth, fairness and impartiality, shows resistance to the restrictions imposed directly and indirectly on them to curb the freedom of speech (Norris, et. al., 2013). There is a wide range of restrictive measures that are usually taken by an authoritarian regime to control media freedom and democracy, which ultimately affect the process of political discourse and public's decision making within the public sphere. These restrictive measures include: revenue management of media trough advertising budgets, lobbying with media owners, bribing journalists, negative propaganda against media houses, news source management and other measures.

Public Sphere, Media Freedom and Safety of Journalists
During Different Political Regimes in Pakistan

Pakistan offers an interesting case study for analyzing and understanding the public sphere's management, either during the periods of dictatorship or during the regimes of controlled democracy. Situation for the freedom of media has always been precarious in the country, along with an enhanced vulnerability of journalists to their safety. Historically, it is important to note that Urdu-language's press played a proactive role in freedom movement of Pakistan. The contribution of Urdu-language's newspapers (such as Al-Hilal, Zameendar, Dawn, Nawa-e-Waqt and Jang) was well recognized at that time and still even. Therefore, it was expected that after independence in 1947, the press in Pakistan would be given freedom; however, it could never happen (Jabbar, 2010).

The first blow was President Iskander Mirza's martial law on 7th October, 1958. Army Chief, General Muhammad Ayub Khan, was appointed as Chief Martial Law Administrator. This event triggered a trend for national psyche of power elites for the pursuit of control, which gave birth to oppression; and denial of human rights, freedom of speech and civil liberties (Hussain, 2018; Gunaratne, 1970). National Press Trust (NPT) was established and government took over news agencies and several newspapers. Those media organizations, who remained privately owned, were also managed to favor martial law's regime. At that time, radio as a mean of electronic media was already in the control of state. In elections of basic democracy units on 14th January (1960), Ayub Khan, was elected as President. Media criticized Ayub Khan's style of governance, but it was silenced by the state authorities. On 2nd January (1965), Ayub Khan, was again re-elected and won the election against Mohterma Fatima Jinnah. The election campaign and process was not fair and media freedom remained dismal (Hussain, 2018; Khan, 2017; Niazi, 2010).

This trend of controlling media and curbing freedom of speech got stronger with the passage of time. In 1965, Pakistan fought war with neighboring India. This war and prior events happened in Kashmir with India, added the security dimension to regime's policy to mange media freedom. On 25th March (1969), Army Chief General Muhammad Yahya Khan, declared second Martial law. It was also the worst period for media freedom. General elections were held on 7th December (1970), but government was formed after the catastrophic events of December 1971 that were resulted into the creation of Bangladesh in the aftermath of 1971 war with India. It is reported that restrictions on media freedom, during these events, played an important role to deprive the citizens and policy makers from real situation and causing the loss of precious lives (Hussain, 2018; Gunaratne, 1970).

Zulfiqar Ali Bhutto's era (post 1970s) was not different in terms of media freedom for journalism. Although, it is argued his regime permitted cultural progress, but for journalism it took too long to come out of black days of martial laws. News management was also important for the regime as the debacle of East Pakistan demanded to keep dust under the carpet.

Later, General Muhammad Zia-ul-Haq overthrew Bhutto in a coup on July 5th 1977. The eleven years of General Zia's Martial law were the worst for media freedom and safety of journalists. Journalists were tortured, killed, abused and put behind the bars. State's censorship reached to its new pinnacle. Laws were also introduced to curb freedom of thought and expression. The discourses in public sphere were controlled by the state (Niazi, 1992). Although that overwhelming oppression created some new forms of expression both in journalism and in art that represent agony and pain of citizens suffered in those years (Rehman, 2018). Marital law regime of General Zia was the toughest for journalists in Pakistan, but it also showed the resilience and commitment of journalists for freedom of speech that will always remain an inspiration to follow.

The movement for freedom of speech during that era reached to its pinnacle on May 13, 1978 when prominent journalists including Khawer Naeem Hashmi, Nasir Zaidi, Masood Ullah khan and Iqbal jaffery were lashed in Kot Lakhpat Jail. It was the darkest night for journalism in Pakistan that happened because of journalists' commitment to establish democracy in the country. Earlier on March 11, 1978 journalists decided to offer voluntarily arrest to register their protest. This fill the jail movement became popular in Lahore. (Razi, May 14, 2018).

In post General Zia's regime, a new shape of public sphere emerged in Pakistan with a little free flow of information and public's discourse. Media also took a sigh of relief. Pakistan faced a rapid series of general elections in 1988, 1990, 1993 and 1997. The rivalry between two major political forces (i.e. Pakistan Peoples' Party and Pakistan Muslim league) gave birth to new discourses. Journalism also thrived in these years. Political debates became a part of public's life. Public sphere experienced growth and new factors entered in it, resulting into a birth of dialogue on dividends of democracy and citizen rights and on the ills of dictatorship. Unfortunately, the maneuvering of election process could not be given away by establishment and for that purpose media has to be managed and controlled. Radio and TV were in state control at that time and newspapers were there to exercise whatever free space was available to them (Behuria, 2009).

On 12th October 1999, Pakistan once again faced military rule, when General Pervez Musharraf overthrew Prime Minister Nawaz Sharif's civilian government. President Musharraf's era was different for media. He liberated electronic media and country witnessed a rapid growth of private television news channels and radio stations. Newspapers' and magazines' industries also thrived. Internet also entered in the Pakistani society during his regime. Public sphere for democracy took a new shape during General Musharaff's era. Quality and dimensions of political debates around democracy expanded within the public sphere (Khan, 2017; Rais, 2017; Warraich, 2006; Khan, 2017).

The author thinks that the possible factors of media revolution, which happened during General Musharaff's regime could be the effects of globalization; an element of exhaustion of establishment with reference to media control and the persona of President Musharaf because he was open, liberal and progressive person. Nevertheless, soon this liberalization of media became a headache for the President Musharraf. In 2007, he faced criticism and tough times from media during the judicial restoration movement, which was organized in a reaction to his actions against Iftikhar Mohammad Chaudry (the Chief Justice of Pakistan) at that time. President Musharaf, who himself was advocate of media freedom, took several restrictive measures to control it. Freedom of speech was curbed and media faced restrictions. GEO TV network, the largest media group, was among the worst affected media organization during his regime (Behuria, 2009; International Media Support, 2009; Warraich, 2007; Talbot, 2002; Rizvi, 2000).

Pakistan's general elections, of 2008 and 2013, were organized in a media saturated environment. Print, electronic and online media platforms were very active. Public sphere for democracy reached to its new heights. It experienced diversity, plurality, and quality of debates on politics, governance, democracy and human rights. These developments nurtured the discourses of civilian supremacy with new potency. The successive transitions to civilian governments and a resolve among political leadership to continue with democracy and its cultural artifacts were new phenomenon in the country's political history.

From 2013 onwards, attempts to manage the public sphere were observed again. These attempts reached to its peak in 2018 and then the public sphere for elections 2018 was managed and controlled. This situation placed the Pakistani journalists in a direct conflict with the state authorities, who wanted to restrain the freedoms of speech and media.

It is interesting to note that the aforementioned events were formative to shape the behavior of succeeding regimes and its institutions to behave with media and journalists (Jahangir, 2018; International Federation of Journalists, 2018). However, this study focused on more recent events that had affected media freedom and safety of journalists during Pakistan's 2018 elections. It particularly addressed how public sphere was maligned with misinformation, how media workers faced threats and the freedom of media was under control during the country's 2018 general elections.

Safety of Journalists in Pakistan

Journalism is a risky profession in Pakistan. Journalists' security in the country has always remained under threats. There are several reasons that have made the Pakistani society a risky place for this profession. Constant government's and military's pressures, growing religious extremism, intolerance, internal political and ethnic conflicts have resulted in an increased level of violence and crimes against journalists. According to ongoing research by Pakistan Press Foundation (PPF- 2017):

72 media personnel have lost their lives since 2002 while perusing their professions. Of these, 47 media personnel were targeted and murdered and 25 killed while pursuing their duties. In addition, 185 media personnel were injured, 88 were assaulted, 22 were abducted and 42 were detained during this same period. (p. 3)

A recent report by Reporters Without Border (2019) suggests that Pakistan stands at 142 out of 180 countries in Press Freedom Index. These factors have affected performance of journalists. Although they are resilient, brave and courageous enough to present the truth, yet the oppression against them create hindrances to their work. Therefore, several times truth and reality could not be presented to the citizens.

METHODOLOGY

For this study, semi-structured in-depth interviews of journalists, who covered Pakistan's 2018 general elections, were conducted. Interview is a method of qualitative research technique in which intensive interviews of respondents are conducted in order to know their perspectives on a particular subject or situation. Interview method is systematic and it is conducted for a specific purpose with specific questions (Wimmer & Dominick, 2000; Sarantakos, 1998).

Using purposive sampling, interview data was collected from twenty (20) Pakistani journalists, who covered general elections 2018. Out of twenty journalists interviewed, eight were from print, eight were from electronic and four were from online media (digital). Criteria of journalists' selection were based on their work experience of minimum five years in journalism and their experience of reporting on general elections 2018. Guidelines for questions were prepared and informed to the participants before interviews. Thus, this study investigated three research questions: **RQ1:** What were the challenges posed to the media freedom and journalists' safety during Pakistan's 2018 elections? **RQ2:** How does safety of journalists in Pakistan is threatened in their efforts of establishing democracy in Pakistan? **RQ3:** How did threats to media freedom and safety of journalists affect the public sphere during Pakistan's 2018 elections? This study analyzed interview data under three key themes that were derived from the research questions of this study, namely: (i) challenges posed to the media freedom and journalists' safety dur-

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ing Pakistan's 2018 elections; (ii) journalists' experiences of safety risks in their efforts of establishing democracy in Pakistan; (iii) the impacts of threats to media freedom and safety of journalists on public sphere during Pakistan's 2018 elections.

FINDINGS AND DISCUSSION

Challenges Posed to the Media Freedom and Journalists' Safety During Pakistan's 2018 Elections

Interview data unpacked that several methods to control media freedom and to restrict the free flow of information during 2018's elections were used by the country's government and military. A majority of interviewees were agreed that the kind of censorship that was observed in whole election process was unprecedented. When talking about the constraints faced by the Pakistani media during 2018's elections, two interviewees suggested:

Media polarization was a hallmark of media maneuvering for the general elections 2018. That rivalry was not ideological or principle driven, thus it created nothing but confusion. Anchorpersons were hired for mud-slinging the opponents. They played a role of political mouthpiece for their masters.

A strategic plan to bring a specific class of politicians in power was made. It was a surprise for journalists the way media freedom was controlled. I believe that many realized it a long time after the election process was completed.

This study suggested that funding was also used to provide financial benefits to allied media groups; whereas for opponent media houses advertising budget was regulated to put them into economic crisis. For example, one interviewee highlighted:

Journalists were threatened with job insecurity. Advertising payments were put on hold to create economic uncertainty for media houses. They had to lay off many workers. The financial crises of media organizations badly affected their ability to report on important issues that were necessary to be underlined in the public interest.

Pakistan Electronic Media Regulatory Authority (PEMRA) also helped power corridors to achieve control on information flow in their favor. Most of the measures were tacit, but many others were obvious. Dawn newspaper's circulation was also stopped in many cities and it happened several times. Moreover, social media was used to hinder the free flow of information by trolling and harassing journalists online. In this regard, one interviewee said:

It is rather unfortunate that cyber space in Pakistan has been polluted for political discourse, the onus lies on the shoulders of Pakistan Tehreek-e-Insaf (the current ruling political party). In an authoritarian society, like Pakistan, the emergence of social media platforms was a hope to express what one feels right, but the unjustified and planned backlash from political workers have made many to behave cautiously, yet many brave still say what is in their hearts.

According to another interviewed journalist:

There is always a tussle between media owners and senior journalists when it comes to reporting and analyzing the facts with objectivity. But in this tussle, the situation always favors media owners, and journalists have to find a middle ground to lessen the bitterness of facts and truth. During 2018's elections, power corridors did lobbying with media owners and made them agreed to follow their line. This affected the freedom of media and also affected individual journalists' freedom.

Freedom of speech is always a casualty during elections times in all those societies that are still longing to be benefitted from democracy. Pakistan is not an exception. With regard to this an interviewee underlined:

Democratic culture is not strengthened in the country. It has remained long enough under dictatorship. The legacy and ill effects of dictatorial regimes are still affecting civil liberties and human rights in the country. State posturing for security paradigm has created a tussle to control power between democratic and non democratic forces, thus affecting neutrality of election process. Happenings in international politics and events of cold war, Soviet-Afghan war and 9/11 have also affected the democratic process in Pakistan. Examples of 1962, 1990, 2002 and other elections are obvious when maneuvering was done to favor a particular political group, and in 2018 the same practice was repeated but more tactfully.

Talking about Pakistan's election of 2018 and media freedom to discover truth, an interviewee argued:

It was a strange media environment during general elections of 2018. There were many voices, but in a random and bizarre form. These made a noise and voice of truth remained unheard. We are also responsible, but it is a dilemma and tragedy for non democratic societies like ours.

Another two interviewees shared:

I have been covering Pakistan's elections since 1988. Freedom of media is always a compromised thing. Journalists are always under pressure, right to access and disseminate truth is denied, but tactics are different every time. In 2018, it was pre-empted and therefore planned accordingly through media owners, advertising funds and by managing individual journalists.

I was lashed in Zia dictatorship. The fault was adhering to truth and democracy. We will keep fighting for it. The situation is not what we were struggling for. It is dismal and disappointing, but it is not all bleak. ....There was a hope that was promised by electronic media, but unfortunately the business interests of media owners damaged that hope. Media was managed during elections 2018. Power corridors wanted to bring political leadership of their choice. They also used media to favor them........... but still many journalists are working for objectivity, truth and democracy.

It was found that media management to give political leverage to one political party was at its best during elections 2018. For example, an interviewed journalist stated:

Freedom was the biggest deception in the election process. A false public opinion environment was created to present distorted facts and analyses. Journalists faced economic pressures from media organizations. They were also intimidated by political workers of a political party. Media polarization created for elections also affected freedom to speak truth. Freedom of speech was the biggest illusion in general elections 2018 as it was not possible to comment freely on political maneuvering.

This study also unpacked that the safety of journalists was threatened badly during the country's 2018 general elections. More than 2700 polling stations were declared sensitive and journalists covering them were not protected. In Khyber Phakthunkhwa and Baluchistan provinces, journalists' security was more at risk as compared to other areas. "*Journalists also faced threats from different sections including religious and ethnic elements that were also active during elections. These factors added more vulnerability to their security*", said an interviewed journalist. According to report by Media Matter for Democracy (2018):

Surprisingly, the highest number of cases of attacks / curbs on media was documented in Punjab and the capital Islamabad. Historically, Sindh, Balochistan, and KP have the highest number of recorded journalists casualties, and so it is curious to see the number attacks on media freedom rising in Punjab and Islamabad before the General Elections, the two political hotspots of Pakistan.

The report by Media Matter for Democracy (2018) further highlighted:

Threats to media freedom have moved beyond physical attacks, and now also impact media businesses, distribution of broadcast content, circulation of newspapers and other similar tactics. Another key observation was that social media platforms, mainly Twitter and Facebook were used to target journalists through organized digital hate-campaigns. Physical attacks including murders, however, remained the highest in recorded categories.

Interview data, in this study, also revealed that journalists faced massive online threats and there were several incidents of cyber bullying. For instance, an interviewee revealed:

Social media had increased level of treats to journalists. Their accounts were monitored and their communication was marked to create trouble for them. Intolerant and aggressive behavior was a hallmark of political workers during elections.

Many senior journalists were trolled and abused on social media in response to their tweets on politics. Other than online threats, journalists also faced physical assaults and economic hardships. Many interviewed journalists highlighted that the advertising remained an important tool to control media freedom during 2018's election. A situation of economic uncertainty was created for media by controlling advertising budget. Advertising budgets had not released before elections. After the elections of 2018, media houses that had not supported the desired view-points of ruling political party were victimized by budget cuts. That situation made media houses to lay off many employees and to make them jobless. Journalists were laid off from jobs, their salaries were cut and their goodwill was threatened with scandals.

There were also direct measures to curb freedom economically during Pakistan's 2018 elections. Dawn newspaper suffered because of its policy to state facts and to remain inclusive in its coverage. The case of Dawn leaks also affected Dawn newspaper's capacity to reach to the readers during elections.

It was also barred to distribute its copies many times in several areas of many cities. In this regard, a senior journalist responded:

One wonders why we are afraid of something that is true. Let truth take its path. Democracy is in deplorable shape in the country, the economy has shrunken and poor are suffering. No government can take corrective measures unless the facts are communicated to it. The only vehicle to deliver what is right and what is wrong is press.

These findings are not surprising because elections always threaten the supremacy of dictatorship, and that is why autocratic ruling authorities resort to the measures that are directed to control freedom at different levels (Gandhi, 2008). Pursuit for democracy, human rights, freedom and civil liberties are basic pre-requisites for journalism (Scudson, 2008). Those journalists, who strive to achieve these in an ambience of oppression, always face threats. In Pakistan, the gloomy shadows of dictatorial regimes have made journalism a difficult and unsafe profession for those, who want to empower citizens by giving them fair information on political culture. That is why journalists, who advocate the democratic values, face threats (Jabbar, 2010).

Journalists' Experiences of Safety Risks in Their Efforts of Establishing Democracy in Pakistan

Pakistan has always been a difficult and risky country to practice journalism (Jamil, 2018; Jabbar, 2010; Niazi, 1992). Objective and truthful reporting is indeed not without potential risks for the country's journalists. Particularly, this study revealed Pakistan's 2018 general election as a critical period for the journalists' safety as they faced severe physical, psychological and financial threats, making their efforts to establish democracy a herculean task. With respect to this, a senior journalist responded:

During my twenty years of journalistic career, I have not learned to compromise on fundamentals of journalism. General elections 2018 were staged to bring PTI in power. Everyone in journalism knows it. Many compromised because of their vested interests. I took a stand with my values. .... I faced threats from activists of a political party that won the elections. My social media accounts were full of nasty comments uttered with threatening tone during election period. At the important juncture of country's political history, I was standing at the right side of the history. My stand with democracy also created problems for the management of my media organization. Therefore, understanding their situation I left that organization later on.

A majority of interviewed journalists, in this study, unpacked that risks to their safety were increased to a very high level during Pakistan's 2018 elections. According to two senior journalists:

Elections are a stressful activity for the state machinery. In a society, where there is a division present on religious, ethnic and political lines, the threats for media are exacerbated during this process. Country has been facing terrorism threats that have also increased risks for journalists. Moreover, democratic culture is not rooted in society and intense political polarization has made their roots more weakened.

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The threats for journalist's security were present during general elections 2018. They stemmed from intolerance to opposing political views, a passionate attitude to facilitate political favorites, scenario created because of war against terrorism and local political frenzy attitude to win elections for tribal and caste pride. Fortunately, the elections 2018 were not as bloody as we were anticipating. There were some big incidents of terrorism in Khyber Phakhtunkhwa and Baluchistan causing deaths of many, but no journalist lost his/her life. Elections results were managed beforehand; therefore, violence against journalists could not be observed. Moreover, media provided an advantage to establishment to avoid direct confrontation with working journalists.

The author thinks that Pakistan is not only risky place to practice journalism during election periods; however, journalists can face threats in conflict and non-conflict situations both and while covering news stories related to the sensitive issues such as military affairs, national defense and religion (Jamil, 2018). For example, an interviewee stated:

There are several taboos and sacred cows in the society that cannot be discussed in media. Many journalists also lost their lives in the country's fight against terrorism. Many other were killed and injured because of religious and sectarian extremism. A fragmented society does not welcome truth.

This study also showed that journalists suffer diverse risks because of a lack of rule of law and the culture of impunity. Interviewed journalists, in this study, demanded to abolish impunity for the crimes against them. They criticized the role of media organizations for lacking any formal and substantive mechanism to address grievances of their workers when they are affected by legal risks, physical attacks and mental torture.

Notwithstanding the rampant increase in violence against journalists and impunity for crimes against them, the rise in intolerant and authoritarian attitudes of government, military officials and even public has been a major challenge for the Pakistani journalists, especially those who advocate for the establishment of democracy and promotion of democratic norms. An interviewee reflected on this and said:

There are obvious fault lines between democratic and non-democratic forces in Pakistan. Non- democratic circles are more powerful in the country. Therefore, journalists often confront risks and pressures for supporting democracy. Political parties are also deprived of political culture and there is also autocracy in them.

The author opines that democracy promises a responsive and accountable government that serves the public interests. And journalists should be free and safe in their attempts to foster democratic values and culture in Pakistan. However, this study revealed that one of the major obstacles for journalists was safety threat that compelled them to self-censor their stories – especially during the country's 2018 general elections and the Pakistani public did not receive the accurate information about the electoral process. Pakistan made its third consecutive democratic transfer of power through 2018 elections. At this point in time, journalists could not perform their watchdog role and they were simply unable to deliver the truth to the public, resulting in a malign public sphere that was full of distorted facts and fake information.

The Impacts of Threats to Media Freedom and Safety of Journalists on Public Sphere During Pakistan's 2018 Elections

This study revealed that Pakistan's 2018 general elections were conducted in an environment that was barricaded for journalism to function with its true principles. Interview data, in this study, showed that the public sphere for election process created nothing, but deception for voters. For example, an interviewee stated:

Although we used our full capacity to communicate facts and presented our analyses to the voters, but overall information environment created deception and illusions for voters. The information environment of general elections 2018 favored one political party. There was lesser plurality of opinion in the media and public sphere was misdirected and misguided.

The league of journalists, who fought for rights during Martial law regime of Zia, found the 2018's election scenario more frustrating. They were expecting that democracy will find its roots in the society, but unfortunately this was not the case. Many interviewed journalists argued that a comparative critical analysis of political leadership belonging to different political parties was not possible because the media environment was polluted with propaganda. While talking about this, an interviewee shared:

Media polarization also polluted the information environment. Unfortunately, political intolerance and aggression was feature of political debates. A fake public opinion was formed because of concealment of true information. It resulted into a compromise in rationality in political decision-making of citizens. Therefore, true aspirations of citizens could not be translated into political decisions for 2018 elections………that resulted into a rise of suspicion on electoral process.

Interestingly, all interviewed journalists agreed that public sphere was polluted; and therefore, misguided the public opinion of voters during 2018 elections. They argued that democracy cannot be nurtured in a fearful and restrained environment. According to an interviewed journalist:

Freedom of speech creates freedom of thoughts and it gives democratic culture a space to grow and benefit the society, but journalists are neither free nor are they safe to deliver truth to the public. They work in a fearful environment. The notion of public sphere has badly damaged in Pakistan due to the culture of fake news and misinformation.

The author believes that societies can only progress, if citizens feel inclusive and represented through fair democratic process (Tavares and Wacziarg, 2001). A free media environment, wherein media workers work without pressures and do not become a part of political propaganda, helps to promote: free and accurate flow of information in the public sphere, political discourse and democracy. Unfortunately, in Pakistan, a robust public sphere could never develop due to constant threats to media freedom and journalists' safety. That is why, there have always been question marks on almost all elections in Pakistan and the nation is still struggling for the implementation of democratic values (Khan, 2017).

This study also revealed that emotional rhetoric loaded with anecdotes, fleeting generalizations and political labeling affected the quality of media discourse during elections times. These factors seriously affected public sphere. That created a spiral of silence or a spiral of consent that dominated the public

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sphere and whole political process was hijacked. To this, the author adds and he agrees with Habermas's perspective, which suggests that now the public sphere exists only as a "promise". Habermas (1984) wrote:

Party politics and the manipulation of the mass media have resulted in 'a refeudalization of the public sphere, where representation and appearances outweigh rational debate' …………. and where the rational–critical public is transformed into a mass, manipulated by persuasive authority. The public sphere has been undermined by, among other factors, class biases in criteria of admission, the expansion of an interventionist state, new techniques of opinion management and a loss of institutional meeting places. 'This refeudalization of the public sphere turns the latter into a theatre and turns politics into a managed show in which leaders and parties routinely seek the acclamatory assent of a depoliticized population'

Thus, large organizations strive for political compromises with the state and with each other, excluding the public sphere whenever possible. But at the same time the large organizations

must assure themselves of at least plebiscitary support from the mass of the population through an apparent display of openness. (Habermas, 1984 cited in Livingstone and Lunt, 1994, pp. 9-17)

Today, mass media are a "medium of talk, of communicative action, of potential consensus and are actually public sphere" (Habermas, 1984, p. 49). To flourish democracy, it is important that journalists and media should be free and safe to ensure the accurate flow of information and public's participation in political discourse. These outcomes can only be achieved through creation of public sphere that is supported by free media (McNair, 2000). Unfortunately, that could not happen during Pakistan's 2018 elections.

CONCLUSION

The author concludes that democracy cannot be nurtured in an environment, wherein there is no free flow of information in the public sphere because of a lack of media freedom and fatal risks to the journalists' safety. Pakistan represents the best example of it. Democratic discourses need an environment wherein citizens, social and ethnic groups, political parties and governments could contribute their thoughts, ideas and actions. Voting decisions are not made in a vacuum. These discourses are guided by journalists (who have access to the sources of information), by political analysts (who put information into context to present it to the readers/viewers) and by opinion leaders (who do efforts to remove illusions). The freedom, quality, volume and dimensions of debates on democratic process in public sphere during elections hold critical significance for natural outcomes of election process. If these are not found in public sphere then democratic process is maligned, resulting into a political set up that no one trusts.

Last but not least, this study revealed that media was not free and journalists were not safe during Pakistan's 2018 elections. And thus, the author emphasizes Pakistan's media theorists and researchers to develop more studies that can help in enhancing an understanding of media environment, its structure, actors and operations for promoting democracy and nurturing public sphere in the country.

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Chapter 5
Practices of Self–Censorship Among Nepali Journalists

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ABSTRACT

Although Nepal has entered a new era of democracy and press freedom since 2006, self-censorship still exists in the reporting/editing of many Nepali journalists. Nepal has more than 100 years of press history, most of it has faced pressure from the government if not censorship. Drawing upon interviews with journalists, the chapter demonstrates how self-censorship is being practised in Nepali media houses as a result of state power, the culture of impunity, commercial interests, and political inclination of journalists. While highlighting these agents, the chapter also aims to explain the difference in practices of self-censorship by gender and type of news media.

INTRODUCTION

The Nepali mass media has experienced tremendous change since the civil war (1996-2006)[1]. Even though the country has entered a new era since the end of the war in 2006, self-censorship still exists in the professional practice of many Nepali journalists.

The successful elections (legislative, provincial and local) of the three levels of the government in 2017 and 2018 have brought optimism in the country. Although the polarization between the left and right political parties persists, merging of two major left parties and the government of two-third majority epitomizes a stable political situation.

Nepal was ranked 100th among 180 countries in the 2017 World Press Freedom Index, according to a report of Reporters San Frontiers (Reporters Without Borders, 2017). However, in 2018 it fell to 106 and continues to hold the same position in 2019 (Reporters Without Borders, 2019). The report measures press freedom by looking at the factors like media independence and self-censorship. This indicates that while the political situation seems to be on the right track, the case for press freedom is different. Various studies (Diamond, 2006; Graham, 2011) argue that despite the absence of major armed conflict, countries in the post-conflict situation struggle with the legacy of recent violence. Therefore, in a post-

conflict situation, there may be other factors that might be influencing news production. During the time of conflict, news production is shaped by the direct physical threats or by an affiliation with one of the conflict parties (Bennet et al., 2007), news production in a non-conflict situation is subject to a broad variety of different influences – such as a societal, organizational and individual level (Hanitzsch et al., 2010; Shoemaker and Reese, 2014, as cited in Jungbult and Hoxha, 2016, p. 2). In such a situation, news production may be subject to self-censorship.

This chapter examines the suppression of press freedom in Nepal in the present context by mainly focusing on the practices of self-censorship among journalists. Drawing mainly upon the in-depth interviews with journalists and analyses of laws and legislation, the study aims to show the situation of press freedom in the post-conflict Nepal. The study also aspires to contribute to the growing body of research in the safety of journalists by highlighting the relationship of freedom of the press and self-censorship.

Firstly, I present an overview of the concept of self-censorship and press freedom and discuss the methodological aspect of this chapter. This will be followed by media scenario of Nepal to lay the background. The findings of the interviews with analysis will follow the next section along with the conclusion.

LITERATURE REVIEW

Censorship, Self-Censorship and Press Freedom

Press Freedom is an important element of a democratic government. News media can check government powers by undertaking critical reporting and by informing the public. Journalists can also guarantee accountability and transparency in governance by acting as an agent of political change (Christian et al., 2009).

Generally speaking, there are two forms of censorship in the media, censorship and self-censorship. The first one is normally enforced by the state or authority. In censorship, "boundaries are drawn about what to write or not by the outside powers, such as governments and companies, so journalists or publisher have no choice but to write or publish as they are directed" (Yesil,2014, p. 72).

Self-censorship is defined as the act of censoring one's opinion or information, out of fear or to avoid offending behaviors with our without direct pressure from any specific person, or authority. While describing media self-censorship Lee & Chan (2009, p. 112) say that it is an act which is done by media organizations (or journalists) to avoid annoyance and punishment of powerful players such as government, major advertisers, or major business corporations without any direct external pressure.

Different studies show that the reasons for the self-censorship vary, but it is mostly caused by perceived external pressure (Skerjdal, 2008, p. 125) which leads the journalists to modify or skip the news stories to avoid threats and accusations. While most of the time self-censorship is linked with political pressure, there can be other factors which force journalists to manipulate their expression/opinions. Therefore, self-censorship in journalism not only manipulates the fact but also prevents people's access to information. In essence, the extensive practice of self-censorship may interrupt the functioning of a democratic society.

While the job of the news media is to report the news, some self-imposed ethical guidelines, lack of safe environment for journalists or some other reasons may get into the way of reporters/editors in self-censorship of media contents. The vital role of the press can be curtailed also because of commercial pressure or the state's intervention. Governments can restrict press freedom by laws and regulations and

in some cases or by punishing journalists and media organizations for publishing or broadcasting certain news materials (Street, 2011).

I argue that while censorship is mostly a political phenomenon, self-censorship has more cultural and historical relationship, besides political. Therefore, country -specific study is important to provide a deeper insight concerning a particular culture and context.

Various studies (Nadadur, 2007; Lee & Chan, 2008; Skjerdal, 2010; Yesil, 2014) argue that commercial pressure, cultural expectations (gender, race, religion) and political reasons as important factors causing self-censorship in the news media. As the findings of these studies show that although the concept of self-censorship is widespread but practices differ because of the cultural factors.

This study is different from other studies focusing on self-censorship by examining media contents. While such studies are important to analyse the situation of press freedom, studies focusing on the reasons of self-censorship from the journalists' own perspectives will have an added value. It is interesting to know where journalists draw the line between self-censorship and editing, and what point they feel the practice has turned them into puppets for the owners or the government. The insights derived from the analysis should also have some degree of empirical and theoretical relevance to other post-conflict countries.

I argue that while the press freedom has strengthened, similarities still exist between the conflict and the post-conflict period, such as the practice of self-censorship. Pressure has been mounting on the Nepali journalists particularly after the proposed media council bill which is explained in the upcoming section.

Nepali press has a recent history of censorship, particularly pressure from the government encouraging journalists to self-censor their work. I argue that because of the institutionalized practices of self-censorship, it continues to be there curbing freedom of expression and people's right to information.

Media Scenario of Nepal

The institutional history of Nepali press can be traced back to 1851 when the country's first printing press was installed. The state-owned media company (Gorkhapatra Corporation) published the first newspaper – *Gorkhapatra* –in 1901 (Koirala, 2018, p. 45). Only a few dozen newspapers were published regularly in Nepal until 1990 (Hutt, 2006:360). The media underwent a remarkable transformation after 1990. The government's adoption of liberal provisions and guarantees of press freedom opened up new avenues for the private sector to invest in the media industry (Koirala, 2018). After the establishment of Kantipur Media Group (publisher of *Kantipur* and *The Kathmandu Post*), a new era in print journalism began in Nepal.

The media landscape in Nepal is indeed vibrant, with 953 national and local newspapers and 1,380 online news portals in operation (PCN, 2018). Similarly, there are 840 radio and 153 TV stations are registered at the council as of last year. Despite this pluralism and diversity in terms of geography and media outlet, the situation of press freedom has been stagnant if not worse in the recent period.

Journalists' autonomy has been questioned several times by the current government with few incidents of state interference. The existing repressive environment particularly in the area of press freedom is engendering censorship and self-censorship in the press.

News stories are changing in terms of styles and contents. So is the case of newsroom culture. The growing audience online and breakneck pace is escalating the pressure on journalists to deliver their stories faster and for different platforms. In such a situation ethical information can be squeezed and truthfulness could be questioned as there is less time for editing, additional research or fact-checking.

It means that there is less time to apply "good principles" of professionalism, hence, undermining the quality of journalism.

The newly proposed media council bill to replace the existing Press Council is also creating serious questions on freedom of expression and autonomy of journalism. The bill proposes confiscation of media equipment and slapping fines of up to Rs 10 million (around US$ 90,000) and 15 years in jail for media persons found publishing offensive content undermining national sovereignty, geographical, integrity or nationality. Many believe that this is harsh as Section 49 (5) of the Criminal Code proposes only five years in jail and Rs 50,000 (around US$ 450) fine for a similar offence (Onlinekhabar, 2019). This suggests that the proposed Media Council will be nothing more than a new technique to curb the press freedom. The bill has drawn criticism mainly from journalists stating that they will not be able to write anything against the prevailing corruption and anomalies if the bill is enacted.

MATERIALS AND METHODS

The research undertakes the Nepali private media (online news portals and broad-sheet dailies) as a case study. Eleven journalists from nine different news organizations were interviewed from April to June, 2019. In terms of methodological approach, the journalists were not directly queried about "self-censorship", unless they brought it up while discussing their dissatisfaction and limitations.

The journalists included in this research had at least five years of experience. To narrow down the study, I included the journalists working in national broadsheet daily newspapers and online news portals. Out of 11 journalists, I personally knew five of them while working as a journalist. Two of the interviews were arranged in the office while nine others were organized in coffee shops. The major reason for including only private media houses was mainly because that private media houses are considered relatively independent to state-owned media. Also, compared to other news outlets, newspapers (particularly broadsheet daily) continue to be the most influential form of news media (Koirala, 2019, p. 82) and dominate the Nepali media landscape. Similarly, increasing access to the internet and huge investment in online news portals is fostering the popularity of digital platforms. While all the major newspapers are available in digital version, online news portals (included in this study) are using the digital platform only to share their news.

The media houses/ publications included in this study are Kantipur Media Group (*Kantipur* and *The Kathmandu Post*), Nepal Republic Media (*Nagarik and Republica*), *Annapurna Post* and *Karobar*. Similarly, the online news portals included *OnlineKhabar*, *Setopati, Bizmandu*, *Nepalnews* and *Barhakhari*. Most of the reporters were picked on the basis of their news beats mainly politics and business with the assumption that in these beats, journalists are more likely to practice self-censorship.

All the interviewees were informed that they could speak "off-record" while sharing "sensitive information" and also had the choice to remain completely anonymous. The interview lasted between 45 minutes to an hour. I personally transcribed the data before starting the process of analysis. Except for three speakers who used Nepali, most of the informants mixed Nepali and English. The informants were selected through personal networks and a snowballing approach. I am aware that 11 journalists are not a representative sample, but as they come from different background and news organizations, the findings of the interviews can point out the major reasons for self-censorship.

FINDINGS AND DISCUSSION

This section presents the empirical findings from the in-depth interviews, to explain the situation of self-censorship mainly around journalism culture in the Nepali media. The topics covered were mainly around journalist profiles, organizational environment, professional values and their experiences while covering "controversial" or "sensitive" issues. It also presents journalists' doubts as well as some good practices adopted by the journalists to overcome "barriers" to ensure news contents are not censored.

Out of 11 journalists included in this study, three were women. The participants were editors and news reporters (mainly covering politics and business news). Most of the incidents of "self-censorship" shared by the participants were *procedural self-censorship* and *economic self-censorship* as pointed by Hanitzsch et al, 2010. According to Hanitzsch et al.'s (2010) work on perceived influences on journalistic news production, one can conceptually differentiate six different origins of self-censorship in news production: *professional, procedural, organizational, reference group-based, economic* and *political self-censorship*.

Procedural self-censorship has been described as decision-based on operational consequences within news production– especially time, money and space. Procedural self-censorship was more apparent in the case of online media because of the factors like time and money. Journalists stated that they did not carry "some specific stories" because it might have been too time-consuming.

Similarly, *Economic self-censorship* reflects the fact that news media are 'profit-oriented institutions that compete in markets' (Hanitzsch et al., 2010: 15). Therefore, decisions made on the basis of the company's profit (advertisement or circulation) fall under this category.

There was a general agreement about the extent of the self-censorship in its major causes. While most of them did not acknowledge direct pressure from their senior or the advertisers for avoiding some news stories, their experiences indicate that "seniors" and advertisers were playing a major role not just in what to publish but also on what not to publish. The details on the major reasons, which are forcing journalists in Nepal to practice self-censorship, are explained below.

Silent Rules and Ambiguous Commands

Different studies (Skerdal, 2008; Chan & Lee, 2009) argue that much self-censorship is produced by news organizations without the seniors explicitly ordering it and the frontline journalists knowingly practising it. The practices of self-censorships are often justified by referring to the editorial policy. But what happens when reporters are not aware of the editorial policy?

Majority of the informants claim to have no information about the editorial policy. Two of the informants who stated to have been familiar with editorial policy also could not clearly outline about what is included, when asked about the contents of the editorial policy. Also, informants often mistook editorial policy with 'a stylebook' which mainly focuses on the linguistic side. This was often leading journalists to make their own judgment in 'critical issues'.

All the informants said that they normally do not receive explicit commands from their supervisors or media owners. Our (reporters') judgments are often trusted (by seniors) and this encourages us to be more objective while reporting", one of the news reporters at online news media said. Therefore, instead of following a certain editorial policy, most journalists were following "the silent rules" existing in a news organization through observations and interactions with colleagues and seniors. As one of the reporters of the national daily said:

When I first started, he (the editor) didn't say anything, but I could quickly grasp how certain issues were handled. The placement of certain stories and omitting of certain words were some of the actions that made me familiar with the "norms".

Such comments regarding the importance of observational learning are in line with past research findings. Nevertheless, self-censorship can be understood beyond organizational socialization. Informants also shared the main reason to avoid certain stories or minimize the coverage of a particular firm is not because of the "special instruction". For example, one respondent stated:

I have seen colleagues who report less controversial issues are promoted more. I know I am not going to be fired for reporting the issue that would displease my job. I trust my organization. However, sometimes I get the feeling that going against the will of the publisher or editor can hamper my growth inside the organization. (Reporter, Karobar Daily)

The other mechanisms, similar to unspoken rules, were ambiguous commands. One of the informants recalled that she was once told, "to balance the news" when she was handling news about big a corporate house. She commented:

But what does it mean to "balance" when you are reporting a news story on outstanding taxes. This is tricky as there was no "direct instruction" but you have a hint that a news story needs major changes. I can simply guess what sort of 'tone' the news story has to carry not to hurt the sentiment of the advertiser. (Financial Reporter, National Broadsheet Daily)

Most of the reporters agreed that "silent rules" and "ambiguous commands" were enforcing them to practice 'self-censorship'. Another interviewee offered a similar observation about how objectivity may be seen as a disguise of self-censorship. She was charged of not being objective while covering a particular story The journalist stated that she had a 'brilliant story' to report on the medical negligence of a renowned surgeon. Despite having all the information from credible sources, the news story was never published. For example, one respondent shared:

I had all the documents and credible sources to prove my claim against the surgeon but the story was never published. I felt embarrassed in front of the patient who deserved justice. I know my story could have made a difference. The editor argued that the news story was against the ethnical guidelines as the case was not reported in the medical council. Also, the question of objectivity was raised as the surgeon refused to comment on the incident. That incident discouraged me to pick of the stories on wrongdoings especially when it involved the reputed personality. (Reporter, National Broadsheet Daily)

Political Affiliation and Unionization

All the informants said that their media house was a 'free media' and had no political leaning towards any political party. However, in reality, the majority of the journalists are politically divided in sister wings of the major political parties. The development of journalism in Nepal was political in nature. After more than two decades of privatisation of media, many journalist work as tools of political parties through politicized unions (Kharel, 2012).

The formation of journalists unions are based on ideological nearness one a particular party. For example, journalists of Press Chautari are associated with Communist Party of Nepal (United- Marxist-Leninist) and the members of Press Union are associated with Nepali Congress. They function as a 'sister-wing' of their respective political parties. This is not all. Even the umbrella organisation of journalists, Federation of Nepali Journalists (FNJ), is not free of political bias (K.C, 2014).

Only two of the journalists admitted that they were members of one of the 'sister-wings.' However, all of them stated that they knew some colleagues in their organization who were part of these unions. For example, one respondent said, "although we have journalists who are close to sister-wing of a particular party, we ensure that their political affiliation has not been reflected in their reporting" (Bigyan Adhikari, Editor, Bizmandu).

Editors also admitted that there were some instances when reporters have exhibited their political inclination in news reporting. According to one of the editors:

There are a few occasions where I have encountered that news reporters are not neutral because of their political inclination. In such cases, first the reporter is warned and in a later case we reshuffle the assigned news beats. (Gunaraj Luintel, Editor, Nagarik Daily)

Most of the big media house might not clearly show a political inclination compared to smaller ones. Nevertheless, such a tendency is forcing journalists to practice self-censorship, particularly while reporting critical stories on politics or about the government.

Corporate Interest

While the state-owned news media of Nepal are criticized for their political interest, private news media are also not free from criticism. Corporate interference is considered as one of the biggest threats to media freedom in most of the liberal democratic countries.

As private business entities, it is obvious that media houses rely on business firms for their profit and also for the operation. Growth of media companies, as discussed in the background section, indicates growth in freedom of expression. With the plurality in media, the more varied opinions are expressed. However, there is more to the increasing number of media houses. As discussed above besides political biases, corporate interest is the other issue. Noam Chomsky and Edwar Herman (1994) argue that corporate ownership of news media very strongly encourages systematic self-censorship owing to market forces.

More than a thousand media houses for a small economy raise many questions. It is not possible to make a profitable business with these many media organizations. So, why is the number growing?

Yubaraj Ghimire (2011) argues that some publishers/ journalists threaten business firms of negative reporting so that they can make "extra money." While just tendency is not obvious in the mainstream media houses which were included in the study, there is another side of the corporate interest which is forcing journalists to practice self-censorship.

Two of the reporters admitted that their news stories about a wrongdoing of some business firms were heavily censored. For instance, one of them highlighted that "after a few months of working, it becomes obvious that which are the business organizations that you can't go against with" (News Reporter, Bharhakhari)

Most of the journalists stated that there was no direct interference from their publishers. One of the editors, however, admitted that there were some instances when they had differences. For example, one

editor said, "as an editor, it is obvious that you can't please your publisher. They indirectly object sometimes but I always find a way to work it out" (Editor, National Broadsheet Daily).

One of the editors also shared the incident where they had to do a "compensating story" in the form of advertorial for a negative story on a business firm. He further said that it was important to deliver the news story and also to "maintain the relationship with advertisers".

These incidents suggest that journalists in Nepal do not an autonomy to go against corporate interests. Although many of them do not accept the 'direct interference', the findings indicate that they are aware of the limited freedom they have particularly while reporting stories about the big firms.

Culture of Impunity and Safety of Journalist

The prevailing impunity and safety of journalists was the concern of the majority of the informants. According to a report of UNESCO prevailing impunity in Nepal has been cited as one of the reasons for self-censorship among the journalists (UNESCO, 2016). Although the number of threats and attacks to journalists has declined compared to the conflict period, journalists admitted that they do not feel 'safe' while covering sensitive issues. Though the current constitution guarantees the safety of journalists and freedom of expression, journalists continue to face threats and legal cases for doing their job.

One of the participants included in the study shared facing a legal battle against defamation for filing a story on domestic violence. The reporter told that her media house helped her to get through the legal case but it left a scar. She said:

I have been very passionate about reporting gender-related issue. After this story, I have not picked up any similar stories. I do not have any pressure from my organisation but maybe the previous incident has impacted me in some ways. I was threatened several times over the phone by the perpetrator before dragging me to the court. (Ramakala Khadka, Reporter, Annapurna Post)

Most of the informants also expressed concerned about the proposed Media Council bill. Although the government has agreed to revise some of the "clauses" after the mounting pressure from the national and international level, journalists stated that it was raising a serious question to press freedom. "We have come a long way in terms of fighting for press freedom and when the government plans to come up with such laws, it simply discourages journalists" (Bigyan Adhikari, Editor, Bizmandu).

Majority of the informants said that they don't consider journalism to be 'safe profession' in the present context. Some of them also shared that they prefer not to cover 'controversial issues', if they have a choice. According to one respondent:

Many news ideas come in my mind but I have not been able to jot it down. One of the factors is they are investigative in nature and the other idea is I do not want to be under threat from the business community or a political party for covering a story. (Reporter, Barhakhari)

Gender and Self-Censorship

Women journalists are likely to face numerous problems in their push for professional rights. In a patriarchal society like Nepal, the social construction of "good women" encourages women to be more submissive and compromising. The experience of women journalists indicates that they were self-censoring news

stories in two-level, one as journalists and other because of their gender. Although only three informants of the study are women, the study indicates that their experience was slightly different compared to male journalists. As per a reporter:

Being a female reporter, I think I am prone to threats and stalking than my male colleague. I am extra cautious while picking up the 'sensitive issue' particularly when the issues are about crime and violence. (Ramkala Khadka, Reporter, Annapurna Post)

All three female informants said that they felt that their seniors cross-checked their stories more often than their male colleague. One of the reporters said that such biasness was discouraging them to take up "serious issue."

I argue that gender biases inside the media house can have a chilling effect on women's freedom of expression. Female journalists also complained that their ideas for stories were not always welcomed. One of the reporters shared that gender -based discrimination was not simply forcing them to be submissive, but it was also hampering their growth in the organization. She said:

I was in the middle of reporting a feature story about the challenges of women entrepreneurs. However, my editor dismissed the story saying that the news stories like those were not a good fit for a broadsheet daily. (...)I think male colleagues/editors are still hesitant about feminist angles in the story and this forces us (women journalists) to think twice while picking up such stories. (Female reporter, National Daily)

Differences Between Print and Online Media

Although, the sample of this study is smaller to conclude, the findings indicate a trend where online news reporters were more likely to practice self-censorship than those in the print media. This was worrisome particularly because of the fact that online news portals are growing not just in terms of number but also in terms of popularity.

Most of the online reporters/editors cited that less time to edit, additional research or fact check was major issues. Compared to broadsheet daily, the editorial team was smaller meaning journalists working in online had more work pressure. "There are many times, I have not reported a news story mainly because there is no time to fact-check. Our institution has made it clear to keep the "accuracy" in priority", said a reporter (Online news portal).

The hierarchy in online news portals was less obvious compared to the newspapers. The findings of the interview indicate that journalists in online had more responsibility and also more autonomy in choosing their news topics and stories. However, because of the limited number of staff, most of them were juggling between administrative jobs and news reporting.

CONCLUSION

The examples, discussed in the above sections, are helpful to point-out the trend in Nepali-journalism, in terms of self-censorship. Because of the limited number of sample, it can't be concluded that the above-mentioned factors are the only factors forcing journalists to practice self-censorship. Yet, on the whole, the analysis paints a picture of the operation of self-censorship within and outside news organizations.

The findings mainly because of the methodology of the research are leaning heavily on perceived influences on news production (Hanitzsch et al., 2010). Many of the objective influences (like the constraint of budget) were not seen by journalists as having a major impact. Therefore, the concept of self-censorship of this study can be largely explained as a perceived influence in journalism. The findings suggest that the decision to withhold news stories was not reflecting any real life happenings, and it was mostly the journalists' perceptions and interpretations (See Jungbolt & Hoxha, 2016).

The findings of the research imply that political, economic and cultural factors are also forcing journalists to self-censor. Journalists in Nepal are facing fear for various reasons. That may be a fear to lose their job, promotion and increment in salary. Worse, the fear of receiving a threat or legal charges was also very much present inside the newsroom.

While sometimes journalists admitted having to leave the complete story or most of the cases some parts of the news stories. Their decision to withdraw a complete story or parts of a story is a clear example of self-censorship (Cook & Heilmann, 2013).

The study interestingly points out that self-censorship exists even without explicit orders or direct interference from the publishers and editors. Throughout the chapter, the normative assumption is that self-censorship is undesirable and problematic.

The chapter supports the argument made other research particularly in the issue of press freedom. Although professionalism is considered as an important element in press freedom, the study suggests that professionalism can sometimes be used as an excuse to practice self-censorship.

The associations like FNJ must rise above Partisan political interests and work to create a safe environment for the journalists. FNJ officials should be loyal with the profession they represent and not their political parties.

To conclude, this study points out that "fear factor" plays an important role for the practice of self-censorship. Also, although the reason for fear was not obvious, it may be argued that fear was more in psychological level. It is a well-known fact that the practice of self-censorship put the freedom of press in danger. Combating self-censorship is definitely a difficult task but a safe environment and awareness can play some role.

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ENDNOTE

[1]   Also known as the Maoist Conflict and People's War, the Maoist insurgency was a decade long armed conflict between the Communist Party of Nepal (Maoist) and the government of Nepal. The war which killed more than 13,000 people ended with the signing of the Comprehensive Peace Accord between then Prime Minister Girija Prasad Koirala and the Maoist leader Prachanda.

Chapter 6

What Dampen the Indonesian Journalists' Freedom and Safety in the Post–Soeharto New Order?

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ABSTRACT

This study investigates factors that dampens the Indonesian journalists' freedom and safety in the Post-Soeharto's New Order. To address this research objective, relevant journal articles have been scrutinized. And the in-depth interview data have been derived from the interviews of a former member of the Indonesian Press Council and four journalists who served four prominent Indonesian mainstream media including TEMPO, the Jakarta Post, Metro TV and CNN Indonesia. These data have been analysed using the qualitative and thematic analysis.

INTRODUCTION

Indonesia is one of Asian democratic countries, which is ruled under the presidential government system (Ahmad, 2017). Being widely knowledge as a Southeast Asian nation dominated by Moslem population, Indonesia has successfully established the democratic, political and the media systems in wake of the downfall of Soeharto's authoritarian regime (1966-1998). During Soeharto's authoritarianism regime however, coercion, revenue extraction and elite patronage, as well as citizen's dependence on state's provision of economic welfare kept the regime in triumph until its end in 1998 (Liddle, 1996; Mietzner, 2017). The establishment of this regime began with human rights violation and more abuses and culture

of impunity were formed during its administration, at some points, human rights violation and impunity culture remain viable in *Reformasi* (Sulistiyanto, 2007; Pohlman, 2013; McGregor, 2017)[1]. Since this regime ruled this country, media and the press had been exploited as the ideological state apparatus through several controlling mechanisms. These include authoritarian laws, which masked with mandating the press to be the guardian of Pancasila and 1945 Constitution, political propaganda through TVRI and RRI (both were state-owned broadcast channels), controlling and revoking the press licence, developing the state censorship and intimidation to journalists either (Gazali, 2002; Hill, 2007).

Regardless of the aforementioned conditions, some transformations were taking place in between the late of 1980 and early 1990's. Privatization media policy, introduced by this regime, allowed the Indonesian press to gradually gaining its authority. Enactment of this policy allowed the private broadcasting media industries to be owned by Soeharto. Soon after this policy was being implemented, Armed Forces Information Centre gradually lost its power to fully intervene the content production processes organized by Indonesian newspapers (Hill 2007). Along with development, early penetration of the Internet also evolved since the 1990's. However, whilst the Internet penetration provided a mean for democratic activists and journalists to consolidate their movements, ban on news media remained occurring in 1994 and self-censorship and fear amongst the journalists kept persisting (Hill, 2007; Tapsell, 2012). At that time, the Indonesian journalists were allowed to exercise the 'freedom of the press' as long as the criticisms they made did not relate with political succession and were not directed overtly to Soeharto and his cronies (Menayang, Nugroho, Listiorini, 2002).

In May 1998, Soeharto regime collapsed dramatically. Soon after the downfall of his regime, subsequent developments took place. One of the Indonesian state propaganda institutions, Department of Enlightment (Department Penerangan), was abolished. A democratic press law, No.40/1999, was constituted by members of the Indonesian House of Representative (MPs). As imposed by Press Law, the press institution was legally formed, but license was no longer needed by such institution. Based on Press Law, the government officials were prohibited to do censorship and press banning. They instead, were supposed to establish the media freedom and protect journalists and their activities.

In a little while, after the Press Law was enacted, the number of news' products drastically rose. As the Decision of President Bill (Keppres) No. 96/M/2000 was released, newly Press Council with nine members had formed. Press Council was constituted as a fully independent commission with its main function to protect the freedom of the press; (Dewan Pers, 2019, p. 5). Enactment of such Press Law also allowed Indonesian journalists, as well as the citizens in general, to freely develop associations and organizations. Such condition resulted in the Alliance of Independent Journalist (AJI/ *Aliansi Jurnalis Independen*), which once was a clandestine journalist association openly growing and expanding. This was emerging along with transformation of the Indonesian Journalists' Association (PWI/*Persatuan Wartawan Indonesia*), which previously occupied with the interest of such New Order regime (Romano, 2003; Hill, 2007).

Despite, democratization took shape within the state agencies and press freedom increased substantially, the following problems still prevailed:

- *At first,* during the last decade of the New Order Soeharto regime, the landscape of the Indonesian media was dominated by the mainstream media, which nationally broadcasted their contents from Jakarta. Media was controlled by several media barons who were affiliated with a particular political party (Armando, 2014; Tapsell, 2015a, 2015b). Within the last two decades, media was continuously exploited to serve the business and political interests of media barons (Sudibyo &

Patria, 2013; Tapsell, 2015a, 2015b; Ahmad, 2019). While the existence of journalist trade unions in media was under-developed, plenty of journalists associated with these media were fired suddenly. These systematically disempowered journalists and made them incapable to defend their rights as professional workers and protect themselves from various threats and violence.

- *Secondly,* there was an increasing numbers of the Internet and social media users in Indonesia, which paved the way for not only entrepreneurial online media growing, but also challenged establishment of the news industries, especially the print media outlets. In consideration of these, several Indonesian newspapers and magazines preferred closing their print outlets and fully migrating to online or shutting down their operations at all (Manan, 2018). Such trends were also visible within the last decade. This really resulted the Indonesian journalists in a precarious condition.

- *Thirdly,* during the Post-Soeharto New Order, not only media liberalization evolved, but also conglomeration and concentration of media ownerships visibly increased in the country. However, whilst such transformations gave a chance to the Indonesian media owners to fulfil their business interests, diverse threats to the Indonesian media and journalists' freedom and safety remained prevailing (Masduki, 2017; Robie, 2017; Wijayanto, 2017). In consideration of such issues, the Independent Journalist Association (AJI), Legal Aid Institution for the Press (LBH Pers), Safenet, Television Journalist Association of Indonesia, Independent Media Workers Union of Indonesia, International Amnesty of Indonesia, and SINDIKASI recently set up the Journalist' Safety Committee.

Considering the aforementioned issues, this study investigated a research question: what dampen the Indonesian journalists' freedoms and safety in the Post-Soeharto New Order? Before addressing this question, this chapter evaluates structural factors and conditions that might undermine the media and journalists' freedoms and chronicle the media's freedom and journalists' safety in post-Soeharto period.

LITERARTURE REVIEW

Structural Factors and Conditions that Constrain the Media and Journalists Freedom

It has been widely acknowledged that the media freedom—in particular—is essential to ensure sustainability of liberal democracy. Those who follow liberal democracy model, argue that the media freedom should be established to ensure that not only public sphere keep thriving in society, but also journalists produce the quality news to create well-informed and rational society (Hackett, 2013). Establishment of media freedom allows journalists to act as a watchdog of government's performance (Hackett, 2013, p.17).

In democracy, the media and journalists are expected to have capability in exercising freedoms of expression and publication. Such condition is needed to make the media capable of exercising their role as the fourth estate, to serve the public interest and to cover and present diverse information for the development of pluralistic and liberal society (McQuail, 1992, p. 110).

As the media enjoy freedom, journalists have capability of not merely exercising their roles as 'watchdog' for those who are in power, but also they can provide the people reliable information related to the government's activities. A free media also has capability of developing an active and an informed democratic system and social life, and it has greater chance for ensuring that the people have equal op-

portunities to express their ideas, beliefs, and views and preserve and develop their cultures (McQuail, 2010, p. 193).

Literature review indicates that either within or across democratic countries, the existence of media and journalists' freedoms cannot be taken for granted. The degree to which such freedoms exist in democratic countries are largely defined by the capability of journalists to exercise their rights to freedom of expression and access to information, (McQuail, 1992, p. 110; Herman, 2000, p. 102; Shoemaker & Reese, 1996, pp. 261-270).

In this chapter, we argue that contextual factors and conditions can affect the media freedom and journalists' safety within any country. Specifically this chapter addresses those factors that dampen the media and journalists' freedoms and safety in post-Soeharto's period. When addressing the safety issues, the chapter focuses on all forms of injustices that are oppression, marginalization, inequality, exploitation, domination and repression (Parsons, 2007). The chapter also takes into account and different types of physical, psychological and digital risks that prevent the Indonesian journalists from carrying out their work (Berger, 2017; Cottle, 2017; Ho, 2007).

Media Freedom And Journalists' Safety In The Post-Soeharto's Indonesia

During the New Order Soeharto's regime (1966s-1998), most of the Indonesian media and journalists lacked freedom while reporting on political issues and events and expressing political (public) opinions. Soon after this regime collapsed in May 1998, the media and journalists gradually started enjoying freedom (Hidayat, 2002; Hidayat and Sendjaja, 2002). However, diverse threats to and violent against the Indonesian journalists remained prevailing in the country (Masduki, 2017; Robie, 2017; Blades, 2018).

These facts were also confirmed by Reporters Without Border's Press Freedom Report (2019) that indicated Indonesia ranked at 124, lower than Timor Leste (84) and Malaysia (123). This ranking was also confirmed by recent reports released by Independent Indonesian Journalist Alliance (AJI), one of influential journalist associations in Indonesia. AJI reported that the total number of assault or threat to journalists in Indonesia were no lesser than 30 cases per year during the last two decades. Assault on journalists was even at peak as 81 cases were reported in 2016 (see Table 1). These statistics were confirmed bv AJI officially. Also, there were several unreported cases of violence against journalists during the past decade. Table 1, below, explains the numbers of journalists killed in Indonesia between 2009 and 2018.

Within the last decade, diverse threats were experienced not only by the Indonesian journalists, but also foreign journalists faced risks. Studies showed that most threats to journalists were given by state and non-state actors both (Masduki, 2017; Wijayanto, 2017; Robie, 2017; Blades, 2018). Risks to the Indonesian journalists still prevails. However, we lack knowledge regarding the factors that dampened the Indonesian journalists' freedom and safety in the Post-Soeharto New Order. Thus, this chapter addresses those factors.

Table 1. Assaults to journalists in Indonesia, 2009-2018

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	Mid 2019
Numbers	38	51	45	56	40	40	42	81	60	64	**10**

Source: Independent Indonesian Journalist Alliance (AJI)

MATERIALS AND METHODS

This study uses document review as the first method of data collection, which includes: relevant studies into the topic of investigation, annual reports and publications released by AJI (www.https://aji.or.id), the Indonesian Press Council, and news from verified online media institutions. Moreover, certain key words have been typed on the homepages of the institutions and Google Search to select the reports and publishing. These key words include "the press freedom" (*kebebasan pers*), "safety of journalists" (*keselamatan jurnalis*), "protection towards the journalist", "deaths of journalist" (*kematian jurnalis*), and "abuse to journalists" (*kekerasan terhadap jurnalis).* Additionally, qualified journal articles have been scrutinized and have been selected by its relevance to the main topic and subtopics of this study. The materials have been then closely read by both authors and difference in understanding of the collected materials has been then discussed between both authors.

Secondly, the in-depth interview data have been derived from five sources, which are comprised of: a former member of the Indonesian Press Council and four journalists (who serve four prominent Indonesian mainstream media, which are *TEMPO*, *the Jakarta Post*, *Metro TV* and *CNN Indonesia)*. In this respect, *TEMPO* and *the Jakarta Post* have been selected since they represent veteran news companies in Indonesia. *Metro TV* and *CNN Indonesia* have been considered since they become influential news TV channels after the New Order Soeharto's regime have collapsed. Three of the interviewed journalists are also associated with AJI (Abdul Manan, Joni Aswira and Agustinus Beo Da Costa); and labour movement (Luviana Ariyanti, a former *Metro TV* journalist and producer of a short movie entitled *More than Work*). These data have been analysed using the thematic analysis.

To present findings, we first chronicle political and economic transformations that shaped up reorganization of monopolistic character of the Indonesian media industry and the existences of multilayered threats to the Indonesian journalists. It is followed by further explanations regarding types of the state and the non-state actors and the individual, internal and external organizational and structural factors that undermined journalists' freedom and their safety while doing routine work.

FINDINGS AND DISCUSSION

Threats To The Indonesian Journalists' Freedom And Safenty: The Role Of State And The Non-State Actors

While democratization of politics has been established in the wake of the downfall of the New Order Soeharto's regime, the re-organization of political economy power from the central (Jakarta) to the regional or local administrations is still evolving (Aspinall & Fealy, 2003; Choi, 2009; Mietzner, 2010). Whilst the Internet penetration, as indicated by total number of Internet users, has been soaring up significantly for the past some years (APJII & Teknopreneur, 2017), freedom of speech and press, which were oppressed by Soeharto's regime, is reviving substantially (Reporters Without Borders, 2019; Dhakidae, 1991; Sen, 2003; Heryanto & Adi, 2001).

Betterment in media freedom has led to an increase in the total number of media and press companies (Nugroho, Putri & Laksmi, 2012; Lim, 2012), which has consequently strengthened media concentration and consolidation in Indonesia (Lim, 2012; Tapsell, 2015a). However, these developments also entail some problems. The notion of the press freedom has been spun mainly by the media owners and managers

as liberalization and privatization of the urban-based areas of media industry (Lim, 2012; Heryanto & Hadiz, 2005; Tapsell, 2015b; Armando, 2014; Nugroho, Putri & Laksmi, 2012; Hill & Sen, 2000). This has paved the way for not only the Jakarta-based commercial TV industries to dominate the landscape of the Indonesian media, but also the owners of commercial TV industries are enjoying freedom for taking affiliation with a particular political party. While in some instances print news have been widely recognized as sites for politico-businesses to gain the public sympathy during controversies of scandals (Andres, 2016), commercial TV industries, which are owned by some capitalist oligarchs, have been robustly exploited to serve the business and political interests of their owners (Sudibyo & Patria, 2013; Armando, 2014; Tapsell, 2015b).

Liberalization and privatization of Indonesian media are marked by certain tendencies. As compared to the non-mainstream media, the mainstream media companies have established much more. Alternative press institutions have been growing robustly. However, online disinformation and misinformation producers and promoters are evolving, and diverse threats to the Indonesian journalists are also prevailing.

Since the downfall of the New Order Soeharto's regime, communities of journalists might have been aware of this kind of violence. Some of them have conducted a set of activities to prevent them from violence. For example, AJI has been striving for journalists' welfare since its inception 25 years ago. Similarly, some media have tried to be accountable on their journalistic works. For example, *TEMPO* quite frequently discloses the ways they covere stories (Tim Kecap Dapur *TEMPO,* 2011). *REMOTIVI* attemptsd to balance the negative impacts of media conglomeration by creating critical content to media practices. However, in terms of monitoring violence against journalists, media and journalists' communities commonly realize that those who organized violence are mainly state and non-state actors.

The data collected by AJI, show that police and military (TNI/*Tentara Nasional Indonesia*) have been the two state agencies that are traditionally responsible for the attacks against the Indonesian journalists. In between 2007 and 2017, AJI has determined police as an Enemy of Press Freedom. After those two state bodies, ordinary citizens have been the abusers, including intolerant group Islamic Defender Front (FPI/*Front Pembela Islam*). However, violence against journalist taken by security forces –especially police— has been difficult to resolve because they are supposed to be law enforcer, not perpetrator (Manan, 2018). A member of Advocate Division of AJI Indonesia, Joni Aswira, says that "the police conduct double sins: become perpetrators and they do not process violence reports from survivor journalists". He adds that "the police often violated journalists physically on the spot or on the reporting location instead of planned violation".

According to the data of the Alliance of Independent Journalist (AJI), there are 16 reported cases of assault by the police, the highest in the groups of people who conduct violence against journalists, followed by citizens, and government's officials/executives at the second and third places respectively. Apart from police, mass organizations seem not really different from government and police in terms of being involved at violence against journalists. Statistically, violence by citizens falls after police and military, but the tendency is rising (Manan, 2018). Since 2017, political protests that involved Forum of Islamic Ummah of Indonesia (FUI/ Forum Umat Islam Indonesia), National Movement of Fatwa Defender (GNPF/*Gerakan Nasional Pembela Fatwa*), as well as a group of people or mob visiting press media offices have been creating pressures and have been takeing toll on journalists' safety (Aliansi Jurnalis Independen, 2019; Manan, 2018, p.19). The relatively high numbers of citizens attacking journalist, reported to AJI, may relate to newly uprising facts of journalist experiencing online persecution and doxing. Three Indonesian journalists have gone through persecution and identity revelation online after the media uploaded special report by them entitled "Taming Rizieq" (Aliansi Jurnalis Independen, 2018).

Table 2. Attacks to and violence against indonesian journalists by the non-state actors and the state-related actors

Perpetrators	2018	2017	2016	2015	2014
The Non-State Actors					
Lawyer	1	1	1	-	-
Academia	2	1	-	-	-
Students	-	1	2	-	1
Mass Organizations	7	3	3	-	2
Citizens	12	19	26	17	10
Common people	-	-	-	-	1
The State-Related Actors					
Political Parties' Politicians Who Run for the Election/ Elected Members of Parliament (MPs)	1	3	7	1	5
Central Government Officials	13	7	9	7	2
Police	14	15	14	12	7
Local Government Officials/Satpol PP	8	5	6	-	1
Indonesia's National Military Troops (TNI)	3	6	6	-	2
Judge	-	-	1	-	-
Unknown	3	5	6	5	9
Total	64	66	81	42	40

Source: Independent Indonesian Journalists Alliance (AJI)

Nonetheless, some student journalists, of public-sector universities, have also experienced police's and the public's pressures. Some public universities, in Indonesia, commonly support the settlement and activity of press organizations ran by their students. Between 2014 and 2016, four student press have been banned by the universities. In May 2016, the Association of Student Press of Indonesia (PPMI/ *Perhimpunan Pers Mahasiswa Indonesia*) has found that amongst 64 students' press, 47 of them have gone through violence. In 11 cases, violence has been done by by the respective university (Nursalim, 2019). In early 2019, a journalist of student press at the Universitas Gadjah Mada (UGM), has been examined by the Regional Police Department of Special Region of Yogyakarta (*Polda DIY*) after her publication of a sexual harassment case of a UGM female student (Hadi, 2019; Muryanto & Mariani, 2019). Since the campus press and citizen journalism organizations are not legal bodies, as mandated by Press Company Standard (SPS/ *Standard Perusahaan Pers*), thus the Press Council and AJI are unable to advocate whenever student journalists receive threats or experience violence during their journalistic work or when their news stories trigger violence.

In sum, the existing threats and violence against the Indonesian journalists have been no longer taken mainly by the state actors as diverse non-state actors also affect the Indonesian journalists' freedom and safety .

Journalist' Lapdog-Mentality As A Primary Individual Factor

In the Post-Soeharto's New Order regime, the degree to which Indonesian journalists exercise the press freedom is determined not only by the structural systemic and organizational factors, but also iIndividual-related factors. As regards with the latter, we argue that lapdog-mentality of journalists seem becoming a primary individual factor. The existence of this factor is resulting from downplaying of journalism ethics by journalist. It has led to the news coverage they conduct lacking independency and public trusts in the media.

Increasing powers of public relation apparatuses, managed by the Indonesian State and government agencies and companies, make such lapdog-mentality getting worse.

Despite journalist' lapdog-mentality, the hegemonic and exploitative media corporation and power-less journalists' trade unions in Indonesia are also taking place as subsequent factors that undermin the Indonesian journalists' freedom and their safety.

Hegemonic And Exploitative Media Corporations And Feeble Journalists' Trade Unions As Primary Intra Organizational Factor

Apart from physical violence caused by the public, media owner and corporations treat most of the Indonesian journalists badly. This is a factor that assists in understanding why violence against journalists has been dampening. Apart from efforts taken by organizations established by journalists, there is also not much collective support from the media companies for journalists to protect themselves from state and non-state intimidations. Media conglomerates have been politically affiliated with the state. They treat journalists as low waged labours with unfulfilled rights, but claim "freedom of the press" to protect their business. According to Joni Aswira, a member of Advocacy Division of AJI Indonesia:

Media companies really avoid profession organization influence their organizations from the inside through their journalists. If they let their journalists to join AJI, they do not expect the journalists to criticize their own media, but they enjoy the benefit when AJI and other journalist communities strive for freedom of the press" (Personal interview with Joni Aswira, in Plaza Festival, Kuningan, Jakarta, 21 June 2019).

The weak influence of journalists' professional organizations and a lack of trade unions affect the economic rights of journalist as most media organizations in Indonesia have not fulfilled the standard of decent living for journalists. On thisissue, AJI, in 2012, has raised the following points:

- *At first,* AJI advocates the existence of low wage or even no salary for local correspondent and contributor and irregular payment of the wages. In this respect, correspondents are paid based on the number of news they create . AJI notes that many media corporations do not hire their journalists by contracts, pay the salary under the regional minimum salary, and create stratifications of employment status of the journalists such as staff journalists, contributor, correspondent, stringer, and *tuyul* (Aliansi Jurnalis Independen, 2013).
- *Secondly,* AJI observes that most of Indonesian journalists suffer from certain conditions. They lack safety protection and sufficient operational allowance. Those, who are doing journalistic activities in conflict areas, are notsupported with the health insurance.

- *Thirdly,* AJI also notes that some media workers' unions have just set up in 2012. But, ironically, the total number of such unions is incomparable as compared to the total number of media corporations. Until today, there are only 20 trade unions in media corporations. This is not comaptiable with 1,512 media companies, which are identified as operational organizations by the Indonesian Press Council. Moreover, the right to set up association within media corporations commonly has ended up, as experienced by Luviana Ariyanti, a *Metro TV* journalist and who has been filmed in *Di Balik Frekuensi* (Behind the Frequency), in 2014.
- *Fourth,* most of the Indonesian journalists do not have enough powers while dealing with the business orientations and policies of the media management and owners. While failing in facing a competitive competition, some of media organizations force their journalists to resign. The dismissed journalists often do not receive severance pay, as addressed in the regulation, and have no opportunity to defend themselves either.

The low number of journalists' union might relate with an attitudinal orientation of journalists to identify themselves as a higher social class than manufacturing labour class since they get better education, easier access to elites and are being well-dressed (Haryanto & Ariyanti, 2012, p. 181). This makes them being uncritical while dealing with the hegemonic and exploitative media industries existing in the new democracy of Indonesia. Since such tendency remain prevailing, most of them lack solidarity to establish powerful journalists' trade unions within the media organisation. When talking about this point, Luviana Ariyanti, a labour activist and the producer of *More Than Work* movie states:

The key to mobilize labours is actually the built solidarity between the labours. However, solidarity between journalists are hardly to form because the journalists feel they are skilled workers, they can work in anywhere else if they are dismissed. Moreover, journalists see their jobs as intellectual jobs, because writing needs more brain works, same as lecturers, quite differs from labours (Personal interview with Luviana Ariyanti, in Plaza Festival, Kuningan, Jakarta, 21 June 2019).

Despite, there has been what some Indonesian journalists called as 'a black solidarity' for the past some time. Such solidarity has been advanced by most of Indonesian media conglomerates to prevent the expelled-journalists from one media, to move freely to another media. Media ownerships is within hands of some f people, which threatens most of Indonesian journalists financially. Surprisingly, journalists lack awareness regarding the need to establish strong journalists' trade unions to fight for their financial and other rights. With regard to this, Joni Iswara suggests:

Some journalists do not feel the importance of trade unions until they have trouble with the management. Even many journalists do not understand their own rights, except if they join profession organization like AJI (Personal interview with Joni Iswara, in Plaza Festival, Kuningan, Jakarta, 21 June 2019).

Luviana Ariyanti also suggests that "protesting to media owners is entailing paradoxical to those movements because they may need stage to magnify their voices".

Nonetheless, most of the existing journalists' trade unions are also stigmatized as chaotic maker in company because people think they like to sue and create disharmony in working relations. It is not difficult to find media companies in Indonesia, who apply sanction to activists or managers and members of journalists' trade unions. This frightens most of Indonesian journalists and forces them to pick between

being loyal to the company or the union. If there is any trade union in media companies, sometimes they are not united but segregated into several unions in the same company. Especially for female journalists, trade union is often dominated by men as the industry itself is male-dominated and being member of trade union put them prone to dismissal (Haryanto & Ariyanti, 2012, p. 184).

Also, there have been various extra organizational factors too that undermin the Indonesian journalists' freedom and their safety. Such factors include political interest of the media owner, culture of mpunity and polarized and corrupt political environment.

Political Interest Of Media Owners, Culture Of Impunity And Polarized And Ccorrupt Political Environment As Determinant Extra Organizational Factors

It is widely acknowledged by scholars that the Indonesian media is owned by some media barons (Lim, 2012; Tapsell, 2015b; Armando, 2014; Nugroho, Putri & Laksmi, 2012). Most of them have been affiliated with a particular political party or endorsing some politicians, especially those who rule the government (Ahmad, 2019). While the ways they manage their political interests with ruling politicians harme the freedom of journalists (Sudibyo & Patria, 2013; Ahmad, 2019), the culture of impunity and diverse risks to journalists' safety also prevail. Weak law enforcement leads to impunity (Masduki, 2017). Unpunished attacks on journalists by the police and an unsafemedia environment have become influential factors that lead to violence against them (Kristiawan, 2017).

An absence of sufficient understanding of Indonesian society towards the the professional roles of journalists and its importance also lead to violence against them. Joni Aswira states that "the Indonesian society does not commonly see the attack on a journalist as an intimidation to professional dignity or his or her role. Such attack is not considered as a big issue. The main reason is the security enforcers never seriously prosecute those who attack journalists and attackers are never punished with deterrent effect. Consequently, in Indonesian society, attacks on journalists are something common and casual.

Although there is no right justification for any violence against journalists or humanity, unprofessional practice of the journalists substantially degrade the trust of the public to the press institutions. Moreover, as the media owners are affiliated with certain political parties, journalists are more victims of the public reaction and violence. When addressing this issue, one of the interviewed Indonesian journalists, states that "political polarization in Indonesia has lately affected the work of journalists because citizens often target journalists from certain media. This situation has not only triggered by the polarized editorial policies of the Indonesian media, but also by the polarized political orientation of citizens towards the presidential candidates of the last two presidential elections (i.e. 2014's and 2019's elections).

Intimidation and threats to the Indonesian journalist, regardless of their forms, instigate them to practice self-censorship. Luviana Ariyanti, a former *MetroTV* journalist and now a labour and humanity activist, confessed, "while I was working for *Metro TV,* I was not allowed to report activities of the Islamic Defender Front (FPI/ *Front Pembela Islam*), which could be deemed by public negative and which might invite protest from the Front". She further says, "*Metro TV* and may be many other media are unable to be watchdogs for democracy as we are frightened by violence done by external parties".

Abdul Manan, the Chairman of the Alliance of Independent Journalist states that "most media companies do not have written safety regulations and guidelines for their journalists, such as how to cover news in conflict area, and how to keep themselves safe in natural disaster, even though safety procedure for journalist is required to apply for verification to the Press Council".

Assertive Industrial Logic And Media Regulation: Threat To The Media Freedom In Indonesia

All of the Indonesian media is forced to comply with Laws No.40/1999 of the Press and 32/2002 of the Broadcasting companies. In these laws, the media has been merely recognized as an industrial entity by the legislation. This entails some consequences. For example, anything related to the media's work should follow the industrial logic. Journalistic activities organized by either communities or organizations, that do not meet industrial components are prone to be criminalized or not protected by such regulations. Since journalistic activities are out of the reach of the policy imposed by the Press Council, there has been the response structure that works organically amongst journalist community. Such response structure; however, has no significant pressure to ensure the process of violence reported to the Press council by the police.

Within the last couple of decades, the nature of Indonesian media has evolved substantially. Most of the Indonesian media, especially influential print media, has turned into a "venture" entity. They have moved from partisanship or sub-serving to political ideology, to the market and capital accumulation (Dhakidae, 1991). Such trend to some degree has been also visible in the Indonesian television industries, which are evolving since 1990s. Surprisingly, it seems in line with the way the Law No. 40/1999 defines the press. As suggested in Chapter IV, Article 9-14 of this Law, the press is merely framed as a "press company", instead of being understood as 'press organization'. "Press company", as constituted in the Article 15 Paragraph 2 of this law, refers to a 'legal body of Indonesia' that carries out press venture which includes print, electronic, and news agency, and other media companies that specifically organize, broadcast or distribute information. Nonetheless, Handbill of the Press Council about Press Company Standard (SPS/*Standar Perusahaan Pers*) points out that the existing media law in Indonesia categorized such 'legal body' into three categories, which are foundation, cooperation and companies. This means that although private institution does not require Permit Letter for the Press and Publishing Venture (SIUPP/ *Surat Izin Usaha Pers dan Penerbitan*) as it was during the authoritarian New Order regime, they must comply with formal and legal requirements imposed by the Press Law to be acknowledged as Press Company.

The aforementioned points indicate that the nature of the media constituted in the Indonesian media regulations (Laws No.40/1999 and 32/2002) is directed merely by the industrial logic. Instead of being seen as social institution, with a primary role as a fourth estate of the democracy, the Indonesian media are constituted mainly as a business institution. Consequently, industrial logic constrains freedoms of media and journalists.

Despite entailing such problem, media regulations, especially the Press Law (Law No.40/1999), also highlights not only the need for the press to serve the public interest, but also the rights of the press and journalists to ensure sustainability of democratic society. This allows the Indonesian Press Council and its stakeholders to develop their roles in professionalizing Indonesian journalists and ensuring he journalists' freedom and their safety.

Prevention Towards Direct Violence And Gender-Based Violence

To address direct violence against the Indonesian journalists, diverse stakeholders have organized the some efforts. For instance, they have shaped a relatively well-functioning response structure for journalists, have established a combined ability to monitor attacks to journalists and have raised awareness of

key issues affecting journalism activities among media and other parts of the population (Kristiawan, 2017, p. 134). While doing so, they have advanced some procedures. First at all, the advocacy of survivor journalists is usually conducted by the media company. If it is failed, AJI will take over it. The Press Council will intervene if both previous ways do not succeed.

Nonetheless, the need to establishing a task force that includes the Human Rights Commission along with the Press Council, civil society and media is also advocated to enhance the level of safety response in Indonesia. Recently, on March 2019, such task force has been established to finish the cases of violence against journalists and prevent similar occurrences from taking place in the future. Along with such development, AJI together with Press Council, Safe-net, LBH Pers, the Foundation of Indonesia's Legal Aid Institution (YLBHI/ *Yayasan Lembaga Bantuan Hukum Indonesia*), Indonesia's Television Journalists Association (IJTI), Indonesia's Media Workers Union Federation (FSPMI/ *Federasi Serikat Pekerja Media Indonesia*), and Indonesia's Cyber Media Association (AMSI/ *Asosiasi Media Siber Indonesia*) has also set up the Committee of Journalist Safety (*Komite Keselamatan Jurnalis*).

To date, the Guideline of the Press Council on Violence against Journalist 2012 does not mention gender-based violence as an example of physical violence, but it mentions other forms of violence that are not mentioned and can be referred from the definition in Criminal Code and Human Rights Law, while harassment is mentioned as one form of non-physical violence in the Guideline. To work on gender-based violence, AJI through the Division of Gender, Children and Minority Groups holds on the Press Law No. 40/1999 article 8 which states that "in doing its profession, journalist attain legal protection" and interprets it that it includes protection from sexual harassment". There is no specific procedure to advocate gender-based violence, but AJI in its all offices around Indonesia conducts advocacy for gender-based violence. Endah Lismartini, the Coordinator of the Division of Gender, Children and Minority Groups of AJI, says that "in 2017, Central AJI has discussed with the Press Council to set up specified room for gender-based violence; though the plan has not been yet realised". She agrees that further policies must support in preventing gender-based violence. Regarding to the phenomenon of female workers' exploitation and harassment in media industry as captured through *More Than Work* by Luviana, Endah says that "sexual violence by superior is categorised into abuse of power, thus it prevents the journalist from conducting journalistic work, and perpetrators usually position oneself as subordinate."

As a step for gender equality in the workplace, in 2012, some journalists through AJI have initiated the formation of Decent Work Standards for Female Journalist that include protection, rights of reproduction, working hour, facility and welfare. AJI has conducted a survey of 21 media companies in Jakarta regarding this issue. The survey data indicates that only five media organizations full fill the criteria including Media Indonesia, Metro TV, TV One, Trans TV, and Kompas (Haryanto & Luviana, 2012). While this shows that these media companies lack support for female journalist, they usually do not have policy or dedicated channel to report sexual harassment and intimidation at the work place (Amri & Manan, 2016: 85). Situation gets worse if the abuser is the superior.

Seven years earlier, in 2012, the Press Council has taken a formal step with the Indonesian Republic Police to prevent criminalization of journalistic work and protect journalism. At the National Press Day, in 2012, Chief of the Press Council, , Bagir Manan, has signed a Memorandum of Understanding (MoU) with the Head of Indonesian Republic Police, Timur Pradopo (JPNN, 2010). The main goals of doing so are to assure that every complain and report about journalists and press institutions are processed under the Press Law, instead of other laws and to ensure that the police offices would inform the Press Council, if any criminal act against any journalist is reported.

Five years later, the Press Council has decided to impose new policies for journalists and press companies, which are journalist certification and verification. On its website, the Press Council states that the verification policy is imposed to the Indonesian media and journalists due to some reasons. For example, there has been an increasing number of complaints received by this council. There has been also plenty of the media seem not only existing as dark passengers of Indonesia democracy, but also violating the media regulations (Dewan Pers, 2018). The rapid growth of the media overall, does not correlate with improving quality of Indonesian democracy since plenty of media remain producing and distributing hoax, lies, voice intolerance and hate content. While such issues have not resolved yet, the Indonesian state and government lack the capability in establishing the qualified school of journalism. Such policies are seen as being important not merely to tackle persisting problems, but also to improve the professional competencies of Indonesian journalists. Therefore, effective policies are implemented through certification for journalists and setting up certification centres in Indonesia together with universities and press associations.

In February 2017, the Indonesian Press Council, press associations, and journalists have gathered to commemorate the National Press Day in Ambon. At this event, 74 press companies have ratified as 'Ambon Commitment'. At that day, such press companies have received certificates that confirm that they are already verified. In addition, 17 Indonesian media barons have also been ratified *Palembang Charter* at that day, which was actually signed in 2010. It incorporates commitment of the media groups to fulfil SPS of the Press Council (Hasan, 2017). The print and online press companies have received QR Code, as a verification signature, which connects to the data system of the Press Council. Having this, the electronic press companies are able to insert bumper in and bumper out motions that main content can be placed in between them. By verifying the media companies, the Indonesian Press Council hopes that not only the verified press will be distinctive with the non-verified press, but also the public will be able to identify which trustworthy media organizations they should consume.

While the verification policy is directed to strengthen the positions of established media companies in the market, it ironically puts entrepreneurial media organizations and companies (initiated by student organizations) at the second layer of press organizations that are accountable. Student press organization and citizen organizations, for example *Serat.id,* work on the principles of professional standard and KEJ; however, they are unable to attain full protection from the Press Council in the form of mediation with parties that report them because they only fulfil some of requirements to be acknowledged as press institutions. Along with *Serat.id, LPM Poros* are prone to be criminalized and reported to the police by the *KUHP Pidana*, instead of being protected by the Press Law. In this respect, the legal force of the mediation of the Press Council is weak and not regulated in the Press Law.

The Press Law so far, define journalist as a person who conducts journalistic activities regularly. The term "regularly"; however, is debatable since now citizens as well as student journalists are able to established citizen journalism, which is quite comparable with what professional journalist did. This regulatory loophole shows that threats against journalists are not sufficiently prevented through regulations that guaranteeing freedom of the press, but also other regulations that support freedom of speech, which in the case of Indonesia, does not come into account.

Enduring Threats Against The Media Freedom And Freedom Of Speech

As shown in the aforementioned section, diverse stakeholders and journalist communities have taken some efforts to improve professionalism journalism and to prevent criminalization as well as violence

against Indonesian journalists. Unfortunately, threats against the media freedom and freedom of speech in this country have been lately rising. We found that threats are overall, driven by stricter regulations and propelled by fear and inexistence of law enforcement.

Indonesian MPs and government have proposed a Bill, which is decreed as the Law No. 14/2008 and which regulates the Openness of Public Information (UU KIP/ *Keterbukaan Informasi Publik*). For professional journalists, as well as citizen and student journalists, such law assists them in legitimately accessing the public data and information from public and state agencies including universities. However, in reality, such agencies hesitantly provide their data and information publicly without being asked formally; though some of them might have an Office Manager for Information and Documentation (PPID/ *Pejabat Pengelola Informasi dan Dokumentasi*). The main reason is they are not sure whether they will be punished if they share the information to journalists or citizens (Suryani, 2012).

While the implementation of Law of Openness of Public Information is not fully supported by the serviceable public officers, other regulations namely the Laws of Information and Electronic Transactions (UU ITE), Intelligence (*UU Intelijen*) and Assemblies of Representatives of the People (UU MD3) are constituted and a new Bill regarding the State Secrecy (RUU *Kerahasiaan Negara*) has been proposed. What have been regulated in such laws and Bill seem being contradicted with substances of Laws of Press and Openness of Public Information.

Nonetheless, weakening press freedom can also be seen through restriction to foreign journalists while doing journalistic works in West Papua. To be legally capable of doing work, foreign journalists must have a permit released by the Coordinating Team of Foreign Visit in the Ministry of Foreign Affairs, and General Directorate of Politics and Public Government of the Ministry of Internal Affairs (Armindya & Tarigan, 2015). Such regulation is imposed by the Letter of Minister of Internal Affairs Tjahjo Kumolo number 482.3/4439/SJ. As other Laws related to freedom of the press and speech, which focus more on the content restriction rather than redistributing access to information and restructuring media industry, the government considers that Laws of Information and Electronic Transactions (UU ITE) No 40 allow them to blackout such Internet connection amid recent unrest in Papua.

CONCLUSION AND FUTURE RESEARCH RECOMMENMDATIONS

This chapter has addressed the factors that dampen the Indonesian journalists' freedom and their safety in the Post-Soeharto New Order. Document review and interviewed journalists' responses reveal that both state and non-state actors influence the Indonesian journalists' work and cause harm to their freedom and safety. Some other factors also threaten media freedom and journalists' safety including: exploitative media corporations, feeble journalists' trade union, political interest of the media owners, culture of impunity, polarized and corrupt political environment, and media regulation. Being extracted from the Indonesian case, these findings have given us new knowledge regarding diverse factors and conditions that systematically define the capability of journalists in exercising their freedom while doing journalistic works, as posited by McQuail (1992, p. 110), Herman (2000, p. 102), Shoemaker & Reese (1996, pp. 261-270), Hackett (2013, p.31) and Dawes (2014, p.22).

The Indonesian case suggests that the establishment of the Committee of Journalist Safety seems being less helpful to promote media freedom and journalists' protection. It is really essential for us, as either an academic or a journalist, to collaborate with stakeholders to formulate and implement plan and strategy that can facilitate free and safe environment for working journalists. These stakeholders include the law

makers, the media owners, members of press council, advertisers, the media and journalists' associations, communities of advocates who are eager to help journalists, the state and government agencies, especially the police, army and local government offices and national and local religious and cultural leaders. We are quite confident that taking such efforts can help us to buttress not only journalists' freedom and their safety, but also it can help us to strengthen the fourth estate role of the Indonesian media.

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ENDNOTES

1   Through since the downfall of this regime in 1998s, reconciliations have been strived by some civil societies. Further explanation regarding this point, see Ikhwan, Yulianto, Parahita (2019).

2   As regards to such point Dawes (2014, p.22) stated as follows, "Because liberal theory conflates the freedom of the press with that of media owners, it overlooks the employee rights of journalists and disregards their freedom from the restraint and whims of their employers, and fails to recognize the reality of the incentives and constraints inherent to an environment of market competition that guide journalist behaviour. Consequently, press freedom from regulation fails to protect the press from the negative effects of competition and the needs to cut costs and boost profits. It also allows media owners to pursue their own private interests, using their power to influence public policies which, in turn, further deregulate media or other sectors in which they have vested interests, thus granting them even greater power in the name of press freedom."

3   Based on the Guideline of the Press Council on Violence against Journalist imposed to the Indonesian media organizations and journalists since 2012, violence against journalist is defined as follow. It refers to any violence directed to journalists associated with the media who are in the processes of doing journalistic jobs or managing journalistic works. Such works include the looking, finding, owning, storing, managing, and distributing information. The forms of the violence consist of physical (torturing, kidnapping, killing) and non-physical (verbal intimidation, harassment, insult) violence and disfigurement of journalistic tools.

4   This seems being related with the existing threats and violence against the Indonesian local journalist, foreign journalists and local fixers. They are so far, being liable to be arrested and prosecuted by the implementation of new policy, especially when they try to cover humanitarian news in Papua. They are threatened by some stricter laws, such as the Law for the Electronic and Information Transaction (UU ITE/ Informasi dan Transaksi Elektronik).

5   As regards with the latter, there were only 15 foreign journalists allowed to enter West Papua Province in between 2015 and 2016. While attempting to do journalistic works in such province,

some foreign journalists were deported to their countries though they already had legal permit to do so. These seem being not in line with what has been promised by Indonesia President, Joko Widodo, in 2015 regarding the free access to foreign journalists who want to cover and report on what has been going in such province (Robie, 2017; Manan, 2018. p. 30). Restricted access for foreign journalists to cover West Papua contributes to the low ranking of Indonesia's freedom of the Press (Amri & Manan, 2016). When this article is being written, unrest and civil demonstrations have brought several cities in Papua standstill. The riots seem to have been triggered by the detention of dozens of students from Papua in Java in late of August 2019, who were also pelted with racist abuse (The Asean Post, 2019). Over the riots, Indonesian government through the Ministry of Communication and Information shut the Internet connection down in Papua. The government considers that Laws of Information and Electronic Transactions (UU ITE) No 40 allow them to blackout such Internet connection amid the unrest. However, the Law actually states that the government can block the content, not such Internet connection itself and such policy could be applied under consideration of that the public interest and stability are attacked by those who abused the freedoms of electronic information and transaction. The shutdown shows that in the name of such Law, the government has actually violated freedom of the press and public opinion expression and restricted the freedoms of information flows from and to Papua. Ironically, instead of pushing the government to take down the block and promote freedom of the press, one of the Press Council members, named, Ahmad Jauhar in a news report, suggested that due to the blackout of the Internet, government should provide an authoritative institution who can be trusted by Papuans, to explain the condition in Papua in order to clarify misinformation (Ihsanuddin, 2019).

[6] McGregor (2017, p.51) wrote that in Indonesia, impunity relates to the facts that perpetrators remain in positions of power and victims remain marginalized and blamed even in Reformasi. Pohlman (2013, p.15-16) highlighted the fact that the Indonesian state shows unwillingness to seek redress for gross violations of human rights despite democratization, and those who spoke out about those violations are often marginalized and suppressed, and gone through further violence. REMOTVI creates critical articles and video content online. It can be found on http://ww.remotivi.or.id and on YouTube.

[7] Based on an interview with Joni Aswira at Plaza, a journalist of CNN Indonesia and an activist of Independence Journalist Alliance/AJI Indonesia Festival, Kuningan, Jakarta on Friday, 21 June 2019.

[8] Few months before the Election of 2019, the channel reported that a demonstration at the city centre promoted peaceful election in Yogyakarta, a province which well known for its education centres and tourism attractions. After the demonstration broadcast, Yanto Sumantri uploaded two pictures comparing the picture of the street action and the screenshot of the TV report. He stated the street action was intended to voice anti-teen delinquency and violence on streets, locally termed as klithih (Ramadhan, 2019).

[9] The data of AJI and the Federation of Independent Trade Unions of Media Workers (FSPMI/ Federasi Serikat Pekerja Media Independen) shows that since 2009, only 20 trade unions within media corporations in Indonesia, this include Dewan Karyawan Koran TEMPO (Dekat), Forum Karyawan SWA, Serikat Pekerja Smart FM, Serikat Pekerja KBR 68H, Ikatan Karyawan RCTI, Serikat Pekerja Suara Pembaruan, Ikatan Karyawan Solo Pos, Serikat Karyawan Indosiar. Serikat Pekerja Pontianak Post, and Serikat Pekerja Koresponden TEMPO (Distania, 2019).

[10] The owner of Metro TV, Surya Paloh is also the founder of Nasdem Party. When Luviana Ariyanti and her friends held solidarity action on street on January 2013 to protest the firing, Nasdem Party members chasing and hitting the participants and broke the participant's vehicle (Suryanis, 2013).

[11] Based on personal communication with Luviana Ariyanti in Plaza Festival, Kuningan, Jakarta, 21 June 2019).

[12] Luviana Ariyanti compared the situation of labour movement in media industry with that in North Jakarta. Labours are not afraid to conduct agitation, for example to lock the manufacturing sites in Cakung, North Jakarta, for example, since the business owner only has one business. Meanwhile, media tycoons have several media outlets that limit the options of journalists to achieve better career and protection - Based on an interview with Luviana Ariyanti in Plaza Festival, Kuningan, Jakarta, 21 June 2019.

[13] Since 2006, amongst nine cases of journalist killings in Indonesia, only one case, that of A.A. Narendra Prabangsa, whose murderers got sentenced, while others are remained dark.

[14] Based on an interview with Joni Aswira in Plaza Festival, Kuningan, Jakarta, Friday, 21 June 2019.

[15] Based on an interview with Agustinus Da Costa in Plaza Festival, Kuningan, Jakarta, Friday, 21 June 2019.

[16] Based on an interview with Joni Aswira in Plaza Festival, Kuningan, Jakarta, Friday, 21 June 2019.

[17] The journalistic report itself can be read on https://investigasi.TEMPO.co/287/dokumen-pemeriksaan-yang-menghilang. Meanwhile, the move of Elvan was noted by AJI (Aliansi Jurnalis Independen, Kriminalisasi Ketua AJI Indonesia Abdul Manan, accessed from https://advokasi.aji.or.id/en/read/data-kekerasan/1708.html.)

[18] Based on an interview with Luviana Ariyanti, a former journalist of Metro TV, in Plaza Festival, Kuningan, Jakarta, 21 June 2019.

[19] Based on an interview with Abdul Manan at the Office of AJI, on Monday, June 24, 2019.

[20] As imposed by such law, such "press company" must announce the name, address, and the responsible person transparently. The press publisher as regulated in Article 12 of such law must add the name and address of the printing company.

[21] Based on phone interview with Nezar Patria, 5 July, 2019. The requirements are stated in the Bill of the Press Council No. 4/Peraturan-DP/III/2008 Tentang Standar Perusahaan Pers (Media Companies Standard). Some of the requirements to become media companies are press venture must be incorporated recognized in Indonesian legal system, legalized by the Department of Law and Human Rights, and accompanied with minimum capital Rp 50 millions (USD 3,000).

[22] AJI has published online module for the journalists and media organizations to maintain safety and protection in journalistic work. The module has been formally launched on the Media Festival of AJI in Pontianak in 2018. Personal interview with Nezar Patria, a former member of the Indonesian Press Council period 2016-2019 - Friday, 5 July 2019.

[23] Based on personal communication through with Endah Lismartini, the Coordinator of Gender, Children and Minority Groups of AJI, and journalist of Viva.co.id.

[24] Based on personal communication through email.

[25] Press companies to be verified by the Press Council must be a legal body, publish or broadcast regularly and practice Code of Journalistic Ethics (KEJ), and have a code of safety for their journalists. The verification takes two steps. After the administration step, the Press Council will conduct factual verification by visiting the office of the press companies. Based on telephone interview with Nezar Patria, a former member of the Press Council period 2016-2019 on Friday, 5 July 2019.

[26] Until March 2018, around 15.000 journalists have been certified into three categories: beginner, average and advanced.

[27] Press companies to be verified by the Indonesian Press Council must be a legal body, publish or broadcast regularly and practice Code of Journalistic Ethics (KEJ), and have a code of safety for their journalists. The verification takes two steps. After the administration step, such press council will conduct factual verification by visiting the office of the press companies (Based on telephone interview with Nezar Patria, a former member of the Indonesian Press Council period 2016-2019, on Friday, 5 July 2019).

[28] According to the Press Council, amongst 43.400 online media, only 234 media are listed in the Press Council, while the Ministry of Communication and Information identified 700-800 thousands of websites containing lies (Muhammad, 2017).

[29] Personal interview with Abdul Manan, Chariman of the Alliance of Independent Journalist, says that AJI must go through several procedures to advocate victim journalist. AJI will verify whether the company status of the press, the track record of the journalist, and the quality of journalistic products. Those criteria are also applied by the Press Council. In the Press Law No. 32 Year 1999 Article 18 (1), protection is only destined for press companies. Student press organization is usually set ups under the regulation of the universities, and receives funds from the universities or faculties. Campus bureaucrats are prone use their power over the fund to intimidate the student journalists regarding to their journalistic reports. Specifically, for Serat.id's case, Serat.id itself is developed and maintained by AJI Semarang (Central Java), but its legal form as a company is unclear. Therefore, according to Abdul Manan, AJI is unable to advocate the case.

[30] Based on such regulations, such foreign journalists must follow the following procedures. When they want to visit remote areas in Indonesia, journalists and their crews must apply for permission from the Agency of National and Political Integration at the level of the province, regency and city where they intend to conduct the activities. Not only such foreign journalists and their movie crews, but also foreign non-governmental organizations, who are already in Indonesia, also must report their activities to such agency. They also must show recommendation and legal identification published by the representation of Republic of Indonesia abroad.

[31] When this article is being written, unrest and civil demonstrations that have brought several cities in Papua standstill have been triggered by the detention of dozens of students from Papua in Java in late of August 2019, who were also pelted with racist abuse (The Asean Post, 2019). Over the riots, Indonesian government through the Ministry of Communication and Information shut the Internet connection down in Papua. However, the ITE Law actually states that the government can block the content, not such Internet connection itself and such policy could be applied under consideration of that the public interest and stability are attacked by those who abused the freedoms of electronic information and transaction. But what the government did in the name of such Law actually violated freedom of the press and public opinion expression and restricted the freedoms of information flows from and to Papua. When the public is pledging to lift Internet restriction in West Papua, ITE Law and other four laws take another toll. The government, through the East Java Police, has taken measure against a human rights activist Veronica Koman who has supported the province's calls for independence (CNN Indonesia, 2019). She becomes a suspect mainly for distributing false information, promoting hate, and provoking the public.

Chapter 7
The Risks and Challenges for Professional Journalism in the Digital Age:
A Malaysian Perspective

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ABSTRACT

The Internet is a modern Pandora's Box which has exceptionally altered the way we disseminate and receive information messages, particularly news. Despite technological innovations being the apex of our history, it is undeniable that they pose new challenges and threats to a different degree. Hence, this study examined the risks and challenges faced by the Malaysian media professionals in this new age and how technological developments had impacted their work. Situated within the framework of the technological determinism theory, this study employed a qualitative semi-structured interview with thirteen (13) Malaysian journalists. This study found several challenges related to the journalists' safety and their professionalism. Media professionals, such as journalists and editors, often caught in a paradoxical and risky situations, which challenge the process of news production and deliverance ethically and legally. Journalists, who participated in this study, were pressured to produce more story ideas and deliver news assignments with shorter deadlines. This not only impacted the online news quality but also the credibility and transparency of the news organization.

INTRODUCTION

The emergence of new media and communication technologies has had a significant impact on the operations and production of news, thus has transformed the way journalism operates, either as an industry or a profession. The shift from traditional media to new media revolutionizes the way media practitioners curate news and media content. For the past centuries, development of the Internet and technology comes hand in hand and has played a critical role in improving and shifting the way certain activities are used to be done and in this case, human communication. There have been discussions regarding the influences on which technological innovations impose on the development of society's cultural values and norms.

Undeniably, today's journalism industry has changed significantly, mostly due to the fact that digital media setting has brought new opportunities to the journalistic practice (Višňovský & Radošinská, 2018). Different from traditional mainstream media, the digital media offers the producers to disseminate the news through a non-linear mode of communication, in the way that the readers can choose when and how they want to receive the news (Višňovský & Radošinská, 2018). According to communication experts, Bryan, Tambini and Tsagarousianou (2002), "the development of increased capacity cabling and satellite telecommunications has led to the convergence of different media (e.g. television and telephone) to more scope for interactivity. This has sparked the search for new uses for the media and new justifications for public and private investment in them." The use of digital computers has also transformed significantly the role and functionality of traditional media including online publications. It is claimed communication in cyberspace, as on the Internet, is a great leveler of competition especially in providing political participation and discussions among the local citizens (Willnat, Wong, Tamam, & Aw, 2013). It is difficult for generations born before 1980 to grasp the importance of this development. Its power and potential impact for social causes can be compared to what Martin Luther King noted during the time of the civil rights era where he was quoted as saying the existence of a new medium called the Television that will show the brutality of what we have been facing throughout our lives.

Technological changes moreover have opened channels for everyone who is willing to engage actively in the production and distribution of news, a role earlier restricted to reporters and media houses, thereby democratizing journalistic procedures (Josephi, 2016). As for the journalism profession, the Internet, for example, has allowed an individual who owns a smartphone, computer, or a tablet to not only able to write stories but also to produce the stories via an online or social media platform. As such, it becomes a challenge as anyone with little or no journalistic training, without having attached to any news agency to engage in news reporting (Hadland, 2015; Johnson, 2016; Waisbord, 2019). In addition, there was an international news agency began offering a service named *GuardianWitness*, providing a room to its audiences to publish their own eye-witness-related audio-visual material (Višňovský & Radošinská, 2018). Thus, with user-generated video and other audio-visual materials, users are longer viewed as normal recipients, instead of many of them become journalists or photographers (Višňovský & Radošinská, 2018). Practically anyone with Internet access can participate in digital journalism. Newspapers and newsrooms are no longer the only providers of news, data and comment, as a wide range of actors is contributing huge quantities of news content (Waisbord, 2019).

The Internet, as some scholars argued, has indirectly allowed the acceleration of a de-professionalization of journalism with the rise of citizen journalism and thus bringing up the issues related to authentication of news, quality of news writing and ethical questions (Wahl-Jorgensen et al., 2016). Professional journalists may take a longer procedure to produce news as they cannot sidestep the gatekeeping process before publishing the news even via an online platform. While social media offers an easy route to citizen

journalists to bypass the gatekeepers and straight away publish their news (Hadland, 2015; Tong, 2017) regardless of the authenticity or the accuracy of news. Topics that might be considered too controversial or unfavorable to the economic interest of traditional media can be published by anyone. However, the lack of gatekeepers not present in digital media, especially social media compared to traditional media, has brought about the overloading of useless, petty and worthless messages in the system. Gatekeepers evaluate information especially its authenticity and credibility (Tong, 2017). If the gatekeeping system works well, unverified and bogus news tips, false rumors specifically fake news will be weeded out. However, the Internet cannot give any guarantee of news authenticity. Thus, it takes journalists who understand how to identify when data is falsified or manipulated to address the issue of authenticity (Zion & Craig, 2014).

Apart from the significant changes in the journalism profession and industry, digital media has opened up wide opportunities and at the same time high risks to journalists. Digital media forces journalists to take up a position as close as they can to the subject matter and at the reporting zone. This has also been stressed by Hadland (2015) that 'journalists need to be in the faces of their subjects, holding the equipment up between them, exposed and often isolated' (p. 130) in order to produce a more accurate and appealing content. Previous studies have documented how journalists have to face physical risks and danger when covering war zone (Vandevoordt, 2016), assault or killing of journalists (Hadland, 2015; Jamil, 2018; Vandevoordt, 2016), political insults (Cheruiyot, 2018; Tong, 2017) and several other life-threatening incidents. Although those incidents can be considered as isolated cases in Malaysia, this paper argues that the growth of digital media has also threatened the journalists' safety and professionalism in Malaysia.

LITERATURE REVIEW

Journalism in the Digital Age

Changes in technology have always had a profound impact on journalism, from the mobile type and the telegraph to the satellite. Journalism in the digital age refers to the way of how news is produced, distributed, and consumed through an amalgamation of networked settings that expand possibilities of news reporting in digital spaces (Waisbord, 2019). Digital journalism has been argued to have a powerful dimension as 'digital objects' both applied for news production and consumption (Sjøvaag & Karlsson, 2017). They further explained that with the digitalization of journalistic production, the tools used to create, distribute, and access news stories not only condition the process through which news work is done but also the way news is accessible to the public (Sjøvaag & Karlsson, 2017). For examples, the gateways to digital journalism are new aggregators, blogging, information and search engines, algorithm, hyperlinked interconnectedness, mobile news and more importantly social media news (Sjøvaag & Karlsson, 2017; Waisbord, 2019). The rise of different social media platforms leads to an increasing dispersion of journalism as digital media allows users and social actors to generate, like, comment and share news through their networks, a process of both decentralization and recentralization of information. As such, journalists and publishers are no longer belong to news providers or news manufacturers, data even comments. With multiple actors having many motivations and intentions to engage in the news-making process, the aims of digital journalism are much broader.

Furthermore, an author in journalism, Stephen D. Reese claimed that technology has made the concept of journalism itself rather challenging beyond its traditional predecessor. Reese (2016) categorized the concepts of journalism studies in his research into three, namely:

1. Investigating digital knowledge production (technologies)
2. Journalistic roles and practices (production)
3. Analysis of public opinion and democracy (audiences/users)

Each and every category overlaps one another but has its own distinctive features. The first category focuses on the role of technology in knowledge production, thus creating algorithms which help journalists identify trending stories, search social media, and verify contributors and content. This, however, raises questions in regards to journalistic accountability of their works. The second category discusses the role of the journalists surrounding the use of social media. The use of social media has proven to be evolutionary and facilitative in the realm of news reporting and gathering whilst redefining the actual role of a journalist. The final category, Reese (2016) analyzed a number of journalism research studies conducted prior to his paper works, questioning what content considered newsworthy and credible and how they perceive their social responsibility to foster democratic conversation with the audience.

Hadland (2015) further argued that the advent of handheld technology in the form of smartphones and inexpensive quality broadcast video cameras, linked to the Internet and social media, has developed a contemporary trend for online journalism and communications in general. The digital news ecosystem has severely challenged and destabilized the one-way nature of journalism (Josephi, 2016). As the Internet has led to a more 'open' type of journalism in which feedback from the crowd seems to be at the center of attention, some researchers see the collapse of a 'hegemonic model of news production', with the audience becoming more engaged both in interacting with news and in writing news reports (Phillips, 2014, p.6). As such, to cope with the technological changes and digital demand, journalists are frequently required to demonstrate a variety of new skills including storytelling for mobile phones and digital photography (Hadland, 2015); distributing news to audiences via social media (Kolodzy, 2012); and verifying social media posts (Zion & Craig, 2014).

Journalism and Media in Malaysia

The traditional mass media of Malaysia which has been in existence since the British Colonial administration has always been under the control of a few major players, with the government being the major stockholder. In Malaysia, conventional media are owned by political parties or people with their own agenda to present to viewers. Lee (2007) said:

The government control of the media is carried out using a two-prong approach. Indirect control comes from the abovementioned ownership and control of major publications. UMNO and its close allies, for example, hold majority stakes in Utusan Melayu, Utusan Malaysia, TV3, The New Straits Times Press, Shin Min Daily News, amongst others. Direct control, on the other hand, comes from coercive legislation like the Printing Presses and Publications Act as well as policies holding mistakes by publishers, editors and writers accountable.

Using these two approaches, public sphere discussion was limited to the political elite as the rest of the public, what more the opposition, had no space to discuss their ideas or views. Jun E-Tan and Zawawi Ibrahim (2008) further stated during the 2008 general elections, the Malaysian government has taken many approaches to control the prevalence of information intake by citizens; these include issuing warnings through the mass media to arresting bloggers under unclear charges. The opposition parties were found to have used the new media more than the government, and research found that data on blogs affected 70 percent of the election results (Chinnasamy & Griffiths, 2012). It was so rattling that the situation was described as a "political tsunami", to the extent that the mainstream and government-owned media was seen to have failed in promoting pro-*Barisan Nasional* propaganda. Even though the ruling party Barisan Nasional won the 2008 elections, Prime Minister Abdullah Ahmad Badawi was quoted to have said, "We didn't think it was important. It was a serious misjudgment. We thought that the newspapers, the print media, the television were important but young people were looking at text messages and blogs. (The influence of alternative media) was painful. But it came at the right time, not too late" (Cited in Mohd Sani & Zengeni, 2010).

Hence, there is a deep sense of realization that instead of the government having the only means to disseminate information, opposition parties and the public now have platform to meet and discuss matters of common interest, allowing for consensus or debate, thus better-promoting democracy through public sphere discussion. As stated by Mohd Sani and Zengeni (2010):

The Internet and the blogging platform allowed the opposition to reach audiences and gave the opportunity for bloggers to combine forces and speak louder. With this, blogs help strengthen the democratization process, make easy public deliberation, allow participation in exchanging ideas and gave freedom of personal expression.

Undeniably, there is always a close relationship between the media and the governing coalition political parties (Ahmad Tajuddin & Zulkepli, 2019) despite the change of government as has happened recently in the 14th General Election on May 2018 with the use of current slogan of 'Malaysia Baru' or in English is 'New Malaysia'. The emergence of New Malaysia aimed at reforming the old structure of political, governmental, and economic systems of the country (Ahmad Tajuddin & Zulkepli, 2019; Al-Azharri Siddiq, 2019). For examples, the size of ministry cabinet has been reduced, efforts have been stepped up to eradicate corruption, the press has more freedom and latitude, and all projects are carried out via an open tender in an effort to be transparent (Al-Azharri Siddiq, 2019). Moreover, by putting greater emphasis on humanistic and value-driven education, the new government also intends to reinforce its education system for the better.

Freedom of Expression and Safety of Journalists: The Case of Malaysia

The issue of media employees' safety and how to combat impunity is a fundamental precondition for achieving freedom of expression and democracy. In 2012, the United Nations sanctioned a Plan of Action on the Safety of Journalists and the Issue of Impunity. According to the UN document:

The safety of journalists and the struggle against impunity for their killers are essential to preserve the fundamental right to freedom of expression, guaranteed by Article 19 of the Universal Declaration of Human Rights. Freedom of expression is an individual right, for which no one should be killed, but it

is also a collective right, which empowers populations through facilitating dialogue, participation and democracy, and thereby makes autonomous and sustainable development possible. Without freedom of expression, and particularly freedom of the press, an informed, active and engaged citizenry is impossible.

In this regard, a large number of steps have been taken by UNESCO to promote the safety of journalists and the fight against impunity surrounding the crimes committed against them. It has also played the main role in enriching the global legal framework in this region by endorsing resolutions and declarations that have, in some instances, served as catalysts for the development of a climate in which journalists are safe, thus making it easier for people to access quality information.

In many countries, freedom of expression is considered as a principle of human rights and the foundation stone of democratic structure where every individual has the right to freely express his/her points of view as long as they are not going against the law of the country. The same freedom goes to individual journalists as they need freedom and assurance of safety when writing or reporting the news. As such, the media or the press is considered to have special protection for its viable and free operation because threats and incidents could simply affect journalists' ability to exercise their right to freedom of expression (Jamil, 2018). Moreover, the call for a vibrant and free press always fought by the Malaysian media or the press because it enables people to share and expand their understanding, to have significant discussions on issues of public concern, and to hold accountable those in power (Eric Paulsen, 2019).

In the case of Malaysia, press freedom is guaranteed in Article 10 Clause (1) of the Federal Constitution[1], which states that "Every citizen has the right to freedom of speech and expression", but that right is "subject to Clauses (2), (3) and (4)". However, this freedom should be carefully understood that "the right is given only to citizens, and it is not absolute but subject to certain well-defined restrictions, including the security of the Federation, public order, morality, protecting the privileges of Parliament or State Assembly, contempt, defamation, incitement to any offense and sedition" (Saleh Buang, 2015). As such, Malaysian journalists and social media advocates are always reminisced that whilst they are free to write whatever they wish, they are always subject to a number of restrictions and limitations as long as Article 10 remains in force (Saleh Buang, 2015). Apart from Article 10 (1), there are also media regulations that restrict media freedom and journalists through a number of Acts. The government uses these restrictive laws to limit the function and role of the media industry in the country as further discussed in the next section.

Media Regulations in Malaysia

Historically, all election campaigns in the country were banned in June 1969 in the wake of the race riots after the general elections in May. The blanket ban on processions was relaxed in February 1971 on the condition that processions do not give rise to a "public order" situation and affect traffic control (NSTP Research and Information Services, 1990). However, in October 1987, Tun Mahathir banned indefinitely any rallies even in building and enclosed areas. Beyond that, the government deemed that to protect racial harmony, found it necessary and justified to have numerous repressive laws such as the Internal Security Act 1960, Defamation Act 1957, Sedition Act 1969, Official Secrets Act 1972, Printing Presses and Publications Act 1984, Communications and Multimedia Act 1998, Prevention of Terrorism Act, 2015 (POTA) and other regulations that cause indirect restraints. Internal Security Act 1960, which up to 1 January 2006 aims:

To provide for the internal security of Malaysia, preventive detention, the prevention of subversion, the suppression of organized violence against persons and property in specified areas of Malaysia, and for matters incidental thereto. Whereas action has been taken and further action is threatened by a substantial body of persons both inside and outside Malaysia -to cause, and to cause a substantial number of citizens to fear, organized violence against persons and property and to procure the alteration, otherwise than by lawful means, of the lawful Government of Malaysia by law established.

Defamation Act 1957[2] is defined as:

A defamatory statement is a statement which disparages a person in his office, profession, calling, trade or business. It is a false statement which injures a person's reputation by exposing him to hatred, contempt or ridicule. The civil wrong of defamation involves the "publication" to a third party of a matter which in all circumstances would be likely to affect a person adversely in the estimation of right-thinking or reasonable people generally. The Internal Security Act (ISA) enacted in 1969 was repeal and replaced by the Prevention of Terrorism Act (Pota), aimed crucial to curb violence.

Sedition Act 1969[3] essentially:

It was enacted by the British in 1948 and was amended after the racial riots of 1969 to ensure that racial sensitivities will not again be provoked by the operation of normal democratic processes. Section 2, of the Act states that any act, speech, words or publication are seditious if they have a "seditious tendency.

Official Secrets Act 1972[4] aims:

To protect "official secrets" where the gist of the law is that all "official secrets" cannot be received, retained, released or used without prior authorization from the government. Section 8(1) makes it an offense for an unauthorized person to have in his possession or control any official secret, to retain it, use it, communicate it or fail to take reasonable care of such secret.

Printing Presses and Publications Act 1984 (as amended)[5]:

It seeks to regulate the use of printing presses, printing, production, reproduction, and distribution of publications, and importation of publications from abroad. The Act imposes a number of prior restraints on the above activities and prescribes strong penalties, including jail sentences. Owners of printing presses are required to apply for a license from the Home Ministry to keep for use or to use a "printing press".

Communications and Multimedia Act (1998)[6] aims "to regulate the converging communications and multimedia industries." One of the salient points of the Act is "to establish a licensing and regulatory framework in support of national policy objectives for the communications and multimedia industry."

However, the Malaysian government is looking for the most feasible option to amend Section 233 of the Communications and Multimedia Act 1998 (CMA) following the recent repeal of the Anti-Fake News Act, the ministry was now studying to bring changes to parts of Section 233, a section of the law which he deemed as offensive and needed to be amended.

Prevention of Terrorism Act 2015[7] aims:

To provide for the prevention of the commission or support of terrorist acts involving listed terrorist organizations in a foreign country or in any part of a foreign country and for the control of persons engaged in such acts and for related matters.

The current government is actively looking to amending or repealing certain laws which are deemed to be restrictive to civil liberties. For example, in the case Sedition Act, the government promised to repeal the Act, but the moratorium issued in October 2018 was already suspended (Eric Paulsen, 2019). Previously, Malaysian media have been known to be reprimanded verbally or in written forms for publishing sensitive issues by the Internal Security Ministry. In fact, the alternative media picked up a circular sent to top editors of the country to warn them from quoting and publishing 'anti-government articles' from online portals and blogs. The Internal Security Ministry later clarified that it was a request rather than an order. Due to the inadequate provision of democratic access to the public sphere by the mainstream media, the general population turns to alternative new sources (Willnat et al., 2013). Political analysts opined that many opposition party members and civil society activists who oppose the government turns to blogs and online news portals to channel their views and dissent against the government. Ironically, Kalinga Seneviratne observed that the Communications and Multimedia Act 1998 has opened up spaces for alternative media to flourish. She states that:

The act regulates traditional broadcasting such as radio and television, as well as telecommunications and online services. It creates a Malaysian Communications and Multimedia Commission (MCMC), which is a "forum" that will act as the mechanism to formulate and implement developed codes of practice for the communications and multimedia industry. A vital provision in the Act's chartered objectives is the establishment of a regime of self-regulation is better to achieve its noble purpose and keep it unblemished. (Kalinga Seneviratne, 2007)

These development, are good to nourish democracy and public deliberation in Malaysia as the Internet provides debate on many issues concerning public interest, while the mainstream media does the otherwise. This was obvious during the 2018 general election when the Internet especially blogs provided the alternative views of the opposition after the mainstream media, which are dominated by the government, lost its credibility because of bias reporting. Apparently, the shift of Malaysian democracy from the old politic of consociation democracy to the new politic of deliberative democracy is apparently inevitable. Consensus politics should be generated through the process of public deliberation, not elite deliberation as practiced by the previous Barisan Nasional government (Mohd Sani, 2009). In areas such as public policy and political culture, consensus through public deliberation is more holistic and serves the interests of the people. Public deliberation is the best way to prevent manipulation, particularly by the state, of the common good of society (Mohd Sani, 2009).

Scholars, such as Jurgen Habermas, have argued that civil society needs to be assisted by the media for it to function well. The German social theorist in his influential work entitled, *Structural Transformation of the Public Sphere*, states that in the constitution of a liberal democratic society, the public sphere is instrumental (Habermas, 1989). This has further been elaborated by Howley (2012) that the public sphere is an area of reasoned debate among equals in which members of the public discuss issues of common concern. The current revolution in the media industry through the introduction of the Internet and other technology has created a new public sphere for public deliberation in Malaysia (Leong, 2015).

As such, the public is much more informed with more accessibility to information, especially to public documents, academic research papers, think-tank reports, scientific studies, and even political speeches.

THEORETICAL FRAMEWORK: TECHNOLOGICAL DETERMINISM

Media communication itself can no longer be considered standalone – it is interdisciplinary, as mentioned by a former journalist turned educationist, Zelizer (2004) noted that journalism studies is a highly interdisciplinary and thus diverse entity, shaped by national particularities and by the fact that it has borrowed unevenly from both the humanities and the social sciences. Inquiries into journalism have drawn from a wide range of disciplines, predominantly political science, sociology, history, language and cultural studies.

Thorstein Veblen, an American sociologist was the first to acknowledge the term "technological determinism" (TD). Veblen believed that technology was the driving force which propelled cultural and social change. It is a reductionist theory, hypothesizing that technology is one of the main influencers of history, culture, and society (Smith & Marx, 1994). Studies have revealed how technology is changing and determining the society that we live in. For example, the discovery of steam power has led to the development of the industrial society as we know it today. At the same time, the invention of guns and gunpowder changes how people solve disputes and exert authority as compared to earlier innovation of swords and archery. Similarly, the introduction of computers and the internet has led to the dawn of the information age. This proves that each and every new discovery causes transitions to a different society. However, on another note, it is also claimed that TD influences the level of knowledge in society. It is supported by the case of the introduction of newer agricultural tools and methods which saw the gradual loss of knowledge of traditional means of farming (Winner, 1977).

In relation to media, Winner (1977) claimed that the new media are not only an addition to existing media, they are also new technologies and therefore do have a deterministic factor as well. Marshall McLuhan, a Canadian philosopher who foresaw the tremendous and transformative nature of the Internet, said that "the medium is the message" (McLuhan, 1964). This means that the medium used to communicate influences the mind of the receiver. The introduction of newsprint, television and the internet, have all shown how technological advances have an impact on the society in which we live. In addition, another key aspect to be considered is competence in the use of digital technologies and media as the pillars of modern education. It is therefore no longer considered as something exclusive or supplementary, but an essential part of our lives nowadays. The topic of 21st-century skills is often associated with the issue of so-called new literacy. The basic skills of an individual to read, write, count are no longer the benchmark, now twenty-first century educators are challenged with presenting new skills that include: editing or revising information available online; determining if online information is valid and reliable; publishing with varied multimedia tools; researching and storing information online; and effectively collaborating with others (Nowell, 2014). A basic society which undergoes technological shift is now known as the digitally literate society. Thus, with more and more people consuming news digitally, the future of journalism is continuously changing and journalists of the future will face a number of challenges (Normah Mustaffa, Shahrul Nazmi Sannusi, Ahmad Sauffiyan Abu Hasan, & Mohd Zuwairi Mat Saad, 2017).

MATERIAL AND METHODS

Methodologically, this book chapter builds on a qualitative semi-structured interview that was designed specifically to discover challenges faced by journalists in this digital age in balancing between the safety and professional journalism in Malaysia. Different from a quantitative study that aim at making generalizations of the population, the logic of qualitative method is the emphasis on an in-depth understanding of specific cases – 'information-rich cases' (Patton, 2015). In achieving the aim of this study, 13 journalists from different media organizations (both public and private media-owned) have been interviewed through purposive sampling. The reason of using purposive sampling, in this study, is to obtain responses from journalists who at least having 3-year experience in news reporting so that they would be able to share the risks based on their work-related experience. Although we had also interviewed 5 junior journalists who have 2-year experience and below, not much they could share and respond to our questions on potential risks and journalist' safety in this digital age. As they were newbies in the journalism industry, they always take precautions and play safe in covering information as well as reporting news. As such, we decided not to include the findings from junior journalists in this book chapter. Most of the interviews were conducted face-to-face, a few were done via phone interviews. The interview questions were constructed on the key idea as follows:

1. A journalist's background and experience
2. A journalist's safety
3. Potential risks to Malaysian journalists while gathering and reporting the news
4. Freedom of press/media and government restrictions
5. News reporting in the digital age

In this study, the interviews are important to gauge in-depth responses on how journalists have faced the risks throughout their career path. The interview data were analyzed using thematic analysis to obtain unique responses from the journalists on how they perform their duties professionally despite intimidations from internal and external forces to publish a piece of balanced and accurate news in this digital age. All the interviews were audio-recorded and transcribed verbatim. The informants were informed that their names and organizations were kept anonymous, with only the initial of their first name is used for identification purposes.

FINDINGS AND DISCUSSION

This study reveals diverse challenges and risks faced by Malaysian journalists in the digital age:, including legal challenges and risks, political challenges and risks, physical and psychological challenges, cyber challenges and risks, challenges to journalists' right to freedom of expression. Journalists, who gather information and reporting news, always confront legal challenges (Kolodzy, 2012). They face legal challenges - especially when they publish defamatory statements and invade an individual's right to privacy. As such, journalists are expected to treat people decently and impartially (Nesbitt-Larking, 2007) as well as to respect people's privacy. However, as journalists might also engage with political parties and politicians in covering a news story, they cannot avoid the political challenges and the risks they face. The risks may not only occur during the reporting of the political issues as journalists also

face greater dangers in terms of their safety when they are going into the war zone, reporting an armed conflict, crime or natural disaster. Furthermore, the adoption of new technology in information gathering and news reporting has posed a unique challenge to journalists – cyber risks. Cyber risks and challenges can be categorized into two different sub-themes: 1) challenges to deal with cyber technology and 2) the cyber-attack challenge towards online published news. The cyber-attack challenge may not necessarily come from the affected parties or individuals, but can also come from the political supporters or celebrities fan or individual critics. The next section explicates more on each of the challenges faced by Malaysian journalists.

Legal Challenges and Risks

Every journalist must make good choices about what they can or cannot write legally, and what they are supposed to publish ethically. The law dictates what journalists can or cannot do in carrying out their work. Violation of law could send journalists to jail or prison for criminal offenses or could leave them paying vast sums of money in damages for civil charges (Kolodzy, 2012). This study suggested that almost all the journalists, who participated in this study, faced the legal challenge in different ways. Some of them had to undergo the court procedure, some journalists had to retract the news from being broadcast in the media otherwise they could be sued for publishing the sensitive news, and some journalists had to pay the fine because of losing the case in court. Interestingly, one of the journalists shared his experience of how he was nearly sued. He stated:

Throughout my career as a journalist, 15 years I am with the industry, I have received 4 letters of law summons. And there is an ongoing case but as a journalist, it is common to get sued. We do work well, but if anyone wants to make a suit, what can we do? We have to face it. (Informant DR – UMA)

Interestingly, one of the journalists expressed his own view about journalism safety. To him, it is very important to always keep supporting evidence when writing and publishing news. He said:

I did receive a court statement when I was covering a story about PIBG stands for Persatuan Ibubapa dan Guru (Parent-Teacher Association) in one of the SJK (Tamil). The defendant filed a suit against me for publishing fake news. The parent who has provided the information concerning this issue refuses to admit the real story, changed the story and told me that I have no right to publish the news. Luckily I have evidence that I can prove to them in a court. (Informant G-TNA)

What we could learn from these real stories that although journalists are writing the truth about certain issues, there is always the tendency of facing legal action especially when covering controversial issues.

Political Challenges and Risks

Research has repeatedly shown that mainstream media news is dominated by elite sources – mainly politicians and their spokespeople – and this has not altered despite the advent of social media and other techniques that enable and expand involvement (Wahl-Jorgensen et al., 2016). As such, threats to journalists may not necessarily come from criminals, extremists, terrorists, gangsters group, but can also come from local officials and political elites (Jamil, 2018). In this study, one of the journalists shared

her experience, when she was assigned to cover a political story at Pantai Dalam Selangor during the 14th General election. Although the challenges were not in terms of the feedback from her story, during the information gathering, the journalist faced the risks in terms of verbal assault especially covering news at the hot parliamentary seat area. She said that "my bad experience was being verbally harassed by the locals as they misunderstood us as being a part of the opposition party" (Informant AJ – MKA).

Another response from an experienced journalist was about the verbal and written attack by a group of a gangster after his negative reporting on the specific politicians. He stated:

The risks were when political people attack us when we published a negative statement in a newspaper. We do receive many kinds of threatening, blackmail and warning. Mostly it's from gangster people. (Informant G-TNA)

The same response shared by another journalist, who had also received threats and blackmails, including death threats during the uncovering stories that involved politicians or businessman.

Almost nine years working…a lot of threats from the outsiders. Ahhh, there are some blackmailing through the phones, they are asking to take out back the story about their leaders, take out stories about their businessmen. They blackmailed me…they said they will kill me but we as reporters, we must take it easy because as a journalist, we are a very important person in the state. (Informant MC-RTMA)

From the excerpt, we could learn the task of journalists is very challenging in the sense that they have to be physically and mentally prepared as certain threats can be life-threatening. Some of the reporters and editors do not only receive warnings and threatening but also being detained, intimidated and interrogated while reporting on demonstrations and protests (See, for example, Zan Azlee, 2016).

Physical Risks and Psychological Challenges

Media coverage on war, conflict, crime and natural disaster are potentially dangerous as it involves the damage of buildings and infrastructure, dealing with people that are in shock, scared and stressed, and the risk that the disaster may strike again. Although Malaysian disaster is not really in the same league as other countries that continuously face the blizzard, earthquakes, hurricane and volcano, climatic disasters or at least, surprisingly seasonal extreme weather (haze, storms, floods, droughts, fires) were still the most worrisome. The interview with journalists, in this study, discovered some positive responses about their safety as many of them still feel secure covering the local news. From the interviews with journalists, a few of them spoke about the risks of covering events on natural disasters such as flood and pollution. For example, one journalist shared some physical and psychological issues while covering news:

Psychologically speaking, journalists are often intimidated and ridiculed when making any news or statements that are not in the best interest of their readers. On the physical side, journalists often move to different places that put us in danger. For example, when covering news in flood areas, I experienced floods up to my waist and chest level, causing my body to ache and irritate. (Informant RS – MPB)

Apart from the issue on catastrophes, the challenges faced by the Malaysian journalists, were more on direct physical and psychological threats that somehow influence their ability to practice responsible

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and professional standards. For example, a male journalist had flashed back a few incidents that happened to him while covering a news story. He said:

The people out there said that we are just reporting biased news. That incident happened when I was in Kuantan and I was driving a van owned by the company. There is an individual came over…kicking and trying to damage the company's van. In another incident, there was also a case of an unknown person has broken my car's windshield and knocked on my car until it crashed. (Informant RSM – TVT)

Apart from professional risks, journalists were prone to cyber-attacks and harassment due to the controversial nature line of work as discussed in the next theme.

Cyber Risks and Challenges

The greatest cyber challenge, facing the journalists, with any of online news stories are the amount of time available for gathering the information for a news report and the amount of time to organize and produce it for the public news (Kolodzy, 2012). One of the challenges is to prevent taking ethical shortcuts in an attempt to meet the deadline and to get the news quickly to satisfy audience demands. In other words, journalists should only report what they know and what they have as supporting evidence or otherwise they need to take out the news from being published. People are always varied and always look for new ways to adapt to technological changes in coping with technological progress to improve life. In this study, almost all shared the same experiences, when it came to their experience of cyber challenges. One of the interviewee's response was:

We need to be a multi-task person as we journalists have to write and post news immediately after we received a story. Journalist nowadays can learn how to use the media more efficiently with the right tools provided on the internet. Technology can be confusing sometimes but with the right tools, journalists can manage to create online news." (Informant AJ – MKA)

Another response from the journalist was to always get prepared with technological changes as he said:

In my opinion, today's news developments are in line with technological developments. We are in a world that needs to keep up-to-date of globalization from time to time and is no exception to the news. If we are not quick and fast, we will be left behind. The concept of previous journalism has been a change from being broadcast to digitalization multimedia. The task is increasing, not just creating reports but also making online news. The obvious change is now that journalists need to adapt to mobile phones to report news such as using Twitter. (Informant RS – MPA)

Another cyber challenge is always related to the increasing number of cyber-attacks and cyber-criminal tactics. It was reported that there were 13 recorded cases in the year 2018 (Mei, 2018). When the journalist was asked a question on her safety especially being a famous female reporter, she is blessed to be a reporter in Malaysia because the people are still upholding a culture of tolerance, respectfulness and courteous especially meeting in person. The following excerpt showed how she felt so grateful for it.

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Thank God, I'm so fortunate that living in Malaysia is a kind of a blessing because Malaysian people are very polite and they are very considerate. I think our culture in a way has given a lot of guidelines to people on how to behave with others…people still respect each other when meeting in person… (Informant HI – AAA)

However, she further explicated about people can be so different when they are on social media. Most people would never hurl an insult during face to face conversation, but they do not hesitate to post it online. She said:

On the other way round, it is unfortunate when people are on social media… attitude and manners are totally different. I mean you can see someone who is very nice to you when you are meeting in person but they can be really mean when they are online… which is quite surprising. But the fact is, it is equally important how you behave online and also offline. (Informant HI – AAA)

The response, from the female journalist, showed that people can have different characters, when they are online and offline as some of them tend to be out of control by insulting others or using offensive language to embarrass people. When the journalist was further prompted about who are the cyber-trooper, she referred to individuals who were most of the times got paid from politicians or political party to disseminate propaganda or to criticize the political opponents or to respond to news criticism on the Internet, particularly via a social media platform. The same female journalist also used the term 'keyboard warriors' interchangeably when referring to cyber troopers.

The cyber challenges theme is technologically deterministic in nature that concerns with the online news-specific characteristics. One of the characteristics of online news including fake news, spread fast and quick. The second characteristic is reader's participation in the way that technological features for user-generated content allow readers to participate by posting their own content, leaving comments, sharing the news to social media, tweeted and re-tweeted news, and linked blog postings. This is also agreed by Post and Crone (2015) that social media allows a new generation, a new wave of democracy. As young individuals, they embrace digital technology easily, suggesting that they are more skilled with social media than the adults who oppose it.

Challenges Related to the Journalists' Right To Freedom of Expression

In this study, almost all journalists had the same view about media freedom and their right to freedom of expression. They did not have a problem to ask critical questions to ministers, politicians and a few others. However, there were always restrictions on news publishing. One of the journalists confessed the limited freedom that relished by journalists, but he at the same time agreed that total freedom would disrupt public peace and order. He expressed his view and said:

For me, we do not have enough freedom, we have freedom in certain areas, but not in all aspects, which is a good thing actually, it prevents us from writing news without proper checking... without restriction… because reporters are also a normal human being and they have a tendency to be biased, if we have a 100 percent freedom, it will disturb the legitimacy of the news but of course at the same time the freedom is very important, it is important that the audience who read our story know the real information that we want to convey. (Informant SI – TVN)

On the other hand, a few journalists talked about something thought-provoking about 'New Malaysia'. Being the reporters of both eras, they saw a significant difference in these two eras. For instance, some journalists viewed that in New Malaysia they are freer to express their views and more importantly to write things that are true, correct, authentic, and accurate (benar, betul, sahih, dan tepat). This indicated the country's progress in terms of media freedom. However, many other journalists did express their apprehensions towards physical, legal, psychological and cyber risks and challenges, which restrained their work and affected the level of professionalism.

FUTURE RESEARCH DIRECTIONS

The theoretical framework of technological determinism can be incorporated in future studies to obtain a more comprehensive understanding of online news in distinctive ways and how journalists prepare themselves to face challenges and risks in the digital age. For examples, interested researchers in this area, may conduct a study about fake news and how fake news receive more attention from readers, examine news comments posted by cyber troopers and keyboard warriors, the characteristics of user participation towards digital news, as well as journalists challenges and risks when covering digital news.

CONCLUSION

The advent of new media and communication technology has had a major impact on news activities, thus transforming the way journalism works, both in an industry and a profession, mostly because digital media has brought new opportunities to journalistic practice. It seems that almost everyone who can access the Internet is also free to post and communicate their views with other Internet users. The findings, of this study, revealed some key challenges to the Malaysian journalists in terms of legal, political, physical, psychological, and cyber risks. Some of the users follow online news especially on issues related to national and political features for specific reasons, so that they can act as cyber troopers or keyboard warriors in attacking critical posts to the dominant mainstream media. To summarize, the author suggest that from this theoretical vantage point, contemporary news media offer technological determinism for readers to enjoy unlimited freedom through posting critical or offensive comments towards published news. This is how in the findings, many journalists shared about cyber troopers or keyboard warriors that often used abusive and threatening words when commenting on individuals, news or certain party politics. With the increasing menace against journalists, appropriate safety training (physical, psychological, legal, digital) should be provided to all journalists to safeguard themselves against the risks especially during news gathering and reporting. However, every innovation is not without its risks and consequences. With new technology, comes new opportunities - and where there lies an opportunity, new threats ensue.

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ENDNOTES

[1]	Federal Constitution (2010). The Commissioner of Law Revision Malaysia.
[2]	This act has been repealed by the Security Offences (Special Measures) Act 2012 [Act 747]
[3]	Laws of Malaysia (2006). Defamation Act 1957. The Commissioner of Law Revision Malaysia.
[4]	Laws of Malaysia (2006). Sedition Act 1969. The Commissioner of Law Revision Malaysia.
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Chapter 8

The Rise of Secular Nationalist and Islamic–Based Populist Communication Strategies:
New Threats to Indonesian Media and Journalists' Freedom

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ABSTRACT

This study aims to examine the impacts of secular nationalist and Islamic-based populist communication strategies advanced by Jokowi and Prabowo on the Indonesian media and journalists' freedoms during the presidential elections of 2019. To address this topic, this study uses the qualitative methods of document review and in-depth interview of four senior editors of Indonesian news channels including Kompas TV, CNN INdonesia, TV one and INews TV. This study uses thematic analysis to analyse the qualitative data.

INTRODUCTION

The idea of this work comes from certain observations. The Freedom House reports that not only structural factors that undermine journalists' freedom and safety has been prevailing, the freedom of media across the globe has been continuously declining for the past decade (Repucci, 2019, p. 3). Such trends so far, have been seen as being insperable with global crisis of democracy, which take place along with the rises of populist leaders and authocratic governments (Repucci, 2019, p. 4). However, while increasing numbers and powers of populist leaders and authocratic governments have been considered as influential factors that jeopardize the media freedoms and journalists' safeties across the globe (Repucci, 2019, p. 4), knowledge regarding the impacts of populist communication strategies advanced by political parties'

politicians in the Asian democracies, such as Indonesia, especially those who run for the national and local elections, on the media and journalists' freedoms and safety has been under-developed.

Freedom of the media remains a crucial issue in Indonesia's democracy. *Reporter Without Borders* chroniclesthat Indonesia's rank in the 2019 World Press Fredom Index is 124. The country's rank is lower as compared to it was in 2010 (117) and 2005 (102). Indonesia's ranking is a little bit better as compared to 2016 ranking (130). However diverse threats to the Indonesian journalists and violence against them remain prevailing (See Masduki, 2017; Robie, 2017; Blades, 2018). Particularly, violence against the Indonesian journalists was visible during their coverage of events and issues related to elections this year.

In between 21 and 22 May 2019, twenty Indonesian journalists were assaulted while covering the outbreak of post-the 2019 presidential election protest, which was taking place in Jakarta, a capital city of Indonesia. The attacked journalists were associated with CNN Indonesia TV, RTV, Gatra, Tribun Jakarta, MNC Media, CNN Indonesia.com, MNC Trijaya Radio, Tirto, Alenia.id, Okezone.com, INews TV, TV One, Net TV, Kompas, Tempo, AP and ABC News. The Indonesian Independent Journalist Alliance reported that they were intimidated and ambushed not only by the Indonesian police, who were incharge to handle the public's protest, but also by individuals who were taking part in the protest (Haryanto, May 24, 2019).

The protest was organized by Prabowo Subijanto's supporters. It occurred dramatically soon after the Indonesian General Election Commission declared that his rival, Jokowi Widodo, an incumbent presidential candidate publicly acknowledged as Jokowi, had won the 2019 presidential election. An increasing polarized political sphere had shaped within a few months before the election was held (Nyarwi, 2019). A few months before the public's election protest took place, Prabowo had so many times launched criticisms to the the Indonesian media and journalists, especially those who were reluctant to report the 212-reunion rally organized by the Islamic middle-class communities at Monash Jakarta on 2 December 2018. He highlighted certain points while attending campaign event organized by by his campaign team and supporters on 5 December 2018. Plenty of Indonesian media misleaded the public with inaccurate facts while reporting on Prabowo's campaing. Most of the media outlets claimed that they had kept upholding objectivity and responsibility as main principles in defending our democracy. In reality instead, they manipulated facts and turned to be manipulators of (Indonesian) democracy (Putri, December 5, 2018).

Unlike wise to Prabowo, Jokowi named Erick Thohir, an owner of multinational and national corporations, including the mainstream media, such as Jak TV and Republika, an influential newspaper that serves majority of Indonesian Islamic readers, as a chairman of his campaign team. This occurred few months after he had appointed his running mate, Makruf Amin, an influential Indonesian Islamic cleric and a supreme leader of Nahlatul Ulama, the biggest Muslim organization in Indonesia. Despite of that, he successfully approached the Indonesian media barons including Harry Tanoesoedibjo and Surya Paloh. The first is a chairman of Perindo Party and an owner of MNC group that include RCTI, Global TV, INews TV and SINDO Newspaper, while the second is a chairman of Nasdem Party and an owner of Media Indonesia newspaper and Metro TV (Apinino, September 8, 2018), which intensively marketed him as a populist figure during the 2014 presidential election and also in facing the 2019 presidential election.

Likewise Donald Trump, Jokowi and Prabowo, as prominent Indonesian public figures who run for the 2014 and the 2019 presidential elections, have been widely acknowledged as populist politicians. Within the specific context of the 2014 presidential election, Jokowi has been considered as a polite and technocratic populist, while Prabowo has been labelled as an authoritarian-oligarchic populist (Aspinall,

2015; Mietzner, 2014a, 2014b). In facing such election, both of them favoured advancing populist rhetoric and performing populist styles while targeting and persuading large number of electorates (Mietzner, 2014a, 2014b; Aspinall, 2015) and established market-oriented strategy while approached and dealing with the media and journalists either (Ahmed, 2017a). These developments had evolved within two years, before the 2019 presidential election was being conducted.

Focusing on the Indonesian politics, some authors argue that not only populist actors that have been evolving (Ziv, 2001; Hamid, 2014; Mietzner, 2014a, 2014b; Aspinall, 2015), but also secular nationalist and Islamic populisms have been mainstreaming since the Post-Soeharto New Order (Hadiz, 2014, 2017, 2018; Hadiz & Robison, 2017). Along with such developments, there are diverse types of threats that undermine the freedoms of Indonesian media (Wijayanto, 2017) and journalists (Masduki, 2017; Robie, 2017; Blades, 2018). However, while the rise of populism has been seen as undermining the media and press freedoms (Kenny, 2019), knowledge regarding the impacts of the rises of secular nationalist and Islamic-based populist communication strategies advanced by these two presidential candidates in facing the 2019 presidential election on the Indonesian media and journalists' freedoms has been under-developed.

Based on the aforementioned background, this study posits three key points: *At first,* the Indonesian media and journalists are not only threatened by authoritarian political styles, attitudes and behaviours of the state-related actors. But in the post-New Order Soeharto regime, they are also undermined by populist communication strategy advanced by political paties' politicians. *Secondly,* the Indonesian media and journalists' freedoms and safety can be in danger once populist actors in Indonesia' democracy robustly established secular nationalist and Islamic-based populist communication strategy. *Thirdly*, Jokowi and Prabowo, the two presidential candidates who contested for the 2019 Indonesian presidential election, adopted populist communist strategy vigorously. This can increase various threats that undermine the Indonesian media freedom and journalists' safeness.

Hence this chapter first chronicles the nature of Indonesian media system and transformations of secular nationalist and Islamic populisms in the Post-Soeharto Regime. Next, it explains the materials and methods used in this study and finally discusses the result of this study.

LITERATURE REVIEW

Democratisation Of Politics And Establishment Of The Indonesian Democratic Media System In The Post-Soeharto Regime

Indonesia is one of republican Asian countries that follow the presidential government system wherein the elected president has roles and authority as the head of the State and the government (Ahmed, 2017b). In between 1966s and 1998s, this country was ruled under the authoritarian regime of the New Order Soeharto. In March 1967, President Soekarno was forced to step down from his presidency and general Soeharto successfully controlled the Indonesian government.

Once Soeharto had taken the power, some noticeable developments took place. Within the first and the second decades, when this regime was in power, not only the existing Indonesian political parties, but also the media and journalism had been de-politicized forcefully. As economic institutions; however media and journalism had been thriving significantly (Dhakidae, 1991). Being ruled under this regime, journalists who worked for media lacked freedom in reporting on political issues and events and express-

ing political (public) opinions either. These trends remained within the last decade of Soeharto's regime (Hidayat, et al., 2002; Hidayat & Sendjaja, 2002).

In the early 1998s, Soeharto's regime failed in hadling massive waves of bloody student and mass demonstrations. In 21 May 1998, it collapsed dramatically. This paved the way for democratisation of politics developing, and it allowed some key developments in the country.

At first, the Indonesian People Representative Assembly (as imposed by the Indonesian Basic Constitution of 1945), appointed a Vvice President B.J. Habibie as a President. Based on Law No.3/1999, he organized the 1999 general election to elect new members of the Indonesian House of Representative (MPs). MPs, who were elected in election, started to establish a democratic political, government, election and media systems, and they amened the Indonesian Basic Constitution.

Secondly, the Indonesian Basic Constitution were successfully amended, MPs organized some efforts. As ordained by Articles No.5 (1), No. 20 (points 1, 2 and 4), No.21 (point 1), No.27, No.28 F, No.31 (point 1), No.32, No.33 (point 3) and No.36 of the Amended-National Constitution of 1945, MPs proposed the new Press Bill and decreed it as the Law no.40/1999. They also redrafted the existing Broadcasting Law and decreed it as Law No.32/2002.

Installments of laws become stepping stone for this country to develop a democratic media system. Laws were directed to regulate not only the Indonesian media as business and social institutions, but also journalists (Hidayat and Senjaja, 2002). Laws were constituted not only to determine the roles of the Indonesian media in public and political affairs and spheres, but also to guarantee the freedoms of the Indonesian media and journalists (Ispandiarno, 2008). Laws, in essence, were enacted to promote a democratic media system in this country (Gazali, 2004, Gazali et al., 2009; Wahyuni, 2008).

Enactments of laws led to the relationships between the media organizations, states, markets and civil societies turning into much more democratic models (Wahyuni, 2008; Gazali, 2004; Gazali, et.al, 2009). The implementation of laws helped to increase the degrees of autonomy and self-rule of the Indonesian media outlets (Hidayat & Sendjaja, 2002). Most of the Indonesia media and journalists enjoyed not only freedom, but also a new democratic political environment, (Gazali, 2004; Gazali, et.al, 2009; Ispandriarno, 2008).

In addition, implementation of laws paved the way for liberalization and commercialization of media industries robustly in Indonesia (Hidayat, 2002). Along with these, the total number of the groups and networks of the media also grew rapidly (Nugroho & Syarief, 2012, pp. 32-36). These were followed by increasing total number of the Indonesian people who accessed and considered the media as primary source of information (Lim, 2011, 2013).

Within the last two decades, most of the media industries concentrated in the capital city of Jakarta and controlled by some influential media barons (Lim, 2011, p. 11; Lim, 2012, pp. 2-7). Recently, diverse threats and violence against journalists increasingly undermines the freedoms of Indonesian media and journalists both (Wijayanto, 2017; Masduki, 2017; Robie, 2017; Blades, 2018). More importantly, t the rise of secular nationalist and Islamic populism are seen as undermining the media and press freedoms (Kenny, 2019; (Ziv, 2001; Hamid, 2014; Aspinall, 2015; Mietzner, 2014a, 2014b; Hadiz, 2014, 2016, 2018; Hadiz & Robison, 2017).

The Rises Of Populist Actors And Transformations Of Secular Nationalist And Islamic Populisms In Indonesia's Democracy

Within the last two decades, populist actors have been evolving in the Indonesian politics. Soon after the downfall of the New Order Soeharto regime in 1998s, Megawati Soekarnoputri, chairwoman of PDIP, a prominent Indonesian opposition party, came up as influential Indonesian politician. In facing the 1999 general election, she robustly advanced populist rhetoric (Ziv, 2001). Together with a founder and leader of Gerindra party, Prabowo Subijanto, she asked Jokowi for running in the 2012 Jakarta gubernatorial election.

As Jokowi contested for election, he exploited rhetoric vigoursly (Hamid, 2014). Two years later, he contested for the 2014 presidential election. In this election, Prabowo turned to be his rival. Since they stepped into the presidential election race, they harnessed rhetoric to target and mobilize various groups of Indonesian electorates (Aspinall, 2014, 2015; Mietzner 2014a, 2014b, 2015; Hadiz and Robison 2017). In facing the election, both Jokowi and Prabowo, performed in front of Indonesian electorates. In this respect, the first was seen as performing a distributive style of populist actor. The second instead, was considered as developing a guided style of populist actors (Aspinall, 2015, pp. 11-12; Hadiz & Robison, 2017, p. 493). As compared to the first, the second much more favoured advocating the need for 'strong leaders' that could 'best secure the "common good" by overriding the indecision that comes with liberal democracy and unconstrained markets' and propagating the 'nationalist and corporatist ideals from Indonesia's Soekarnoist past' (Hadiz & Robison, 2017, p. 494).

While populist actors are emerging, populism is also evolving in Indonesia. It is not characterized by the Left-Right ideological spectrum as its counterparts in the Europe, the US and Latin American politics. It is instead, driven by secular nationalist and Islamic ideological orientations (Hadiz, 2014, 2016, 2017, 2018; Hadiz & Robison, 2017). The author thinks that adaptations of such ideological orientations by the Indonesian political actors and organizations lead to secular nationalist and Islamic populisms growing substantially.

Secular nationalist populism is a type of populism, which 'define the people as the repository of virtue, in contrast to evil and rapacious elites (including foreign ones)' and is directed to secure the value of harmony 'from a range of influences, including that of radical forms of Islamic politics' (Hadiz, 2017, p. 275). It upholds a view that highlights the importance of having a secular nationalist state, which is based on the Indonesian unitary state ideology, namely *Pancasila* (the Five Principles) (Hadiz, 2017, p. 274). Advocates of Pancasila favour propagating the importance of upholding national sovereignty; highlight the nationalist and anti-foreign sentiments, develop 'direct appeals' to the 'people'; address these people using 'the rhetoric of nationalism and social justice'; and attack the 'selfishness of established politicians' who lack success in tackling issues of social inequality,r in securing Indonesia's natural resources for the good of the people, in resolving foreign debt and dealing with "international agreements" that 'serve multinational corporations and their backers' (Aspinall, 2015, p. 18; Hadiz & Robison, 2017, p. 493).

A slightly differently, Islamic populism is instead, commonly established by the Indonesian Islamic organizations and politicians who favour 'making antagonism between the elites' and the marginalized people, which is labelled as 'peripheralized ummah' (Hadiz & Robison, 2017, p. 496). They prefer promoting the anti-pluralist and liberal views using 'cultural idioms to mobilize these people as 'a distinctly ummah-based political identity' (Hadiz & Robison, 2017, p. 498; Hadiz, 2018, pp. 566-567). They not only formulate 'a common narrative about perennial marginalisation' of these people (Hadiz, 2018,

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p. 567), but also portray them as those who lack benefits or suffering from dominations of the capital owners or the state and governments (Hadiz, 2014, 2016, 2017).

Such Islamic populism, has been advanced by not only more educated professional middle class, but also diverse 'successful and powerful business people' (Hadiz, 2018, pp. 570-571). They represent 'newly emerging cross-class coalitions', which are 'ideologically glued together by religious rather than nationalist symbolism, imagery and terminology' (Hadiz, 2014, p. 131). A primary goal they want to accomplish is 'to win greater access to state power and tangible material resources for the ummah' (Hadiz, 2010, pp. 14-15; Hadiz, 2014, pp. 125-126; Hadiz & Robison, 2017, p. 496). Though following the idea of a secular nationalist state based on *Pancasila*, which is strongly advocated by supporters of secular nationalism populism, they keep struggling to reorganise 'power in ways that favour an *ummah* that is increasingly diverse in its class bases' and ensuring larger access to and controlling over the state and its political and economic resources however (Hadiz, 2014: 127; Hadiz, 2018, p. 574).

In the Post-Soeharto regime, while secular nationalist populism has been increasingly mainstreaming, Islamic populism has been vigorously mushrooming. In consideration of these, Indonesian political actors, especially those who run for the presidential election, favour developing populist communication strategy based on the ideational elements that constitute such populisms. The author opines that adaptation of such populist communication in the Indonesian political sphere turn to be a new threat to the Indonesian media and journalists' freedoms.

Secular Nationalist And Islamic-Based Populist Communication Strategy And Its Consequences For The Media Freedom And Journalists' Safety

There are some conditions that propelled developments of secular nationalist and Islamic-based populist communication in Indonesian politics. Within the last four decades, a strong liberal-reformist and social democratic or Leftist' was under-developed in the Indonesian politics (Hadiz, 2010, p. 11; 2014, p. 140; Hadiz & Robison, 2017, p. 500). While such trends were prevailing, the mainstream 'discourses of Islamic morality and hyper-nationalism' had increased substantially (Hadiz, 2017, pp. 269-271). These encouraged prominent political actors and organizations in Indonesia to develop populist rhetorical ingredients based on not only secular nationalist, but also Islamic ideological orientations (Hadiz, 2014, 2016, 2017, 2018; Hadiz & Robison, 2017). These also paved the way for populist actors emerging, especially within the specific context of the national and local elections (Ziv, 2001; Hamid, 2014; Aspinall, 2015; Mietzner, 2014a, 2014b; Hadiz, 2018; Hadiz & Robison, 2017).

In consideration of the aforementioned conditions, this study argues that it is possible for the Indonesian political parties' politicians, who contested for the presidential election 2019, to develop populist communication strategy based on their ideological orientations. Ontolongically speaking, populism is seen as not merely a thin ideology (Mudde, 2004, p. 543), which contains a set of ideas' (Mudde & Rovira Kaltwasser, 2013, p. 150) and which depicts the society as divided between "the pure people" versus "the corrupt elite" (Mudde, 2004, p. 544), but also "a way of seeing the world that is linked to different kinds of languages" (Hawkins, Riding & Mudde, 2012, p. 7). Political actors/organizations might advance such populist phrases and adopt populist rhetorical ingredients while attempting to secure political legitimacies or get political powers or develop political mobilizations (Engesser, Fawzi & Larsson, 2017, p. 1286).

Moreover, populism is also considered as "a kind of catch-all politics advanced by political actors and organizations not merely to appeal to the people as a whole" (Canovan, 2004, p. 243) and "the largest

number of voters at any given time" (Conniff, 1999, p. 5) "against both the established structure of power and the dominant ideas and values of the society" (Canovan, 1999, p. 3), but also to seek or exercise "government power based on direct, unmediated, uninstitutionalized support from large numbers of mostly unorganized followers" (Weyland, 2001, p. 14). Additionally, populism is realized as a 'distinctive entity' that "always presents possibility of structuration of political life" (Laclau, 2005, p. 13). These allow political actors and organizations that exist within diverse types of political systems and regiems to develop particular populist messages based on diverse ideological and social bases (Laclau, 2005, p. 15).

Since populism, in essence, could not be simplified as a type of political actor or regime, which relates with either a special social base or particular ideological orientation, it is also possible for us to explore the ways the Indonesian political parties' politicians advanced what Engesser, Fawzi & Larsson (2017, p. 1280) called as a 'populist communication logic'. To do so, we need to adopt a communication-centred perspective posited by Stanyer et al. (2017) and define populism as a form of political communication logic exploited by political actors and organizations in democratic countries while adopting and crafting populist ideational elements to develop populist communication strategies in within either the election or the non-election contexts.

This study assumes that in democratic countries the existing (liberal) institution, including the media, and actors, such as journalists, have been in danger once political actors and organisations advanced populist communication strategy. In this respect, the freedoms of the media and journalists and safety decline once political actors in such countries increasingly interested in advancing populist strategy.

Freedoms of the media and journalists have been widely acknowledged an essential condition to ensure the existence of the journalists' safety. Media freedom is related with the freedom of speech (Koltay, 2015, p. 54; Nordenstreng, 2007, 2013). Media freedom incorporates the negative and positive dimensions (Koltay, 2015). Negative freedom refers to the freedom from something or somebody, while the positive freedom relates to the freedom to do something (Koltay, 2015, p. 58). While positive media freedom is indicated by the degree to which the media have capability in ensuring" that anyone can have free access to media content and that media content is diverse and imparts diverse opinions", negative media freedom is marked by the degree to which the media enjoy freedom from" the external interference" or the "interference of the external powers", (Koltay, 2015, p. 58). Negative freedom is defined by the "prohibition of censorship" by the state-related actors and constraints imposed by the media owner, advertisers, audience interests and media ethics and regulations (Koltay, 2015, p. 59).

In the case of Indonesia, freedoms of media and journalists are at risk due to possible adoption of populist communication strategy by the participating politicians of 2019 election. The more such political parties' politicians favour advancing populist communication strategy, the less likely media and journalists enjoy both the freedom and safety. Not only the state-related actors, but also the non-state actors, especially the media owners and social and religious organisations are likely to undermine media and journalists' freedoms.

The 2019's Presidential Election Mechanism And The Roles Of Free Media In The Election

The 2019 presidential election took placeon 17th April 2019. Election was organized by an independent state agency, which is called as Indonesian General Election Commission. This commission ha an authority and responsibilities to organize the national and local elections in Indonesia. 2019's election was also publicly monitored by the Indonesian Election Supervision Agency, which is a specific independent

state agency whose authority and responsibilities to observe, examine and supervise those who take part in the parliamentary, presidential and local elections.

Indonesia's 2019 election was organized in four stages. *At first,* in 4 August 2018, commission, as imposed by Law No.7/2017, publicly called for those who wanted to contest for election and to registrate as a pair of presidential candidates. *Secondly,* in 21 September 2018, the commission announced the verified pair of presidential candidates, who had already registrated and met with registration requirements. *Thirdly,* commission allowed the pairs presidential candidates to organize their campaign events and rallies between 23 September, 2018 and 13 April, 2019. However, they were prohibited to do so during the breaking times, which were between 14 and 16 April, 2019. *Finally,* the commission conducted the election on 17 April, 2019 - wherein all Indonesian adult citizens could vote a particular pair of presidential candidates directly at the polling station.

As imposed by Article No. 6 and 6A of the Indonesian Basic Constitution of 1945 and also Articles No.222, 223, 224, 225, 226, 227, 229, 230 and 231 of law, only two pairs of presidential candidates succesfully contested the election. They were Jokowi Widodo-Makruf Amin and Prabowo Subijanto-Sandiaga S. Uno. The first was endorsed by a political block established by the Indonesian political parties including: PDIP, Nasdem Party, PKB, Golkar Party, PPP, Hanura Party, PKPI, PSI and Perindo. The second was supported by a political block established by Gerindra Party, National Mandatori Party or PAN, the Prosperous Justice Party or PKS and Democratic Party.

Following Article 6A of the Indonesian Basic Constitution of 1945, the election commission carried out the election based on a direct election mechanism. In facing the election, each of these pair of presidential candidates was allowed to set up a presidential campaign team or organization (Article 269 of Law No.17/2017), conduct presidential campaign rallies and deliver their campaign materials and messages through both the offline and onfline communication campaign platforms (Article No. 275 of this law). Each of them was requested to participate in 5 series of presidential campaign debates broadcasted by the Indonesian private and public channels (Article 277 of this law). To get elected in this election, each of them was supposed to be voted directly by more than 50% of Indonesian adult citizens whose right to vote (Articles No.198 and 199 of this law) and populated in more than 50% of total Indonesian provinces during the Election Day (Article 416, point 1 of this law).

The role of the Indonesian media in 2019's election was regulated. All of them had freedoms to not only publish political advertising materials developed by these pair of presidential candidates, but also to cover and to release or broadcast all campaign messages delivered by each of the pair of presidential candidates and events and rallies organized by their campaign team/organization through diverse communication formats (Article No.287 points 1, 2 and 3 of this law). While doing so however, they were required not break the Article No. 280 of law. While reporting, publishing and/or broadcasting election campaign messages, events and rallies, media was require to do so objectively, accurately and proportionally (Articles No.288, point 1, 289 point 2 and 295 of this law). They were required not to not serve and/or being exploited by a particular pair of presidential candidates (Article No.288 point 2 of this law).

During 2019's elections, media were allowed to publish and/or broadcast campaign messages, events and rallies through diverse communication formats and channels (Article No.290 of this law). Media; however, was needed to provide an equal chance to the pairs of presidential candidates publish or broadcast their political advertising campaign's materials (Article No.291). Mmedia was require not to sell their spaces through a blocking time program procedure that could give benefit to a particular pair of presidential candidates (Article No.292 point 1 of this law). While publishing or broadcasting political

advertising campaign materials of any pair of presidential candidates, such media were require to follow the advertising norms and ethics that have been implemented in Indonesia (Article No.294 of this law).

MATERIALS AND METHODS

This study was specified to explore the consequences of secular nationalist and Islamic-based populist communication strategies advanced by Prabowo and Jokowi, the two presidential candidates whocontested for Indonesia's 2019 election, on the Indonesian media and journalists' freedom and safety. To such end, this study adopted the qualitative case study method as outlined by Cresswell (2014). The data were collected from the news reports related to such development. They were combined with the in-depth interview data derived from senior journalists employed by Kompas TV, CNN Indonesia, TV One and INews TV. The key respondents were 4 senior journalists associated with these news TV channels and a senior journalist associated with Indonesian Independent Press Aliance (AJI Indonesia). They were, respectively, labelled as J1, J2, J3, J4 and J5. The data derived from the selected respondents were analyzed using the qualitative-thematic context analysis, as posited by Boyatzis (1998), Braun & Clarke, (2006) and Butler-Kisber (2010)

The reasons for selecting senior journalists as key respondents were bi-fold: *At first,* they were professional journalists with more than 5 year working experiences. Most of them, commonly being familiar with not only contemporary Indonesian political issues, but they were also aware of professional journalistic norms and ethics formulated by the Indonesian Press Council and Indonesian Broadcasting Commission. *Secondly,* the news TV channels that employed them were widely acknowledged as influential news TV channels in Indonesia. In term of political affiliation, these news TV channels were quite different. In this respect, Kompas TV, CNN Indonesia and TV One, were widely recognised as independent mainstream media since owners of these media lacked political affiliation with any political party and did not personally endorse one of these presidential candidates. INews TV, is instead, widely perceived as a partisan media since its owner, which is owned by Harry Tanoesudibyo is a chairman of Perindo, a political party that supported Jokowi for running in such election.

The study uses certain procedures to evaluate research objective. News reports and the in-depth interview data were selected and rendered to evaluate the objectives. These data were verified and triangulated with my personal observasion, which were made by myself during my visits to TV channels for the political talk shows (before a few months of 2019 election and even on the election day) . Personal observation data, were collected when I was interacting and discussing with producers, who organized the talk show programs.

News reports and the in-depth interview data were extracted using traditional qualitative content and thematic analyses, which were carried out in some steps, namely: familiarising with data, generating initial codes, searching for themes, reviewing themes, defining and naming themes and producing the reports.

FINDINGS AND DISCUSSION

Secular Nationalist And Islamic-Based Populist Communication Strategies Of Jokowi And Prabowo In Facing The 2019 Presidential Election: New Threats To The Indonesian Media Freedom And Journalist's Safety

In 2019's election, Jokowi and his rival, Prabowo, advanced secular nationalist-based populist communication strategy. They used this strategy by exploiting the ideational elements that constitute secular nationalist ideological orientation. They did so due to the certain conditions. Most of the Indonesian people they targeted commonly followed a secular nationalist ideological orientation, which is *Pancasila* (the Five Principles). Those, who uphold such ideological orientation, were considered as advocates of secular nationalist populism, but they did not refuse the elements that constitute Islamic populism (Hadiz, 2014, 2016, 2018; Hadiz & Robison, 2017).

Jokowi and Prabowo, respectively, were associated with the secular nationalist political parties, which were PDIP and Gerindra Party. Both of them preferred advancing not only personal political images as secular nationalist populist figures (Al Azhari & Bisara, 2019), but also populist communication strategy based on secular nationalist ideological orientation. The ways they organized secular strategy were quite dissimilar.

Jokowi promoted 'Indonesia Advancing' (Indonesia Maju) as a key populist campaign message. He decomposed it through the populist policies, such as narrowing the gap between the rich and the poor, upgrading the infrastructure to improve connectivity across the Indonesian Islands, making free healthcare services universal, free schooling for 6- to 18-year- olds, delivering cash subsidy for the poor and lowering gas prices (Bayuni, August 15, 2018). Populist policies were quite similar with what he promised while contesting for the 2014 presidential election. Populist policies were also similar with what Prabowo advocated while stepping into such election race. These policies; however, were seen as being much more technocratic and liberal, as compared to nationalist policies that he advocated in facing the 2019 presidential election (Dewayanti, January 19, 2019).

Unlike wise Jokowi, Prabowo highlighted the need for Indonesian people to make 'Indonesia great again'. He officially deployed it as his campaign slogan. While echoing such populist campaign slogan, he publicly condemned the Indonesian political elites and stated that most of these elites were corrupt and those who turned into politicians were commonly layers (Lamb, April 13, 2019). He frequently emphasized this message while attending campaign rally organized by his campaign team. His campaign message incorporated the need to establish not only the welfare for the Indonesian people, but also self-sufficiency and a strong state with strong armed forces, police and intelligence that were capable in protecting all Indonesian people. His political campign message was also in line with a political party he established, a Gerindra Party, which means 'Great Indonesia Movement' (Massola, 2018).

Prabowo continuously propagated his message while criticizing those who ruled the Indonesian government within the last two decades and who failed in tackling "outflow of national natural resources' (Dewayanti, January 21, 2019). While doing so, he not merely highlighted the importance for Indonesian people to refuse increasing foreign labour, resolve the economic inequality issues and eliminate the money politics in general elections strategically (Putri, August 7, 2018). He also attacked inherent weaknesses of the infrastructure plans set up by Jokowi government, which were reliant on China government's loan that could be 'a contributor to the country's increasing debt' (Ariffin, February 14, 2019).

Despite advancing the secular nationalist-based populist communication strategy, Jokowi and Prabowo favoured developing Islamic-based populist communication strategy either. They did so due to certain reasons. Most of Indonesian electorates were stucked to follow principal foundation of the Indonesian United States, which is Pancasila *(the Five Principle)*. However, after the 2017 gubernatorial election of Jakarta, Islamic identity politics was on the rise in the Indonesian politics (Ebbighausen, R, April 15, 2019). This encouraged them to incoprate Islamic identity as a principal foundation while developing strategy to captivate large number of Indonesian Islamic electorates.

The ways they established Islamic-based populist communication strategy were quite dissimilar. In this respect, Jokowi and his campaign team developed an Islamic personal branding tactic. Such effort was taken by appointing Makruf Amin, a conservative and influential Islamic cleric and supreme leader of Nahdlatul Ulama (NU), the largest Islamic organization in Indonesia as his running mate. This was taken to get large endorsements of Islamic electorates (Rahn & Spross, 2019), especially those who were associated with NU. His was also deployed as a type of populist defence strategy to respond negative campaign attack organized by Prabowo' Islamic conservative supporters who strategically played the Islamic card (Gusti, April 10, 2019) and constinously framed him as 'not being a devout Muslim' Grassi, May 14, 2019).

As compared to Jokowi, Prabowo preferred developing Islamic-based populist communication strategy based on an Islamic identity-based campaign tactic much more. In this respect, he and his campaign team selexted and exploited populist issues, which were extracted from Islamic identity. This effort was specified to address and captivate not only Indonesian Islamic middle classes who disappointed with Jokowi' performance in managing the Indonesian government, but also various groups of conservative Moslems who realized Jokowi as a secular presidential candidate and who lacked paying appropriate respect to Ulama. With regard to this issue, Rahn & Purwaningsing (January 17, 2019) highlighted:

Subianto also has strong links to conservative Muslims who want to remove Widodo from power and increase the role of Islam in Indonesian politics. Subianto's conservative Muslim base considers Widodo as being too secular. (Rahn & Purwaningsing, January 17, 2019)

Prabowo and his campaign team also robustly organized a strong alliance with not only Islamist parties, such as PKS, but also radical Islamic organisations, such as the Islamic Defenders Front (FPI). Grassi (May 14, 2019) suggested that "with the FPI leader Habieb Rizieq, who Prabowo visited in his exile in Saudi Arabia, the two proclaimed they were forming an ummah alliance, or a community within Islam" (Grassi, May 14, 2019).

Few months before 2019's election, most of the Indonesian conservative Moslems and radical Islamist organizations turned to be loyal supporters of Prabowo. They advocated that Prabowo and his running mate, Sadiaga Uno, were devout Islamic leaders and attacked Jokowi's personality. Using diverse social media plaforms, they framed Jokowi as a non-Islamic leader intensively, launched criticisms to the media owned by those who supported to his rival and assaulted some journalists.

Prabowo and Jokowi were widely acknowledged as populist actors, who were associated with secular nationalist political parties (Aspinall, 2015; Mietzner, 2014a, 2014b; Hadiz, 2018; Hadiz & Robison, 2017). These parties shared similarities in terms of type of secular national ideological orientation and controversial debates regarding populist policies they had advocated. However, dipustable debates regarding type of leadership style they performed were quite visible. Such disputable debates were evolving,

but were not undermining the Indonesian journalists while doing their work. Overall, journalists lacked freedom to cover substantial issuess.

Meanwhile, as these presidential candidates established Islamic-based populist communication strategy, some transformations took place. Establishment of populist strategy encouraged them to select and exploit populist campaign messages around the issues of Islamic identity intensively. Campaign messages were n mainstreaming in the Indonesian political sphere, which had become polarized. Such polarization determined the ways journalists associated with the Indonesia news TV channels selected and framed political discourses related with such Islamic identity while organizing political talk show programs and while covering and broadcasting campaign events and rallies organized by Islamic people associated with particular organizations r.

Around nine months before the election was held, a chairman of the Indonesian Independent Journalist Alliance (AJI Indonesia), Abdul Manan, advised the Indonesian journalists to followthe journalistic norms and principles and to strive for having neutral and objective views. He called journalists for not making association with or providing endorsement to any pair of presidential candidates that could restrain their roles as a professional and independent journalist (Ratnasari, August 15, 2018). Whilst most of them attempted to follow his suggestions, some of them were assaulted by the Islamist groups those who were loyal and radical supporter of Prabowo.

. For example, while covering an incident of assault of an accused thief, two Indonesian journalists, associated with CNN Indonesia TV and detik.com were suddenly assaulted by people of the Islamist groups. The first journalist was forced to delete his recorded video, while the second one was forced to hand off the camera that he had utilized for recording the incident. Both of them were even scratched and beaten since they were reluctant to do so.

Consequently, the editor-in-chief of CNN Indonesia TV and detik.com reported this violence against their journalists to the Indonesian Police and demanded justice.

Depletions of the Indonesian media and journalists' freedom, resulting from the rise of polarized political issues around the Islamic identity, still prevailing in the country that require the government's attention to protect journalists and their rights.

The Rise Of Polarized Political Issues Driven By Islamic Identity And Depletions Of The Indonesian Media And Journalists' Freedoms

As compared to secular nationalist-based populist communication strategy, Islamic-based populist communication strategy was exploited by the presidential candidates much more. They did so intensively within the last three months, before the election was conducted.

Extraction of the in-depth interview data reveals that increasing polarized political issues around Islamic Identy carried out visible effectsMedia freedomwas declined once Indonesian journalists were forced by owners of the media to be much more cautious, selective and careful while covering and reporting on polarized political issues. When addressing this point, a senior journalist of Inews TV provided the following statement:

We noticed that religious identity, especially Islamic identy, is really matter in Indonesian politics. Indonesia has been populated by more than 90% of Islamic electorates. Political issues and events related with Islamic identity addressed by these candidates would have high news values and could attract not only such Islamic electorates, but also non-Islamic electorates either. Reporting and framing such issues

and events using a horse race game technique actually give us a good chance to elevate the audience and market share of this media. But, we did not adopt such technique since it could make Indonesian electorates being increasingly polarized into Islamic and non-Islamic political lines (J4, personal interview, 3 May 2019).

Similarly, a senior journalist of Kompas TV, confirmed that his media organization took some effort while dealing with the polarized political issues. Hhe stated:

We have seen that within the last couple of months, political issues driven by the Islamic identity have been on the rise in this country. Editor-in-chief of this media and journalists associated with this media really aware that any issue and event related with Islamic vs. anti-Islamic identities could provoke political polarization and even political segregation in this country. These forced us to be much more objective, selective and careful while covering such political issue and event to secure credibility of this media (J1, personal interview, February 22, 2019).

Development of polarized political issues driven by Islamic identity, which was evolved before 2019's election, had strongly encouraged the media owners to intervene the media organisation and journalists. Sensitive, and at times unsafe, coverage of polarized political issues appeared as crucial factors that indirectly defined media and journalists' freedoms in Indonesia.

Islamic identity-based polarized political issues and their impacts on freedom of the Indonesian media organisations and journalists: Self-Censorship versus comercialization strategies

As Islamic identity-based political issues were mainstreaming within the last three months before the 2019's election, freedom that could be exercised by the Indonesian journalists had deteriorated. Most of them could no longer fully feel free while covering and discussing political issues. due to the some reasons. Also, of it was really hard for them to cover and discuss religious issues that fullfill the Islamic people' expectations and inline with the Islamic people' interests.

Consequently, most journalists adopted self-censorshipwhile covering and discussing specific political issues and events that could instigate a tension between diverse groups of Islamic people and between Islamic people and non-Islamic people. With regard to this, a senior journalist of CNN's Indonesia voiced:

We noticed that Indonesia now a democratic country. The media and journalists' freedoms have been already constituted by Laws No.40/1990 and No.32/2002, which respectively, regulate the Indonesian Press and Broadcasting activities. But, as we knew, the state-related actors, in the name of the States or nation interests, could deploy some existing regulations to put us in prison either. There have been also some regulations that actually make us not being immune from threats and violences organized by the non-state-actors, such as Islamic and Islamist groups. These encourage us to adopt self-censorship, especially when we got to deal with some political issues and events that could provoke Islamic and non-Islamic identity sentiments. Self-censorship is applied as one of our exit strategies since such conditions are really visible during the 2019 presidential election (J2, Personal interview, April 2, 2019).

Another senior journalist of Kompas TV stated:

We realized that both of these presidential candidates incorporate Islamic identity as part of their campaign themes and advocate Islamic issues while addressing the Indonesian Islamic electorates. We consider that the ways such issues are framed by the media could polarize Indonesian electorates into the religious identity lines. (In consideration of these), we not merely kept striving covering such issues objective and accurately. We also adopt self-censorship as an exit strategy. Founders and owners of this media are widely acknowledged as non-Moslem. In consideration of this, they always remained us to do so cerefully (J1, personal interview, February 22, 2019).

Besides, some Indonesian media organisations and journalists favoured commoditizing of polarized political issues to maintain and elevate the audiences' share they aimed to target. They did so because most of Indonesian electorates are Moslem. Since they commonly inclined to endorse one of these presidential candidates and needed information regarding the ways each of the presidential candidates advocated the Islamic values, norms and identities, they turned to be the biggest porsion of audiences targeted by the Indonesian media.

In this regard, a former senior journalist of TV One stated:

Most of Indonesian Islamic electorates need to know contemporary information related with Islamic communities they associated with and opinion made by presidential candidates related with Islamic people. We attempted to report such information and highlight such opinion not only as accurate and objective as possible, but also as attractive as possible in order to maintain the audience and market share of this media. But, before we did so, we kept establishing mutual trust and a good relationship with all Islamic leaders (J3, personal interview, 26 June 2019).

Another senior journalist of I News TV addressed:

The news and talkshow programs that cover and discuss political issues and events related with Islamic identity would attract large number of audiences. This suggests that we would get a better chance not only to elevate the rating such programs, but also to get advertisement share. Therefore, such issues and events on the top-list, which are prioritized in the news room and considered by editor-in-chief while formulating editorial policies of this media. These are inline with the business interest of this media owner. But, while doing so, we keep ensuring that we have no crucial relationships issues with the Islamic leaders, especially those who are related with such issues and events (J4, personal interview, 3 May 2019).

The aforementioned interviewees' statements and document review indicated that the coverage of polarized political issues around the Islamic identity not only encouraged most of the Indonesian journalists to adopt self-censorship, but also it stimulated some of them to establish commercialisation strategy to leverage the audience share.

CONCLUSION

This study aimed to explore the impacts of secular nationalist and Islamic-based populist communication strategies, advanced by Prabowo and Jokowi, the two presidential candidates of 2019 Indonesian presidential election, on the Indonesian media and journalists' freedoms and safety.

The findings indicated that Prabowo and Jokowi, as presidential candidates, favoured advancing not only secular nationalist-based populist communication strategy, but also Islamic-based populist communication strategy that constrained most of the Indonesian media organisation and journalists to exercise their freedoms. However, there were also threats and violence that endangered some Indonesian journalists while managing their routine works. Most of these threatened journalists and their media organizations could not fully feel free to exercise their freedoms. To tackle this problem, journalists practiced self-censorship while covering and reporting on polarized political issues. They adopted workable and acceptable ways that could meet with not only the interests of the media owners but also the Indonesian Islamic people/electorates.

The findings showed that advancement of secular nationalist-based populist communication strategy in Indonesian political sphere unlikely dampens both the freedoms of the Indonesian media and journalists. However, development of Islamic-based populist communication strategy, in Indonesian political sphere may further constrain the Indonesian media and journalists to exercise their freedoms.

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ENDNOTES

1   See Data of press freedom ranking 2019. Retrieved from https://rsf.org/en/ranking_table

2   See World Press Freedom Index 2010. Retrieved from https://rsf.org/en/world-press-freedom-index-2010

3   See Worldwide Press Freedom Index 2005 retrieved from https://rsf.org/en/worldwide-press-freedom-index-2005

4   See 2016 World Press Freedom Index. Retrieved from https://rsf.org/en/ranking_table

5   The way Prabowo has addressed such media seem being quite similar with what Donal Trump has done to some US liberal media, such as CNN and Washington Post. Trump relentlessly stigmatized the media, which launched criticism on his presidency as the 'enemy of the people' and producer of the 'fake news' soon after being elected as 45th US President on November 2016. He carried out such behaviour while doing press conferences and communicating to the US electorates through his twitter account (Grynbaum, 2017). Such behaviour has been seen as echoing Stalin' concept of totalitarianism (Graham-Harrison, 2018) and advocating what Hemeleers (2018: 2175) called as anti-media populism.

6   The Five Principles, which are widely known as Pancasila, consists of the following elements: a) Believe in One and Only God; b) A just and civilized humanity; c) A unified Indonesia; d) democracy, lead by the wisdom of the representatives of the People; and e) social justice for all Indonesians.

7   Such elements include advocating the people-centrism, people sovereignty, excluding out-groups (ostracizing the others), making the antagonism between the 'people' and the 'others, attacking the elites (anti-establishment) and invoking the heartland. The existences of such elements could be examined through political statements, interviews, manifestos, speeches, and press releases delivered or propagated by political actors and organizations in the political spheres. See Taggart (2002: 67), Stanley (2008: 102), Reinemann, Aalberg, Esser, Strömbäck, & de Vreese (2017: 14-21), Wirth et al. (2016: 43-51), Hadiz & Chryssogelos (2017: 405), Mazzoleni & Bracciale, (2018: 4-5), Engesser, Ernst, Esser & Buchel (2017: 1111-1113), Ernst, et al. (2017: 1349-1350).

8   The latter is a fundamental individual right of either the non-media or the media-related actors, such as the media owners and journalist, in a democratic system. The former is instead, a principal institutional right of the media as a fourth estate of the democracy (Allen, 2015). It refers to "the right to publish without any prior censorship or license and without incurring penalties, within the limits of other legal obligations" (McQuail, 2000: 146-147). It relates with not only the degree of freedom enjoyed by the media, but also the degree of freedom and access of citizens to the media content. It is considered as being essential to protect not only the 'free and open public expression of ideas and information' (McQuail, 2000: 144), but also the abuses of individual citizens from the state power (Curran, 1996: 55).

9   In this respect, the media owners might claim that they are 'holders of the right of media freedom'. However, it is not the media owner that 'first comes to mind when we seek the holder of the right of media freedom, but, 'it is the journalists and the presenters and, indirectly, the editors who communicate information to us' that should held the right of the media freedom (Koltay, 2015: 66). As the media exist as an institution, the media freedom become 'a right held by this institution' and 'all constituents of this institution are entitled to media freedom' either (Koltay, 2015: 67).

10 Based on this Article, all Indonesian media are allowed to publish or broadcast all campaign materials of these pair of presidential candidates, which did contain the racist and the religious and class identies-based hate speeches, undermine Ideological foundation of Indonesian nation-state, which is Pancasila (the Five Principle), endanger the unity of Indonesia as a nation-state and instigate the violence and civil conficts and wars. Such points are also in line with what have been regulated in Law No.40/1999 about Press (Article No.3, point 1 and 5 point 1, 6 point 2). Such points are also constituted by Law No.32/2002 about broadcasting (Article No.36).

11 Political talkshow programs organized by such news media TV channels wherein I was invited as a political communication commentator could be seen in the following weblink https://www.youtube.com/user/nyarwi/videos

12 It is quite similar with campaign slogan used by Donald Trump when he run for the 2016 US presidential election, which is 'Make America Great Again'.

13 Personal interviews with J5, a journalist of CNN who was assaulted by some of those who have been associated with such group, February 22, 2019.

14 Such populist policies are written in these presidential candidates' political manifestoes sent to the Indonesian general election commissions when they were officially as a pair of presential candidates. Such policies are delivered by these presidential candidates and released or broadcasted by the Indonesian media when they were attending campaign events and rallies and taking part in 5 series of presidential debates organized by such commission. Such policies are related with the security, human right, international relation, diplomacy, defence economic development and strategies and education, human and natural resources and environmental policies policies.

15 Contents of populist policies advocated by Prabowo and Jokowi during such elections overall, share similarities. But, the ways they framed such contents and performed communication style while delivering such contents during campaign events and rallies and in 5 series of presidential debates are quite different. The words and setences selected and used by the first and the second while doing so indicated that the former prioritized developing a guided populist leadership style, while the second preferred combining this style with a distributive populist style. Such developments are really different with type populist leadership style they performed in facing the 2014 presidential election wherein the former advanced such guided populist leadership style, while the latter instead established such distributive populist leadership style (see Aspinall, 2015: 11-12; Hadiz and Robison, 2017: 493).

16 Personal interview with J1, February 22, 2019, J2, April 2, 2019, J3, May 3, 2019 and J5 February 22, 2019.

17 Personal interview with J1, February 22, 2019, J2, April 2, 2019.

18 Personal interview with J1, February 22, 2019, J2, April 2, 2019, J3, May 3, 2019 and J5 February 22, 2019.

19 Islamist goups, in this sense, is understood as groups of Indonesian fundamentalists Islamic people who have been 'seeking to order state and society with the teachings of Islam' (Bertrand & Soedirgo, 2016: 1) and aiming to establish an Islamic state 'based on Islamic law' (Hadiz, 2018: 578).

20 212 is a symbol that originally refers to the date and the month wherein such political protest took place, which are 2 December (commonly labeled as 12), 2016. Such protest is part of what leaders of these Islamic organizations called as as a series of "actions to defend Islam" (Lim, 2017: 412). Regardless of controversial total number of Islamic people who were taking part in such protest, such protest has been seen as the biggest political protest organized by Islamic organisations and

communities in Indonesia (Lim, 2017: 412). Such protest was trigerred by a political statement delivered by Basuki Tjahaya Purnala' (widely known as Ahok, a Christian and Chinese politician who was taking role as Governor of Jakarta in between 2014 and 2017 and re-running for the second term as a gubernatorial candidate in the 2107 Jakarta Gubernatorial Election, during the 2017 gubernatorial election campaign trail to Islamic electorates populated in Thousand Island District of Jakarta. While delivering such statement, he recited Holly Qur'an, Surah Al Maidah verse 51 to warn them for not to be dubed by Islamic leaders who deployed such verse to justify the claim that Muslims should not be led by non-Muslims. In consideration of that such statement insulted Islamic people and communities, those who attended such protest publicly called for the Indonesian court to persecute him using Indonesian blasphemy law and put him in jail.

[21] Both of these media owned by a media baron named Chairul Tanjung who are not associated with either Jokowi or Prabowo.

[22] Personal interview with J5, a journalist of CNN who was assaulted by some of those who have been associated with such group, February 22, 2019.

[23] I have frequently discussed some issues related with such freedoms with him and his colleges during the off-air time when I was invited as a political commentator of political talk show programs organized by such TV channel.

[24] Such program is lively broadcasted by CNN Indonesia in between 7 PM and 8 PM and recorded in the following weblink: https://www.youtube.com/watch?v=LaaOnP29WDM

[25] Such political polarization is inseparable with polarized political issues that took place during the 2017 Gubernatorial Election of Jakarta. In such election, political discourses and sentiments related with Islamic identity and tribe nationalism have been mushrooming (Lim, 2017). Those who opposed an incumbent gubernatorial candidate, named Basuki Tjahaya Purnama or widely known as Ahok robustly framed such political discourses and exploited such political sentiments. Ahok was a running mate of Jokowi while running for 2012 Gubernatorial Election of Jakarta. He replaced Jokowi's position as a Governor of Jakarta in 19 November 2014s since Jokowi run for the 2014 presidential election.

[26] Personal interview with J1, February 22, 2019, J2, April 2, 2019, J3, May 3, 2019, J4, May 2019 and J5 February 22, 2019.

[27] Articles No.3, point 1, No. 5 point 1 and No. 6 point d of Law No.40/1999.

[28] Articles No.3, No. 4 point 1 and No. 5 poin d of Law No.32, 2002.

[29] Article No. 280 of Law No.17/2017.

[30] Personal interview with J1, February 22, 2019, J2, April 2, 2019, J3, May 3, 2019, J4, May 2019 and J5 February 22, 2019.

[31] Personal interview with J1, February 22, 2019, J2, April 2, 2019, J3, May 3, 2019, J4, May 2019 and J5 February 22, 2019.

[32] Personal interviews with J1, February 22, 2019, J2, April 2, 2019 and J3, May 3, 2019.

Section 2

Threats to Media Freedom and the Safety of Journalists in Eastern Mediterranean and African Countries

Chapter 9
A Review on the Safety of Journalists in Turkey:
A Victims' Rights Perspective

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ABSTRACT

In the neoliberal media autocracy of Turkey, mass media are propaganda tools rather than the public watchdogs. The coup attempt in 2016 gave the government additional power to institutionalise this regime. Critical journalists have become the enemies of the state and suffered from threats from various sources. This attack on critical journalism is increasing alongside the deepening of the democracy crises, positioning journalists as victims. This study argues that bridging the fields of journalism safety and victimology would benefit journalists. Therefore, a critical analysis of reports on journalism safety, opponent journalists' social media posts, and related news was performed in order to discuss the possibility and advantages of bridging this gap to help journalists deal with victimisation. The findings demonstrate the acceptance of journalists as a new subject for victims' rights might activate new mechanisms of protection for them. This means searching for new rights can contribute to their physical, mental, and moral recovery.

INTRODUCTION

Since its foundation, Turkey has always suffered from the tensions between political system and civic rights, and the ties between democracy and journalism were never strong enough to generate a sustainable liberal-pluralist set of media norms as in the West. Therefore, journalism could not fulfil its role as a "watchdog," which liberal democracies expect (Sözeri & Kurban, 2012). In most studies on Turkish media, regarding Hallin and Mancini's (2004) work on comparing media systems' relation with politics, despite several differences, Turkey can be classified as a "polarized pluralist model" (Bek, 2010; Özçetin & Baybars-Hawks, 2018). It is a media system dominated by state intervention and ideological biases, and by a low level of professionalism and comment-oriented journalism. However, since the beginning of the 20th century, the fluctuating democracy adventure has followed a very dark path. Particularly, since the very beginning of their time in power in 2002; AK Parti (AKP) implements policies that change the institutional structure of the country and which dramatically affect the media system (Akser and Baybars-Hawks, 2012, p. 306). The conditions have been severed by the recent witch-hunt following the failed coup of July 15, 2016, and the subsequent societal collapse triggered by the administration of the state of emergency. Along with fundamental rights, freedom of expression has been stamped out. Now, ironically, only pro-government constituents' and government organisations' rights to insult, target and slander opponent politicians, academics and journalists are strictly protected concerning constitutional liberty (The Media and Law Studies Association, 2019). The rest may be prosecuted, beaten, arrested and spend years in prison.

Today, Turkey's name appears among countries where constitutional democracy is side-lined and run by autocrats. For example, Turkey ranks 109th out of 126 countries assessed in the 2019 Rule of Law index of the World Justice Project (World Justice Project, 2019). The report highlights the lack of control mechanisms over the government and the problems regarding fundamental rights. Moreover, Turkey ranks 123rd among 126 countries on the constraint on government powers scale and 122nd on the Fundamental Rights scale.

In this respect, Akser and Baybars-Hawks call the partisan media order, in which the close relations between the ruling party and commercial mass media around their common interests are produced, as "neoliberal media autocracy" (2012, p. 320-321). Consequently, commercial mass media is intertwined with power through material and immaterial ties (Media Ownership Monitor, 2016; Sözeri, 2015). The failed coup attempt in July 15, 2016 gave additional and immense power to the government to institutionalise and strengthen this order. As part of the state of emergency measures, along with many news organisations deemed as the media pillar of the coup plotters, many opponent news agencies, TV channels, radio stations, newspapers and magazines were shut down, several journalists imprisoned and hundreds of others dismissed (Article 19, 2016; Akser, 2018).

Critical journalism in the post-2016 period is carried out by a few economically weak TV channels, Turkish pages of international news agencies (mainly the BBC and DW) on social media, entrepreneurial journalism activities run by mostly unemployed ex-professionals through their social media accounts, three to five low circulation newspapers from the left-socialist tradition and the individual efforts of activist citizen journalists. Additionally, it is appropriate to mention Fox TV, a Turkish subsidiary of an international monopoly, which remained in the centre-right opposition. It is impossible to mention neutral and objective professional journalism based on factual truth, as the liberal press theory (Allan, 2004; Curran, 1991: 22-23) suggests, of the balancing and supervisory functions in democracies and the related constitutional rights in Turkey. Individuals who do justice to journalism in Turkey are deemed

by the government as terrorists rather than journalists and are condemned as criminals at every opportunity (Özçetin & Baybars-Hawks, 2018). On one hand, professionals, semi-professionals and amateurs who continue their journalism practices against all odds, demonstrate how journalism definitions and practices have undergone change and transformation; on the other, they are constantly victimised and subjected to the power's so-called legal and non-legal violence.

As stated above, Turkey is an extremely dangerous country for critical journalism. First, it is the largest journalist prison in the world, according to recent data (Council of Europe [CoE], 2019). As noted by the European Federation of Journalists and the Turkish Journalists' Union, nearly 150 journalists and media workers are in prison at present (European Federation of Journalists, 2019; Türkiye Gazeteciler Sendikası, 2019). Additionally, in the last three months, which included the local elections times, at least 10 journalists were attacked and 14 were taken into custody. Many journalists are prosecuted for crimes such as insulting the president, terrorist organisation membership, propaganda of a terrorist organisation, aiding and abetting terrorism, defamation of the state elders and opposition to the laws and are being sentenced to years of imprisonment and large fines (Bağımsız İletişim Ağı [BİA], 2019).

Eventually, the unjust treatment of journalists, who strive to lead an honourable life under such threats and attacks and try to protect the dignity of their profession cannot be limited to a political assessment through the framework of the relationship between democracy and media. A new and more humane perspective that addresses issues related to journalists and journalism from the framework of the rights of the victim is necessary. The recent Victims' Rights Movement, the decisions and directives of supranational institutions such as the United Nations (UN) and the European Union (EU) for legislation of victims' rights in the national framework, and subsequent amendments in national laws, are closely related to studies on journalists' safety. However, no academic studies were found on this issue. Journalists are not mentioned among "victims" and "victim groups", which gained legal status in different levels in various countries including Turkey and benefit from the related rights. Therefore, this chapter aimed to analyse the possibility of bridging the gap between victimology and journalism safety studies with the help of critical analyses of the data gathered from the bleak mediascape of Turkey. For this study, the data were collected from the national and international media reports, victimised journalists' social media posts and related news. Overall, this chapter argues that victimization studies with a history of at least 50 years, could provide an angle to view journalists from a new, more humane and empowering perspective.

BRIDGING JOURNALISM SAFETY AND VICTIMISATION

Journalism Safety and Victimisation

Freedom of thought and expression are fundamental rights that have been defined from the inception of the first regulations on human rights and are a prerequisite for many other rights. Therefore, in line with the libertarian thought in general and liberal theory of press freedom in particular, journalists try to fulfil their public responsibilities and democratic monitoring roles defined in the public sphere based on this theoretical approach. In short, the existence of pluralistic, independent and free media is indispensable for free citizenry and healthy democracy (Allan, 2004; Curran, 1991; Kovach & Rosantiel, 2001; Siebert et al, 1956).

Unfortunately, neither the libertarian thought nor the professional ideals of journalism have ever been strong enough to protect liberal democracy. The history of threats to freedom of thought and expression

dates back to when these rights were defined. However, the global authoritarianism trend that matches neoliberal economic policies has created new formats for these threats. Along with traditional censorship, auto-censorship, oppression and even journalist murders (Carlsson & Pöyhtäri, 2017, p. 12), journalists frequently become victims of technology monitoring and surveillance mechanisms in the network society (Clark & Grech, 2017; Pen International, 2015).

The "democracy crisis" caused by the global authoritarianisation trend, also exists in the UK and USA (countries considered the cradle of liberal democracy) and Northern European countries, which have headed democracy and freedom of expression indices for decades. Opposing voices, especially those of critical journalists, are also trying to intimidate in various ways in these countries. In many cases, the impunity of attackers leads to irreversible damage to the relationship between media and democracy (CoE, 2019). The Freedom House report (Dunham, 2017) demonstrates that a multidimensional and intertwined choir of attackers usually consisting of authoritarian leaders, oppressive governments, state armed forces and para-military groups and various crime organisations, is behind the threats and attacks against journalists. Therefore, confrontation by those legally in power, who are also much stronger than the individual journalists, and constant exposure to threats, harassment and attacks by these powerful groups became a problem for the future of journalism safety, freedom of thought and expression and democracy in the country.

The professional organisations' and non-governmental organisations' efforts for journalism safety against the states, which are indifferent to the rights and do not hesitate to entrench upon these rights, enabled concrete steps to be taken in the last decade. Supranational organisations such as the UN and the EU are developing relevant strategies and action plans. In fact, when we look at the founding philosophy of these institutions, it is seen that humanist thought and liberal democracy are dominant (e.g., UN Charter art. 1, para. 2,3). In this respect, the main aims of these institutions are to protect and strengthen all civil and political rights. Therefore, specific efforts are made to protect the freedom of expression, association and protest against the attacks of authoritarian states and also to prevent and compensate the victimisation stemming from these attacks.

Such organisations have been devoted to research on journalism safety and many reports have been issued on this subject. Similarly, many legal regulations focusing on journalists' safety have been issued. The first UN strategy pioneered by United Nations Educational, Scientific and Cultural Organization (UNESCO) was "The UN Plan for Action on Safety of Journalists and the Issue of Impunity", approved by the UN Chief Executives Board in 2012. In 2015, the European Council established the Platform for the Protection of Journalism and the Safety of the Journalists (European Union Agency for Fundamental Rights, 2016; Mijatovic, 2011; UNESCO, 2018). While these institutions have little or no sanctionable power on oppressive states, they try to protect the freedom of media and safety of journalists based on international agreements and international criminal and human rights courts' decisions. They also consider the influence of non-governmental organizations (NGOs) and global public opinion.

Academic research on journalism safety indicates that a new subfield of journalism studies has emerged in recent years (see Andreotti, 2016; Carlsson & Pöyhtari, 2017; Cottle, Sambrook, & Mosdell, 2016). These seminal works on journalism safety, compile dozens of case studies from different countries discussing the safety issues of journalists with their relation to democracy. Possible strategies and solutions for unsafe conditions that journalists face, and challenges related to the issue of safety of journalists were critically examined with local, national and international perspectives (Fadnes, Krøvel & Orgeret, 2019; Høiby, 2019). Although journalists have been referred to as crime victims in studies on journalism safety, almost none include any association with the concept of 'victim' as the victimol-

ogy subject nor any references to victim's rights. Few studies partially established such association; and they only addressed psychological problems experienced by journalists exposed to traumatic events such as natural disasters, homicides and accidents (Buchanan & Keats, 2011; Newman, Simpson, & Handschuh, 2003). However, issues such as who the victimized journalist is, why he or she was victimised, what they possess to cope with the victimisation, how they can be compensated for material and moral damages, their defence under laws and how they can continue living as healthy individuals are excluded from these studies.

Gass, Martini, Witthöft, Bailer and Dressing's (2009) research on the stalking victimisation experiences of German journalists and Kodellas' (2012) study on the workplace victimisation experiences of Greek and Greek-Cypriot journalists are pioneering studies. Both contain data on the causes of journalists' job-related grievances: the frequency of victimisation based on age, gender and work experience, the social, psychological and medical consequences of victimisation, and partially, how colleagues or superiors provide support. For example, while Gass et al. (2009) indicate that journalists may be exposed to stalking victimisation due to their public work and openly sharing their personal views and attitudes, Kodellas (2012) argues that the routine activities of journalists may also be subject to workplace victimisation. Although both studies emphasise the need for primary and secondary preventive strategies such as the establishment of training programmes for the types of victimisation they are subject to, raising awareness about journalists' work that may lead to victimisation do not provide concrete recommendations on journalists' rights as victims and how to defend these rights. Furthermore, journalists who have been the victims of anti-democratic practices are not included in these two studies.

In this context, this chapter argues that basic questions such as "'what is journalism?" and "who is a journalist?" and updated answers to these questions should be included on the basis of the bridge to be established between victimisation studies and the new literature on journalism safety in parallel with economic, political, cultural and technological developments. This study, following the theory of humanism and liberal democracy, which also forms the philosophical background of the UN and the EU, discusses the possibilities for establishing this link. After briefly overviewing the victimisation studies, the subject of these studies is discussed and the possible links between this and the definitions of current journalists assessed in the sections that follow.

Victims' Rights

Victims were accepted as a subject of academic debate in the late 1940s, in Hans von Hentig's 1948 study *The Criminal and His Victim*; and for a few decades, they were only included in criminology studies, associated with crime and placed in a secondary position. Benjamin Mendelhson, who used the term victimology for the first time in 1947, claimed that nature, social environment, technology and even the individuals themselves should be taken into account in the definition of victims, just as with criminals and he initiated the general victimisation approach in the 1970s (Kirchhoff, 2010). In order to ensure practical assistance, mutual support, and involvement in the criminal justice process and to allow the victims to become stronger and gain control of their lives again, the expansion of the definition of victims and placing them in the centre of victimology studies also triggered the Crime Victims' Rights Movement. The movement demanded broader rights for the victims and also carried out activities such as raising awareness in society and restoring the justice system to focus on the victims in its centre (Karmen, 2016). Various legal achievements were obtained from the 1980s in the countries in which the movement was active. For example, the first legal regulation regarding victims' rights was accepted in

the US Congress in 1982 and with the Crime Victims' Rights Act entering into force in 2004, concrete rights such as the protection of victims from attacks, inclusion in judicial proceedings, reasonable trial proceeding times, and fair treatment while safeguarding the victim's dignity were granted.

In the EU, the need to protect victims in legal proceedings was first discussed in the late 1990s: the victims' rights were regulated with the Council Framework Decision 2001/220/JHA of 2001 and the Victims' Rights Directive adopted in 2012. According to Article 9 of the Directive:

Crime is a wrong against society as well as a violation of the individual rights of victims. As such, victims of crime should be recognized and treated in a respectful, sensitive and professional manner without discrimination of any kind (…). In all contacts with a competent authority operating within the context of criminal proceedings, and any service coming into contact with victims, such as victim support or restorative justice services, the personal situation and immediate needs (…) of victims of crime should be taken into account while fully respecting their physical, mental and moral integrity. Victims of crime should be protected from secondary and repeat victimisation, from intimidation and from retaliation, should receive appropriate support to facilitate their recovery and should be provided with sufficient access to justice. (Directive 2012/29/EU)

Based on the notions of general victimology, which became more widespread after the 1990s, and victims' rights approach, the very limited definition of crime in legal texts was expanded to include all kinds of ill-treatment and neglect and victims were identified as encompassing a wide variety of individuals. While this is not covered by any provisions in legal texts, the fact that the individuals feel harmed and are defined in such a manner, also points to the existence of victimisation and in this respect, the term victimisation is used in the broadest sense possible to include all kinds of injustice, loss, damage, harm, torment, and pain (Fattah, 2010, pp. 49-55). Accordingly, victimology is defined as a field of study that examines the physical, emotional and financial difficulties, and harms and losses that individuals are exposed to due to illegal acts or injurious and deceptive practices not yet regulated by the laws. Furthermore, the radical left/critical trend in victimology assumes that victims might not be particular individuals but whole groups of people, according to their age, sex, race/ethnicity, religion, social class, political orientation, employment or residency characteristics (Karmen, 2016, p. 2; 23).

Journalists as Victims

According to this perspective, journalists, who have a job that requires being in contact with a large number of people (Gass et. al., 2009), with high stress levels (Reinardy, 2011) and are politically engaged, are potentially exposed to socio-professional victimisation. Socio-professional victimisation, which is broadly defined as "any action, incident or behaviour that departs from reasonable conduct in which a person is assaulted, threatened, harmed, injured in the course of, or as a direct result of their work" (International Labour Organization, 2003, p. 4), is a comprehensive concept that includes all the threats and draconian conducts of the regime and its partisan stakeholders targeted at journalists.

Although the basic texts on victimology treat different people and groups as victims[1], media and journalists are often witnesses of others' victimisation (Beam & Spratt, 2009; Newman, Simpson, & Handschuh; 2003) or are victimiser/re-victimisers (Fattah, 1992; Karmen, 2016; Mulley, 2001; Tandon, 2007). However, in terms of radical left victimology, the transformation that neoliberal authoritarianism has forced onto journalism in the last few decades has fuelled victimisation of journalists.

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While neoliberal policies are making powers more authoritarian, they also depict themselves in the media economy as horizontal/vertical integration and concentration of media ownership. The "democracy crisis" (Bennett, 2017) deepens with decisions related to the public being taken behind closed doors, the gap between citizens in terms of economic and political rights widening, the weakening of political and cultural rights by public authorities and even ignoring such rights in countries like Turkey. The media has one of the main roles in this process and has since abandoned the fourth estate role attributed to it by the liberal press theory for the interests of the large monopolies that own it. In the news media of the post-truth climate, which appears to be one of the consequences of neoliberal authoritarianism, the boundary between public relations (PR) experts and journalists has become ambiguous (Bennett, 2017; Harcup, 2013, p. 161; McChesney, 2012). In this environment, where ethical codes become meaningless, social trust in the profession is also diminishing (European Commission, 2019). This is not unique to Turkey. Post-truth's rising simultaneously with authoritarianism and the degeneration of the journalistic profession is global.

Information and communication technologies developments also have a serious impact on professional journalism. The internet infrastructure that makes instant global communication possible has increased global commercial competition. Additionally, the tendency to benefit from artificial intelligence, flash information flowing from the social media accounts of the elite and even ordinary citizens, and from freelancers, stringers, fixers, citizen journalists and bloggers causes newsrooms to shrink and the profession to become precarious (Deuze, 2019; van der Haak, Parks, & Castells, 2012). In the new media world, where ordinary individuals gather, write and distribute news, perceiving journalism not as a profession but a citizen activity performed with different motivations by different people and circles seems more realistic.

Considering these transformations, UNESCO suggested new definitions for journalism and journalists at the beginning of this decade. Accordingly, the former is considered as an activity that constitutes a necessary service to people in planning and expressing their thoughts and taking decisions and dealing with democratic processes and the latter consists of individuals who observe and describe, document and analyse events, statements, policies, and propositions that can affect society to systematise such information and gather facts and analyses to inform society sectors or society as a whole. Such a definition of journalists focusing on their function and service rather than their occupational/professional status includes a range of actors such as media workers, community media workers, citizen journalists, bloggers and others who engage in self-publishing in addition to professional full-time staff (UNESCO, 2015, p. 2).

In this media environment, where the conception of a journalist as a professional identity is weakened and thousands of people performing as reporters are deprived of the rights which come with the identity of journalist from the very beginning, there is evidence that critical, investigative and independent journalism practice should be deemed as one of the most dangerous activities of the neoliberal era (Carlsson & Pöyhtari, 2017; Cottle, Sambrook, & Mosdell, 2016). Many instances of unwarranted interference (Clark & Grech, 2017) with journalists remain unreported and are excluded from legal statistics and the risk of the interventions they face during their professional roles are accepted as the "nature of this profession" and "normalised" arises. How they can be protected when the rights recognised by the laws (particularly freedom of expression and the right to information, the responsibilities of affiliated media organisations towards the journalist, the protection of trade unions and related non-governmental organisations and the supportive power of society) weakens is a serious issue.

Victimology studies can contribute to journalism safety studies through the definition of "victim" and from the perspective of victims' rights. Identifying journalists under threat and journalists who are

victims of minor and/or major crimes in the light of the definition of victimology studies may be useful for the empowerment of both the new-generating citizens outside of this profession and the highly vulnerable journalists behind the weakened professional shield. "Journalists as victims" can become a natural element of the Victims' Rights Movement and gain a new national and international legal and social value, both from a perspective of enacted rights and from the solidarity networks evolving around them.

This chapter aims to establish a conceptual bridge between the two research fields to contribute to journalism safety studies from a Turkish context. The cases are on victimised journalists and journalists who became victims. Moreover, the study also reveals how they have healed and restored themselves and what they have done in terms of maintaining their journalistic activities. Additionally, while there is no Victims' Rights Movement in Turkey yet, it is of utmost importance to assess journalists who can be deemed as a frequently victimised social group in the framework of the awareness and rights created by this movement. Further studies in this field can raise awareness about this issue and may even provide suggestions on how journalists can be empowered.

MATERIALS AND METHOD

To understand victimisation of journalists in Turkey, data from reports on journalism safety, freedom of thought and expression along with social media posts of opponent/independent journalists and related news published in the media are discussed in this study. Types of victimisation that journalists are exposed to, the actors causing such victimisation, and which solidarity networks support them have been determined.

The classification of actors who threaten journalists is based on Freedom House's 2017 Press Freedom report (Dunham, 2017), where threats are listed as heads of state, trolls, security forces, violent groups, judges and media owners. Based on the consistent threat in terms of Turkey, Kodellas' (2012, p. 30) typology of violent behaviour in the workplace has been used for classifying types of victimisation journalists are subjected to. Accordingly, simple or aggravated assault, vandalism, theft, robbery, rape and homicide are deemed as physical violence, while cessation of verbal communication, ostracism, gossip generation and dissemination of false information, discrimination, offensive gesturing, threats or intimidation, bullying, mobbing, stalking and harassment are deemed as psychological abuse.

Opponent/independent journalists, who are studied in the analysis, and their grievances were selected after the 2016 coup attempt. These are also important and comprehensive cases of representational quality that enable us to understand the recent intensification of victimisation in the context mentioned above. The types of victimisation according to the perpetrators are below, and the resistive moves developed by journalists in solidarity networks are subjected to a critical evaluation that follows. By doing this, the chapter aims at critically analysing the possibility of bridging the gap between victimology and journalism safety studies, and providing an angle to view journalists from a new, more humane and empowering perspective.

FINDINGS

Resilient Victims

It can be said that all the threat elements discussed below are linked to the single man at the head of the power and the hierarchical commitment to his political will. While security forces, courts and media owners connected to the leader are the legal faces of the threat, social media trolls and offensive gangs are its illegal face. As well as direct victimisation cases caused by attacks that violate laws, journalists also experience indirect victimisation cases caused by attacks that violate their rights to work and freedom of expression that render them incapable of work even though these may not be deemed as direct crimes (Strobl, 2010).

Direct victimisation cases usually occur as attacks involving psychological or physical violence (Kodellas, 2012). Psychological attacks are manifested by various forms of discursive violence such as targeting, hate speech and humiliation. They intend to intimidate, neutralise and even silence through self-censorship while damaging reputation. Targeting also paves the way for physical violence that threatens the integrity of journalists.

Primary Perpetrators of Psychological Violence, Heads of State

The main perpetrators of such attacks are heads of state. Targeting, political fanaticism, whistleblowing and tagging are deemed acceptable among the members and partners of the ruling party and by bureaucrats. For example, President Recep Tayyip Erdoğan targets media members along with the opposition in his public meetings. A recent example concerns Fatih Portakal, main news presenter at Fox TV, the last remaining channel that is independent of commercial mass media's power. After Portakal's speech on how Turkey suppresses individual and social opposition, Erdoğan targeted him and stated that if he does not know his place, the nation and the courts will punish him (International Press Institute, 2018; Pişkin, Tarcan, & Adal, 2018). Erdoğan's aggressive discourse is reproduced by other political and bureaucratic figures in different situations. For example, after the presidential and parliamentary general elections in June 2018, MHP[2] leader Devlet Bahçeli, government partner, revealed a list containing 70 journalists, writers, academics and poll company owners who criticised him and his party, with a full-page advertisement for the partisan media (BIA News Desk, 2018b). Before the local elections in June 2019, Muhammet Safi, the Head of the Presidential Archive Department, shared the list of celebrities and popular artists who supported the main opposition party, CHP's[3] Istanbul mayoral candidate, Ekrem İmamoğlu, from his Twitter account (BIA News Desk, 2018c), which is a similar exposure and targeting move.

In doing this, the government becomes the catalyst for the escalation of psychological and even physical violence. Yet, the actual work is carried out by prosecutors, pro-government journalists, militant social media celebrities or trolls and also security forces and violent groups who accept these statements as their own. The "Media Monitoring Reports" issued by The Independent Communication Network (BİA), show that the violence against journalists has been escalating since 2016. (BİA, n.d.) For example, 423 of the over 500 interventions on journalists between 2016 and 2019 belong to judicial bodies. Third-party attacks and threats comprise 78 of these cases, and others are cases such as lawsuits and preventing journalists from doing their job. More than 200 judicial interventions were conducted under the Turkish Penal Code and 74 under the Anti-Terror Law (BİA, 2019).

Courts as the Discipline Means of the Power

With the transition to the presidential system, the judiciary became more intertwined with politics, and the courts became the means of intimidation and discipline of power. Many journalists, including professionals and citizens, working for local, national and international media, are only victimised for reporting people close to the government. For example, local journalist Yeliz Koray who wrote about the first anniversary of the 2016 coup attempt was imprisoned for "inciting hatred and hostility in the public" (Özdilek, 2017). Pelin Ünker, who reported on the Panama and Paradise Papers files for the Cumhuriyet newspaper, a centre-left opposition newspaper, was also imprisoned and fined for "slandering and defamation" of the Prime Minister and the Minister of Treasury (Adal, 2019). There are also investigations into Metin Cihan, a social media journalist (citizen journalist) following a murder involving an AKP[4] mayor, judiciary and security forces. Cihan deems this as an attempt at an intervention to make him pay instead of highlighting the murder case (Cihan, 2019).

Protests for freedom of thought, the prosecution period to be spent in jail illegally and heavy penalties for journalistic activities have become the standard practices of the new regime. The Human Rights Watch 2019 report points out that courts have ruled politically motivated punishments against journalists (Human Rights Watch [HRW], 2019).

The Propaganda Centres of the Regime, Partisan Media and Trolls

The partisan media and social media trolls, the propaganda centres of the regime, deepened the victimisation initiated by heads of state via publishing biased and false news. The AKP supporter group called Pelikancılar[5] and the social media army called AK-Trolls[6] do this.

Social media troll attacks take many forms such as death threats, rape, betrayal claims, dissemination of false information about journalists, generation of fake photos, distorting the context of their statements and hacking social media accounts to disclose private messaging. For example, a Turkish hacker group named Ayyıldız Tim has hacked various Twitter accounts of many opponent journalists since 2016 and posted slander from their accounts or disclosed them through direct messages. Online psychological violence also involves sexual harassment. For female journalists, the attacks are sexual insults and swear words (Özdilek, 2017; Alphan, 2019a); for male journalists, it generally takes the form of sexual threats and insulting their relatives, especially their spouses (Cumhuriyet, 2017).

An example of pro-governmental media and troll-backed attacks took place during the 2019 local elections propaganda campaign against İsmail Küçükkaya, Fox TV's morning news host. Küçükkaya, who held an open session with two candidates leading the race in İstanbul, was accused of giving the opposition party's candidate an advantage by having a secret meeting with him before the broadcast, after the announcement of President Erdoğan following the session (Yeni Şafak, 2019). Shortly after the allegations appeared in the headlines of six of the newspapers close to the government, a social media lynch was initiated against the journalist (Takvim, 2019).

Pro-Government NGOs and Journalists

The propagandists, who exist in the media and social media under the title of journalists, also link with NGOs and continue to threaten and sabotage opposition journalists with their findings and statements on current issues. For example, in the case of Küçükkaya, the International Association for Media Informa-

tion (UMED), which consists of pro-government journalists, pressurised the journalist to resign without waiting for the allegation confirmation and a social media lynch followed (UMED, 2019).

However, the threat to critical and independent journalists, who have long been the subject of all forms of violence from those in power, gained a new dimension in July 2019 with the July 2019 report of the power's think-tank Foundation for Political, Economic and Social Research (SETA). The report, a product of intelligence activity, re-targets journalists recruited by the Turkish departments of international media organisations such as BBC Turkish, DW Turkey and Sputnik Turkey, after being dismissed from the commercial mass media that belongs to the pro-government Turkish conglomerates. Shortly after the publication of the report about the new opposition party to emerge from within the ruling party, AKP in Yavuz Oğhan, İsmail Saymaz and Akif Beki's programmes on Sputnik Turkey, the programmes were cancelled (Beki, 2019; Oğhan, 2019).

Meanwhile, FH's report does not mention partisan media, pro-government journalists and civil society organisations linked to the power as the elements of threats, which are widely used in pressure and attacks against freedom of expression in Turkey. Thus, the title above can be seen as a contribution from Turkey to the classification of threats.

Physical Violence and Impunity Caused by Security Forces and Violent Groups

Victimisation, which is often discussed regarding its psychological dimension, can turn into physical violence in the hands of various individuals and groups. Many resources that list threats and attacks against journalists in Turkey emphasise that police violence against journalists has escalated since 2016 (Öğret, 2019). Journalists are assaulted not only by the individuals they are reporting about, but also by security forces, with their equipment often getting damaged or confiscated. Reports indicate that the Kurdish media, particularly those supposedly associated with the Kurdish armed struggle against Turkey, have been subjected to such violence (HRW, 2019). For example, police raided the newspaper Özgürlükçü Demokrasi in March 2017 and the printing house and its assets were seized. The newspaper was closed by a decree in July 2018 and five employees were imprisoned.

Offending gangs are often nurtured by the threatening rhetoric of the power and are fed by the disproportionate violence of the state forces. Many of these groups are bound to the power by visible and invisible strings. For example, opponent journalists targeted by Ak-Trolls are subject to verbal abuse and occasional physical violence from paramilitary groups intertwined with mafia organisations. Unfortunately, attackers are never arrested and those who apprehended and punished, are only punished with mild penalties; this rather encourages more of such crimes and creates an atmosphere of impunity. International professional organisations are voicing their concerns that the state of impunity will alienate journalists from doing their jobs, strengthen the climate of fear and further undermine Turkey's democratic credibility (T24, 2019). Nevertheless, even the proposals submitted to the National Assembly (TBMM) for the investigation of the attacks on journalists are rejected by the ruling party's and its nationalist partner's votes (Birgün, 2019; Sputnik, 2019) and the judicial proceedings rapidly initiated progress in favour of the attackers (Kızılkaya, 2019). A recent example is Alaattin Çakıcı, an imprisoned criminal who threatened to kill six Karar newspaper authors for criticising the Cumhur Presidential Alliance formed by AKP and MHP after the 2018 elections (BIA News Desk, 2018a). The fact that no criminal suits have been filed against Çakıcı, reinforces the atmosphere of impunity.

Precarisation

While not always considered illegal, journalists become victims of certain regulations and practices that violate their right to work and freedom of speech and render them unable to work. Precarisation is an ongoing threat for journalists. In particular, the opponent voices working in media organisations that have changed hands after the interventions of the government, are quickly dismissed. For example, after the acquisition of media channels belonging to Doğan Holding by pro-governmental Demirören Group in May 2018, many programme producers from Kanal D and CNN Türk were dismissed (İleri Haber, 2019). Additionally, the discussions on these individuals who were dismissed from Sputnik and other media outlets that criminalised and closed after the coup attempt are still ongoing in Turkey.

Prevention of Internet and Social Media Broadcasts

The government, which ensured that the commercial mass media has a single voice due to acquisitions and liquidations, by activating its monitoring and surveillance mechanisms, destroys the limited number of independent broadcasting opportunities the Internet offers. For example, the authority to block access only given to the Directorate of Telecommunication and Communication (TİB) and the courts in 2007, was granted to many administrative public institutions and organisations through amendments to the law, thus facilitating the enforcement of this sanction. Indeed, international and national non-governmental and professional organisations' reports indicated that Internet censorship and blocking access in Turkey is gradually increasing and they state that such practices are used as weapons against opponent media. A recent example is the Freedom of Expression Association's (İFÖD) Engelli Web 2018 report (Akdeniz & Güven, 2019), which states that in 2018, access to a total of 54,903 sites, including 3,306 news website addresses was barred. According to the report the access-blocking league table, of the first 20 news sites with the highest number of access barring, 15 are opponent publications (p. 18).

The same applies to social media posts. According to Twitter's Transparency Report, 14,002 requests to remove tweets from Turkey were submitted in 2018, 497 accounts were removed and access to 1,819 tweets were barred (Twitter, 2018a; 2018b). Because of İleri Haber's and Dokuz8 Haber's (two of the few independent news platforms) Twitter accounts were suspended due to copyright infringement on some of the contents they published on the eve of the 2019 local elections, the risk that Article 13 of the EU Copyright Regulation would turn into a weapon against alternative media even before it was approved was discussed (Biçici, 2019). Furthermore, the regulation, which came into force in August 2019, authorising the Radio and Television Supreme Council (RTÜK) to license and monitor Internet broadcasts, sparked a new censorship debate. This regulation determined inflated licence fees and penal sanctions causing independent journalist platforms to be unable to broadcast within Turkey (Özbek, 2019).

Resistive Strategies within Solidarity Networks

Despite these problems, independent and opponent journalists and media outlets continue to resist. Their insistence on continuing their journalism practices is maintained with the support of online and offline solidarity networks. International and national professional organisations and colleagues, non-governmental organisations, trade unions, political parties, grassroots movements and readers/followers who support fundamental rights and freedom provide support for the journalists under threat. They arrange public pressure campaigns, follow up legal procedures as well as provide pecuniary, psychological or

advocacy support when needed for journalists who have been attacked, threatened, tortured, taken into custody, arrested or convicted for journalistic activities. In an environment where fundamental human rights are blatantly disrespected, there is little power left in the hands of journalists from the solidarity networks and the various support activism within these networks.

Defence moves against heads of state attacks are counter-campaigns that target the source of the threat or lobbying activities for the announcement and prevention of the threat with the support of national and international journalism organisations. The annual press freedom indices and reports produced by these organisations and institutions such as the United Nations and the European Union, which are required to produce policies on these issues, are considered as the most concrete products of such efforts. For example, in July 2019, International Press Institue's report "*It Won't Always Be Like This: How to Prepare Turkey's Journalists for a Freer Era*" highlights the threats to quality and independent journalism in Turkey and freedom of expression under three pillars: imprisonment and other physical threats, mass dismissals and other economic threats, and censorship, self-censorship and other professional threats (Kızılkaya, 2019, p. 4-7).

Some of the solidarity efforts include offline initiatives such as launching protests and signature campaigns under the "Journalism is not a crime" title, issuing press releases asking for the liberation of imprisoned journalists and for the conclusion of cases in a reasonable time and online campaigns using hashtags with the names of these journalists or their lawsuits. Additionally, platforms such as Presse in Arrest, Jailed Journos, Punto24 Dava Takip, ExpressionInterrupted and Çetele follow and document developments on freedom of expression and journalist proceedings.

Disclosure of victimisation on social media, making news and filing criminal complaints against the responsible and honouring of victimised journalists through professional solidarity are some of the efforts. For example, foreign newspapers, Bianet, GazeteDuvar, T24 and other opponent news outlets in Turkey reported Pelin Ünker's proceeding. Additionally, the articles causing her punishment were awarded many prizes in Turkey and abroad. Finally, in March 2019, Ünker was named one of the 10 most threatened journalists by One Free Press Coalition (One Free Press Coalition, 2019). She was awarded IRE's Don Bolles Medal for Courage Award by Investigative Reporters and Editors (Investigative Reporters & Editors, 2019).

The fight against trolls to protect victimised journalists from repeated victimisation and intimidation follows a similar path. Journalists often disclose the identity and lies of slanderers to report the crimes and minimise the impact of the social media lynch that started after the link within solidarity networks which includes rights-oriented activist citizens. Activating followers to file complaints about these individuals and getting their accounts suspended is another step in this process (Alphan, 2019b).

Moves to facilitate the dismissed victim journalists' recovery process comes from the journalists who have suffered a similar process. For example, after the dismissals at Sputnik, Adnan Bulut the Director General of the opponent KRT television made an open call to these three journalists to make their programmes with KRT (Bulut, 2019). Likewise, Yeliz Koray, who had to resign due to the reactions to her article, was offered a job at another opponent newspaper (ABC Gazetesi, 2018). Çağlar Cilara, who started broadcasting on YouTube after being dismissed from three different television channels within three months is another example. After the Sputnik incident, Cilara stated that he would host the new party's founder on his channel and expressed his reaction to the restriction of freedom of expression (Cilara, 2019).

Furthermore, there has recently been an increase in the media democracy funds transferred from western countries to Turkey. Professional organisations and some non-governmental organisations receiving these

funds pay small royalties for news pieces by unemployed journalists. Another unemployed journalists' humanitarian and professional defence mechanism is trying to create an autonomous journalism field outside the commercial media. For example, popular names such as Ünsan Ünlü, Şükrü Küçükşahin and Gökhan Özbek continue their journalistic initiatives through social media and using crowdfunding. The former editor-in-chief of Cumhuriyet Newspaper Can Dündar continues journalism at #Özgürüz media founded in Germany supported by the German investigative platform Correctiv.

The ways in which regularly victimised journalists confront and deal with victimisation and the resistive strategies they use can contribute to their physical, mental and moral recovery at different levels. Solidarity networks can become shelters where they are protected from secondary and repeat victimisation and provide means of access to justice. This study argues that all these resistive strategies could strengthen the shield that journalists already have, only if professional organisations, unions and NGOs working in the fields of freedom and safety of journalists organise large-scale campaigns collaborating with NGOs and supranational organisations working on victims and victims' rights with a more humanistic perspective. Even though, journalists do not usually define themselves as victims, this perspective helps them realise their position as -potential- victims who deserve all the rights won and/or bestowed upon them.

DISCUSSION

The reflection of global "democracy crises" in Turkey is the newly founded autocratic regime. Additionally, the media, which the liberal theory calls the fourth estate, is largely losing the perspective of journalism in the public interest, which is also a global phenomenon, while the conceptual link between capitalism and democracy is being detached. The situation is more severe in Turkey and the presumed link between the two is not just a crisis. Turkey, as Ágnes Heller states, is undergoing a process re-feudalisation. According to Heller, there is a tyrant in the administration that maintains the majority at the polls, and these new tyrants are creating new oligarchies that are entirely dependent on them (Smolenski, 2018). One of the clear indicators of this situation is the apparent convergence between the power and the media. The bosses of the conglomerates, to which several major media companies are connected and that dominate the media market, are under Erdoğan's command.

Since the commercial mass media has been controlled by the power, those who are sensitive about editorial independence have been dismissed along with a few opponent journalists who worked in these institutions. However, the extraordinary state of affairs initiated after the failed coup attempt in 2016 has become a serious threat for journalists and media workers. In fact, in the anti-democratic course of Turkey, there are other media from which factual truths can be learned; voices of different social groups can be heard and inquisitive journalism on behalf of society remains, except for alternative new media outlets consisting of citizen journalists who report using new media opportunities and newspapers and magazines of the leftists. Some names from old professionals were added to alternative (new) media during this process and established their autonomous and censor-free social media platforms. Despite the situation turning Turkey into a large prison for journalists, a few institutions and individuals who insist on journalism by switching to online journalism continue their efforts under severe threat, pressure and attacks.

This attack on critical journalism is increasing in Turkey as in the world, in parallel to the deepening of the democracy crises, and it puts journalists in the position of victim. However, in the field of journalism safety, victimisation is not addressed from a conceptual perspective. To date, no relationship has been

established with victimology studies or the Victims' Rights Movement. Also, there are no studies on journalists in the field of victimology. Yet, Turkish journalists are members of a socio-professional group which is constantly victimised. They are threatened, mistreated and tortured, imprisoned and even killed because of being critical journalists. Therefore, it would be beneficial to bridge these two fields of study.

The benefit is at least bi-directional. First, journalists will be able to enjoy victims' rights recognised in many countries; they can apply to national and international institutions and organisations as eligible subjects to ensure the healthy functioning of legal processes, apply for compensation for financial damage and benefit from psychological treatment. Second, there are positive consequences of the convergence between networks struggling for media democracy and networks created by the Victims' Rights Movement. Building greater solidarity can create more effective public pressure. Many other funding institutions may become involved in material damages compensation. While the ground for the legal struggle against the attackers expands, the impact of this struggle may be increased in terms of rights. Resources and experts available for treatment may become more varied. This might cause the rights associated with freedom of thought and expression, which seems to protect professional journalists, yet which have been weakened in recent years, to become stronger.

The emergence of a new subject for victims' rights is not the abrogation of fundamental rights such as freedom of thought and expression. On the contrary, it means activation of new mechanisms protecting and looking out for rights' owners created against the extorters. Supranational institutions, such as the UN and the EU, have introduced victims' rights regulations that give states the responsibility for the rightful person and impose many new obligations to prevent attacks, punish aggressors, and compensate victims. Efforts are underway to ensure that such regulations are also rightfully reflected in national laws.

Turkey, without compromising its paternalist state approach, has made certain arrangements regarding victims' rights since the 2000s. A new draft law was issued in line with the relevant directives and recommendations of the EU in 2013 and at the same time, the Department of Victim Rights was established within the Directorate General for Criminal Affairs of the Ministry of Justice. However, neither the draft law nor the activities of the department show any desire to recognise anyone that is beyond the limited definition of a victim, against EU directives – especially the opponent groups who are victimised by the state due to their political, ethnic, gender or socio-professional identities. Meanwhile, even in the West where "victim" has a much broader definition, journalists are not considered. Therefore, it is much harder for them to be protected in a country such as Turkey. Despite this, combining global and local struggles for the freedom of journalism and journalists with the fight for victims' rights will strengthen both movements. In this respect, a bridge between academic fields of study would benefit both.

CONCLUSION AND RECOMMENDATIONS

In this chapter, the kind of threats that exist against critical journalists in Turkey, the pressures they face, and the attacks and the reasons they should be regarded as victims were demonstrated using apt examples. Additionally, this chapter explains on which pillars a bridge between victimology and journalism safety can be established, however, it has theoretical and methodological deficiencies since it is one of the first studies with this perspective in a Turkish context. Agreements, directives and decisions of supranational institutions need to be discussed in more depth and comparatively. Detailed interviews with experts at these institutions should be conducted and coordination possibilities between relevant agreements and decisions should be examined. Additionally, interviews with international and national NGOs that ap-

proach journalists over their victim identities such as Amnesty International, The Journalists in Distress Network, the International Rehabilitation Council for Torture Victims, the Human Rights Foundation of Turkey (TIHV) and the Human Rights Association (IHD) should be carried out.

Moreover, support mechanisms such as the Safety Fund offered by the Gene Robers Emergency Fund and International Media Support, which provide financial support to victimised journalists, should be closely analysed. At the same time, when media are rapidly transforming, it is essential to get to know professional, semi-professional and amateur journalists engaged in journalism and to measure their thoughts and behaviours on these issues with questions on the issue of safety and victims' rights by gathering quantitative and qualitative data. Researchers aiming to bring these two fields of study and the two social movements together to benefit from each other's knowledge and experience may, of course, make more suggestions than those mentioned here. Ultimately, this study is limited to introducing the victims' rights perspective to the field of journalism safety through cases in Turkey between 2016 and 2019.

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KEY TERMS AND DEFINITIONS

Alternative New Media: Media that use digital communication technologies, and that differ from traditional types of media in terms of their content, production, distribution and/or financing model.

Democracy Crisis: The idea that liberal democracy is in a crisis because decisions related to the public are being taken behind closed doors by a few powerful elites, political and cultural rights are weakening, and the gap between citizens in terms of economic and political rights are increasingly widening.

Journalism Safety: The ability for journalists to gather, produce and disseminate information without being threatened and/or harmed.

Journalists as Victims: The acceptance of journalists as a new subject for victims' rights, not only because they are regularly victimized in their professional routine, but also because they need a new perspective to protect them from harm caused by threats and attacks they face.

Neoliberal Media Autocracy: The partisan media order, in which close relations between the ruling party and commercial mass media around their common interests are produced.

Polarized Pluralist Model: One of the three typologies in the development of Western media systems proposed by Hallin and Mancini (2004) in *Comparing Media Systems.* The model is characterized by the close ties between the media system and the political space, government intervention to the media and a low level of journalistic professionalism.

Socio-Professional Victimization: All kinds of ill-treatment, action or incident that causes trouble and harm to a person while performing their job or as a result of their work.

Victims' Rights: Legal rights defined to victims of crime, in order to allow them to become stronger and gain control of their lives again.

ENDNOTES

1   See Karmen (2016, p. 50-53) for a detailed list of victimisation studies of different groups.
2   The National Movement Party (Milliyetçi Hareket Partisi) is a nationalist party and the minor partner of the government.
3   The Republican People's Party (Cumhuriyet Halk Partisi) is the major opposition party with a social democratic ideology.
4   The Justice and Development Party (Adalet ve Kalkınma Partisi) is a national conservative party, ruling since 2002.

5   Pelikancılar, who came forth with the dismissal of Prime Minister Ahmet Davutoğlu in 2016, were also in the limelight after their manipulative, fictional and fake social media posts and columns for discussing the results of 2019 local elections and for discrediting the winning candidate. The group, which is called Bosphorus Global, a non-governmental, non-profit, independent organisation based in Istanbul, is allegedly run by Berat Albayrak, the Minister of Treasury and Finance and his brother Serhat Albayrak. Governing Turkuvaz Group and pro-government journalists also claim to be in the group (Kalenderoğlu, 2019).

6   This is the social media army that acts with the administration, direction or support of the ruling party to attempt to create a resistance against the weight of the opposition in the field of social media after the Occupy Gezi movement in 2013 and takes this name with reference to the ruling party AKP (Sözeri, 2015).

Chapter 10

Making Sense of Journalists' Safety and Media Freedom in Egypt Between Different Types of Threats and the Ruling Legislative Context:
Multi-Analytical study

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ABSTRACT

This study seeks to investigate different types of threats which affect the journalists' safety in Egypt and how do they manage their work in the presence of the diverse threats. The study analyzes the Egyptian legislative framework in order to explain whether it protects media freedom and journalists or it needs further reforms. To address the research objective in detail, the study also incorporates the feedback of 45 Egyptian journalists belonging to government's partisan and private media organizations.

INTRODUCTION

The role of the legislations and press laws is of great important and decisive when it comes to journalists' protection and having an effective justice system is fundamental to ensure crimes against journalists are fairly prosecuted (Collaku, 2016). Egyptian journalists face many threats and fabricated allegations of criminal behavior and unethical actions by criminals and this occurs mainly to silence them to report on criminal cases. This affects their work. Furthermore, attacks on journalists and media workers can have chilling effect on their right to freedom of expression (FRA – European Union Agency for fundamental rights, 2016). Therefore, journalists need a set of well articulated, accurate, incisive and comprehensive

press laws to meet their needs, to continue working safely and to ensure the audience's right to know without any fear and danger.

In a very unstable political environment, there are many types of threats to journalists in Egypt which affect their safety and media freedom (Alazrak, 2010). There are different cases of those journalists, who have been subjected to diverse threats including offline threats (such as killings, imprisonment and arbitrary detention) and online threats (such as social media's troll, slander, character assassination, e-mail and social media's accounts hacking). Consequently, it is important to amend the laws in order to protect the journalists and to provide them with appropriate legal shield to avoid the offensive and deadly threats. With an eye to the fact that unsafe working conditions for journalists limit free speech, make transparency as an impossible target and undermine participation and democracy (Krovel, 2017), it becomes important to ask a timely question related to this status quo in Egypt "is the legal framework in Egypt efficient to counter these threats?"

Thus, this study seeks to investigate different types of threats which affect the journalists' safety in Egypt and how do they carry-out their work in the presence of the diverse threats. The study analyzes the Egyptian legislative framework in order to explain whether it protects media freedom and journalists or it needs further reforms. To address the research objective in detail, the study also incorporates the feedback of 45 Egyptian journalists belonging to the government, partisan and private media organizations.

BACKGROUND

The Egyptian legislative context and all the laws which regulate the press and the journalists' work needs to be reformed not only to prevent all kinds of media violations, but also to protect journalists from different kinds of threats, and to guarantee a good environment for them to work efficiently and to do their best without being in a danger or at risk. This is a desired balance between journalists' responsibilities and rights. In many Western developed countries, "journalists' rights" is one of the main parts of media laws which are supposed to be put carefully to express and to assure that the government and the whole society desire to protect the journalists from any threats. Risks to journalists do not involve physical threat of killing, but also it involves diverse other types of risks as well, resulting in their self-censorship and a chilling effect on their right to freedom of expression. The situation in Egypt is worst because crimes against journalists are not and perpetrators remain unpunished (Torsner, 2017).

Regarding the Egyptian case, Egypt's constitution - drafted in 2014 - guarantees freedom of artistic and literary creation, freedom of thought and opinion, and freedom of the press. Article 67 forbids the jailing of artists and writers for publishing their work. "Every person shall have the right to express his/her opinion verbally, in writing, through imagery, or by any other means of expression and publication," the constitution states. The journalistic profession in Egypt is marked by poor job security (Lohner, 2016). According to Reporters Without Borders, Egypt maintained its ranking of 161 out of 180 in Reporters Without Borders in 2018's World Press Freedom Index.

The Egyptian media environment historically has been dominated by the state. Diversified press laws were promulgated from the beginning of Mohamed Ali's dynasty era. And restraining press laws still exist in current President's Abdel Fattah el-Sisi regime in order to organize and regulate the journalism and the journalists' work in Egypt. Historically, in 1881, the first law to regulate the journalism and the journalists' work in Egypt, was issued by Kedive Tawfik. After July 1952's revolution, Egypt witnessed a considerable shift in terms of political system, social structure and the whole legislative

framework. Consequently, different other laws were promulgated in a new legislative context. In Gamal Abd El-Nasser's era (1960), the law of press (regulating no.156), was implemented, which nationalized the press in Egypt. Then in Sadat's era, there were some efforts to strengthen the the media freedom, and his regime was not as brutal or strict like the Nasser's period (Mohamad et al., 2014). In 1980, he ratified the law no.148 which provided a chance to his opponents to publish newspapers to express their opinions and visions (lazrak, 2010). In the era of Mubarak, in 1996, the press law no.96 was issued which provided the private sector the right to own newspapers, but according to this law there were still some vague terms such as "National security" and "Instigating legal articles".

Recently, after many significant changes happened in Egypt, since 2011 and the beginning of what is called Arab spring and all its successive shifts, (Sara, 2013; Naomi Sakr, 2013) a package of new laws have been set for journalism and media. On December 26, 2016, the Egyptian president ratified a new media law, creating new three bodies that would regulate Egyptian print, broadcast and electronic media. The new law which was approved by the parliament introduces 3 main articles in the Egyptian constitution: 211 (The establishment of the supreme press council for media regulation), 212 (The national council for print media), 213 (The national council for broadcast media) (Rasha Allam, 2017). IN 2018, this law is then followed by the Law no. 180 "regulating media, press and supreme council for media regulation", which contains 10 articles for journalists' rights from article no.7 to article no. 16.

Regarding all these successive laws and many articles, which were included in these laws, the important question is "do these articles provide a practical and actual frame to protect the journalists in Egypt and to make them able to combat the threats they are subjected to?"

When it comes to analyze and to evaluate the legal framework, which regulate and adjust the journalists' work and their rights, it is important to review not only the specific media laws which were earlier titled as press regulating law but also the constitution, the law of journalists' syndicate and the law of penalties "Penal Code" as all of those legislative provisions can express clearly the real circumstances of the journalists in Egypt and to what extent they can combat the threats in accordance with the whole legislative context which is actually applied.

To add to the considerable growing body of literature about journalism laws in Egypt and the important topic of combating threats to journalists' safety, this chapter aims to investigate and trace the influential articles in the Egyptian laws to combat threats to media freedom and journalists' safety, and whether it is efficient and enough and whether laws need to be reviewed and amended. To attain this target, a review of extant literature was performed from which a clear explanation for the journalism laws' developments in Egypt was demonstrated and also a deep comparative analysis for the journalism laws, specifically journalists' rights and how it could combat threats to journalists was conducted, besides the in-depth interviews with (45) Egyptian journalists in order to clearly describe the threats according to their personal experiences and what do they do to confront such threats.

LITERATURE REVIEW

System theory

A system can be defined as an entity, which is a coherent whole (Ng, Maull & Yip, 2009). The system theory is hence a theoretical perspective that analyzes a phenomenon seen as a whole and not as simply the sum of elementary parts. The focus in this theory is on the interactions and on the relationships

between parts in order to understand an entity's organization, functioning and outcomes (Mele, Pels, & Polese, 2010). According to the "System Approach" the press as a system in the society shouldn't be studied without taking into consideration the whole effects or other intersected circumstances, as all parts and systems of the society are main interactive variables, each one can affect the others and being affected by them (Mohamad, 2000).

System theory focuses on the arrangement of and relations between the parts and how they work together as a whole. The way the parts are organized and how they interact with each other (Chikere, et al., 2015). System theory is a very appropriate approach in a multi-analytical study as it depends on the interpretation for the whole circumstances and all parts and factors which affect the phenomenon, so it can be an important theoretical framework when we seek to analyze and interpret the journalists' circumstances in Egypt and what are the main threats they are subjected to and to what extent they find the extant legal framework as an actual efficient shield to guarantee their safety. The legal system and the journalism system can be studied as sub-systems in the whole system of the Egyptian society.

Effects Of Media Legislative Framework And Socio-Political Context On Journalists' Safety In Egypt

There are various studies mentioned the importance of press freedom, freedom of expression and their relationship with the journalists' safety, confirming that free speech is a necessary precondition to the enjoyment of other rights, such as the right to vote, free assembly and freedom of association, and is essential to ensure press freedom (Emily Howie, 2017). The relationship between free speech, press freedom from one side and journalists' safety from the other side is a real strong and firm one. Journalists' rights and safety is one of the main guarantees to attain press freedom, so UNESCO, Freedom House, Reporters Without Borders, Committee to Protect Journalists and many other organizations make important efforts to combat impunity towards crimes against journalists. UNESCO suggests, "unless journalists are safe and secure they cannot be expected to carry out their professional duties that enable the media to provide the public platform for the exchange of ideas, opinions and information" (UNESCO, 2015).

There is a history to why the challenge of securing safety for journalism has become a prominent issue in many parts of the world. This is partly because of increased attacks on journalists, but it is also a function of global developments that have afforded space for the issue to come to fore as a major concern by the international community – with associated impact on other actors as well (Berger, 2017).

The actual problems are killings of journalists all over the world, the confrontation between militant bodies and the media personnel and government's and political threats and pressures. (see Murthy, 2018). Taking revenge from the journalists may be also a reason beyond killing because of the corruption disclosure or conflict of interests or conflict of attitudes and mindsets. There are cases of outright murder in which journalists or their sources have been targeted. The increasing number of freelancers in many news sites and newspapers should be noted in particular as news media companies rely more and more on freelance journalists, and these journalists are particularly exposed to the risks of working alone in war and conflict zones, but do not have the same level of security like full-time paid journalists (Carlsson & Pöyhtäri, 2017). Journalists fall victim not only to physical violence, but also to psychological and digital attacks. Furthermore, the danger extends to their sources and families (Silvia Chocarro Marcesse, 2017).

Egyptian journalists have been facing and combating different attacks on their freedom of expression since the beginning of the press in Egypt, but risks differ from one period to another according to the socio –political system and the power of the authority in the society (Alazrak, 2010). In Mubarak's

era, the law no. 96/1996 was known for imposing heavy fines and imprisonment of journalists for five to fifteen years (Amin, 2009).

The Egyptian government sought to re-establish control over the public sphere through the curtailment of press freedoms and the suppression of civil society groups (Adel Abdel Ghafar, 2018). The Committee to Protect Journalists (CPJ) ranked Egypt "third" for its level of jailing journalists. Committee to Protect Journalists ranked China and Turkey as the worst counries for journalists' imprisonment. . The issues of media freedom, journalists' safety and the culture of impunity persist because current regime has so far shown little interest in making state media more open and to protect the local journalists (Abdullah, 2014).

The government has often relied on laws that impede freedom of expression, including emergency laws and articles from the penal code, and has used them to censor content and intimidate journalists, bloggers, and broadcasters (Abdullah, 2014).

Since journalism is a social institution, the structural conditions of journalism are crucially shaped by the journalists' relationship with the sources of power outside the media organisation (i.e. other social actors such as state power and politics), economic and cultural institutions, civil society and public groups)Judith Lohner, Irene Neverla & Sandra Banjac, 2017).

Egyptian journalists, who have the potential to promote change and to influence public reaction to change, face many problems and challenges that influence their performance (Hussein Amin, 2009).

MATERIALS AND METHODS

This study relied on qualitative methods. It used document review and in-depth interviews. Document review is a very considerable method to analyze the laws and the different legal articles. In this study, different types of legal documents related to the journalists' safety and journalists' rights in the Egyptian laws were reviewed. This included the Constitution of Egypt (2014), the law no. 180 that was issued lately in 2018, Law of Journalists' syndicate in Egypt and the Egyptian law of penalties in order to clarify the journalists' rights in Egypt and to answer the questions of the study about whether the extant laws are practical and efficient to protect the journalists.

This study also used in-depth interviews, which is always used in order to answer questions about experience, meaning and perspective, most often from the standpoint of the participant (Hammarberg et al., 2016). Interviews are an excellent complement to document review because they allow for greater in-depth analysis (Babbie, 2004; Hammarberg et al., 2016).

Using the purposive sampling, the study used in-depth interviews of 45 Egyptian journalists who were from the three main representative press sectors in Egypt. Fifteen (N=15, 33.33%) of them were from Almasry Alyoum, Al-Watan as well-known private newspapers. Fifteen (N= 15, 33.33%) of them were from Al-Ahram, Algomhoreya, and Akhbar Alyoum as governmental newspapers and there were also fifteen (N=15, 33.33%) of them from Al-Wafd newspaper as a partisan newspaper. Twenty-one (N= 46.6%) of them were females and the remaining twenty four (N=24, 53.3%) were male. Selection of the journalists was made based on the following criteria:

- Diversity between males and females as it clarifies more diverse visions and experiences, as well as diversity between the press institutions they work in (governmental-partisan-private).
- Working in the profession of journalism for at least ten years to get benefit from their expertise.
- Experienced at least one risk/threat related to journalism practice in the years of their work.

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- Taking into consideration that it is preferable for the study that journalists work in and represent different departments (crime- politics- economics- arts- sports-social affairs, etc) in the newspapers in order to attain comprehensive overview, so they met different sources and made diversified media tasks, consequently this enriches the study and its results.

All the journalists had been practicing journalism for at least ten years and had experiences of threats and the pressures in their working years. The diversity of their work in various newspapers and the variety in their interests reflected a wide range of their experiences, information and visions related to the experienced threats. Cconsequently this enriched the study's results.

The questions for the interviews were prepared for the interview to be appropriate with the study's objectives and to maintain the flow of conversation. The researcher relied on an interview guide ensuring that all core aspects and subject areas were covered when talking to all journalists. Flexibility was considered in each interview to investigate issues that might be unique or specific to each interviewee. The questions were developed to be added value for the extant based literature of journalism practices, safety of journalists and the different threats which they faced because of their work. The questions were set with a particular and comprehensive view of the legislative and socio-political context in Egypt. Some interviews took around two hours and others took more than three hours. During the interviews notes were taken by the researcher herself. At the beginning, the interviewer explained the research purpose.

FINDINGS AND DISCUSSION

The threats as clarified by the journalists through the in-depth interviews in the study were as the following:

Threats Related To Crime Coverage

Journalists, in Egypt, explain that they work under pressure and in a risky environment especially when they work for crimes' coverage, clarifying that they suffer from some direct and indirect threats from the criminals to not interfere or publish any information about the crime. Below are some examples of these threats highlighted by research participants of this study:

- *"As I tried to cover the corruption in his administration, I received a direct threat from someone on my mobile phone – telling me directly (if you write anything you will be accused then convicted in a dangerous crime)". (Female, Private newspaper, 35 years old).*
- *"I am obligated to move to another department in the newspaper as a punishment because I dared to write some well- known names of business men & officials when covering cases of corruption in an organization". (Female, Private newspaper, 50 years old).*
- *"I was ordered by some policemen to not put any photos or even new information when covering one of the crimes as it is sensitive", (Male, Private newspaper, 30 years old).*
- *"I am threatened regularly through a telephone call that I shall be be detained, if I write or publish something related to crimes committed by certain criminal groups." (Male, Governmental newspaper, 30 years old).*
- *"I work under threats when I try to cover the crimes of embezzlements. It is very risky to do our job as a journalist and to cover crimes". (Male, Governmental newspaper, 36 years old)*

Sometimes the relationship and connection between the criminals and some of the corrupt state officials can affect the journalists negatively to a great extent. For example, a journalist can be fired from his or her job, he or she can be wrongly accused of a crime, and he or she may suffer character assassination as a punishment to report on criminal and corruption cases in Egypt. Egyptian journalists explain these as a tool to deter them from covering or following crimes and corruption cases.

Egyptian journalists also express their concern regarding the coverage of armed forces' troops and police because risk is involved in the coverage of some of their conflict areas' missions. Journalists elucidate that many of these missions, especially in some risky regions,are considered as fatal. .

Some interviewed journalists suggest that they face threats due to different reasons:

Firstly, journalists' dilemma to full fill the public's right to know and to maintain the privacy of their reported subjects is a key problem. For example, one of the interviewees said that when he wrote the name of a girl who was a victim of rape, her family threatened him that if he did not delete her name from the news they would destroy his office in the newspaper. Human dignity and reputation are very sensitive and significant matters especially when it is related to those who are from Upper-class or Egyptians who live in the villages. Secondly journalists face risks to maintain their professional ethics matter in the pursuit of their desire of telling facts and truth to the public. Some interviewed journalists said that they were in a real danger because of their desire to discover the truth about some food manufacturing industries in Egypt. They tried to take photos and video recordings of factory workers who working to produce unhealthy food items. It was very risky task and if they were arrested they would not have found any legal article to defense them.

Journalists, who work in demonstrations' or protests' coverage, they are subjected to threats from different sides. They are asked to focus only on certain political parties in the demonstrations and they are threatened to do so. Journalists, who have participated in this study, ask for more legal guarantees to cover such critical events and also more advanced training to learn well how to avoid such problems. Not surprisingly, Egyptian female journalists face special problems, as they can be a victim of rape or threats of sexual assaults or even some accusations to distort their reputation. So, it is harder for them to follow and to cover critical events such as demonstrations and public protest.

Threats Related To Journalists' Hard Economic & Financial Circumstances

The interviewed journalists reveal that they face a serious financial threat related to their job contracts. Sometimes it takes more than five years to sign a contract with the newspaper and they consider that as a direct pressure exerted upon them by media owners. This pressure affects journalists' independence and impartiality.

Journalists also complain about salary delays and in some cases the delay lasts for several months. Not having financial security is a real serious concern because journalists may become dependent on owners, who in turn misuse or exploit them with regard to reporting and their routine work.

The interviewed journalists, in this study, explain that they actually live under the threat of different economic risks including low income and job insecurity. At the same time, there are limited numbers of working journalists, who are registered in the Egyptian Journalists' Syndicate. Consequently, many of them cannot get benefit from the syndicate in form of allowance, which is allocated for them from the syndicate. Journalists, who are not the members in the syndicate, they actually work without financial or professional protection from the syndicate.

Journalists, from the partisan and private newspapers, complain that they are more susceptible to financial hardship because of the unstable financial situation of their newspapers. In contrast with partisan and private newspapers, state-owned newspapers are financially supported from the government, so the salaries are better in terms of stability and permanency.

All these financial threats cause many serious problems to journalists, which affect negatively their work in many aspects such as:

- Mixing between the advertisements and the news or the editorial materials.
- Changing some information or censoring certain information for gaining some money or getting noticeable positions or promotions.
- In interviews, journalists also explain that they work for two organizations at a time. This work pressure affects their performance and news accuracy both.

Threats Related To The Journalists' Relationship With The News Sources

Some news sources exploit journalists' need to get information and to practice their authority as no one else have certain sensitive information, and they ask journalists – or enforce them to add their photos or put them as main doers in some important events otherwise they do not provide them the information or the main documents to support their news stories. Such kind of threats may not be important in other countries, but in Egypt it is critical because there is not an article to obligate the news sources to provide journalists the required information that they ask to their sources.

Some policemen, as news sources, prevent the journalists from following or covering some news stories and they refuse to provide them with the details of some news stories and threat them to stop writing and publishing on specific topics. Journalists, in this study, clarify in the interviews that they cannot violate police men orders, despite sometimes it is related to very important issue or significant accident. But they have no option because policemen can easily arrest them and accus them for publishing news against "national security". Journalists also elucidate that if the policeman who prevent them from talking about a specific topic is of a high rank, he can easily prevent them from dealing with the ministry or any one inside the ministry. Consequently, they would not be allowed to cover or publish any news related to it.

Some corrupt state officials practice various pressures on the journalists in order to enforce them to write false news or to provide audience with one side of story, such kind of threats is very risky because journalists may be fired from their newspaper and lost their jobs as they are not able to reach to the details of news and to cover the news updates. Journalists, in this study, explain that another common way to obligate them is to publish some particular information and to ignore others by offering financial incentives.

The results of the study demonstrat that the threats, which the journalists in Egypt are subjected to come from various sources. It is explained as the follows:

- Some threats are posed for the curtailment of the press freedom, despite journalists' rights and freedom are included in the Egyptian law.
- Some threats arise due to Egyptian culture and the mindset of Egyptians especially those who have a lack of awareness and are not well-educated.

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- Some other threats arise because of hard economic circumstances and the interferences of some businessmen, corrupt state officials, newspapers' owners and advertisers who impose several pressures including different types of threats to the journalists.

The results of this study are consistent with other previous studies, which demonstrat that generally the Egyptian print journalism system continues to be plagued by considerable weaknesses, including a relatively large number of journalists without journalism-related degrees, weak training programs, and relatively low salaries for journalists (Mohamad Hamas Elmasry, Dina Mohamed Basiony & Sara Farag Elkamel, 2014).

Threats Due To A Lack Of Legal Protection

In-depth interviews data affirms that Egyptian journalists are not satisfied by local press laws and they cannot not see it as comprehensive or efficient because there still lack legal articles that can provide them protection and support their safety - when working as journalists in Egypt. This can be explained through the following sub-titles:

- **According to the Constitution of Arab Republic of Egypt (2014)**

While the constitution affirms frequently the respect of freedom of expression, the right to know and the press freedom (as mentioned in articles n. 65, 68, 70, 71, 72, 92, 99, 211, 212, 213), the constitution doesn't point out any specified articles to guarantee journalists' safety as a main requirement to attain press freedom and freedom of expression.

- **According to "Chapter Two" in the law of press and media** about "The Rights of Journalists and Media Persons", it includes the following articles: -

Article (7): Journalists and media persons shall carry out their work duties independently, and shall not be subject to any superior authority other than the law.

Article (8): Neither the opinion expressed by the journalist or the media person, nor the true information released by the journalist or the media person may be a ground for calling him/her to account, and the same may not be forced to disclose the sources of his/her information.

Article (9): The journalist or the media person shall have the right to publish or broadcast the information, data and news where the disclosure of which is not prohibited by the law.

Government bodies and other public entities shall establish a department, office or website for communicating with the press and the media, in order to enable the journalist or the media person to access to the information, data and news.

Article (10): No restrictions may be imposed with intent to impede availability of information, or to prevent equal opportunities between the different printed and electronic newspapers, audio and video media outlets, or deny their right to access to the information, provided that the same does not prejudice the requirements of the national security and homeland defense.

Article (11): Subject to the provisions of Articles (9 and 10) hereof, the journalist or the media person shall have the right to receive answers to any information, data and news he/she inquires about, unless such information, data or news are confidential either by nature or according to the law.

Article (12): The journalist or the media person shall, for the sake of performing his / her work, have the right to attend the conferences, public sessions and meetings, to conduct interviews with the citizens, and to take photos / shot at non-prohibited public places, after necessary permits are obtained, in the cases so requiring.

Article (13): Each newspaper or media outlet shall develop an editorial policy, which shall be included in the contracts concluded with the journalists and media persons when employed by it, to be reference for the parties in case of dispute, and no journalist or media person may be forced to engage in acts that contradict such policy. If any major change occurs to the policy of the newspaper or of the media outlet in which the journalist or media person works, or if the circumstances under which he/she has initially signed the employment contract with the institution have changed, the journalists or media person may unilaterally terminate the contract, provided that the newspaper or the media outlet concerned is notified of the intent to terminate the contract on such grounds, at least three days before leaving the work, and the contract shall determine the consequences of such termination.

Article (14): The relationship between the employees of newspapers and the media and their respective employers shall be subject to an employment contract that sets out the type and place of work, salary and its supplements, employment benefits, promotions and compensation, in a manner that does not conflict with the collective employment agreement, if any. Such contracts shall only apply after being ratified by the Syndicate concerned, while the provisions of the Labor Law shall apply to all matters not specifically stipulated therein. The Executive Regulations hereof contains a reference employment contract.

Article (15): Press and media institutions shall, in cooperation with the Syndicate concerned, establish and finance disability and unemployment insurance funds, by virtue of resolutions of their General Assembly. In addition, the internal regulations of each Fund shall set out the rules and fees of employees' subscriptions, and the conditions of insurance disbursement in disability or unemployment cases.

Article (16): No journalist or media person may be dismissed from his job without an investigation conducted with him/her, provided that the syndicate concerned is notified of the dismissal grounds, and sixty days have lapsed following the notification date. Within such sixty-day period, the Syndicate shall make every effort to reach conciliation between the journalist or media person and his/her employer. In addition, if the Syndicate makes every possible effort for amicable conciliation but to no avail, the provisions set out in the Labor Law on the dismissal of the employer shall apply, but neither the salary nor the employment benefits of the employee shall be suspended within the conciliation period.

All the above-mentioned articles don't include enough provisions to protect the journalists and to guarantee their safety. All interviewed journalists suggest that they need more reformed legal articles. There is only one article, which is related explicitly to the professional safety & compensation and that is article number. 15. This article states that "media and press institutions must commit, in cooperation with the syndicates, to construct and finance insurance funds for disability and unemployment". But from the other side there is not any stated punishment to those institutions when they cast aside or abandon the journalist in such circumstances.

- **Regarding the Egyptian law of penalties:**

Although there are various articles,30 articles (from article n.171 till article n.200) are set for crimes done by journalism and media. The law of penalties does not specify any articles or provisions for crimes against journalists and media staff.

- **Egyptian Journalists' Syndicate:**

According to the Egyptian Syndicate law n. 76 of 1970, which is applied until now, there is only one article (article n. 3) in total 122 articles that mentions clearly and directly the protection of journalists. It states that "the syndicate has to guarantee and work effectively to protect journalists' rights in cases of dismissal, unemployment, and decease, or disability". This article is without any detailed specifications for the particular cases and how journalists will be compensated. So, journalists in the interviews aren't so satisfied by this law.

FUTURE RESEACH DIRECTIONS

Based on the findings of this study, it is useful to conduct other studies, which seek to investigate the status of the journalists' safety in different Arab countries, comparing the effects of the socio-political systems on the journalism, freedom of expression, information accessibility and journalists' safety. Such studies can be added value in the efforts exerted to develop and improve the status of journalists' safety in the Arab world.

As this study mainly focuses on the legal context to investigate its effect on the journalists' safety, other studies about the relationship between the news' sources and the journalists have to be conducted to explain its role in the threats that journalists are subjected to and how this relationship can be regulated and organized in order to keep the journalists away from its negative or undesirable consequences.

This study opens the door to discuss the importance of the Journalists' Syndicate role in the different countries in the Arab world, and to what extent it can be developed – in terms of structure, functions, laws - by some efforts from the researchers and journalists and all institutions and officials who concern about journalists' safety. In addition to journalists' syndicates, many other journalists' unions and associations all over the world have to be a core of the studies in order to protect effectively journalists and consequently press freedom and the right to know.

Overall, this research highlights several issues that need to be addressed by the Egyptian universities' journalism programs, newspapers, and individual journalists. Future research directions have to depend on some expanded research projects to study the risks which journalists from many regions in the world combat, and to put some case studies from various countries, explaining the consequences of each case and how to prevent such risks/cases to be repeated again. It is of importance to enhance and reinforce our knowledge about these safety threats in a joint and global project characterized by cooperation. Such important kinds of expanded research projects are better to be conducted depending on the researchers and the journalists themselves, to bridge the gap between the academics and the practitioners. Bridging the gap is expected to yield more practical and successful results.

CONCLUSION

This study aimed at exploring the different types of threats which the journalists in Egypt are subjected to. The study also explained the legal context, clarifying whether it protects well the journalists and guarantees their safety or it may need more development. The study revealed the status of journalists'

safety in Egypt based on journalists' experiences, diverse safety threats that affect them from physical, financial and legal sides.

The results demonstrated that Egyptian journalists suffer from many types of threats, not only related to the government and the power of the officials, but threats can arise as a result of norms & traditions in the Egyptian society or can happen due to the journalists' lack of awareness about the mindset of some people in the local regions. The results demonstrated the journalists' desire to alter the laws to be more efficient.

Based on the results of this study, it is clear that the main reasons of the risks and threats, to the Egyptian journalists are:

- A lack of good training for them to protect themselves and to attain their professional safety, the shortage training and enough information through training courses in the Journalists' Syndicate or through their press institutions or as an advanced course in the faculties of media and journalism to develop their performance and practices to be safer.
- A lack of laws which regulate journalists' rights and which guarantee their safety, as well as the existence of some vague articles in the journalism laws and the Egyptian law of penalties which impose more obstacles and pressures on the journalists when they practice their professional tasks.
- Sometimes the journalists themselves don't respect the privacy of the news sources or may be inconsiderate when they cover or write about some sensitive, dangerous or private topics, and this causes negative effects on their safety.

Nevertheless, the data and the results of this study supported the extant literature on Egyptian journalism. It is expected that this study provides also the possibility to encourage further studies, which can focus on the influences of journalists' syndicate and some media governmental and private institutions on journalistic practices, with an eye to a comparative approach between different periods in Egypt or between Egypt and other countries. To yield new and beneficial results, future research may consider adopting quantitative and qualitative approaches both.

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KEY TERMS AND DEFINITIONS

Partisan Newspaper/Partisan Press: The institutions, owned by any of the political parties, one of the oldest well-known partisan newspaper is "Alwafd" a mouthpiece of "Alwafd" party.

Private Newspaper/Private Press: The institutions owned by any of private media institutions owned by businessmen.

Risk: An unsafe situation or condition that practicing journalists are susceptible to get involved in, due to antecedents or circumstances associated with his or her newsgathering job.

State-Owned Newspapers: The institutions, publishing and distribution companies as well as news agencies owned by the State, and which publish paper or electronic newspapers, or engage in any other activity approved by the National Press Authority. It can be considered in Egypt as the mouthpiece of the government.

Threat: An intimidating or dangerous warning targeted at a practicing journalist to silence him or her from carrying out his or her professional duty because it is unfavorable to the person, group, or organization issuing the threat or against their benefits.

Chapter 11
The Role of Ghanaian News Media Organisations in Countering Threats to Media Freedom and Journalists' Safety

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ABSTRACT

Journalist safety is vital to media freedom as it shows stakeholders' duties to protect the media from crime and to guard media freedom. The media have the power to combat problems via coverage, yet evidence submits that journalist insecurity persists in Ghana. So, the study aims to examine how the Ghanaian media are tackling journalist insecurity through coverage. Using agenda-setting and framing theories, content analyses of 66 news stories from newspapers, and five interviews are used to gather data to study the coverage and framing of journalist insecurity in the media and how they tackle threats to media freedom. Thematic analysis of data gathered showed that the newspapers were unable to give prominence to the problem because only 30.60% of total editions gave attention to the issue. Also, the media failed to present journalist insecurity as an issue that needs national attention because only 10.6% of the news stories used thematic frames. This undermines media freedom as it allows journalist insecurity to thrive, hence, failure to advocate journalist safety.

INTRODUCTION

One of the major challenges that journalists face in their quest to keep citizens in democracies informed and educated is insecurity (Berger, 2017; Freedom House, 2017, 2016, 2015; Reporter without Borders, 2019; 2018; 2017, 2016, 2015; UNESCO 2016, 2015, 2014). Therefore, journalists' insecurity dominates studies on media freedom and journalists' safety. This is because extensive evidence suggests that "more journalists are being killed and threatened around the world than at any time before" (Cottle, 2017, p.21).

It is in this light that Jamil (2017) avers that "the issue of journalists' safety happens to be growing worse with an increasing number of journalists killings, kidnapping and imprisonment worldwide" (p. 8). A critical look at annual media freedom reports by Freedom House and Reporters without Borders shows that concerns about journalists' insecurity in the course of their duties are often given significant attention in the reports (Freedom House, 2017; 2016; 2015; 2014; 2013; 2012; Reporters without Borders, 2019;2018; 2017; 2016; 2015; 2014; 2013, 2012). As a result, attempts to address the lack of safety and security have been made at international and national levels.

Principal among such attempts is the launch of the UN Plan of Action on the Security of Journalists and the Issue of Impunity in 2012 as well as its implementation in 2013. The review of the Plan, carried out in 2013 and 2014, showed that in many states, there had been a significant impact in the mobilization of many actors around the issue of journalists' safety at both the global UN level and the regional levels. This impact is realized especially in the response rate of the request for voluntary information on killings (of journalists) and judicial follow up (Berger, 2017). For instance, Berger (2017) posits that UNESCO recorded an increase of 47 per cent in 2015 against the response rate of 30 per cent recorded in 2013. This picture changed for the better in 2016 when the organization recorded a 65 per cent increase.

Despite these and other strides from such attempts, issues of journalists' insecurity persist, especially in Africa. The 2019 World Press Freedom Index Report from Reporters without Borders indicates that three out of the first four African countries with best press freedom ratings have journalists' insecurity problems (Reporters without Borders, 2019a). Except for Cape Verde, journalists in Namibia, Ghana and South suffer from media freedom violations in the course of their duties. Thus, there is an absence of attacks on journalists in Cape Verde, and their constitution guarantees exceptional media freedom (Reporters without Borders, 2019c). However, attacks on journalists were recorded in the remaining three countries (Reporters without Borders, 2019 b, c, d, e). Namibia is the African country with the highest rating after moving up from the 26th position in 2018 to 23rd in 2019, yet the report posits that journalists who dare to criticize authorities get threatened by the government (Reporters without Borders, 2019b). Ghana, the next African country with high ratings, after Cape Verde, dropped from 23rd position in 2018 to 27th place in 2019. It lost its status as the best-rated country in Africa because several journalists got attacked with impunity in 2018 (Reporters without Borders, 2019d). South Africa also dropped from 28th position to 31st. The report notes that journalists who tried to cover specific issues about ANC suffered intimidation and harassment (Reporters without Borders, 2019e).

The preceding is heightened by the fact that impunity against journalists is high in West Africa (Media Foundation of West Africa, 2019). According to the Media Foundation of West Africa (2016 d), "one of the factors that openly violate media and free expression right is impunity" (p.8). The report further adds that less than five per cent of all the violations the organization has recorded since 2014 has been amended. "This seems to suggest that many governments in the region (West Africa) do not have the political will to protect journalists and fight impunity" (Media Foundation of West Africa, 2016 d, p. 8) and Ghana is not an exception (Bokpe, 2019). For instance, between July and September 2016, Ghana recorded 7 cases of violations - the highest among all the countries being monitored at that period. Unfortunately, only one out of the seven cases of violations was redressed, with reparation, and the remaining six violations of four cases of assault and two cases of arrest recorded no redress (Media Foundation of West Africa, 2016c).

The current state of physical insecurity of journalists in Ghana necessitates the need for literature to give attention to the safety of journalists in the country as demanded by UNESCO in the Plan of Action (UNESCO, 2015). Some attention has been given to studies on journalists' safety in Ghana. However,

it is important to note that existing scant studies on journalists' safety in Ghana tend to focus on the prevailing state of journalists' insecurity by studying the nature and frequency of violence against the media as well as the perpetrators of the violence (Briamah, 2014; Diedong, 2017; Media Foundation of West Africa, 2018a, b, c & d; 2017a, b, c & d; 2016a, b, c &d; 2015a, b, c & d). Existing studies have not given attention to the attempts made by the Ghanaian media as one of the key stakeholders in the UN Plan of Action, to raise the profile of journalists' safety issues through their coverage though media effects literature has established the ability of the media to set agenda in public discourse through coverage of issues (Baran and Davis, 2012; Littlejohn and Foss, 2011; Kwansa-Aidoo, 2005; Grossberg, Wartella & Whitney, 2005; Griffin, 2003; Sevrein and Tankard, 2001). This chapter, therefore, seeks to investigate whether the Ghanaian media have succeeded through their coverage of journalists' insecurity issues, to draw attention to the problem. Thus, it aims to examine whether the media, through their coverage, have successfully drawn the attention of the public to journalists' insecurity in Ghana to cause Ghanaians to think about journalists' insecurity and influence how they should think about them.

BACKGROUND

The Director-General of UNESCO, in the 2016 report on the *Safety of Journalists and the Danger of Impunity* notes that journalists get killed in both conflicts and no conflict countries (UNESCO, 2016). This assertion is affirmed by Carlson and Poyhtari (2017) when they note that most of the violence against journalists in the course of their duties occurs in countries at peace than countries at war. This aligns with a claim by Berger (2017) that "media freedom can exist in a country, but journalists may still be routinely killed" (p. 36). This implies that the significant impact made in mobilizing many actors around the issue of journalists' safety has not been able to end violence and attacks against journalists.

The preceding is the reality in Ghana because it has often been favourably ranked in annual press freedom reports by Freedom House and Reporters with Borders yet attacks on journalists persist. Between 2011 and 2015, Ghana was rated between 52nd and 58th positions on the annual press freedom global index by Freedom House (Freedom House, 2015, 2014, 2013, 2012, 2011). The country also enjoyed the 2nd and 3rd positions in the Sub-Saharan ratings of the same organization. The country is considered as one of the best democracies in West Africa (Baba, 2015) because it has enjoyed uninterrupted freedom from 1992 to date with a peaceful and prosperous change of governments. However, instances of journalists' insecurity have existed and are gradually on the increase in the country (Media Foundation of West Africa, 2019). For example, Latiff Idrissu of *Joy FM* was attacked by policemen at the Criminal Investigation Department Headquarters in Accra on March 27, 2018, when he was covering a protest of the detention of the Deputy General Secretary of National Democratic Congress (Committee to Protect Journalists, 2018a). The attack on Iddrissu resulted in a fractured skull (Bokpe, 2019; Ghanaweb, 2018).

In 2015, the country recorded the death of a journalist for the first time in 20 years (Freedom House, 2016). Unknown assailants killed George Abanga, a reporter with *Success FM* and *Peace FM* in the course of duty, and this affected the country's media freedom ratings by Freedom House and Reporters without Borders in 2016. Ghana's Freedom House rating dropped from 52nd and 2nd positions to the 63rd and 4th at the global and Sub-Saharan ratings respectively (Freedom House, 2016) whereas that of Reporters without Borders also dropped from 22nd to 26th (Reporters without Borders, 2016). Apart from the killing, ten other forms of violations (6 attacks, two threats, one court action, and one fine) were experienced by the Ghanaian media within the same year (Media Foundation of West Africa, 2015 a, b,

c, & d). The 2016 quarterly reports on violations against free expression by Media Foundation of West Africa again showed that Ghana recorded 7 cases of attacks, 4 cases of threats and 3 cases of arrests against journalists in the course of their duties (Media Foundation of West Africa, 2016 a, b, c & d). The year 2017 was not an exception. The quarterly reports for 2017 indicated that cases of 6 attacks, two arrests, two incidences of property destruction and a fine were recorded. The picture looked glummer in 2018 because the incidents of assaults almost doubled. Cases of 11 attacks, four threats, two arrests and 1destruction of property were recorded (Media Foundation of West Africa, 2018a, b, c & d).

Violations against the Ghanaian journalists within the first quarter of 2019 paint a very negative picture so far as journalists' safety and media freedom are concerned. Ahmed Hussein-Suale, an investigative journalist with Anas Aremeyaw Anas's Tiger Eye PI organization, was shot and killed on January 16, 2019 because of the *Number 12* investigative documentary on bribery and corruption in national and international football (Committee to Protect Journalists, 2019a; IFEX, 2019; Media Foundation of West Africa, 2019). This was after a Member of Parliament in the ruling government, who owns media outlets (*Net 2 Television* and *Oman FM*), exposed the identity of Ahmed Suale on *Net 2* and incited the public to attack him with impunity (Committee to Protect Journalists, 2018b). Another investigative journalist with Multimedia Group, Manasseh Azure Awuni has started receiving threats from unidentified persons upon the released an investigative documentary on the operations of a political vigilante group that is aligned with the ruling New Patriotic Party government on March 7, 2019 (Media Foundation of West Africa, 2019). The militia group has been using the Osu Castle, the former seat of the government, as its training ground even though the government has been condemning political vigilantism which seems to be emerging in Ghanaian politics. On March 14, 2019, three journalists from *Ghanaian Times* were brutally assaulted by a group of police officers because the journalists got involved with a policeman whose motor bicycle knocked down the mirror of their car (Media Foundation of West Africa, 2019). Another violation against the media was recorded on March 15, 2019 when Reverend Owusu Bempah, a well-known pastor, invaded the premises of *Radio XYZ* with four thugs and threatened to kill Mugabe Maase, a journalist with the station, for derogatory remarks made about him on a political talk show that was aired the previous day. He also threatened to get the station closed (Media Foundation of West Africa, 2019).

These and other forms of violence against the Ghanaian media are reflections of a poor state of security of journalists. Also, these acts pose a severe threat to media freedom and the safety of journalists in Ghana. This is because the indicators of safety used by UNESCO to examine press freedom in countries are the "absence of absence of killing and physical threat, [the] absence of incarceration and arbitrary arrests, [the] absence of impunity in crimes against journalists, exiling to escape repression, [the] absence of harassment (both legal and economic) self-censorship in media platforms and the internet" and "destruction or confiscation of equipment and premises" (UNESCO, 2014, p.83). Though Ghanaian journalists no more go on exile to escape repression, they get arrested, and they often experience physical and verbal attacks. The presence of these violations in the country is an affirmation of journalists' insecurity.

According to IFEX (2019), Media Foundation of West Africa has petitioned appropriate authorities on the increasing number of attacks on journalists in Ghana and has also followed up or issued statements to demand action from the authorities. Mention can be made of their petitions to authorities in December, 2017 when Godfred Tanam, Prince Affum, Ebenezer Ackah and Marie-Franz Fordjoe of *TV3, Ghanaweb* and *Citi FM* respectively were slapped and kicked by security officers as they were covering protest at the headquarters of the New Patriotic Party; in March 2018 when police officers

brutally attacked Latif Idrissu of Joy FM at the Police National Headquarters for asking a question that they felt was stupid; in October 2018 when the bodyguard of former President John Mahama attacked Kwesi Parker Wilson of *Joy FM* ; and in March 2019 when a police officer physically assaulted Malik Sulemana, Rassia Sambou and Salifu Abdul Rahman of *Ghanaian Times* newspaper for trying to record his negative attitude on camera (IFEX, 2019). Unfortunately, there has been no justice for the victims of violence because the state has been unable to conclude investigations of these crimes to punish the culprits. Such acts undermine media freedom in the country because they do not only embolden other perpetrators also to attack journalists but also encourage the culture of silence and self-censorship to thrive (Braimah, 2014). It has been posited that "lack of redress and reparation is a major challenge to fighting FoE [Freedom of Expression] violations since it emboldens, particularly security agents who are the major perpetrators, to continue such abuses with impunity" (Media Foundation of West Africa, 2016c, p. 9).

LITERATURE REVIEW

Issues, Controversies and Problems: Journalists' Safety in Africa

Media freedom has significantly declined around the world, especially in Africa (Freedom House, 2016; Reporters without Borders, 2016) and continues to decline because journalists are often intimidated, arrested or physically attacked (Reporters without Borders, 2018). Journalists' insecurity is a primary concern in Africa because journalists "continue to receive death threats; face intimidation and harassment; arbitrary arrest and detention, are severely beaten and tortured; while media houses are relentlessly raided by security agents and publications and media equipment seized and destroyed" (Baglo, 2008. p, 2). In this vein, the author describes the relationship between the media and governments in Africa as being "characterised by various negative factors that have continued to impede its progress" (p.2). For instance, in 2017, 121 cases of violations against the media were recorded in the Democratic Republic of Congo.

Also, attacks, arbitrary arrests and media closures were systematically used to prevent the press in Congo from reporting on negative actions of the government (Reporters without Borders, 2017b). Djibouti, Eritrea, Equatorial Guinea and Sudan were at the near bottom of the 2018 World Press Freedom Index because media freedom was non-existent in the countries (Reporters without Borders, 2018). The states continue to be the last four African countries in 2019 ratings even though Equatorial Guinea moved up from171st position to 165th; Eritrea moved up from 179th to 178th; Djibouti was stagnant at the 173rd position, and Sudan dropped from 174th to 175th position.

A cursory look at Africa's current media landscape in 2019 suggests that the problem of journalists' insecurity is persistent. This is because, on May 1, 2019, the Uganda Communications Commission directed 13 media organisations to suspend their producers and heads of programmes for publishing an inciting and misleading content (Committee of Protection of Journalists, 2019b). Also, *Roots FM*, a privately owned radio station in Liberia, and two of its hosts (Henry Costa and Fidel Saydee) were slapped with a $500,000.00 civil defamation suit in April 15, 2019 by Nathaniel McGill, the Minister of State for Presidential Affairs for alleging that some people made political gains through financial improprieties during the 2017 general elections in the country (Committee of Protection of Journalists, 2019c). In Nigeria, the 2015 Cybercrime Act has been used against journalists repeatedly. Obinna Norman, the owner and editor-in-chief of *The Realm News* was arrested whiles on air at *Flo FM* station for

a political programme and charged under Cybercrime Law for alleged defamation and harassment of Theodore Orji, the Abia State Senator of the People's Democratic Party (Committee of Protection of Journalists, 2019d).

Even though there have been some gains of media freedom in Africa, journalists continue to encounter insecurity challenges in the course of their duties. As in the case of Ethiopia, there have been tremendous media reforms upon Prime Minister Abiy Ahmed's tenure and the country recorded the highest gains in 2019 press freedom index (Reporters without Borders, 2019a). For the first time in 14 years, the annual census of Committee of Protection of Journalists had no record of journalists behind bars in the country, and 260 websites that have been blocked were unblocked (Committee of Protection of Journalists, 2019e). However, the danger of regression of the gains made looms because these reforms are based on the goodwill of the Prime Minister and are not rooted in law. Also, mass media and anti-terror proclamation laws which were used to restrict the media are being reviewed by a council established by the office of the Attorney General.

Journalism sustains democracy by availing the platform for inclusive and pluralistic debates; hence, it is in the interest of governments to ensure environments devoid of journalists' insecurity for media freedom to thrive (Carlson & Poyhtari, 2017). Attacks on journalists hinder the free flow of information because the fear of attacks leads to censorship among journalists (Briamh, 2014). It is in this regard that governments in Africa must put in place and enforce structures that discourage attacks on journalists. This is because inclusive and pluralistic debates result in diversity in content and free market place of ideas: a necessity for democracies (Imoh, 2013).

The Relationship Between Media Freedom and Journalists' Safety

Media freedom and journalists' security are two different issues in democracies, but they are interrelated because journalists' security is pivotal to media freedom. This is because journalists' insecurity undermines media freedom. Though the right to life, integrity, and security apply to every citizen, they are of great relevance to the journalism practice (UNESCO, 2015). This is because insecurity takes away the safety that guarantees journalists the needed security to access information. For instance, when Tiger Eye PI was putting together the *Number 12* investigative football documentary, Ahmed Hussein-Suale was able to safely access information on corruption in national and international football because his identity was not known to many. However, this security to safely carry out his investigative duties was taken away when Kennedy Agyapong, an MP in ruling party exposed his identity on *Net2 TV*. Therefore, Hussein-Suale became a vulnerable target for those who felt uncomfortable with his journalist work and he was unfortunately killed. Upon his death, news consumers have been denied access to any other investigative work he might have been putting together. Therefore, journalists' safety borders on the human right yet it is crucial to media freedom because the Ghanaian media can sustain and enhance democracy only if journalists are safe and free to carry out their expected roles.

Journalists' insecurity is a threat to media freedom because it leads to "the ultimate act of censorship" (Carlson & Poyhtari, 2017, p.12). As a practice, journalism attracts hostility (UNESCO, 2014) since coverage on issues such as protests, politics, corruption, organized crime can be a life-threatening (Marcesse, 2017). Though Article 162 Clause 2 of the 1992 Constitution of Ghana prohibits censorship, violations like killings, attacks, arrest, and threats on journalists in the course of their duties prohibit the free flow of information. This is because the outcome of such acts may put journalists in a state that

may prevent them from telling the story being covered or may put fear in them to inaccurately report on issue. It is for this reason that actors of media freedom are interested in journalists' safety.

THEORETICAL FRAMEWORK

The Agenda-Setting Theory

The significant power of the mass media to set the mass audience's priorities was ascribed by the empirical Chapel Hill study by McCombs and Shaw in1968. Findings from the survey supported the agenda-setting function of the media because it suggested a stable relationship between the emphasis placed on different campaign issues by the media and the judgments of voters on the salience of various campaign topics (Overholser and Jamieson, 2005; Griffin, 2003; Severin and Tankard, 2001). As laid out by McComb and Shaw (1972), agenda-setting theory is the process whereby the media lead the mass public in assigning relative importance to various public issues (Baran and Davis, 2012). Lippmann did set the ground for all media effects studies when he wrote that the analyst of mass audiences' opinion must begin by recognizing the triangular relationship between the scene of action, the mass public's picture of that scene and the mass public's response to that picture working itself out upon the scene of action (Kwansah-Aidoo, 2005).

Cohen builds on Lippmann's observation when he posits that the media are not only successful much of the time in telling the mass audience what to think, but they are successful in telling them what to think about (Kwansah-Aidoo, 2005). Cohen claims that the world looks different to different people, depending on not only on their interest but also on the map that is drawn for them by the writers, editors, and publishers of the newspapers they read (Cohen, 1963 as cited in Kwansah-Aidoo, 2005; Griffin, 2003). Kwansah-Aidoo (2005) affirms this assertion when he notes that the media force attention to specific issues because they are continually presenting objects, suggesting what individuals in a mass audience should think about, know about and have feelings about.

Since the media are selective in reporting news, agenda setting occurs (Little John & Foss, 2011). The selection of issues by the press affords them a powerful effect on their mass audience (Grossberg, Wartella and Whitney, 2005; Griffin, 2003). Thus, the media through elaboration, selection and exclusion of news (featuring some issues prominently, others less prominently and some not at all), give to the mass audience a sense of an issue's salience (Grossberg et al., 2005). Griffin (2003) agrees with the above assertion when he notes that the mass audience looks up to news professionals for cues on where to focus their attention. The media in Ghana, especially the newspapers, have been noted to be pacesetters in agenda setting (Amoakohene, 2004; Kwansah-Aidoo, 2001; Nyarko, 2016; Sikaanku, 2011). This is because through *Newspaper Review* programmes, topical issues from the newspapers that made front page headlines are selected and discussed on radio and television stations for the citizenry to participate and contribute to the discussion through phone-ins, sms and/or posts on social media. Thus, the Ghanaian media successfully draw the public's attention to these selected topical issues, and the audience gives priority to such matters at the expense of the headlines not selected.

Besides, the media do not influence the mass audience directly about issues to be deemed as necessary but do so indirectly by dedicating prominence to some issues over others (Baran & Davis, 2012; Overholser and Jamieson, 2005). For instance, if the banner headlines or front pages of all the newspapers in Ghana or the radio stations and Television stations in Ghana repeatedly highlight issues on

journalists' insecurity and how they threaten media freedom, the mass audience would consider it as important. To Severin and Tankard (2001:219), the "agenda-setting function of the media refers to the media's capability, through repeated news coverage, of raising the importance of an issue in the public's mind". The principal assertion of the agenda-setting theory is the priority of issues on the media agenda influences the priority on the mass public's agenda (Baran and Davis, 2012; Kwansah-Aidoo, 2005). This implies that if the Ghanaian media prioritize the threats insecurity of journalists poses to media freedom in Ghana, the Ghanaian public, including those who are part of the perpetrators of violence against journalists, would equally consider it as a priority.

The long history of agenda-setting studies has demonstrated the potential effects of the media upon public consciousness (Baran and Davis, 2012; Littlejohn and Foss, 2011; Kwansa-Aidoo, 2005; Grossberg et al., 2005; Griffin, 2003; Sevrein and Tankard, 2001). The central theoretical idea of the theory is the media's ability to transfer salient issues from the media agenda to the public schedule (Kwansah-Aidoo, 2005, Grossberg et al., 2005; Griffin, 2003). Not only are meanings assigned to issues covered by the media, but media personnel also indicate the values to be used for judging the problems that are put into perspectives and are interpreted in the course of news coverage of matters of interest to the mass audience (Baran and Davies, 2012). Waldahl (2004) states that aside personal experiences, what the mass audience know about, think about and believe in is shaped by how these events are covered in newspapers. By extension, this means that the power of the Ghanaian media to positively influence public consciousness about journalists' insecurity and the threats it poses to media freedom depends on the kind of coverage they give to the issue. For the Ghanaian media to be successful in drawing public attention to the problem of the attack on journalists and the negative impact of such action on media freedom, there is the need for the media to frame and give more coverage to the issue of physical insecurity of journalists in Ghana.

The Media Framing Theory

As a central construct in agenda-setting theory, framing forms part of a broader examination of how news stories influence the opinion of the public. According to Goffman, frames are cognitive structures that lead consumers of information to unconsciously notice what should be seen (D'Angelo, 2002). Framing examines the outcome of intentional or unintentional highlights of issues on public perception because through framing, the media are able to "select some aspects of perceived reality and make them more salient in a communication text, causal interpretation, moral evaluation and/or treatment recommendation for the item described (Entman, 1993, p. 52). Therefore, Entman (1993, p. 53) avers that most frames are defined by not only what they exclude but also what they include because the "omission of potential problem definitions, explanations, evaluations, and recommendations are as critical as the inclusions in guiding the audience".

It has been suggested that news consumers use media coverage to make meaning out of complex issues (Gross, 2008). This is because media frames provide news consumers with interpretation schemas which enable them to simplify and understand topics covered by the media (Entman, 1993). As a result, it is vital to investigate how the Ghanaian media frame journalists' security and its impact on media freedom. This is because such an investigation would bring to fore the kind of information the Ghanaian media make available to news consumers on the issue of their security and media freedom in the country.

The identification and examination of media frames can be carried out in different ways (de Vreese, 2005; Entman, 1993; Iyengar, 1991; Scheufele, 1999). Entman (1993) based his identification and ex-

amination on "the presence or absence of certain keywords, stock phrases, stereotyped images, sources of information and sentences that provide thematically reinforcing clusters of facts or judgments" (p.52). Scheufele (1999) proposes dependent and independent variables in the identification of frames, but De Vreese (2005) talks about the inductive approach (where frameworks emerge from the media content being studied) and deductive approach (where pre-determined and operationalized framework are used). Apart from inductive and deductive methods, de Vreese also makes mention of issue-specific and generic ways of frames identification and examination. Frames that are used in studying specific issues or events are known as issue-specific frames whiles generic ways of frames are not limited to particular topics (de Vreese, 2005).

Iyengar also identifies two basic types of media frames namely episodic and thematic structures (Gross, 2008; Iyengar 1990; 1991). The thematic framework considers issues/events from a broader context and presents general and background information on an item to paint a bigger picture (Iyengar, 2011) whereas episodic frame uses the experience of a particular individual or specific topic to present a problem. Most essential studies on thematic and episodic frames from Iyengar (1990; 1991) show that effects of thematic framing lead to the attribution of responsibility to government officials whiles episodic frame results in liability being assigned to individuals or groups (Hart, 2011). This is of much relevance to this study because insights from the kind of frames used by the Ghanaian media in their coverage of journalists' security issues would determine whether the responsibility to the problem of journalists' insecurity and its impact on media freedom is assigned to the government or individuals.

News frames have links with the tone of coverage (Barnes, Hanson, Novilla, Meachan, McIntyre & Erickson, 2008). News stories have a neutral, negative or positive tone towards the issue being covered based on the interpretations the journalists put on events/ issues they cover. The use or omission of certain words by the journalists during his/her coverage of a subject (Entman, 1993) enable news consumers to construct meaning, process information and make decisions (Hart, 2011). Barnes et al., (2008) established this assertion when they studied coverage of Hurricane Katrina in the US. The authors discovered that most of the news stories that were critical of the government's spending had negative tones and accentuated that more action was needed to deal with the hurricane. News consumers use frames when constructing meanings, processing information and making evaluations or decisions (Hart, 2011). Media frames "have the greatest impacts on individuals when they resonate with individuals' social contexts and values predispositions" (Hart, 2011, p. 31).

Agenda-setting and framing are of much relevance to this study. This is because the media can influence news consumers through agenda setting and framing effects. It has been established that the ability of the media to set an agenda is not only determined by the attention given through coverage but also through how news consumers feel about the issue (Wu & Coleman, 2009). This implies that it takes both the level of attention the Ghanaian media generate on their insecurity and the feelings their coverage arouse through the framing of the problem of journalists' insecurity for media effects to occur.

METHODOLOGY

Research Approach and Design

The study employed qualitative case study approach because Creswell (2013) posits that "a case study is a qualitative approach in which an investigator explores a real-life, contemporary bounded system or

multiple confined systems over time, through detailed, in-depth data collection involving multiple sources of information (p. 97). The study used collective case study design (Creswell as cited in Shardow & Asare, 2016) with multiple methods (content analysis and interviews). This is because Creswell (2013) avers that such design enables a researcher to investigate cases to gain insights into the issue under investigation. This study investigates coverage given to insecurity of journalists to gain insights into how the Ghanaian media are raising the profile of physical insecurity of journalists in their coverage to counter the problem of insecurity of journalists and threats to media freedom in the country.

RESEARCH METHODS

Content Analysis

Summative content analysis (Hsieh & Shannon, 2005) was used to analyze the manifest and latent content dimensions of coverage of journalists' insecurity in two Ghanaian daily newspapers: *Daily Graphic* and *Ghanaian Times*. This was because the study did not only seek to investigate the kind of attention the Ghanaian media drew to the issue of journalists' insecurity in the country but also the interpretations news consumers were likely to make on the issue based on how it was framed. The study considers coverage from only newspapers because in Ghana, newspapers are pacesetters of agenda setting and they influence the agenda on the electronic media (Amoakohene, 2004; Kwansah-Aidoo, 2001; Nyarko, 2016; Sikaanku, 2011; Shardow & Asare, 2016). Also, Stromback and Kiousis (2010) have noted that newspapers can carry more information than the electronic media. The study compares coverage in two leading publicly owned newspapers in Ghana. This is because it has been established that publicly owned newspapers pay more attention to social concerns (Djankov, 20011) than privately owned newspapers whose contents are often determined by economic/financial concerns (Curran et al., 1982). Also, the two newspapers were selected because of high circulation and the consistencies in publication despite the dwindle in sales and circulation of newspapers in Ghana. The periods of the study were September 10th to November 30th, 2015 and January 16th to March 31st, 2019. These periods cover two instances of the worst form of attack on journalists in the post-fourth republic political history of Ghana: the killing of George Abanga, a journalist with *Success FM* in Ashanti Region in 2015 and the killing of Ahmed Hussein-Suale, a journalist with Anas Aremeyaw Anas's Tiger Eye PI in 2019.

According to Zhang and Wildemuth (2009), the unit of analysis in qualitative content analysis can be sentences, paragraphs, or themes that are conveyed in a phrase, a sentence, an article or the entire news story or editorial content. For this study, the unit of analysis was any news story within the periods of study that covered the killings or/and attacks on journalists. Through summative content analysis, 66 news stories were analyzed from 41 editions of the newspapers. Data collection procedure started with a manual search of versions of publications within the periods of study that contained contents on the killings or/and attacks on journalists. This was followed by a count of pages that covered the issues in the selected editions, then description, interpretation, and evaluation of the editorial content (Hsieh & Shannon as cited in Shardow & Asare, 2016). All the selected news stories were thoroughly read and coded using the coding instruction. Consideration was given to the total number of editions that covered the issue, frequency of stories, their placements (pages that covered the stories), types of news story and enhancements that accompanied the stories. These indicators determine the attention and prominence given thorough coverage.

The framing of the issue of journalists' insecurity in the newspapers was also examined to determine its impact on media freedom. Interpretations of news stories were carried out to identify the dominant frames used, evaluate the kind of frames used and analyze the tone of news stories. This was because, through the use or omission of certain words in coverage of the issue (Entman, 1993), news consumers would construct meaning and make decisions on the issue (Hart, 2011). The kind of frames used (thematic or episodic) in coverage would determine whether the Ghanaian media are attributing responsibility of addressing the problem of journalists' insecurity and its impact on media freedom in Ghana to the government or individuals (Iyengar, 1990; 1991; Gross, 2008; Hart, 2011). News stories can have negative, neutral or positive tone depending on the frames used in the coverage of issues (Barnes et al., 2008). Therefore, news stories within the periods of study that condemn physical insecurity of journalists or called for action against perpetrators of violence against journalists were assigned a positive tone. However, a story that supported such attacks or did not call for action against the perpetrators was labelled as having a negative tone. Then content that neither condemned attacks on journalists nor supported such attacks was having a neutral tone. These analyses would determine how the Ghanaian media influenced news consumers through coverage to think about the issue of journalists' insecurity and its impact on media freedom. Data gathered were thematically analyzed. Frequencies and percentages were used to enhance the interpretations and data analysis. Therefore, their relevance was of qualitative value to help ground the presentations and discussions.

Interviews

Interviews were also conducted to gather data to affirm or refute findings from the content analyses and to probe for information on the implications of the nature of coverage and the frames used for media freedom. Through purposive sampling, two editors, two senior officers at media monitoring organizations in Ghana and a journalist who has been attacked in the course of duty were selected for the interviews. The selection was based on their expertise on journalists' insecurity and its implications on media freedom in Ghana. The researcher aimed to probe and ascertain why the issue of journalists' insecurity and its impact on media freedom were given the kind of attention they had received through coverage during the periods of study. It also helped the researcher to establish if the attention given to the issue of journalists' insecurity through coverage was adequate to get news consumers to think about it and to influence how they feel about it.

Averagely, each interview lasted for 35 minutes, and each meeting was recorded, transcribed and cleaned before coding. Patterns that emerged as themes from the data were categorized and used to answer the research questions (Bowen, 2009). In agreement with ethical standards, the consent of the participants was sought before the interviews. In addition, through methodological and data triangulation, data from different sources were compared and cross-checked to enable the researcher to assess the validity of data gathered (Patton as cited in Hayashi, Abib & Hoppen, 2019). Due to the assurance of confidentiality to the interviewees, the names of participants are replaced with numbers in the study.

Research Questions

This study is on the premise that the media can influence and address issues in the society through advocacy from coverage (Baran and Davis, 2012; Littlejohn and Foss, 2011; Kwansa-Aidoo, 2005; Grossberg et al., 2005). Available studies on journalists' security show that journalists in Ghana are attacked with

impunity in the course of their duties (Bokpe, 2019; Diedong, 2017; Media Foundation of West Africa, 2019; 2018a, b, c & d; 2017a, b, c, d; 2016 a, b, c & d). Therefore, the study seeks to investigate why the Ghanaian media are unable to draw attention to the issue of their insecurity and set favorable agenda on journalists' security through their coverage. Thus, the study first investigates the attention the Ghanaian media draw to the issue through the coverage of journalists' insecurity. Secondly, the study identifies and examines the frames used in the coverage of the issue by the Ghanaian media. Finally, it explores the implications of the attention given to the point and the structures used in coverage of the problem to media freedom in Ghana.

Therefore, the following research questions guided the study:

1. What is the nature of coverage given to the issue of journalists' insecurity by the *Daily Graphic* and *Ghanaian Times*?
2. What are the frames through which *Daily Graphic* and *Ghanaian Times* narrate news stories on journalists' insecurity in Ghana?
3. What are the implications of the nature of coverage of and the framing of journalists' insecurity on media freedom in Ghana?

FINDINGS AND DISCUSSION

RQ1: Attention given to the issue of journalists' insecurity in the newspapers

Nature of coverage sought to investigate the attention given to journalists' insecurity through coverage, and it was marked by the following indicators: total number of editions that covered the issue, frequency of stories, types of news stories, placement of stories and enhancements that accompanied the stories.

From the findings, in Table 1, it was discovered that a total of 134 editions of the newspapers were published within the periods of study: 70 and 64 versions for the 2015 and 2019 periods of study respectively. However, only 41 publications (30.60%) covered news stories on journalists' insecurity in Ghana within the periods. The remaining 93 editions of the newspapers (69.40%) did not publish any editorial content on journalists' insecurity in Ghana. Out of the 41 editions, 19 editions from *Daily Graphic* (14.18%) and 22 editions from *Ghanaian Times* (16.42%) covered the issue of physical insecurity of journalists within both periods. In examining the editions, in 2015 period of study, it was realized that two editions of *Daily Graphic* (1.50%) covered the issue whiles 3 of the editions from *Ghanaian Times* (2.23%) gave

Table 1. Attention through newspaper editions

Period of Study	Editions Published N (%)	Coverage of Insecurity Issues N (%)		Newspapers N (%)	
		Editions with Coverage	Editions without Coverage	Daily Graphic	Ghanaian Times
2015	70 (52%)	5(3.72%)	65 (48.40%)	2 (1.50%)	3 (2.23%)
2019	64 (48%)	36(26.88%)	28 (21%)	17(12.68%)	19 (14.17%)
Sub Total		41 (30.60%)	93 (69.40%)	19 (14.18%)	22 (16.42%)
Grand Total	134(100%)	134 (100%)		41 out of 134 (30.60% out of 100%)	

Source: Field Data (2019)

coverage to the issue. For the 2019 period of study, 17 editions from *Daily Graphic* (12.68%) covered the issue of journalists' insecurity and *Ghanaian Times* covered the issue in 19 editions (14.17%).

For frequency of coverage, Table 2 shows that a total of 66 news stories were published in the 41 editions from *Daily Graphic* and *Ghanaian Times* that covered the issue within the periods of study. From the 66 stories, *Daily Graphic* and *Ghanaian Times* dedicated 27 news stories (40.90%) and 39 news stories (59.10%) respectively to coverage of physical insecurity of journalists within the periods of study. From the 66 news stories, *Daily Graphic* dedicated two news stories (3.03%) to the issue of physical insecurity of journalists in the 2015 period of study and *Ghanaian Times* dedicated three accounts (4.54%) respectively to coverage of the problem. However, 25 news stories (37.88%) from *Daily Graphic* and 36 news stories (54.55%) from *Ghanaian Times* were the frequency of coverage given to the issue in the 2019 period of study.

From the data gathered, in Table 3, it was discovered that the story types published by the newspapers within the periods were predominantly straight news: 58 (88%) out of 66 total numbers of stories were straight news. Thus, 25 out of the 27 news stories published by *Daily Graphic* (38%) were straight news while 33 out of the 39 news stories published by *Ghanaian Times* (50%) were the same. The remaining two news stories from *Daily Graphic* were one news article and one opinion piece (1.52% each). However, the remaining six news stories from *Ghanaian Times* were three editorials (4.5%), two opinion pieces (3%) and one feature (1.52%) and were published in the 2019 period of study. An examination of cover-

Table 2. Attention through frequency of news stories

Period of Study	Frequency of stories (n %)	Newspapers	
		Daily Graphic (n %)	Ghanaian Times (n %)
2015	5(7.57%)	2 (3.03%)	3 (4.54%)
2019	61(92.43%)	25(37.88%)	36 (54.55%)
Sub Total		27 (40.9%)	39 (59.1%)
Total	66 (100%	66 (100%)	

Source: Field Data (2019)

Table 3. Attention through types of news stories

Story Type	Frequency N (%)	Newspapers N (%)		Period of Study N (%)			
		Daily Graphic	Ghanaian Times	2015		2019	
				Graphic	Times	Graphic	Times
Straight news	58 (88%)	25 (38%)	33 (50%)	2 (3%)	2 (3%)	23 (35%)	31 (47%)
Editorials	3 (4.5%)	0	3 (4.5%)	0	0	0	3(4.5%)
Opinion	3 (4.5%)	1 (1.5%)	2 (3%)	0	1(1.5%)	1(1.5%)	1(1.5%)
Article	1(1.5%)	1 (1.5%)	0	0	0	1(1.5)	0
Feature	1 (1.5%)	0	1 (1.5%)	0	0		1 (1.5%)
Sub Total		27(41%)	39(59%)	5(7.5%)		61 (92.5%)	
Total	66 (100%)	66 (100%		66 (100%)			

Source: Field Data (2019)

age for each of the periods showed that 3% out of the 38% for straight news *Daily Graphic* published were dedicated to the 2015 period of study, and the remaining 35% of the straight news was dedicated to 2019 period of study.

Upon analysis of data on placement prominence of news stories in Table 4, the outcome indicated that the two newspapers dedicated 33 news stories each (50% each) of coverage to the front page and inside page prominence during the periods of study. However, *Ghanaian Times* gave more front-page prominence to the issue (n=22: 33.3%) than *Daily Graphic* (n=11: 16.7%). Also, the coverage from 16 of the news stories from *Daily Graphic* (24.2%) was given inside page prominence while that of 17 news stories from the *Ghanaian Times* newspaper (25.8%) were given the same distinction. Both publications did not give back page placement prominence to the issue of journalists' insecurity and the threat it poses to media freedom. Also, *Daily Graphic* dedicated 1.5% of front-page coverage on the topic to 2015 period of study and 15.2% to the 2019 period of study but *Ghanaian Times* gave 3% of its front-page coverage to the 2015 period and 30.3% to the 2019 period of study.

Findings, in Table 5, showed that a total of 59 news stories had pictorial/graphical images whereas seven news stories did not use any enhancements. In all, a total of 87 images (85 pictorial and two graphical images) were used. Twenty-five out of the 27 news stories published by *Daily Graphic* contained 35 enhancements (40.2%) while 34 out of the 39 news stories from *Ghanaian Times* also had 52 images (59.8%). From the total of 87 enhancements used with news stories within the periods of study, a total of 4 enhancements (4.58%) were used for the 2015 period of research, and 83 enhancements (95.42%) were used for the 2019 period of study. Also, *Ghanaian Times* used three images (3.44%) during the 2015 pe-

Table 4. Placement prominence of news stories

Placement	Frequency (N %)	Newspapers (N %)		Period of study (N %)			
		Daily Graphic	Ghanaian Times	2015		2019	
				Graphic	Times	Graphic	Times
Front pg.	33(50%)	11(16.7%)	22 (33.3%)	1(1.5%)	2(3%)	10(15.2%)	20(30.3%)
Inside pg.	33(50%)	16(24.2%)	17 (25.8%)	1(1.5%)	1(1.5%)	15(22.27%)	16(24.2%)
Back pg.	0	0	0	0	0	0	0
Sub Total		27 (40.9%)	39 (59.1%)	5 (7.5%)		61 (92.5%)	
Total	66(100%)	66 (100%)		66 (100%)			

Source: Field Data (2019)

Table 5. Attention through enhancement that accompanied the news stories

Enhancement	Frequency (N %)	Period of study (N %)		
		2015		2019
Daily Graphic	25(40.2%)	1(1.5%)	2(3%)	34(39.1%)
Ghanaian Times	39(59.8%)	3(3.34%)	1(1.14%)	49(56.32%)
Sub Total		4 (4.58%)		83 (95.42%)
Total	87(100%)	87 (100%)		

Source: Field Data (2019)

riod of research, and *Daily Graphic* used one image (1.14%) within the same period. For the 2019 period of study, *Daily Graphic* used 34 enhancements (39.1%) and *Ghanaian Times* used 49 (56.32%) images.

The preceding indicated that less attention was given to journalists' insecurity because less than one-third of the total editions (30.60%) published within the period of study gave attention to the issue. This assertion was confirmed in the interview. Majority of the participants (4 out of 5) admitted that the Ghanaian media did not give much attention to coverage of journalists' insecurity because they quickly moved on to the next big story at the expense of covering journalists' insecurity. Therefore, the participants suggested that the media had not made it a priority to set an agenda that would tackle the issue. For instance, a participant who had been a victim of an attack noted:

The Ghanaian media give coverage to such issue only when it happens. In my case, for instance, the entire media and the country gave it attention when it happened. However, this attention dwindled within two months even though we had not seen any result. This was because the media jumped unto next big story and the issue of attacks on journalists was swept under the carpet as if nothing had happened. Therefore, I will be frank and say that we have not done well in this regard [giving much attention of journalists' insecurity through coverage] and so have not been able to set an agenda to get stakeholders to address this issue to a logical conclusion (IDI Participant 1).

However, one participant was of the view that the issue was not given much attention in coverage because journalists were not severely insecure. He noted that a comparison of the proportion of journalists who were not attacked by those who were attacked would show that journalists' insecurity in Ghana was better than in other countries. He, however, admitted that there were no available statistics to base his argument on except his perception.

Upon critical analysis of the indicators of attention, it was discovered that coverage given to journalists' insecurity through number of editions, frequency of stories and type of news story was inadequate even though that of placement and enhancement was better. The overall number of editions that gave attention to journalists' insecurity within the period of study appears to be inadequate because out of the 134 editions published within the periods of study, about one third of the editions (30.60%) gave attention to the issue through coverage whilst about two thirds of the editions (69.40%) did not give attention to the issue. Therefore, it can be argued that the frequency of 66 news stories published from the one-third of all the editions is also not enough. Also, it was realized that the great majority of the coverage from the news stories (88%) were straight news and only 4.5% of the type of news stories were editorials. Editorials indicate the stance of the newspapers on a specific issue (Brooks, Kennedy, Moen & Ranley, 2011) therefore, it can be inferred from this finding that the newspapers did not exhibit a strong stance on journalists' insecurity within the periods of study. This is also an indication of less attention because straight news does to offer a broad scope in coverage for discussion of the issue like how articles, editorials, features or opinions do. For instance, in Bokpe's (2019) article, attention was given to available national records on attacks and impunity against journalists because this type of news story offered a broad scope for him to define and report on depth of records and trends of attack and impunity on Ghanaian journalists from 2006 to date.

The media lead the news consumers in assigning relative importance to various public issues through the attention given to an issue (McComb, 2014; Baran and Davis, 2012). Regular coverage a problem in newspapers determines the quality and impact of the problem on public agenda because regular and repeated coverage are salience cues (Baran & Davis, 2012; Griffin, 2003; Grossberg et al., 2005; Kwansah-

Aidoo, 2005; Little John & Foss, 2011; Overholser and Jamieson, 2005). To Severin and Tankard (2001, p. 219), the "agenda-setting function of the media refers to the media's capability, through repeated news coverage, of raising the importance of an issue in the public's mind". Therefore, by not giving much attention to these indicators through repeated coverage, the newspapers did not make the issue of journalists' insecurity in Ghana relevant in the minds of news consumers during the periods of study.

It is important to note, however, that placement and enhancements used in the coverage of the issue were better than the indicators above of attention. Half of the total frequency of stories (50%) was given front-page prominence, and most of the news stories (59 out of the 66 news stories) were accompanied with 87 enhancements. Placement of stories indicates prominence given to the story by a newspaper because news stories with high significance occupy the front page (Okorie & Oyedepo, 2011). In this light, Entman (1993) also posits that salience or prominence can also be achieved through strategic placement. Coverage at front pages of newspapers and the use of enhancements help to set agenda because agenda setting is successful when much prominence is given an issue in the media over time.

Besides, a comparison of the indicators of attention in the coverage by the two newspapers revealed a recurring trend of *Ghanaian Times* giving better care to the issue of journalists' insecurity than *Daily Graphic*. Within the periods of study, *Ghanaian Times* published the subject under investigation in 22 of its editions (16.42%), but *Daily Graphic* published in19 editions (14.18%); *Ghanaian Times* published 39 news stories on the issue (59.10%), but *Daily Graphic* published 27 news stories (40.90%); *Ghanaian Times* had 3 editorials (4.5%), 2 opinion pieces (3%) and 1 feature (1.5%) but *Daily Graphic* had 1 article and 1 opinion piece (1.5% each); 22 news stories from *Ghanaian Times* were given front-page prominence (33.3%), but 11 stories from *Daily Graphic* had front page prominence (16.7%), and *Ghanaian Times* used 52 enhancements in 39 news stories (59.8%), but *Daily Graphic* used 35 improvements in 25 news stories (40.2%).

This outcome indicates that the *Ghanaian Times* gave more attention to the coverage of journalists' insecurity over the periods than *Daily Graphic*. It also shows that *Daily Graphic* did not show much commitment to the coverage of the issue because none of the editorials from *Daily Graphic* within the periods of the study was on journalists' insecurity. Thus, *Daily Graphic* is well-resourced than *Ghanaian Times* (it has more reporters, and it publishes more pages than *Ghanaian Times*), therefore, it is expected that it should have given more coverage to the issue than *Ghanaian Times*. However, it can be argued that *Ghanaian Times* gave more coverage to the issue than *Daily Graphic* because police attacked three of its journalists during the 2019 period of study. The trend of the coverage from *Ghanaian Times* showed that the issue of journalists' insecurity was not given much attention in their editorial until their journalists were attacked: all the three articles were published after the attack.

Another recurring trend that emerged from the data was the issue of journalists' insecurity received better coverage from the newspapers during the 2019 period of study than the 2015 period. This finding affirms claims by Berger (2017) that the UN Plan of Action has yielded some gains upon its implementation. The review of the Plan revealed a significant impact in the mobilization of actors around the issue of journalists' safety year after year. Thus while 2013 recorded 30% in response rate in the request for voluntary information on killings (of journalists) and judicial follow-up from member states, 2015 and 2016 recorded 45% and 65% respectively in response rates (Berger, 2017). By extension, it can be argued that this impact the Plan has significantly increased over the years, and it has sensitized the Ghanaian media toward the issue, therefore, the better coverage in 2019 than in 2015.

RQ2: Frames through which the newspapers narrated stories on journalists' insecurity.

Upon review of story content, themes that emerged from the stories indicated that the news stories either denounced attack on journalists (frame of condemnation), called for action to be taken against perpetrators of an attack on journalists (frame of call for action/justice), reported a punishment has been taken against perpetrators (frame of action), recounted attacks with no action being taken against perpetrators (frame of impunity), contained more than one of the pro-journalists security frames (multi-frame) or the content did not support or condemn attacks on journalists explicitly (others).

The cumulative frequency distribution of the dominant frames that emerged from data gathered is presented in Table 6: multi-frame (n=17: 25.75%), frame of action (n=14: 21.21%), frame of call for action/justice (n=14: 21.21%), others (n=11: 16.67%), frame of condemnation (n=5: 7.58%) and frame of impunity (n=5: 7.58%). The dominant frames used by *Daily Graphic* were call for action (7: 10.60%) and others (6: 9.09%), multi-frames (n=5: 7.57%), impunity (n=4: 6.06%), action (n=3: 4.54%) and condemnation (n=2: 3.03%). On the other hand, those of *Ghanaian Times* were multi-frame (n=12: 18.18%), frame of call for action (n=11: 16.66%), action (n=7: 10.60%), others (n=5: 7.57%), condemnation (n=3: 4.54%) and impunity (n=1: 1.51%).

Content of news stories, within the periods of the study, was evaluated to determine whether the frame used to cover journalists' insecurity was episodic or thematic. The outcome, in Table 7, suggested that 59 of the news stories (89.4%) employed episodic frames and the remaining seven news stories (10.6%) used thematic frames. The *Daily Graphic* had 25 episodic frames (38%) and *Ghanaian Times*

Table 6. Dominant frames used in the coverage of journalists' insecurity

Frames	Frequency (N %)	Newspapers (N %)	
		Daily Graphic	Ghanaian Times
Condemnation	5(7.58%)	2(3.03%)	3(4.54%)
Call for action	14(21.21%)	7(10.60%)	11(16.66%)
Action	14(21.21%)	3(4.54%)	7(10.60%)
Impunity	5(7.57%)	4(6.06%)	1(1.51%)
Multi	17(25.75%)	5(7.57%)	12(18.18%)
Others	11(16.67%)	6(9.09%)	5(7.57%)
Sub Total		27(40.9%)	39(59.1%)
Total	66(100%)	66(100%)	

Source: Field Data (2019)

Table 7. Kinds of frames used in the coverage of journalists' insecurity

Kinds of Frames	Frequency (N %)	Newspapers (N %)		Period of Study	
		Daily Graphic	Ghanaian Times	2015	2019
Episodic	59(89.4%)	25(38%)	34(51.5%)	4(6.06%)	55(83.33%)
Thematic	7(10.6%)	2(3%)	5(7.5%)	1(1.52%)	6(9.09%)
Sub Total		27(41%)	39(59%)	5(7.58%)	61(92.42%)
Total	66 (100%)	66 (100%)		66(100%)	

Source: Field Data (2019)

also had 34 (51.5%). Also, *Daily Graphic* had two thematic frames (3%) with *Ghanaian Times* recording 5 (7.5%). Findings again showed that the newspapers used four episodic frames (6.06%) and one thematic frame (1.52%) in the 2015 period of study but the 2019 period recorded 55 episodic (83.33%) and six thematic frames (9.09%).

Data gathered, in Table 8, showed that 55 of the 66 news stories had a positive tone (83.33%), 6 had a neutral tone (9.09%) and 5 had a negative tone (7.58%). The *Daily Graphic* had 19 stories with positive tone (28.79%) and *Ghanaian Times* had 36 stories with positive tone (54.53%). The *Daily Graphic* also gave four news stories each (6.06%% each) neutral and negative tones but *Ghanaian Times* gave two stories neutral tones (3.03%) and a negative tone for an account (1.52%).

Analysis of data gathered revealed that episodic frames were frequently used, and most of the news stories had positive tones. To probe for more insights on this finding, data from the interviews were used affirm or refute findings. All the participants admitted that media organizations often see an attack on a fellow journalist as the problem of the affected journalist and his organization but not a general problem for all journalists. This explains the reason that 89.4% of the news stories within the periods of the study had episodic frames (individualistic perspective of the issue) than the thematic frame (holistic view). Therefore, a participant averred:

One of the weaknesses of the Ghanaian media is that they are very episodic so when something happens, they talk about it then forget it and leave it to die a natural death. Unfortunately, this happens in many instances. (IDI Participant 5)

From the data gathered, multi-frame was most dominant (25.7%) followed by frames of action and call for action/justice (21.21% each). The least used frames were impunity and condemnation (7.58% each). With the multi-frame, such stories condemned attacks on journalists, called for justice for the victims and demanded for an action against the perpetrators. For instance, *Daily Graphic* published a story in January 18, 2019 headlined *Murder of Tiger Eye PI Member, Prez Calls Police to Action* (p.1&3). This story had a multi-frame because, from the story content, the President of Ghana condemned the killing of Hussein-Suale and demanded swift investigations from the police (a combination of condemnation and call for action). The next dominant frame was a frame of action (21.2%). Stories that used this frame reported of arrest of suspects in investigations on the attacks (February 8, 2019 edition of *Daily Graphic*), police investigating threats against journalists (March 12, 2019 edition of *Ghanaian Times*

Table 8. Tone of coverage given to journalists' insecurity

| Tone | Frequency (N %) | Newspapers (N %) | | Period of study (N %) | | | |
| | | Daily Graphic | Ghanaian Times | 2015 | | 2019 | |
				Graphic	Times	Graphic	Times
Positive	**55(83.3%)**	19(28.79)	**36(54.53%)**	1(1.52%)	2(3.02%)	18(27.27%)	**34(51.5%)**
Neutral	6(9.09%)	4(6.06%)	2(3.03%)	1(1.52%)	1(1.52%)	3(4.54%)	1(1.52%)
Negative	5(7.58%)	4(6.06%)	1(1.52%)	0	0	4(6.06%)	1(1.52%)
Sub Total		27(%)	39(%)	5(%)		61(%)	
Total	66(100%)	66 (100%)		66 (100%)			

Source: Field Data (2019)

p. 16) and an interdiction of policemen who attacked journalists (March 21, 2019 edition of *Ghanaian Times*). Among the newspapers, *Daily Graphic* used more frames of call for action (10.60%) and others (9.09%) in its coverage but that of *Ghanaian Times* were multi-frame (18.18%) and frame of action (16.66%). The tone of news stories that covered journalist' insecurity within the period of study was dominantly positive (83.33%) out of which 54.53% was from *Ghanaian Times* and the remaining 28.79% from *Daily Graphic.* News frames have links with the tone of coverage because a news story's tone is determined through the interpretation of words used in composing the news story (Barnes et al., 2008).

To Goffman, frames are cognitive structures that lead consumers of information to unconsciously notice what should be seen (Goffman as cited in D'Angelo, 2002). Also, it has been established that news consumers use media coverage to make meaning out of issues because media frames provide interpretation schemas for the consumer understand the topics covered (Scheufele, 1999). These assertions are affirmed by Chong and Druckman (2007) when they note that framing enables news consumers to have a particular view or modify their perception of issues depending on how the media frame issues. Therefore by dominantly using multi-frames, frame of action and frame of call for action/justice in the coverage of journalist insecurity, the newspapers unconsciously led news consumers to notice that attacks on journalists must be condemned; that they should take actions that provide security to journalists; and that they should demand justice for journalists who have been attacked in the course of their duties. This is because frames used in coverage influence the minds of news consumers and causes them to react in a certain predictable way (Price, Tewksbury & Powers as cited in Shih, Wijaya & Brossard, 2008).

Gathered data also indicated that the newspapers dominantly used the episodic frame in their coverage of the issue. Most of the news stories published within the periods of study (89.4%) used episodic frames while very few of the stories (10.6%) had thematic frames. Thematic frame considers issues/events from a broader context and presents general and background information on a topic (Iyengar, 2011) whereas episodic frame uses the experience of an individual or specific issue to offer a problem (Hart, 2011). For instance, the March 15, 2019 edition of the *Ghanaian Times* (pp.1 &7) recounted a story of the attack on the three journalists from *Ghanaian Times* without linking the attack to general and background information on statistics and trend of attack and impunity in the country. However, the opinion piece published on March 1, 2019, by the same newspaper, talked about physical insecurity of journalists in general and linked it with statistics on attacks on journalists globally from 1992 to date from International Federation of Journalists. Iyengar (1990; 1991) posits that such frame assigns responsibility to the whole society or the government than individuals and cause for an action to be taken. Journalists' insecurity is a national issue; therefore, the need for the newspapers to use more thematic than the episodic frame to cause the Ghanaian society to address the issue.

RQ3: Implications of nature of coverage of and the framing of journalists' insecurity on media freedom in Ghana.

It was discovered that journalists' insecurity in Ghana received inadequate coverage from the newspapers - an indication of not much attention from the media to get the issue onto the public agenda. This is because a school of thought avers that the media can lead the public to assign importance to journalists' insecurity only when much attention is given to the issue (McComb, 2014; Baran and Davis, 2012). Such attention can be achieved through regular and repeated coverage because they serve as salience cues (Baran &Davis, 2012; Griffin, 2003; Grossberg et al., 2005; Kwansah-Aidoo, 2005; Little John & Foss, 2011; Overholser and Jamieson, 2005, Stromback & Kuosis, 2010). Another school of thought posits that frames are cognitive structures that lead consumers of information to unconsciously notice what should be noticed (Goffman as cited in D'Angelo, 2002). Also, the kinds of frames used in coverage and

the tone of coverage influence how the general public makes meaning from coverage. Just as thematic frames have the effect of assigning responsibility in addressing an issue to government/society (Hart, 2011), so does positive tone of coverage portray the issue and influence how Ghanaians perceive the problem of journalists' insecurity. This implies that even though most of the frames used in coverage and tone of news stories were pro-journalist's security, most of the kinds of frames used were episodic and not thematic. Therefore, news consumers assigned the responsibility of tackling journalists' insecurity to individuals than seeing it as a national problem.

It is important to note that whereas agenda setting is concerned with attention to the issue (Baran &Davis, 2012; Griffin, 2003; Grossberg et al., 2005; Kwansah-Aidoo, 2005; Little John & Foss, 2011; Overholser and Jamieson, 2005), framing is with how the issue is portrayed (Entman, 1993; D'Angelo, 2002; Gross, 2008) and the kind of frame used also determines attribution of responsibility (Gross, 2008; Inyengar, 1990;1991; 2011; Hart, 2011). However, it has been established that the ability of the media to set an agenda is not only determined by the attention given through coverage but also through how news consumers feel about the issue (Wu & Coleman, 2009). This implies that it takes both the level of attention the Ghanaian media to generate on their insecurity and the feelings they arouse towards the issue through their framing of the question for media effects to occur. This may account for the reason that the Ghanaian media are unable to draw public attention to the problem of journalists' insecurity. Thus, the coverage of the problem by Ghanaian media is not done repeatedly because they easily move "unto next big story" and forget about the issue of attacks on journalists "as if nothing had happened" (IDI Participant 1), a situation referred to as inertia on the part of Ghanaian media (Media Foundation of West Africa, 2019). In this light, a participant opined:

One of the significant weaknesses that have been established within the Ghanaian media is the fact that they are not consistent in follow-ups. When something new happens, they abandon the old one and move on to the new one. (IDI Participant 2)

This situation is heightened by the fact that episodic framing is often used in writing news stories about the problem than thematic. This does not make news consumers see journalists' insecurity as a national problem but as an individual problem, and this undermines the bigger picture and generalizability of journalists' insecurity among news consumers (Iyengar, 1991). Thematic frames often result in more significant support for government programmes to solve an issue (Gross, 2008); therefore, the need for the media to use more thematic frames in their coverage of physical insecurity of journalists.

These have negative implications for media freedom in Ghana. Thus, the participants noted that the Ghanaian media are unable to use their coverage to draw news consumers' attention to journalists' insecurity; therefore, failure to advocate journalists' safety. For instance, a participant observed:

The Ghanaian media do not seem to advocate for itself because when journalists are attacked and threatened, the enthusiasm with which the media get on board to give attention to such issues is far less when compared to their zeal when people who are not in the media are attacked. (IDI Participant 4)

Also, the media are failing to present the problem of journalists' insecurity as a national issue that needs national attention, and this may account because the Ghanaian media are unable "to set an agenda to get stakeholders to address this issue to a logical conclusion" (IDI Participant 1). This situation un-

dermines media freedom because it allows journalists' insecurity to thrive in a country with a weak will to fight impunity against journalists.

CONCLUSION AND RECOMMENDATIONS

This study concludes that the Ghanaian media do not give constant attention to the issue of physical insecurity in their coverage even though they provide some prominence to the point through front page placements and use of enhancements. This does not set an agenda that favours the safety of journalists in Ghana because it is through repeated coverage of the issue that it would be salient enough to draw the attention of news consumers. Also, the frames and tones the Ghanaian media used in their coverage within the periods of study were pro-journalists-safety, but great majority of the stories used episodic frame, therefore, the problem of journalists' insecurity was presented as an individual than a national problem to news consumers and this undermines the bigger picture and generalizability of journalists' insecurity among news consumers. The preceding poses a threat to media freedom in Ghana because it is an indication that the Ghanaian media are not doing enough to ensure that their security is given national attention.

The political will to fight attacks on journalists and impunity is weak in the country (Bokpe, 2019; Media Foundation of West Africa, 2019), therefore, the media must use their coverage to set an agenda that would favour the safety of journalists in Ghana. It is therefore recommended that:

1. The Ghanaian press should repeatedly give coverage to the issue of journalists' insecurity until the problem becomes salient and set an agenda that is favorable to the safety of journalists in Ghana.
2. The media must use more thematic frames in their coverage to present the bigger problem of journalists' insecurity to news' consumers because it would make them appreciate the need to tackle the problem as a national issue than an individual matter.

FUTURE RESEARCH DIRECTIONS

Within the context of Ghana, this study opens new directions for future research into how the media frames the issue of journalists' offline and online safety. It is also recommended to have future research into the impact of media coverage on government's policies, journalists unions' collective action and university research agendas to counter diverse types of threats to journalists' safety. Other possible areas of research includes, but not limited to: types and sources of threats to journalists' safety in Ghana, legal framework to ensure journalists' offline and online safety to counter impunity and digital and financial protection of journalists in Ghana.

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Chapter 12
Silencing the Media and Chaining the Watchdog:
Threats to Journalist Safety During Elections in Nigeria

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ABSTRACT

Over the last two decades, Nigeria has been struggling to consolidate its democratic processes to ensure peaceful campaigns and free and fair polls. But electoral processes require the free flow of verified electoral information and citizen's participation – phenomena that only free media can guarantee. As enshrined in the nation's constitution, it is expected that freedoms of expression and press will be guaranteed during polls times and always. On the contrary, election times are often dejection time for Nigerian journalists. Hence, concerns are being raised about what factors are responsible for causing threats to journalists during poll times and how the menace can be mitigated. Drawing on the experiences of 12 journalists who were interviewed face-to-face, this chapter found aggressive journalistic practices, overconfidence, and breach of journalistic ethics responsible for threats to journalists' safety. The chapter concludes that professional incompetence is one of the critical factors exposing Nigerian journalists to threats.

INTRODUCTION

During election times journalists employ various techniques to gather political information, including uncontentious methods, like interviewing, to extremely risky practices such as revealing secrets and incursion into personal confidentiality (e.g., investigative reporting). Like in most countries, in Nigeria these journalism practices are controlled by legal/constitutional regulation and professional codes of ethics (Morah, 2012). However, opinions widely differ among journalism scholars and experts concerning the suitability and appropriateness of diverse newsgathering practices and methods, including those typically prohibited by professional journalistic codes of ethics or constitutional laws (Foreman, 2010; Izuogu, Omeonu, Ubani, & Ugwu, 2018; Willnat, Weaver, & Choi, 2013). Despite the plethora of events, issues and matters needing journalistic attention at various times and seasons, there is no much distinction in the types of journalistic practices to use except in specialized contexts and situations (e.g., investigative journalism, advocacy journalism, or even propagandistic journalism especially during wars and conflicts) (Malaolu, 2012, 2004; Neverla, Lohner, & Banjac, 2015).

Some adventurous journalists would go to the extent of using perilous practices such as exposing shady deals involving top government officials if, e.g., it would yield any positive development surrounding accountability and transparency in the use of public funds and they are worried that the commonly acceptable codes of ethics employed in their professional practices do not permit for the application of personal reasoning principles (Hanning, 2014). With this absence of scholarly and professional unanimity, it is predictable that, notwithstanding the ample research literature in journalistic practices extending nearly half a century, still there is dearth of understandable justification about the factors and circumstances predicting journalists' use of controversial and more aggressive newsgathering practices with risk potential such as disclosure of secrets for public good.

Understanding the factors that push journalists to employ several newsgathering practices with high risk potential, which are often disapproved of by the political class is therefore, important. A good grasp of the elements that forecast journalists' moral and ethical behaviors can provide clues into how to make journalism education and training better, help inspire and urge journalistic practices suitable to the society and aid reporters gain increasingly additional autonomy to accept or reject practices that authentically genuinely adapt to their own standards and values (Hollings, Hanitzsch, & Balasubramanian, 2019).

In Nigeria, most controversies surrounding the state launching inquiries into journalistic practices and censoring the press occurred more than 20 years ago, during the protracted military regimes and interregnums (Sobowole, 1985). In recent years, online investigative journalism practices are among the emerging critical issues leading to journalists' involvement in risks and facing threats to their safety (Olabamiji, 2014) as Reporters without Borders (RSF, 2015) aptly notes, "in some countries, a journalist can be thrown in prison for years for a single offending word or photo. Jailing or killing a journalist removes a vital witness to events and threatens the right of us all to be informed" (p.10).

However, investigative journalism has been practiced in Nigeria for quite long (Izuogu et al., 2018; Malaolu, 2012). To contribute to the growing body of literature, this paper aims to identify empirically the critical factors capable of determining the Nigerian journalists' adoption of journalistic practices and role orientation with potential risk to their safety during election times. To achieve that, a review of extant literature was performed from which an interview question guide was drawn with which the experiences of 12 practicing journalists were analyzed.

BACKGROUND

Press freedom is upheld in Nigeria by the constitution, which provides for other freedoms, of speech and expression as well. As noted by Freedom House (2019, online) the constitutional backing for those freedoms is further reinforced by the Freedom of Information (FOI) Act which was promulgated in 2011. The FOI Act further upholds citizens' and media "right to access public records". However, with civil rights advocates such as non-governmental organizations (NGOs), civil society organizations (CSOs) and human rights organizations brazenly criticizing government ministries, departments and agencies (MDAs) for more often than not declining to issue information requested lawfully, it can be argued that the authorities knowingly or unknowingly maybe converting the FOI Act to be a Freedom of 'Disinformation' Act, especially during a time when social media propel fake news and disinformation to occupy any information lacuna created due to information mismanagement such as this.

According to Reporters without Borders, RSF (2019b) freedoms of expression, and indeed that of the press, is one of the basic human rights, upheld in the Article 19 of the Universal Declaration of Human Rights. A free press is envisaged to serve as a watchdog to the ruling class, ensure national cohesion and create information-fertile climate capable of guaranteeing freedom of expression, democracy and good governance and citizens' participation in decision-making. Despite the 'constitutional 'guarantee' for press freedom in the country, Freedom House laments that:

These rights are limited by laws on sedition, criminal defamation, and publication of false news. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses…. Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, separatist and communal violence, or other politically sensitive topics. (Freedom House, 2019, online)

Extolling the watchdog role of the press (media), Professor Rotimi Williams Olatunji, Dean, School of Communication, Lagos State University cited in *AllAfrica* (2018 May 7, online) describes press freedom as "the freedom of all and freedom for all", and went further to reaffirm that "there is no other arm of the government in Nigeria and globally that is saddled constitutionally with the task to keeping power in check, enhance justice and maintain the rule of law than the Press". Despite the constitutional and legislative 'guaranteeing' of freedoms of the press and expression in the country as well as the substantial consolidation of democracy (since 1999), Freedom House (2019) and Professor Olatunji cited in *AllAfrica* concur that journalists are threatened daily, they are exposed to needless risks, hazards, danger and deprivation, the media are muzzled, voices of opposition entities are silenced and journalists' work conditions are unabatedly compromised. To crown it all, Professor Olatunji opines that "no place is safe for the Nigerian journalists" (*AllAfrica*, 2018 May 7, online).

Operating in a country with a constitutional support for press freedom and once ranked one of the freest in Africa (Freedom House, 2016), the Nigerian press is supposed to be seen and, at least apparently act as one of the freest in the continent as purported. However, the opposite is the case. Statistics provided by Committee to Protect Journalists (CPJ) (2019a) highlight that since 1992 till the time of this writing, 10 journalists have been killed in Nigeria: 1 each in 2009, 2011 and 2012, 2 each during 1998 and 2010 and 3 in 1999. Globally, however, 700 journalists were killed in the course of their work from 2006 to 2015 (RSF, 2015). Furthermore, *The UNESCO Courier* magazine July-September 2017 issue, No. 2, cites Irina Bokova, the Director-General of UNESCO decrying the perilous situations journalists

encounter while at work, "over the last decade, more than 800 journalists have been victims of crimes aimed at muzzling freedom of expression. Only one murder out of ten ended with a conviction. This impunity is unacceptable and fuels the spiral of violence in the future" (p.3).

Based on the global ranking of press freedom by Reporters without Borders, RSF (2019a) Nigeria has been ranked 120th in 2019 out of 180 counties. In 2018, it was ranked 119th, a place higher than its current year's ranking. From 2013 to 2017 it was ranked 115, 112, 111, 116 and 122 respectively. This shows that the press relatively had it far better in terms of freedom during the 2015 election year than the present (2019) polls season, which has been the worst since 2013. The current, 2019 press freedom index ranking provided by Reporters without Borders, RSF (2019a) further shows that Nigeria is placed one step below Zambia and only one step above Afghanistan. Nigeria's African sister countries like Ghana, 27th and South Africa, 31st are ranked higher, well above the contemporary so-called mothers of democracy in the world namely, France, ranked 32nd, UK, 33rd and US, 48th. Ranked 66th, even Niger Republic is far ahead than its oil-rich and Africa's most populous nation neighbor (Nigeria) in terms of press freedom. It is like one is prompted to wonder 'the mightiest are fallen'.

The Committee to Protect Journalists, CPJ (2019a) and Freedom House (2019) observed that the campaigns for Nigeria's 2019 general elections were marred by extraordinary levels of threats to journalists and disinformation and that social media have been singled out as one of the most fertile breeding grounds for fake news, which was peddled by the main contending political parties, the ruling APC (All Progressives Congress), the arch opposition PDP (People's Democratic Party) and their loyalists. Both during the campaigns and during the (2019) elections, quality journalism and journalists had been bereft of protection from harm, harassment, impunity and other threat. Outlining some of the difficult circumstances Nigerian journalists operate in, especially during political campaigns and polls, Reporters without Borders (RSF) notes,

Africa's most populous nation has more than 100 independent newspapers and yet covering stories involving politics, terrorism or financial embezzlement by the powerful proves problematic. Journalists are often threatened, subjected to physical violence or denied access to information by government officials, police and sometimes the public itself. (RSF, 2019a, online)

In what seems to be a justification for a popular humorous quotation, "there is freedom of speech, but I cannot guarantee freedom after speech", which is attributed to the late Ugandan military dictator, Field Marshal Idi Amin and shared by Nigerian social media users as a sarcasm against the purported press freedom in the country, literally, freedom after publication is unfortunately not guaranteed for many Nigerian journalists, especially during election times. For example, Nonso Isiguzo, a news editor with the private FM radio station, *Nigeria Info*, was harassed, assaulted and detained by security forces while commuting between polling units on election day (during the 2019 election) in the Rivers State local government area of Ahoada West. He was also "denied access to report on polling stations [and] forced to delete photographs" (CPJ, 2019b March 13, online).

LITERATURE REVIEW

Ethical and Role Orientation Issues in the Journalism Practice in Nigeria

Globally, professional practices such as journalism are usually guided by sets of moral principles that supervise their general conduct. The practice of journalism in Nigeria is generally guided by a code of ethics. This highlights the fact that efficient and effective practice of journalism is rooted 'in the principles of ethical values' and role orientation, which are formulated to regulate the activities of journalism toward professionalism. The precarious situation in which they operate, and excesses of journalists and media owners prompted the establishment of various regulatory bodies with the aim of curbing those and mitigating the negative effects of the precariousness that is likely to affect effective journalism practice in the country. These regulatory bodies are the National Broadcasting Corporation (NBC) and the Nigerian Press Council (NPC). Further, a comprehensive code of ethics for journalism practice was formulated in 1998 by the Nigeria Press Organization (NPO), which consists of the Nigerian Union of Journalists (NUJ), Newspaper Proprietors Association of Nigeria (NPAN), Nigeria Guild of Editors (NGE) and the Nigeria Press Council (NPC) (Tsegyu & Asemah, 2014, p.10). According to Pepple and Acholonu (2018) "Journalism code of ethics is the set of moral principles guiding the journalism practice" (p.57) in Nigeria and they are as follows:

1. Editorial independence: This entails that decision concerning the content of news should be the responsibility of a professional journalist.
2. Accuracy and fairness: (i) The public has a right to know factual, accurate, balanced, and fair reporting is the ultimate objective of good journalism and the basis of earning public trust and confidence. (ii) A journalist should refrain from publishing inaccurate and misleading information. Where such information has been inadvertently published, prompt correction should be made. A journalist must hold the right of reply as a cardinal rule of justice. (iii) In the course of his duties, a journalist should strive to separate facts from conjecture and comment.
3. Privacy: A journalist should respect the privacy of individuals and their families unless it affects public interest. (a) Information on the life as an individual or his family should only be published if it impinges on public interest. (b) Publishing of such information about an individual as mentioned above should be deemed justifiable only if it is directed at: (i) exposing crimes or serious misdemeanor, (ii) exposing anti-social conduct, (iii) protecting public health, morality and safety, (iv) preventing the public from being misled by some statement or action of the individual concerned.
4. Privilege/non-disclosure: (i) A journalist should observe the universally accepted principle of confidentiality and should not disclose the source of information obtained in confidence. (ii) A journalist should not breach an agreement with a source of information obtained as "off-the-record" or as "background information".
5. Decency: A journalist should dress and comport himself in a manner that conforms to public taste. (i) A journalist should refrain from using offensive, abusive, or vulgar language. (ii) A journalist should not present lucid details, either in words or picture of violence, sexual acts, abhorrent or horrid scenes.
6. Discrimination: A journalist should refrain from making pejorative reference to a person's ethnic group, religion, sex or to any physical or mental illness or handicap.

7. Reward and gratification: (i) A journalist should neither solicit not accept bribe, gratification, or patronage to suppress or publish information. (ii) To demand payment for the publication of news is inimical to the notion of news as a fair, accurate, unbiased, and factual report of an event.

8. Violence: A journalist should not present or report acts of violence, armed robberies, terrorist activities or vulgar display of wealth in a manner that glorifies such acts in the eyes of the public.

9. Children and minors: A journalist should not identify, either by name or picture or interview children under the age of 16 who are involved in cases concerning sexual offences, crimes and rituals or witchcraft either as victims, witnesses, or defendants.

10. Access to information: A journalist should strive to employ open and honest means in the gathering of information. Exceptional methods may be employed only when the public interest is at stake.

11. Public interest: A journalist should strive to enhance national unity and public good.

12. Social responsibility: A journalist should promote universal principles of human rights, democracy, justice, equity, peace, and international understanding.

13. Plagiarism: A journalist should not copy, wholesale or in part, other people's work without attribution and/or consent.

14. Copyright: (i) Where a journalist reproduces a work, in print, broadcast, art work or design, proper acknowledgment should be accorded the author. (ii) A journalist should abide by all rules of copyright, established by national and international laws and conventions.

15. Press freedom and responsibility: A journalist should strive at all times to enhance press freedom and responsibility.

Furthermore, in Nigeria, journalists are facing strenuous and sensitive ethical challenges. They include bribery and corruption, materialism, fraud, embezzlement, sycophancy and many other forms of ethical violation while having a great deal of other problems to contend with, e.g., character assassination, sycophancy, source confidentiality, pressure from within and outside, Afghanistanism, sensationalism, sexism and plagiarism. Often, these challenges involve decisions about the ethical conduct, role orientation and the peoples they work with, e.g., the president, governors, ministers, commissioners, media proprietors and other key stakeholders both within and outside government. These people are invariably affected by journalism practice (Akabogu, 2005; Pepple & Acholonu, 2018).

Role Performance and Role Perception of Journalists

When discussing about professional roles at least four key concepts are usually considered, namely role conception, role perception, role enactment and role performance. Based on the theme of this chapter, only role perception and role performance are discussed. Despite the those four concepts can be studied at the evaluative level (for example, whether the journalist can conceive and perceive his or her roles, perceive how he or she carries out their job and the audience can perceive and evaluate his or her performance), role performance as concept is situated within the performative stage, in which the actual journalism practice emanates (Donsbach, 2008; Pepple, 2018). This stage is the level that is most likely to be observed by members of the public and other groups. This level is also the platform to articulate the cognitive and evaluative stage of journalism practice (Hellmueller & Mellado, 2015; Mellado, Hellmueller, & Donsbach, 2016).

A study of journalism role performance provides the opportunity to make an analysis that captures the result of newsroom decisions and 'back-stage' of news production, which include the negotiations

with different reference groups, the tedious search for sources and verification process. Further, largely, at this level attitude, perceptions and motivations are studied mainly for analytical purposes but may not necessarily translate into journalistic practices (Fab-Ukozor, 2011; Mellado & Van Dalen, 2016). When we talk about role perception, we refer to perceived role expectations in the society. Actually, journalists do not conceive a role but rather perceive a specific task as socially, ethically and professionally required. Hence, role perception may not necessarily be born out of the conceiver, but rather might a followed script that has been internalized and is situated in the larger social, ethical and professional structures "but did not form a mental representation of that role for a particular journalist" (Ekeli & Enokbahare, 2011; Mellado et al., 2016, p.6).

Journalists may perceive a particular role expectation at any time, however, they do not have a self-conceived role but rather follow roles expected of them (Mellado, 2015). A good example is, a journalist perceiving a watchdog role internalizes the expected Behavior that was conceived in the society. It has even been argued that "in a casual model of factors influencing news decisions, role perceptions become an intervening variable that moderates the influence of primary variables such as the news value of people or topics in the news, or subjective beliefs" (Donsbach, 2008 cited in Mellado et al., 2016, p.6; Philip, 2010).

Journalism Practices with Potential Risk to Journalists' Safety

Empirical investigation about the risk factors (predictors) of journalists' involvement in risks and threatening circumstances due to their employment of assertive (aggressive) journalistic practices can traced to be traced to the early 1970s. During the 1960s and 1970s, findings of an empirical inquiry on journalism in the United States conducted by Johnstone, John, Slawski and Bowman (1976) categorized journalists into two distinct groups, namely the adventurous category, who preferred aggressive style of newsgathering (referred to as 'participant') and the not-so-adventurous journalists, those who favored 'neutral' journalism (Foreman, 2010; Johnstone et al., 1976; Obijiofor & Hanuch, 2011).

The adoption of participant values of newsgathering during political times was discovered to be positively associated with professional education, income, capacity of decision-making obligation, town/city (location) size and size and prominence of news organization (Ciboh, 2017). While, more skillfully experienced, older journalists holding influential managerial posts were shown to be inclined to opt for neutral journalistic values. The literature further showed that neutral journalistic values were associated with journalists' demographics such as age and experience, and labor size. Remarkably, both as participant and neutral women journalists were more differentiated, with stronger opinions than men journalists (Hollings et al., 2019: Johnson et al., 1976; Obijiofor & Hanuch, 2011; Triputra, 2017). This early journalistic research classified two vital predispositions among journalists – mostly centered on the definition of the roles of journalists. However, the study was silent about the degree to which the journalists were ready to embark on those predispositions, especially regarding newsgathering practices.

Studies of journalism in later decades explored this issue, adopting perceptual and attitudinal surveys on specific newsgathering practices (Patterson, Wilkins, & Painter, 2018; Willnat et al., 2013). The survey perspectives developed by Weaver was one of the most extensively adopted. It consists of a list of 10 newsgathering practices, "ranging from the relatively uncontroversial…use of confidential government documents without permission, to the highly questionable…paying money to sources" (Foreman, 2010, p.11). These are sheer investigative journalism practices, and they usually contain some bit of trickery

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(e.g., wearing hidden recording devices) or incursion (e.g., using government or personal information without permission) (Weaver & Wilhoit, 1991).

One of Weaver's studies discovered that adoptability of these practices did not vary significantly, although older, more-experienced journalists, including radio broadcast journalists were more probable to criticize them. However, journalists working in larger organizations and earning higher salaries were more probable to accept them. The study further showed that educational qualification, town/city (location), or media ownership type did not significantly predict the probability of accepting or criticizing those journalistic practices (Weaver & Wilhoit, 1991). However, gender, political leaning and journalism experience are shown to be significant predictors of journalists' involvement in risks and threatening circumstances due to acceptance of deception as an investitive journalism practice (Lanosga, Willnat, Weaver, & Houston, 2017) especially in Nigerian context (Ciboh, 2017; Ojomo, & Tejuosho, 2017; Skjerdal, 2018).

Ordinarily, the acceptance of these journalistic practices has been classified as an ethical resolve (decision). Ample literature exists on ethical decision-making that emphasizes the effect of demographic factors, organizational factors and situational factors as well as individual factors such as values, mood, moral development and 'moral intensity' of a situation (Craft, 2013; Hossain & Aucoin, 2018). A study conducted in the US that gauged journalists' responses to three hypothetical ethical problems discovered that "more experienced journalists were more likely to back their own professional judgement, rather than rely on what they thought their professional peers or organization would expect" (Ryan, 2001, p.20). This finding particularly supported the notion of source-initiated censorship, moral problems, or ethical dilemmas such reaching a decision over what given details of a news story to gatekeep (leave out). Except for gender, other demographics such as professional educational qualification and professional affiliation seemed to have some but weak influence (Lanosga et al., 2017). Other past studies have shown that celebrated journalists and reporters with more influential authority in the newsroom, are more likely to have more autonomy, thus paving the way for them to influence the decision over what kind of journalistic practices to adopt (Hollings, 2011; Willnat et al., 2013).

Furthermore, another past study found that experience in investigative reporting is salient. There is a rich body of literature in investigative journalism practices that recommends the use of deceit (e.g., going undercover) and deception (e.g., wearing a hidden recording device) provided these practices reveal information that is a good for public consumption, with good outcomes for the society (Hunter, 2009). Several past studies of investigative journalism have shown that what investigative reporters consider as ethically justifiable often depends on situation context rather than journalistic ethical practices (Aucoin, 2005; Hollings, 2011). However, the literature on ethical decision-making usually centers on the decision in question as being generally agreed by the researchers, if not the respondents, to be unethical, e.g., burglary (see Detert, Treviño, & Sweitzer, 2008; Hossain & Aucoin, 2018). This paper would argue that despite being against the professional ethics of journalism in Nigeria and obviously having potential for exposing journalists to risks, these journalistic practices are not considered by all journalists as absolutely unethical. As indicated earlier, for example, using deception or intrusion in some situations is more ethical for some journalists than taking no action and leaving a crime or an offense to continue. Therefore, viewing these journalistic practices with a solely ethical decision-making lens will certainly raise questions of construct validity, which may explain the inconclusive findings it has yielded to date (Hollings et al., 2019).

Another issue may be an absence of consensus about the manner some of these potential risks factors and predictors are theorized. Since the earliest groundbreaking definition of the different roles that

journalists may play (e.g., participant or neutral observer) (Cohen, 1963), a rich body of research has built up, which has determined a highly graded range of culturally specific roles. This approach has, e.g., introduced the notions of a passive or active journalism and unraveled the composite role of 'watchdog' journalism which sees journalists as greatly critical, yet neutral (impartial) observers (Donsbach 2004; Triputra, 2017).

Over the past one decade, Hanitzsch (2007) offered a new paradigm for classifying the wide variety of journalistic roles, which integrates and expatiates on Cohen's neutral–participant separation. Hanitzsch (2007) offered three dimensions, namely (i) interventionism, (ii) power distance and (iii) market orientation. Interventionism refers to the degree to which a journalist is willing to "pursue a mission or promote certain values (similar to notions of advocacy journalism [Kempf, 2007]), or prefers to be more of a detached and uninvolved observer" (Hollings et al., 2019, p.5). Power distance dimension explains the degree to which journalists envisage themselves as either highly neutral monitors of polity (i.e., 'watchdog') or as moderately uncritical puppets of establishments. Market orientation dimension explains the degree to which journalists consider audiences as citizens and inform them about what they should know (e.g., the notion of the 'publics' right to know' rooted in civic or public affairs journalism), or as consumers of media content, and inform them about the stuff they want to know (e.g., lifestyle, entertainment) (Triputra, 2017; Sarrimo, 2017).

Since Hanitzsch's (2007) study, the predictors of the interventionist dimension have been suggested to be saliently culturally rooted, with differences across countries (e.g., political freedom) shown to be more significant in predicting interventionism than organizational differences. Hence, as Hanitzsch, Hanusch, and Lauerer (2016) and Ayanfeoluwa and Oyeyinka (2016) noted, journalists in countries with less press and political freedom could accept an interventionist role more than their counterparts in politically free countries. Additionally, power motivation, achievement (e.g., forging ahead), or tradition (e.g., respecting traditional customs and ideas) values have been shown to be salient direct determinants of journalists' acceptance of interventionism role and indirect determinants of journalists' involvement in risk. Thus, according to Hollings et al. (2019), "any empirical study investigating the influence of role definition on journalists' readiness to adopt newsgathering practices in relation to risks and threats to their safety "must take some account of a strong cultural anchoring effect and control for this if possible" (p.5).

In addition to the notion of 'internal' factors of journalistic practices role perception and professional ethical orientation, the literature has indicated that newsroom decision-making (e.g., editorial policy) is significantly dependent on organizational influences on journalists' likelihood to use newsgathering practices that are risk-bearing. Over the past one decade or so, the array of intra- and extra-newsroom influences on a journalist has been considerably gauged with a standardized questionnaire. In a cross-country survey of journalists in 17 countries, these influences were categorized into six dimensions, namely (i) political, (ii) economic, (iii) professional, (iv) organizational, (v) reference groups and (vi) procedural. Though these conceptions of journalistic roles and influences have not been tested as a framework, or model for determinants of intention (willingness) to accept journalistic practices with potential to expose them to risk (Hanitzsch et al., 2010; Hollings et al., 2019; Sarrimo, 2017).

In Nigeria, as in many countries, using information without permission, disguising as someone else, invading others' privacy and eavesdropping can lead to legal action, either civil or criminal, often with severe consequences (Ojomo, & Tejuosho, 2017). Associated with these social, physical, legal and ethical risks are the psychosocial risks of trauma due to physical threat, financial harm, or social isolation. (Izuogu et al., 2018). A study on risk-taking predictors argues that not only does risk-taking differ based on individual's demographics (such as age and gender) and the context (such as the domain, e.g.,

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ethics, social, health or recreational risk) but also these factors often interact (Lanosga et al., 2017). For example, if an individual person possesses greater experience of a certain area, or domain, he/she is more likely to be willing to encounter a risk in that domain. Furthermore, experience with risk-taking in these areas, or domains, and the available choices are shown to influence risk perception; risk-taking is "the result of both deliberative and affective evaluations of available choice options, and conflicting motivations … need to be balanced" (Figner & Weber, 2011, p.215).

MATERIAL AND METHODS

This chapter adopted a qualitative perspective with in-depth interviews (see Creswell & Poth, 2017). Using a purposive sampling technique, we recruited 25 participants who were between 27 and 57 years of age. Fifteen of them are male, the remaining eight are female. Selection of the participants was made based on the following criteria: (i) practicing journalism for at least five years; Hollings et al. (2019) and have highlighted the salience of work experience in effective journalism practice, (ii) experienced at least one risk/threat related to journalism practice in the past one year and (iii) hold a professional journalism certificate, at least a bachelor's degree. All the participants had been practicing journalism for more than five years and had experienced at least one risk or threat in the past one year. All of them had met the first two selection criteria whereas, only 12 of them had a graduate/postgraduate degree certificate of training in journalism. For information about the participants' various media and journalism categories, gender and frequency distribution see the Appendix.

Based on practice experience (number of years practicing active journalism) we categorized them into two groups, namely (i) low-experienced (below five years) and (ii) high-experienced (above five years). We selected only the high-experienced group for convenience and because members of the group (N=13) had undergone low experience phases too. The high-experienced group comprises nine (9) male and four (4) female journalists. Except for one (1) woman journalist all of them had graduate/ postgraduate degree certificate of training in journalism with ages ranging from 32 to 57 years. For not meeting the educational qualification criterion, that woman journalist was exempted from taking part in the interview; hence, we were left with 12 participants. Of the 12 participants, 10 (seven male and three female) held a bachelor's degree certificate while the remaining two of them (both males) held a master's degree certificate. Although, no absolute educational requirements to become a journalist have been given, effective journalism work demands that as an individual journalist, one must demonstrate to potential employers that he or she has "the right knowledge base and the practical skills to get the job done" (Learn How to Become, 2019, online). Because journalism is a vast field that covers various types of reporters such as political, sports, legal, business, economic, science and technology, health, including videographers, photographers and a host of other specialists that "may contribute various specialized skills to a media project," a four-year bachelor's degree is often recommended (Learn How to Become, 2019). Schiffrin, 2010, Ogoshi (2017) and Adaja (2012) suggest that a bachelor's degree is the basic requirement to become a professional journalist in Nigeria.

A question guide was prepared for carrying-out interviews, and that was in line with the study's objectives. The question guide was developed based on a review of extant literature on journalism practices, journalism role perception and risk to journalists' safety. The question guide was developed with view to more deeply understand the perceived risk factors that predict risks and threats to journalists' safety during election times in Nigeria. All interviews continued until information saturation points were

reached (see Marshall & Rossman, 2014). The first five sessions of interview for the high-experienced group lasted for about 50 minutes each, while each of the remaining seven sessions lasted between 40 and 33 minutes. During each session notes were taken by a volunteer note taker. At the beginning, the interviewer explained the research purpose. A short conversation was had to help the participants understand the gist of the interview and for researchers to know the participants' background. The interviews were conducted in relaxed atmosphere. All 25 interview sessions were had at various locations in three Nigerian cities viz., Abuja, Damaturu and Maiduguri during some journalism training and workshop sessions organized for journalists and media practitioners from across the country by various international humanitarian and development agencies and local non-governmental organizations such as UNICEF and MNCH2 between February and April 2018.

RESULTS AND DISCUSSION

Results

Journalists mention several newsgathering practices they adopt when covering events during election times in Nigeria. Expectedly, and in line with global journalistic practices "I'm old-school in my approach to newsgathering during polls times" (Participant 1). As a matter of fact, most of the participants are apparently moderately conservative in their adoption of newsgathering practices and role orientation whether during election times or otherwise even though "as for me, I prefer modern, innovative newsgathering techniques despite being labelled as rather full of risk potential; if one is experienced and careful, one can write and publish great useful content regardless of who it favours or unfavours and live in peace" (Participant 9), a view shared by participants 3, 5, 7 and 10, which indicates quite a number of them have accepted modern journalism practices that are seen as full of uncertainties and risks to journalists' safety. Threats to journalists can be in many forms but death threats are certainly some of the worst, if not the worst. One of the participants, a freelance journalist describes a bad experience he had during the 2015 presidential election times in Nigeria.

However, during election seasons, especially political campaign and voting times journalists experience uncertainty about their safety, particularly investigative journalists. I was harassed by security men on my way to cover the 2015 presidential election. In fact, after I reported the declaration of President Muhammadu Buhari as winner of that year's presidential election, I received several threats over the phone from unknown persons, with one threatening me in Hausa local language repetitively saying, "wallahi sai munga bayan ka", meaning that he and his partners swore to see my downfall, a threat connoting death or fatal incapacitation. In fact, I had to switch my phones off for several days and go into hiding. (Participant 12)

The economic and subjectionist approaches are some of the journalistic practices adopted by Nigerian journalists during election times. During this time, the political elites and parties are desperately in need of some forms of publicity and media exposure while journalists and media organizations need the money. Hence, Ciboh (2016), Skjerdal (2018) and Lohner, Banjac and Neverla (2016) stressed that the relationship between journalists and political sources (during polls seasons) is symbiotic, that of mutual benefits even though both pursue different professional goals (Blumler, 2019). However, Dauda

(2018) and Reich and Barnoy (2019) argue that the relationship is not a perfect symbiotic one rather it is a double-edged sword, involving both good and bad effects, especially when viewed from the watchdog role of the media perspective – as politicians take decisions on behalf of the citizens, the media monitors and scrutinizes them. This often creates fracas between the duo. Many of the respondents agreed that economic and subjectionist approaches are tempting but only a few of them have a clue about how to 'have their cakes and have it:

Allowing politicians to influence the story or succumbing to one's subjective whims to interpret or analyze a story can be dangerous to both the journalist and the media outfit he or she works with. These are troublesome practices. Monetary gratifications are very tempting but, sometimes the journalist has no choice but to succumb to monetary inducements because, after all, most journalists, especially freelance ones aren't paid at all, they fend for themselves while those employed in private and public media organizations are poorly paid. The trick lies right inside the juicy part of the matter – if you accepted an inducement, you must find a way of skewing the news story to suit the payer, otherwise you could fall into a dangerous trap. However, sometimes, you may accept the money if offered but don't ask for it if you would want to be on the safer side at the end of the day in case some trouble arises. Or you interpret a story subjectively if it is for the good of the nation, a community of elites or state-backed bodies or individuals. But the best policy is to refrain from accepting inducements or being influenced by politicians. It's quite tempting, though. (Participants 2,4,8 and 11)

Corroborating, a participant working with the national television further explains:

During these times, the relationship between journalists and politicians can be both 'friendly' and 'inimical'. Friendly, in the sense that politicians would be willing to pay for promotional or campaign purposes, or to influence information because journalists (most of whom are poorly paid, poorly equipped) would be more than willing to welcome perquisites ('brown envelope' or 'ATM' in common parlance). While inimical, publishing unfavorable information about a politician could drag the journalist into legal, ethical or social trouble. (Participant 1)

Older and experienced ones among the participants, especially those working for older, traditional media organizations appeared relatively unadventurous, conservative and less likely to adopt 'risk-laden innovative' and 'modern' practices when compared with their younger, less- to moderately-experienced counterparts, particularly those working with hybrid and online news outlets. An aging, experienced participant summarizes this saying, "my age is advancing now; I'm getting older. I'm already 57 years old and will soon be retiring from public (journalistic) service. Because of this, I now rarely walk the path of most controversial practices that can lead to threats or risks unless I had to" (Participant 10). "I work in a rather law-bound organization; I mean, I work with a government broadcast media outlet and all our practices are restricted and scrutinized. We can't criticize the government. We can only, partially, criticize the opposition party and its loyalists. Sometimes we face threats, but often from political hooligans and none often involves legal trouble" (Participant 6). Further, this could have been responsible for the relatively lower propensity of experienced journalists' involvement in serious risk unlike their 'newbie' counterparts.

Journalists explicitly paying for political 'tip-off' news material may be uncommon in Nigerian media, but cases of clandestinely giving tokens to persuade sources to disclose critical political news

material and sometimes, even making use of gentle pressure on sources, as Ciboh (2017) and Hollings et al. (2019) noted, is regarded by most of the participants as commonly tolerable "even though we all know it is unethical" (Participant 8). Furthermore, "pestering or stalking of reluctant sources is seen by most of us as loathsome, but we sometimes resort to pestering sources that coincidently happened to be acquainted to us and/or are pliant" (Participant 11). Majority of the participants did have some experience of both tipping and pressuring 'soft' sources for information, both of which are unethical and can be thorny paths to thread. Several the participants who embraced tipping and pressurizing sources had been engaged in reporting political campaigns and elections from critical/polarized beats or conflict zones, as one participant summarizes their experience thus:

I have been covering elections from the north-east of this country, which is the Boko Haram crisis zone, since 2008. That means, I've covered three general elections, namely that of 2011, that of 2015 and this one [that of 2019]. Covering elections in a conflict zone is like covering the conflict and, at the same time, trying to stop the conflict; which are two different onerous tasks – covering the conflict is one tedious task in itself and trying to stop the conflict is another. This is a situation where you are always in a constant state of fear and uncertainty about your safety and even life. Threats from political sources would sometimes combine with those from the antagonists (both Boko Haram and government troops) especially just before and immediately after successful suicide bomb attacks that claim heavy casualties, or heavy gun fights between members of the insurgents and the Nigerian troops. (Participants 2)

Some of the participants got into trouble, especially regarding publishing sensitive information about security and military strategies to monitor elections in politically polarized states.

Using information without authorization and over confidence in reporting election activities in conflict zones are some of the controversial newsgathering practices that journalists embrace. These can be dangerous to journalists' safety and well-being (Neverla et al., 2015). A national daily newspaper reporter explains that in the times leading to the 2019 electioneering campaign, his newspaper published a story about how the military troops planned to reclaim a remote northern Borno State town of Baga in the north-east of Nigeria, which had been reportedly overran by a splinter of the Boko Haram group that pledged allegiance to the Islamic State (ISIS) terror organization. Consequently, according the reporter,

Me and some of my colleagues at work got threatened and harassed by the Nigerian troops while two others were arrested by the soldiers for what the Nigerian Army described as "disclosing strategic military strategy capable of jeopardizing national security". Specifically, in what appeared to invite the anger of the military troop fighting the Boko Haram insurgents in the north-east of Nigeria during tensive political campaign times leading to the 2019 general elections without proper authorization, on 6 January 2019 heavily-armed Nigerian soldiers sieged our ('Daily Trust' newspaper) national head office in Abuja [the nation's capital city] and shut down our regional office in city of Maiduguri, which is the epicenter of the infamous Boko Haram insurgency and arrested two of my colleagues. (Participant 1)

Putting the contexts (election and conflict in a country with a long history of political crisis) into perspective, it can be confidently said that the nature of the situation in which newsgathering is done could augment the journalists' susceptibility to what the Director-General of UNESCO Irina Bokova, cited in Reporters without Borders (2015, p.14), described as a "double attack" tragedy. Added to this are the lack of modesty and respect and pretending to know everything, traits Reporters without Borders

(2015) described as "over-confidence" (p.30), which is seen as responsible for the surge of guts on the part of the journalist to publish controversial stories such as classified military information (Tukur, 2019).

Sometimes, journalists publish political information that ordinarily may be classified as public consumable, which personally, may be deemed private or confidential by the sources but such that could be permitted to be published if proper authorization had been requested. Sharing her experiences reporting in these circumstances, a correspondent to the Hausa service of one of the international radio broadcasters says that she had never been involved in these squabbles ever since she joined the services of that particular broadcaster, "but, I think many of my colleagues occasionally do involve in these less serious squabbles. Even I, had sometimes in the past got involved in it before started working for this international broadcaster. However, being less serious in nature, one can easily sort out with the sources, though. (Participant 3). A freelancer working with a (private) newspaper indicates that "I think, based on experience, accessing political news material without proper permission or authorization is a common practice among us [journalists], especially among the novice and younger ones, as is accessing private personal information about politicians. I think, the growth of social media and online journalism have helped made this practice a bit common nowadays" (Participant 9). Furthermore, a journalist working with a private television station in Nigeria says:

Frankly speaking, using political information without authorization, or using personal information that belongs to a politician without permission can certainly be dangerous to both the journalist and the media organization that publishes it. Also, despite me and my colleagues knowing that paying for political information, or exerting mild pressure on sources is unethical, but, because these are commonly 'acceptable' practices assuages our [journalists'] likelihood to get into trouble or attract threat to ourselves or property. (Participant 10)

The participants were asked about deceptive or deceitful newsgathering practices during election times. "I'm an investigative journalist by training, experience and profession. Sometimes it's dangerous but when considers that one is doing a national service, one feel fulfilled. Cogent evidence that is free from subjectivism is one of the defenses an investigative journalist can have, especially should legal cases be involved" (Participant 5). "I used to be a traditional media journalist. But when online journalism gets boosting on a daily basis, I switched over to investigative reporting online. Sometimes I use hidden recording devices to gather news material clandestinely. Luckily, I have never been caught or exposed" (Participant 4). "Using deceptive newsgathering practices can be dangerous. But if patriotism is the main reason behind you doing it, I think it is worth doing" (Participant 1). Most of the participants, who indicated having used deceptive or deceitful practices, were older, apparently more highly experienced journalists with few of them having some foreign training background. "Older, experienced journalists would consider the use of deception newsgathering practice, such as the use of hidden recording devices like hidden pen camera or microphone as a last option. But, more adventurous, younger, online journalists appear to be more likely to adopt such more aggressive and controversial practice" (Participant 11).

For example, on February 17, 2018, barely five months after a young online investigative journalist based in Nigeria's capital city Abuja, Mr. Jaafar Jaafar published several videos showing the currently serving Governor of Kano State in northern Nigeria, Mr. Abdullahi Umar Ganduje appeared to be receiving bribe (money) from contractors, a digital, hybrid media outlet *Voice of Niger* (VoN), which is based in the Nigerian north-central state of Niger posted on its Facebook page the photo of a woman with the following caption: "I got death threats (after the Atiku interview) – Kadaria Ahmed". Atiku

here, probably refers to the presidential candidate of the main opposition party, People's Democratic Party (PDP), Alhaji Atiku Abubakar. The image was a three-quarter photo of a young woman (probably the target, Kadaria Ahmed) standing in where appeared to be a studio, against a wall background with 'The Candidates' boldly printed on it. This incident suggests that the woman journalist had interviewed the main opposition party presidential candidate and got life-threatening intimidations afterwards from undisclosed entities.

The participants were asked about adopting practices that require them to sometimes, mildly alter quotes, or mildly misquote political sources. Several of the participants said they sometimes do that; sometimes deliberately, while at other times inadvertently. "I once mistakenly misquoted a minister and that had not gone down well with him. But because of the mildness of the offense, I myself with intervention of my editor and some other concerned persons settled the squabbles amicably, by tendering public apology with a corrigendum" (Participant 5). "As for me, I got threatened to be sued by the source I misquoted but resolved the issue after payment of some damages with a corrigendum. Actually, I paid the damages because the misquote was, as I saw it, moderate despite being deliberate" (Participant 9). Changing or modifying quotes (whether political or otherwise) outside grammatical clean-up has been generally seen as unethical and a serious offence.

The participants were asked about accessing unsubstantiated political news material. They all said it is regarded as serious malpractice, despite becoming a 'common' practice among journalists nowadays especially with the rise of social media, citizen journalism and online journalism (Nah, Yamamoto, Chung, & Zuercher, 2015). "I think it's all about publishing unverified content as facts, and, I believe, it is something that is generally disapproved of. For example, altering photos associated with politics, polls and politicians is regarded as a serious malpractice" (Participant 12). "It's about altering content substantially amounting to misrepresentation, which is a sacking offence; or cropping, which is equally a common offense" (Participant 8).

An array of newsgathering practices has been elicited in these results. The analysis of the results as shown in Table 1 suggests a three-component risk factors, which we have labeled as: (i) personal risks, (ii) psychosocial risks and (iii) resource risks. Personal risks are divided into two sub-categories namely, physical and psychological risks. Further, a deep analysis of the participants' responses suggests that the risks associated with journalistic practices are collapsed into three major components, contingent on whom, where and what got exposed to risk. Based on our analysis the practices that fall in the first classification, i.e., personal risks, are perceived to cause possible threats or harm to the journalist's safety, physically or psychologically.

1. Whom: (a) physical harm includes threats to the journalist's personal safety and well-being such as beating, slapping, legal action, or murder in extreme cases; (b) psychological harm includes threats to the journalist's mental safety and well-being such as harassment, intimidation, death threats, etc.
2. Where: psychosocial harm includes mental disturbances affecting the journalist because of social exclusion such as personal hatred, ostracizing and even imprisonment.
3. What: by way of contrast, risk factors that fall within the third category, resource risks, do not cause direct harm to the journalist's person but pose potential risk to either the media organization the journalist works for or the journalist's property (such as financial loss, vehicle damage, home damage, etc.), or both due to the journalist's action or inaction.

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Discussion

The main difference between the three classifications is the harm affecting an individual journalist vis-à-vis resource risk. Additional feasible explanation, that could be associated to 'the basic interventionist-watchdog-observer' dichotomy noticed in journalists' role perception, would be that the first and second classifications signify stronger individual commitment, while the third classification represents weaker personal commitment. In all the three components, however, the critical feature may be conceptualized as 'strongly-committed individual-level' risk factors against 'less-strongly-committed-individual-level resource' risk factors.

The participants' emphasis on economic and political influences supports past research which discovered that the market and commercial as well as political atmosphere have a dominant and probably snowballing effect on risk-bearing newsgathering practices (Hanitzsch et al., 2010; Sarrimo, 2017). For instance, research has shown that these practices are more likely to be embraced by virtually all journalists and media outfits in the country. This could be because of poor national economy, poor revenue generation by the media (especially the print, majority of which are entrepreneurial) and pervasiveness of political issues across the country (Ojomo, & Tejuosho, 2017). Also, more assertive conventional national and online news outlets are shown to have a high tendency to embrace these aggressive newsgathering practices in an "extremely competitive national news markets, with larger budgets for legal advice, such as the national television news channels, and national newspapers/magazines" (Malaolu, 2012, p.78).

This may not be surprising if we look at the historical evolution of Nigerian press, which was created by circumstances linked to brutal colonial suppression during the country's pre-independence era. This view was supported by Golding and Elliott (1979) that "Nigerian journalism was born of anti-colonial protest, baptized in the waters of nationalist propaganda and matured in party politics" (p.56) and Malaolu (2012), "it was a militant press: bellicose in temperament, belligerent in posturing and adversarial in language" (p.21). Hence, these larger media outlets often have vastly complex organizational structures with legal and investigative units and more likely to possess the professional journalists and resources to employ such daring deceitful journalistic styles "such as using hidden recording devices and paying for information" (Ojomo, & Tejuosho, 2017, p.12). Similarly, reporters employed in these larger media

Table 1. Categories of common newsgathering practices with potential risks to journalist

Categories		
Personal Risk Factors	**Psychosocial Risk Factors**	**Resource Risk Factors**
● Accessing news material without authorization	● Publish news material without verifying content	● Accept monetary gratifications and other favors from sources
● Go undercover in organization	● Use re-enactments by actors	● Change quotations
● Wearing concealed data capturing device	● Pay for sensitive confidential news material	● Change pictures/photos
● Accessing news material from a source's personal information without permission		
● Pretending to be someone else		
● Put pressure on sources/informants		

Source: Authors

firms such as national television or radio may be less susceptible to direct public threats for using private data, or information devoid of authorization even though they may face vehemently public backlash.

However, a recent incident involving an online investigative journalist and a Nigerian incumbent state governor suggests somewhat otherwise. Anecdotally, in October 2018, which coincided with the eve of the 2018-2019 political campaign season in the country, a young investigative journalist who is also the editor-in-chief of *Daily Nigerian* online news publishing site Mr. Jaafar, published videos showing the currently serving Governor of Kano State in northern Nigeria, Abdullahi Umar Ganduje appeared to be receiving bribe (money) from contractors. Mr. Jaafar has since then gone undercover. Though Mr. Jaafar continues his journalistic profession, but he is currently facing charges in court.

Another related incident involved a reporter of a Nigerian online news site *Premium Times Nigeria* who was abducted by political hoodlums during the gubernatorial and state houses of assembly election on March 9th, 2019 in Jos city, the capital of the north-central Nigerian state of Plateau. During its afternoon (5:00pm local time) broadcast segment, the Hausa service of Radio France International (RFI Hausa) reported that the journalist was covering the polls and trying to take photos of some "under-aged children voters holding permanent voter's cards [PVC] in their hands" when a gang of weapon-wielding hoodlums rushed and took him away (*RFI Hausa*, 2019). These incidents are a stark, real-life demonstration of what Reporters without Borders (2015) quoted Alain Mingam (a photo journalist and member of the Reporters without Borders administration board) saying, "Journalists are merely witnesses, but also attractive targets for monetary gain and, increasingly, for political reasons" (p.112). Additionally, these incidents suggest that in this era of internet and social media news publishing, high profile, or medium-to-high profile investigative journalism may not be an exclusive preserve of larger and sophisticated media organizations.

The participants' emphasis on the cultural/ethnic factor is not surprising, especially as far as Nigerian context is concerned, because the Nigerian journalistic topography is traditionally institutionalized based on geo-political-cum-cultural divides of the Africa's most populous and multi-cultural nation. Hence, most Nigerian media (both broadcast and print, and lately, online) are reflect the cultural-cum-geo-political divisions biases in their coverage, content and ownership. Journalists working for these media are known to (naturally and traditionally) specialize in this domain of controversial newsgathering practice (Malaolu, 2012; Ojomo, & Tejuosho, 2017). These journalists may face limited public backlash, threats and harassment in the case of 'accidental' coloring of their reports with cultural-cum-geo-political biases; though it is morally and ethically wrong (Hollings et al., 2019).

One of the motivating findings of this study shows that journalists who embrace the role of watchdog, or impartial monitors of the power consider these more assertive newsgathering practices critically, which implies a polarization occurring between individual (journalist's) action and social action. This result further suggests that high-profile, influential journalists regard and treasure their self-esteem as neutral watchdogs of society and the political class. This group of journalists tend to link controversial newsgathering practices with supporting a particular social, political, cultural or economic agenda, in other words, 'interventionism', "and therefore compromising their self-image" (Hall, 1997, p.42). This group of journalists tend to tread the 'more safer' paths of journalism, and therefore, may be less prone to harassment and threats on the job (Triputra, 2017).

These results somehow suggest that on one hand, younger journalists who embrace watchdog role tend to ideologically dislike any newsgathering practice that is likely to compromise their impartiality, while on the other hand, older, more experienced journalist view the adoption of these controversial practices could rather boost their monitoring (watchdog) responsibility. The journalistic practices and

ethical orientation embraced by most of the journalists are inspired by their sense of morality, which is largely influenced by their religious and cultural backgrounds. The findings of this study suggest that religion and culture of practicing journalists do play a role in influencing their sense of judgment and what given journalistic practice or ethical orientation perspective to embrace. Many past studies (e.g., Hackett, 2003; Hanusch, 2015; Nwabueze, 2010; Pintak, 2014) have suggested that religious and cultural orientations do influence journalists' choice of ethical orientation perspectives and sense of judgment. Concisely, the findings indicate that the salient risk factors, or determinants of journalist's perception of their involvement in risk, harassment and threats due to their embracing these more aggressive journalistic practices are as follows:

1. Individual journalist's role perceptions e.g., their role as watchdog of the society, and, to some degree, their embracing newsgathering practices as cultural interventionist
2. Structural factors, e.g., the market and economic atmosphere which they work in
3. Organizational factors, e.g., the work climate in the newsroom.
4. Political factors, e.g., the influences of political structures and climate on journalists' acceptance of newsgathering practices capable of leading him/her into trouble.
5. Experience and age in journalism contribute toward the following five factors: (a) interventionist role (e.g., advocacy reporting that seeks to influence public opinion toward given course), (b) watchdog role (e.g., journalism practice aimed at protecting or acting as a guardian of society), (c) political influences (e.g., impacts of political class and institutions on journalists and media operation), (d) economic influences (e.g., effects of financial, monetary, pecuniary, profits and even gratification [bribe-taking]) motivations on journalism and (e) organizational influences (e.g., ethics, effects of managerial policy, newsroom policy, ranking/promotion, wage/emolument, house style, etc.). Only age was found to play have the potential to moderate the effect of: (i) absolutism ethical orientation (e.g., journalistic practice based on following what is truth or what is not no matter the situation, often embraced by journalists with a stronger religious and moral consciousness), (ii) situationism ethical orientation (e.g., journalism practice with a concern for the relevance of a given situation or event, which is more pragmatist in approach, unlike absolutist), (iii) subjectism ethical orientation (e.g., journalism practice that sees what is true or false based on the journalist's rational subjective judgment, as opposed to objectivism for example) and (iv) exceptionism ethical orientation (e.g., ethical orientation that encourages the journalist to believe in ethical absolutes but not idealist, by not focusing on reporting issues that avoid causing harm to others; rather his or her reporting follows ethical ideologies).

CONCLUSION

This study aimed at exploring the degree to which journalists' role perception and influences are molding more aggressive and assertive journalistic practices using interview data captured from 12 experienced journalists. Age and experience appeared to play a moderating role in journalist's getting exposed to potential danger and risk due to their use of newsgathering practices based on the following: (1) interventionist role, (2) watchdog role, (3) political influences (4) economic influences and (4) organizational influences. However, only age appeared to play a moderating role with respect to the following factors: (1) absolutism ethical orientation, (2) situationism ethical orientation, (3) subjectism ethical orienta-

tion and (4) exceptionism ethical orientation. However, despite being against the professional ethics of journalism in Nigeria and obviously having potential for exposing journalists to risks, especially during elections, some of these journalistic practices, especially those involving investigative reporting are surprisingly, not considered by all journalists as absolutely unethical.

Professional incompetence, overconfidence, gratification and habitual lackadaisical attitude toward safety consciousness are responsible for the journalists' misusing of professional journalistic practices and ethical orientation. Further, the journalists' adoption of given ethical orientation connotes religious, cultural and political influences. Hence, this chapter argues that journalists' geographical area of living, work environment, religion and culture can influence their moral behavior, sense of judgment and general mindset and psychological disposition, which in turn influence their general behavior and attitude.

All the participants were aware of what is subjectivism and the ethical implications of embracing it; yet many of them indicated having practiced it, for better or worst. However, only few of the participants practiced exceptionism. The extent to which the participants believed that they were influenced by political and technical influences (e.g., bureaucratic influences) did seem to substantially explain the justification of newsgathering practices that could expose journalists to individual (personal) and resource harms. Similarly, using a monitoring (watchdog) orientation rather than interventionism seemed to provide explanation that favor opposing the predicting influences of political and procedural (technical/bureaucratic) affects, just like embracing situationism in journalistic ethical perspective. Unexpectedly, the use of interventionism in journalistic orientation was shown to suggest a somehow weaker explanation (predicting) power with most of the participants, with the exception of few participants who frankly believed that journalists should support the promotion of ethnic, cultural and religious agenda.

Despite providing a rich insight into the journalistic practices and ethical orientations capable of exposing them to risks and threats during election times in Nigeria, this study is not without its limitations. The sample was relatively small, which only permits the exploration of comprehensive themes rather than specific. Although this study did analyze the participants' demographics, specifically, age, gender and experience, it did not provide in-depth analysis of the respondents' demographic characteristics, which may significantly influence media practice. As is common with studies based on interview, journalists' account of what they say they practice or do may not be what they actually do or practice. Nevertheless, the data the participants provided supports the extant literature on Nigerian journalism. It is expected that this study has the potential to arouse related studies which will focus on the influences of demographics and even culture and religion on journalistic practice. To yield generalizable findings, future research may consider adopting quantitative approaches.

FUTURE RESEARCH DIRECTIONS

Based on the findings of this study, journalists' demographics such as age, gender and experience could influence journalistic practice and journalists' choice of ethical orientation role during election times. Future research should explore that phenomenon. Further, given the socio-cultural settings of the Nigerian society, which religious beliefs and cultural orientation and identity issues deeply permeate, it may not be odd to recommend future research to focus a special searchlight on those issues. For example, a bachelor's degree research project conducted in 2019 by Aluke (2019) has found that Nigerians' comments on news stories posted online (social media) about matters of national importance largely contain exceptionalist biases about their regions of origins, religion and culture. Who could be more Nigerian

than journalists? One important issue that future research should focus on is the influence of social media (online) journalism on newsgathering practice. Finally, future research should go psychological by exploring the influences of the nature of work environment, living area and psychological orientation (mindset) on journalistic practice. A number of past studies (e.g., Fleury-Bahi & Navarro, 2017; Nwabueze, 2010; Rentfrow & Jokela, 2016; Smith & Barrett, 2019) have suggested association between the type (quality) of living geographical area, nature of work environment and an individual's general mindset, which consequently may affect his or her perception of realities and disposition towards those realities. Finally, given that the findings of this study suggest that experience along other demographics is likely to influence journalists' adoption of watchdog role, this chapter recommends that a nuanced scale for the measurement of 'actual experience' in the diverse categories of these journalistic practices should be developed for a Nigerian context.

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KEY TERMS AND DEFINITIONS

Absolutism Ethical Orientation: Professional journalistic practice of following rules of what is true or what is not to the letter, no matter the situation. This is often embraced by journalists with a stronger religious and moral consciousness.

Economic Influence: The effect of monetary forces (e.g., profit, perquisites, and brown envelope [gratification/bribe]) motivations on professional journalism practice.

Exceptionism Ethical Orientation: Professional ethical orientation that encourages the journalist to believe in ethical absolutes but not idealist, by not focusing on reporting issues that avoid causing harm to others; rather his or her reporting follows ethical guidelines.

Interventionist Role: A journalist's professional role orientation seeing him or her tilting more towards advocacy reporting, which seeks to influence public opinion toward a given social or political course.

Journalistic Ethical Orientation: Journalism moral principles guiding the journalist's entire professional career approach.

Journalistic Practice: Professional newsgathering techniques used by journalists.

Newsgathering Techniques: Practical professional methods and procedures used by a journalist to source news material for publication.

Organizational Influence: The effect of ethics, managerial policy, newsroom policy, ranking/promotion, wage/emolument, house style, etc. on professional journalism practice.

Political Influence: The effect of political power on professional media practice.

Risk: An unsafe situation or condition that a practicing journalist gets involved in due to antecedents or circumstances associated with his or her newsgathering job.

Situationism Ethical Orientation: Professional journalism practice with a concern for the relevance of a given situation or event, which is more pragmatist in approach, unlike absolutists.

Subjectivism Ethical Orientation: Professional journalism practice that makes the journalist see what is true or false based on his or her own rational, subjective judgment, as opposed to objectivism, for example.

Threat: An intimidating, hazardous, menacing, perilous, harmful, harassing or dangerous warning targeted at a practicing journalist to silence him or her from carrying out his or her professional duty because it is unfavorable to the person, group or organization issuing the threat.

Watchdog Role: A journalist's ethical disposition embracing journalism practice aimed at checking the actions and inactions of the political or ruling class for the good of the nation.

APPENDIX

Table 2. Participants' journalism and media category, gender and frequency distribution

Broadcast Journalists								Print Journalists		Freelance Journalists	
Radio Journalists				Television Journalists				Newspaper Journalists	Magazine Journalists	Local	International
Local		International		Local		International					
Public Media	Private Media	Public Media	Private Media	Public Media	Private Media	Public Media	Private Media				
FRCN Kaduna (1 male)	Freedom Radio Kano (1 male)	BBC Hausa (1 male)		NTA Maiduguri (1 female)	Channels (1 female)	Aljazeera (1 male)		Premium Times Abuja (1 male)		NAN Ibadan (1 female)	AP Maiduguri (1 male)
					AIT (1 female)			Daily Trust Maiduguri (1 male)			Reuters (1 male)

Source: Authors

Notes: FRCN = Federal Radio Corporation of Nigeria; BBC = British Broadcasting Corporation; NTA = Nigerian Television Authority; AIT = African International Television; NAN = News Agency of Nigeria; AP = Associated Press

Chapter 13
Threats to Media Freedom and the Safety of Journalists in Nigeria

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ABSTRACT

This chapter interrogates long-established and wide-sprung threats to media freedom and journalists' safety in Nigeria. The study used semi-structured interviews to explore field and newsroom experiences. The findings revealed the types of threats to media freedom and journalists' safety, non-existing safety frameworks, mitigation and protection measures, and recommendations on how to protect media organisations and journalists from threats. Consequently, the participants clamoured for constitutional provisions to protect journalists from threats; enforcement of existing and additional constitutional provisions and laws to deter violations against media freedom; establishing and empowering institutions to certify journalists; instituting policies for routine editorial staff training on conflict, safety, and sensitive reporting; and reviewing the NUJ Constitution to address contemporary media and journalism practices and issues, among others.

INTRODUCTION

The key function of the media is surveillance, and this beams its focus on prevailing conflicts that challenge media freedom and safety of journalists. Reporting such incidences may be unsatisfactory to the various actors. But to report conflict and other sensitive issues, journalists overstretch themselves to work at great personal and organisational risks. In the process, they are constantly facing multidimensional threats, including legal, financial, psychological, verbal and physical risks such as kidnap, arrest, deten-

tion, jail sentence, assault, arson, assassination, raids and the confiscation of gadgets and publications, and death threats to self and family. These are the critical issues that journalists face in many countries, especially in zones with social, ethnic and political stress, armed conflicts or disaster situations (Carlsson & Pöyhtäri, 2017). Such conditions obliterate media freedom, which gives news organisations the freedom to report without being subjected to oppressive restrictions. Likewise, media freedom (also press freedom, or free press), including the freedom to make mistakes, is often used as a counter-argument against those seeking some form of statutory regulation of the media. Some communicators even dismiss the whole idea of a free press: they say it is a self-serving myth and argue that in reality, freedom of the press exists only for those who are rich enough to own their own media empire. This is why some media proprietors treat the concept as a property right than a human right (Harcup, 2014).

Relatedly, any productive discussion of media or press freedom must take two other freedoms into account – freedom of speech and freedom of information. Freedom of speech, the oldest of the three, is grounded in a basic worldview regarding human relations with society and the state. It is considered a fundamental right that is essentially taken for granted (Himelboim & Limor, 2008). Freedom of speech is also a central component of and even a condition for press freedom (Hohenberg in Himelboim & Limor, 2008). However, freedom of information is the presumption that public information ought to be in the public domain, unless there are overriding reasons for secrecy. Such a presumption has been expressed to a greater or lesser extent in legislation in different countries and in campaigns by journalists, media organisations and concerned citizens (Harcup, 2014).

In Nigeria, the arguments on the relationship between media freedom, free speech and freedom of information is demonstrated, for example, in terms of legislation and practice on access to information through the Freedom of Information (FOI) Act 2011, which provides for the rights of access to records and information about public institutions, including exemptions in terms of international affairs and defence, law enforcement and investigation, personal information, third party information, professional or other privileges conferred by law. There are also provisions for denial of disclosures of records by public institutions, judicial activities and information by courts, burden of proof, order to disclose information, protection of public officers, classified documents, submission of reports, as well as complimentary procedures and interpretations (Federal Republic of Nigeria, 2011). Observably, the FOI Act only provides legislation on freedom of information, but not journalists' safety. Despite the constitutional lacuna in terms of context-specific training and safety nets for covering dangerous encounters; Nigerian journalists cover several conflict-stocked and tension soaked scenarios that arise from structural and systemic factors like political culture of populism, politics of desperation, winner takes all syndrome, and unequal distribution of national resources. All these have been found to sometimes lead to struggles for political and economic survival, endemic poverty and resultant acts of violent aggressions against the state and the people in forms of religious insurgency, farmer-herders' conflicts, kidnappings and armed banditry for the perpetrators who often defend their criminality with claims of injustice, inequality, as well as extreme and abject poverty which pervades the country.

BACKGROUND

Threats to media freedom and journalists' safety in Nigeria originate from both state and none state actors. Akingbulu (2010) explains that state actors like governments and their security apparatuses, often rely on legal provisions like the Official Secret Act (OSA), Obscene Publication Act (OPA), Seditious and

Defamation Laws and lately, the Antiterrorism Act and Cybercrime Laws, to defend their acts of aggression towards the media and journalists. Similarly, state actors threaten media freedom and journalists' safety through physical violence and denial of access to information. This state actors such as governors also act with complete impunity, like in 2018, when one governor demolished the premises of a radio station after repeated criticism of his handling of local affairs (Reporters Without Borders, 2019b). State actors like security operatives equally threaten media freedom and journalists' safety in forms of physical attacks and damage to equipment like in 2017 when soldiers allegedly raided offices of the Nigeria Union of Journalists (NUJ), assaulted journalists, and destroyed their equipment, on the accusation that some journalists took unauthorised photographs of military operations (Freedom House, 2018a).

Sometimes, as none state actors, members of the public also threaten media freedom through denial of access to information (Reporters Without Borders, 2019b). Other none state actors like the *Boko Haram* religious insurgents threaten journalists' safety through attacks and intimidation (Freedom House, 2018a). The assaults by the *Boko Haram* religious sect is aggravated by weak safety policy and protocols for journalists covering conflicts and other sensitive issues. Not surprisingly, it was in these situations that media houses were attacked, and journalists were killed, detained and oppressed, and their equipment and materials confiscated in Nigeria in the heat of the Boko Haram Insurgency (Pate & Idris, 2017). Recently, on January 22, 2019, a young journalist was shot dead while covering a protest by the Islamic Movement of Nigeria (IMN) who engaged the security operatives violently during a protest for the release of their leader who has been held in captivity by the Nigerian government since 2015.

Such preceding conditions are compounded by weak and corrupt judicial and law enforcement mechanisms that weaken journalists from undertaking serious investigative cases, according to the United Nations Office on Drugs and Crime (UNODC) and the National Bureau of Statistics (NBS) (2017). Strikingly, journalists who take the risk to report some of these are either compromised through threats to their lives, silenced through pay-offs, physically assaulted or assassinated. In a few cases, daring journalists who damned the consequences and reported such cases to the security agencies or sought justice in the court of law are frustrated by legal bottlenecks through adjournments. But Frère (2011) explain that to mitigate some of these threats, media professionals and media organisations can ensure personal security on the job by being well-equipped and never underestimating threats; always identifying themselves clearly as journalists in crowds and rallies; and avoiding lone walks on streets. Equally, before covering major events, media organisations can appoint specialists to provide rapid response mechanisms and beyond-border support through professional colleagues as part of the organisational measures to help journalists who encounter danger.

Meanwhile, the operational climate and professional threats to media freedom and safety of journalists in Nigeria are further complicated due to the nation's diversities in terms of ethnicity, religion, structural and systemic existence and challenges. In addition, the country has a huge population of about 200 million people, who speak over 450 dialects across 250 ethnic groups who are adherents of Islam, Christianity, Traditional African Religion and/or Atheism. The country has also been experiencing a devastating insurgency perpetrated by the *Boko Haram* sect, who have been waging a decade long bloody insurgency in Nigeria's Northeast. The group is one of the deadliest terrorist groups in the world. Nigeria is likewise battling with inter-communal conflicts, pervasive violent crimes such as widespread kidnappings, armed robberies, hired assassinations, drug and human trafficking, as well as deeply-rooted financial corruption with multidimensional implications. These diversities and challenges cause tensions and threats that intermittently explode into hatred and irredentist tendencies, violence, and terror, with implications on security, peaceful and orderly conduct of individuals, groups and communities.

LIETRATURE REVIEW

The threats to media freedom and journalists, in Nigeria, glaringly manifested in the 2019 World Press Freedom Index, where the country was ranked 120th out of 180 countries. This was an abysmal performance compared to fellow African countries like Namibia, which was ranked 23rd, Ghana (27th), South Africa (31st), Burkina Faso (36th), and Botswana (44th). Surprisingly, some of the above African countries like Namibia, Ghana and South Africa even have freer presses than the 'so-called' developed democracies like Spain, France, the United Kingdom and the United States, which ranked 29th, 32nd, 33rd, and 48th respectively (Reporters Without Borders, 2019a). Surprisingly, Nigeria prides of a plural press, whose nature sometimes, but not always, implies a diversity of content.

There are several independent newspapers, private and public funded broadcast stations in Nigeria. However, covering stories involving politics, terrorism or financial embezzlement by the powerful is problematic. For example, in January 2019, before Nigerians went to the polls, three journalists suffered life-threatening injuries from gunfire while covering a political rally (Committee to Protect Journalists, 2019a). Some political thugs equally attempted to lynch some journalists during the 2019 re-run gubernatorial election. Fortunately, the journalists escaped (Baba, 2019). Furthermore, Nigerian journalists are susceptible to digital insecurity, economic and psychological threats; internet freedom has also worsened. In an unprecedented move, 21 websites were blocked, including independent online news outlets amid growing intimidation and violence against journalists and bloggers for their online activities (Freedom House, 2018b). Online freedom has been restricted by a 2015 cyber-crime law that is widely used to arrest and prosecute journalists and bloggers in an arbitrary manner (Reporters Without Borders, 2019b).

The preceding depicts how insecurity threatens media freedom and the safety of journalists in Nigeria. It also underscores why journalists are unable to provide quality journalism for democratic sustainability and development. In these situations of widespread violence, crime and terrorism, and rising populist politics and increased societal intolerance, Nigerian journalists are also at risk of increasing assaults and harassment. Relatedly, during the General Elections held between February and March 2019, journalists covering gubernatorial and state assembly elections were detained, harassed, and assaulted by Nigerian security operatives and heavily armed groups of individuals. This warranted the Committee to Protect Journalists (CPJ) to demand the Nigerian authorities to investigate and hold those responsible accountable. Sadly, these intimidations prevented journalists from discharging their constituted responsibilities and denied them access to polling stations. The perpetrators also forced journalists to delete visual evidence of election malpractices (Committee to Protect Journalists, 2019b, p. 31; Sunday Trust, 2019). These threats to journalists also occur while covering insurgent attacks that has killed thousands of people, destroyed properties and displaced millions of people. But, journalists in Nigeria dared these risks and life-threatening encounters to report without any insurance cover or special training; and hid their identities while reporting. Some were poorly incentivised while others went unpaid for months and became endangered species in a theatre of war between Nigerian forces and the dreaded *Boko Haram* sect. Sadly, some died, others were injured and threatened by the insurgents, security operatives and state government officials. The journalists operated in the midst of ethnic, religious and political intrigues and at some point, some relocated and operated from other states in the region (Pate & Idris, 2017).

The challenges to media freedom also include inadequate freedom, poor funding, low remuneration, lack of professionalism and corruption (Akinwale, 2010). Other factors that impede on press freedom and the safety of journalists in Nigeria and other sub-Saharan Africa countries are lack of resources and government pressure (including violations of press freedom) (Schiffrin, 2010). Though little is known

about the effect of media freedom on government behaviour (Whitten-Woodring, 2009), this study presupposes that since government and its representatives are very powerful actors who threaten the safety of journalists and press freedom, and as corroborated by earlier cited related studies; then the arguments by Herman and Chomsky (2002) that the powerful can use personal relationships, threats, and rewards to further influence and coerce the media to a much greater extent is arguably valid.

More so, another factor that impedes on press freedom and the safety of journalists in Nigeria and other sub-Saharan Africa countries is declining quality of professional journalism education (Schiffrin, 2010). In terms of journalism education, the National Universities Commission (NUC) in Nigeria recently approved a new Communication and Journalism training curricular that was proposed by a multi-stakeholder committee. This officially unbundles the existing single mass communication degree into seven areas of specialisation. The regime for the unbundling of mass communication degree in Nigeria also includes new courses on the safety of journalists and reporting violent conflicts. This means that all Nigerian tertiary institutions offering media and communication related courses will henceforth include in their training the aspects of journalists' safety and reporting violent conflicts. These will equip trained journalists with knowledge on how to avoid being targets of violent conflicts and how to observe safety reporting. This is a significant development because Pate and Idris (2017) found that at the height of the *Boko Haram* insurgency in the country, the Chairman of the Nigeria Union of Journalists (NUJ) in one of the state's most affected by the insurgency, complained that many journalists were labelled by security agents and government officials as *Boko Haram* sympathisers, with the claims that their style of reporting allegedly celebrated the destructive acts of the terrorists. On the other hand, the terrorists repeatedly accused journalists of spying for security agents. Due to such risks, media houses reduced hours of broadcasts, avoided investigative and data-driven reporting, and resorted to self-censorship. In many cases, individual journalists and media houses operated in fear of attacks by the terrorists or harassment by security officials. In the spate of five years (2009-2015), *Boko Haram* terrorists in the country's North east region killed five Nigerian journalists, attacked many others and bombed premises of media houses. The sect accused these journalists and their media organisations of working against their interests.

In terms of media freedom and the protection of journalists in constitutional provisions, national policies and institutional frameworks, the Committee for the Protection of Journalists highlighted that while most journalists from North America and Western European nations provide health insurance, a high number of journalists from Africa, Latin America and Asia work without any form of insurance. In such cases, journalists who are injured on the job, may or may not be able to rely on their employers to cover their healthcare and related costs (CPJ, 2003). In Nigeria too, there are fundamental gaps in the nation's constitution on press freedom and protection of journalists and media organisations.

Paradoxically, actors within the press sometimes have inadequate knowledge of the frameworks for their protection from any forms of threats. For example, a study of 242 codes of ethics in 94 countries by Bertrand (2000) found that only 55 percent included a reference to freedom of the press. Yet, the study observed that protection of the media from external pressures and threats is one of the central roles of media accountability mechanisms. Bertrand (2000) explains further that media code of ethics are the most distinct and widespread examples of an accountability mechanism. These constitute a means through which professional organisations declare the values that guide their work, determine their social role and establish the professional norms they consider appropriate. In the assertion of Himelboim and Limor (2008), code of ethics seek to achieve several objectives, including enhancing the dignity, influence and reliability of the relevant profession in the eyes of the public, serving as a kind of shield for professionals

and preventing the imposition of external supervision and limitations on the field and its practitioners. In keeping with social responsibility and limitations, the state is precluded from intervening in media activity and content, while the media, in turn, impose restrictions and limitations on themselves.

In terms of research, related studies have used the gatekeeping, news values and agenda-setting theories to explain and understand the strategy of engaging with journalists in extremism reporting. Its findings reveal a tense but interdependent relationship between journalists and strategic communicators that are characterised by conflict and cooperation, harassment and intimidation (Abubakar, 2018). An analysis of journalists and political pressures using the information subsidy theory also revealed that politicians use monetary awards as well as intimidation and violence beyond information subsidies to coerce journalists to shape public opinion (Ciboh, 2017). On the safety of covering violent conflicts, Pate and Idris (2017), revealed that media houses were attacked, journalists killed, detained or oppressed; and their equipment and materials confiscated. Akinwale (2010) used the public sphere theory to examine repression of press freedom in democratic dispensations in two states of the Southwest and reveal that access to vital information affects public discourses and political participation in society. The roles of communication and the press in the (re)formation of the public sphere and democracy consisted of periodic civic education, election monitoring, reporting political activities and disseminating election results. Meanwhile, the situation paper by Okonkwor (1983) discussed the effects of Nigeria's sedition laws on free speech to reveal that the courts struggled to interpret those laws while protecting democratic freedoms.

So far, related literature shows that past studies have focused on the strategy of engaging with journalists in extremism reporting; sources of information subsidies and political pressures; threats to journalists in conflict zones; and repression of press freedom in a democracy using the Gatekeeping, News Values, Agenda-Setting, Information Subsidy and Public Sphere theories. In a departure, this study used the Social Responsibility and Libertarian theories to explain the threats to media freedom and safety of journalists from the perspectives of news actors in Nigeria. These theories served to explain the contexts of media freedom and threats to the safety of journalists in Nigeria: the Social Responsibility Theory holds that the government must not merely allow freedom; it must actively promote it; and act to protect citizens' freedom, including by legislation to prevent flagrant abuses [of power and privileges] (Siebert, Peterson & Schramm, 1956). In Nigeria, there are no constitutional or legal frameworks to guarantee media freedom and protect journalists from threats, except the freedom of speech that is granted to all Nigerians as provided in the Universal Declaration of Human Rights.

McQuail (2005) explains further that the Social Responsibility perspective postulates that media ownership is a form of public trust or stewardship, and not an unlimited private franchise. This means, media ownership, whether private or public, should be objective and independent, while emphasising self-control. But in Nigeria, some of the threats to media freedom and safety of journalists includes influence of media ownership (Schiffrin, 2010). As would be seen later, the findings of this study also corroborates the influence of ownership interference due to political and economic interests in both government- and private-funded media organisations; even though Whitten-Woodring (2009) explains that a main justification for media freedom is its function as a watchdog over the government. Such watchdog role allows the media to criticise the government on behalf of citizens and society and serve as the society's surrogates (Hohenberg in Himelboim & Limor, 2008). Meanwhile, in Nigeria, the freedom to report in public interest and the conflicts that erupt therefrom, are reflection of its Constitution, which provides a statutory role for journalists and media organisations, to uphold government's responsibility and accountability to the people; and grants every person the entitlement to freedom of expression, in-

cluding freedom to hold opinions and to receive and impart ideas and information without interference (Federal Government of Nigeria, 2011 amendment).

Meanwhile, the Libertarian Theory prescribes that without restrictions, individuals could follow their conscience, communicate accordingly, and ultimately come to a knowledge of the Truth (Baran & Davis, 2012). This coalesces with a criticism against the theory that those who benefit from the rights to press freedom are unclear (McQuail, 2005). Ironically, this liberty of the press is mostly framed as a negative concept – freedom from government (Nerone in McQuail, 2005), even when government is not the only actor that threatens media freedom and journalists' safety as observed earlier since none state actors and members of the public equally threaten media freedom through denial of access to information and acts of violence such as the *Boko Haram's*, electoral violence, among others.

MATERIALS AND METHODS

This study adopted qualitative research design using semi-structured interviews. Qualitative research provides indepth subjective understanding of the threats to media freedom and journalists' safety while semi-structured interview allows the use of a few prepared questions, and follow-ups where necessary. Editors and reporters/correspondents were sampled because they are directly involved in news gathering, processing and selection. Additionally, editors' identities are known and this exposes them to threats from newsmakers who want to supress unfavourable news; while reporters/correspondents source for news on the field, which leads to direct contact with diverse sources of threats.

The sample was purposively generated from the NUJ's documented list of journalists and organisations with experiences of threats. These initially culminated in a list of 25 journalists and editors, but only 15 consented to participate. After interviewing nine journalists: four editors and five reporters/ correspondents, data saturation – i.e. the occurrences of replication or informational redundancy (See Morse *et al.*, 2002; Saunders *et al.*, 2018) was reached. Data saturation, according to Saunders *et al.* (2018) and Strauss and Corbin (1998), is one of four saturation types; it is concerned with the point where further data collection becomes counter-productive, and new data does not necessarily add anything to the overall story. The respondents have nine to 20 years cognate work experiences with foreign and Nigerian broadcast and print media organisations, including working as freelancers for *Reuters* and *Bloomberg* on diverse beats across Nigeria's geopolitical zones. These zones have distinct socio-cultural and economic diversities/realities and political cultures, with direct impacts on issues and events that journalists report. Specifically, the participants included journalists at the *British Broadcasting Corporation (BBC), Voice of America (VOA); Daily Trust, ThisDay* and the *Sun* newspapers; the *Federal Radio Corporation of Nigeria (FRCN)* and *Freedom Radio*. The *BBC* broadcasts in English and Nigerian indigenous languages; the *VOA* also broadcasts in English, but also with an international Language, widely spoken in Nigeria. The *Daily Trust* newspaper is privately-owned and widely read in Northern Nigeria (Musa & Ferguson, 2013); the *FRCN* is a federal government funded radio with the largest network that broadcast news [and current affairs] in Nigeria, including on 32 FM stations (Shehu, 2013). Meanwhile, as a private radio station, *Freedom Radio* continues to grow in listenership and patronage by broadcasting series of programmes across key states in the North West, North Central and South west.

Data was extracted from the transcription using the thematic criterion approach to thematic analysis. Schreier (2012) explains that thematic criterion allows the researcher to divide the data into units of coding while looking for change in topic or theme, which signals the beginning and end of units, where

each corresponds to or discusses specific themes. Practically, the researchers first used the Review panel in Microsoftword to code words and phrases line after line. These were used to generate themes, which were sometimes merged with similar emergent themes. Afterward, the themes were transferred into matrices and refined to ensure mutual exclusivity and independence. Finally, the highlighted codes guided the extraction of specific quotes from the data for emergent themes.

FINDINGS AND DISCUSSION

Threats to media freedom and journalists' safety in Nigeria emerged in intertwined patterns. In some instances, these threats are perpetrated strictly by state actors and non-state actors respectively. Specifically, the threats from state actors emerged through arrests and detention; attack on freedom of speech and investigative journalism, intimidations, and invasion of editorial offices. These occurred from disagreements between security operatives and reporters or news organisations. Reporter 3 who reports in the Northeast remembered that his medium did a report about homosexuality among government officials, which involved key cabinet members and the government started harassing them with security operatives: 'I was arrested. My editor-in-chief was arrested.' These arrests and detentions from state actors are recurrent and most times, are about where to draw the line between public and national interests and how the media should treat such issues.

There are contrasting opinions from narratives of journalists on these issues. For example, in a January 16 (2019), an incident involving a prominent Nigerian newspaper, whose editorial offices in the Northeast and North central were raided, equipment confiscated, and some journalists arrested and detained by security forces. The security argued that the newspaper divulged sensitive information on an on-going military operation in the theatre of war of the *Boko Haram* insurgency in the Northeast. Some journalists frowned at the military's invasion but accepted that the newspaper erred in its judgment on the story. He said, 'somebody was reading the newspaper, and I saw the headline. As a journalist that has been on this job for over 20 years; when I saw the headline, I said this kind of headline is not good. It endangers national security; the editor should be a little responsive, and responsible in the way he casts headline, especially in a crisis' (Reporter 3). This corroborates that based on its social responsibility role and limitations, the media should impose restrictions and limitations on themselves as suggested by Himelboim and Limor (2008), especially on very sensitive issues that has bearing on national security.

On the contrary, Reporter 4 made an opposing argument, insisting that the security merely tried to save face. He said, 'the military were actually worried about the report going rounds that the *Boko Haram* insurgents attacked and remained in control of the headquarters of the Multinational Joint Task Force. The newspaper that was raided also published a story to that effect. The military were telling Mr. President that it was not true. But Mr. President read that report and queried their initial response, and said: why are the military telling me lies?' (Reporter 4). Reaffirming his assertions, Reporter 4 added, 'I equally did a special report and aired it stating that Baga was still in the control of the Boko Haram…. Thereafter, they [security agents] understood that we had a lot of information on the insurgents' takeover of Baga and there was nothing they could do, but to call us and settle the matter. Thereafter, they called some editors, talked to them, [and] organised a workshop.' In this repeatedly corroborated incident of invasion, Editor 3 confirmed Reporter 4's assertion, insisting that the newspaper was only discharging its constitutional duty of holding the military, an arm of government, accountable to its responsibility to protect lives and property. According to the argument, it was a matter of public interest: 'It was the

newspaper's responsibility to report it as a national threat. Sadly, the military authorities were very angry over the report and the truckloads of soldiers invaded; took over their computers and threatened to seal the offices permanently. It was only after the President intervened that they unsealed the offices' (Editor 3). Arguably, a main justification for media freedom is its function as a watchdog, which allows it to criticise the government on behalf of citizens and society and serve as the society's surrogates (Hohenberg in Himelboim & Limor, 2008). But if journalists are intimidated, assaulted and held in detention, how can they report in public interest by holding government to account, especially where the constitution makes no provision for their safety and protection or for a conducive environment for media freedom to thrive?

Certainly, such conditions threaten media freedom, and relatively, freedom of speech, which is a fundamental right that is taken for granted (Himelboim & Limor, 2008). Meanwhile, because freedom of speech is a central component and condition for press freedom (Hohenberg in Himelboim & Limor, 2008); it is worrying to observe that some of the threats uncovered in this study were also linked to freedom of speech; denial of legal rights to litigation and compensation; and intimidations with arrests or legal action. Reporters Without Borders (2019b) explained that these are repressive tools used to restrict freedom, especially online. This is not unrelated to the growing significance of online media as a choice medium of communication in Nigeria, where social media and other online platforms have become a nexus for creating political awareness, and reawakening. If the political class feel threatened, one of the few available options of 'subtle' repression is to use such laws to effect arrests, and 'pretend' not to be subverting press freedom, which is exactly the case. Additionally, government and its repressive state apparatuses, have repeatedly appeared as the perpetrators of the different types of threats. This supports literature argument (Herman & Chomsky, 2002), that government and its representatives are the very powerful actors who use their power to threaten the safety of journalists and press freedom and coerce them to exert influence.

Furthermore, the threats from state actors included physical and verbal assaults. As a witness, Reporter 5 who works in the South east narrated that a broadcast journalist was stabbed and seriously wounded by a thug during the 2015 presidential election. In an instance of verbal assault, Editor 1 who works in the North west recounted that usually, the assaulters 'will first complain verbally. Then there would be threats from some of their supporters, that they are going to carry out some nefarious activities.' Another respondent who has worked in the North central and South west remembered an instance involving the Nigerian president, where verbal assaults were hauled on a journalist who secured an exclusive interview with Nigeria's First Lady in late 2016 in which she criticised the way her husband was leading the country; 'our colleague received threats and all kinds of abuses from supporters of Mr. President. Their argument was that; why should he [the journalist] give her a platform to challenge her husband?' (Editor 2).

These threats also included death threats to suppress investigative reporting. Editor 1 narrated that: 'not quite long ago, a colleague did an investigative exposé, and a threat was made to his life.' Reporter 4 added that, 'during the 2015 election, after a life report of a political victory, I received calls from people threatening to kill me and burn my house.' These are life-threatening encounters and Reporter 3 faced a deadlier threat when he reported the plight of someone who was arrested by security forces and extra-judicially murdered on allegations that he was an armourer for some armed robbers: 'The Officer Commanding the Brigade was so furious and invited me to his office. He picked his rifle and said he was going to finish me. That was a big threat to my life' (Reporter 3).

Meanwhile, the threats to media freedom and journalists safety from non-state actors also included: threats to freedom of speech, press freedom, denial of legal rights to litigation and compensation. Journalists

suffer threats to freedom of speech because of popularity, like Reporter 1 who works in the metropolitan of a North western state. 'Most people know that I am a journalist. So, that is a problem because even if I write something, on my social media accounts, people start to attack me, saying you are a journalist; why are you writing such things? This happens mainly because they know my identity… So, these limits our efforts...' Also, Reporter 2 who has worked in the South-south explained that press freedom is also threatened by the practices of media organisations, who undermine investigative journalism said: 'No-body is ready to do what it entails to do investigative journalism. I am covering a state; I should be paid from time to time, to go and do stories. I should be able to travel and make my claims. But since 2006, I have been in this state for 13 years, I have never made any single claim. You send stories with your own money.' Sometimes, denial of legal and compensation rights lead to pitiable conditions. Reporter 2 also narrated the sordid condition of a journalist who retired from a private newspaper organisation for about seven years but was still unpaid and has now resorted to begging. Querying, he asked: 'Does he go to court? How does he even have the money to go to court? I learnt from my colleagues that, some of them have gone to court. They have been asked to be paid, but the proprietor does not pay. Who is going to hold the media organisation responsible?'

Meanwhile, some of the threats to media freedom and safety of journalists from non-state actors also included self-censorship for personal safety, public and government interests; as well as ownership interference by public and private Nigerian-owned media and foreign-owned media organisations. In the narrations of one journalist who strings for a transnational news organisation, Reporter 3 exposed that the 'so-called' reputable international media ownership are also grossly interfering with media contents due to political interests and affiliation, the need to protect personal and associate's' political and economic interests.

Similarly, one of the threats to journalists from media organisations as non-state actors is also poor welfare, which also affects press freedom due to its link to poverty. Reporter 2 maintained that, 'in an economy where you have been impoverished; you are living in poverty; you would want to feed. Some of us are in this job because we have nothing to do.' Such pathetic poor welfare conditions for journalists in Nigeria often lead to undignified living, in service and retirement and this often degenerates into lack of motivation. Reporter 2 rendered a pathetic story of unsettled retirement benefits, which affects a lot of Nigerian retiree journalists: 'I have worked with this guy. His terminal benefits should have been given to him. But six to seven years down the line, they have not paid him. The guy keeps calling me to assist him. He would say, please send me some money. I cannot feed my family. I heard that he is owed over 5million or 10million naira [USD13,389 or USD27,778][1]. If they had paid him, he would start up his life. In the office, when I mention his name, they would say ah! I hope that guy has not come to you to beg for money. He has now been turned into a beggar.' Theoretically, critics of Libertarianism argue that those who benefit from the rights to press freedom are unclear (McQuail, 2005). Ironically, this liberty of the press is mostly framed as a negative concept – freedom from government (Nerone in McQuail, 2005), even when government is not the only actor that threatens media freedom and journalists' safety, as shown in this study. How can such inhumane treatment be addressed in a country where journalists have limited job offers, are unpaid on the few available jobs and forced to hang on, even without regular pay?

Sadly, this also creates and nurtures a cycle of corrupt practices, especially in privately-owned media, where salaries and wages are unpaid and proprietor's unduly exploit their staff with unethical practices. One of these unethical practices mandates journalists to use their Identity Card as 'meal tickets'. Such unethical practices promote a demeaning culture, compromises journalists' integrity and investigative reporting, and encourages giving/taking of bribes for stories to get published. Sometimes, journalists

stoop so low by using privileged information to blackmail news makers, churn out public relations (PR) stories and serve as image launderers for politicians and government officials for pittance to compromise public interest. Sometimes, where there are no stories to write, some journalists even go to the extent of fabricating stories, to ensure their survival.

It is important to observe that currently, government-funded media in Nigeria are predominantly broadcast-oriented stations (i.e. radio and television). These are very popular media forms in the country due to their characteristic of actuality, affordability and ease of access. Therefore, these can be regarded as media of mass denomination and a source of public information that should serve public interest. Sadly, they are threatened by credibility issues as indicated in the response of a participant from a government-funded radio station: the threat is self-censorship and how those in power constitute threat to media freedom and journalists' safety. According to Reporter 4 who works for a foreign radio, most of the time, ownership interferences occurs in government-funded media houses. At a state-funded TV station, it is difficult to find any other political party's coverage. The ruling party controls it, pays staff salary, and is in-charge of their promotions and transfers. So, it becomes hard for the reporters to work freely.' Editor 4 who works for national radio broadcaster corroborates this assertion: 'I work for a public broadcaster which would not ordinarily go out of its way to offend the government of the day. Most of the time, threats or danger comes from the powers that be', he explained. Similarly, the private media are not exempted. 'You will find out that proprietors of A or B media houses are in politics. Some of them are state governors, others are senators [legislators]. Some are contesting for key political offices in one political party or the other. So, if something has to do with their political party or against the interests or principles of their political gladiators, they do not actually report it. They would not even allow their reporters to cover the event or issue, not to talk of writing or airing the report (Reporter 4).

In relation to the above, this study observed that because proprietors of media organisations in Nigeria are mostly politicians or business moguls, who have no professional journalism training or practical experience, they mostly interfere due to poor knowledge on the surveillance and information functions of the media to the public. Relatedly, there are arguments dismissing the idea of a 'free press'. The opponents say it is a self-serving myth in reality. This partly explains the extent of interference of the political class and business entrepreneurs in compromising press freedom – they have access to funds and can own their own media, 'run their own show' and protect their interests and their cronies'. This fits perfectly into the narratives of Harcup (2014) who re-echoes the argument that the free press exists only for those rich enough to own their own media empire and that proprietors treat the concept more as a property right than a human right. Not surprisingly too, (self)censorship was borne out of the influence of ownership interferences. Editor 1, who works for a private radio confirmed how political interests directs ownership interferences as he sighed while responding to underscore the overwhelming interference from media proprietors: 'There is ownership interference. It all depends on the political side on which the proprietor belongs. For God's sake, this is a private-owned organisation. You do not expect me to do anything inimical to their image or their interests.'

Journalists and media organisations and associations in Nigeria have tackled these problems differently. For example, regarding training on safety, which also emerged as a threat to journalists; apart from international humanitarian organisations who occasionally intervene; Nigerian media organisations rarely train journalists for conflict-sensitive reporting. Reporter 3 lamented how he has been covering the insurgency in Nigeria's Northeast for about ten years now without any training on conflict reporting: 'My office has never invited me for training, not one!' Contrastingly, journalists who work for international radio and TV news organisations in Nigeria receive routine trainings on safety and conflict reporting.

Reporters 2 and 3 string for foreign news media and have been trained in London, Kenya, and locally about personal safety on reporting conflicts and elections. They were given protective kits: 'two pairs of bullet proof jackets, safety goggles and Trauma Card. Some of our colleagues have also benefitted from the trainings on safety by international news organisations. Some have gone to the United States' (Reporter 3).

These findings can be related to frameworks that exacerbate threats to media freedom and journalists' safety in Nigeria as respondents also lamented concordantly about lack of constitutional or legal frameworks, for journalists working for Nigerian media and financial safety nets. Reporters 1 and 3, Editors 2 and 3 corroborated lack of specific rights, freedom, or shield against violence or attacks to journalists on duty. They concurred that the only constitutional provision is the freedom of expression, which extends to other citizens. Reporter 2 narrated how other countries' constitution protect journalists from threats: 'if I could remember, my media organisation tried to operate in South Africa; it was driven out because it failed to pay tax. When it went to the United Kingdom, because it was exploiting journalists like it was doing in Nigeria, they dealt with it. So, the Nigerian government should create an atmosphere whereby people are protected by the law and constitution. In this regard, the social responsibility theory holds that the government must not merely allow freedom; it must actively promote it; and act to protect citizens' freedom, including by legislation to prevent flagrant abuses (Siebert, Peterson & Schramm, 1956). These lack of constitutional or legal frameworks to guarantee media freedom and protect journalists from threats in Nigeria, and lack of precedence of perpetrators' prosecution or sanction to protect journalists' and citizens' freedom, aid and abet aggressions and assaults against media freedom and journalists while reinvigorating the perpetrators, especially government and its agents, to act with more impunity to supress media freedom.

Furthermore, journalists who work for international media identified mitigative and protective measures that they adopt. Reporters 2 and 3, and Editor 2 revealed that international news media use Standard Operating Procedures (SOPs). For example, when exposed to a threat, it is mandatory to call an emergency number. Instantly, a team rapidly responds to extract the journalist(s) from danger. Sometimes, before assignments, risk assessments are conducted; and safety advises are issued, or the assignments are cancelled, depending on risk levels. For employee protection from envisaged threats, where risks are extreme and life-threatening, advisory for a 'blackout of coverage' is issued. There are also provisions for therapy, encompassing counselling and vacation. 'There is a toll free card that you can call when you are in trauma to put you through a psychologist and medical doctor for counselling. They also give you a break to spend a week with your family' (Reporter 3).

Therefore, media organisations and journalists in Nigeria have dealt with these threats in different ways. The foreign-owned media organisations are proactive, responsive and responsible to their obligations and rights of employees. In contrast, Nigerian-owned media organisations are unconcerned, reactive, but mostly irresponsive and irresponsible to their obligations and the rights of their employees. However, at the professional body level, such as the Nigeria Union of Journalists (NUJ), some rudimentary measures are sometimes taken to protect journalists against threats. These, according to Reporters 3 and 4 include: accreditation and provision of identification cards, security escorts, insurance policy subscription, psychosocial support from colleagues and mediation. These mediatory roles to mitigate threats are on some occasions deployed by officials of professional associations, government media aides, former senior journalists and editors. At the personal level, safety mitigating measures include safety consciousness (safety first), neutrality (i.e. abiding by journalism ethics), identity masking, religious beliefs, relocation of self and family, restricting beats to safe areas and providing safety tips to colleagues.

Consequently, the threats and extent of their influence on media freedom and safety of journalists reflected in the participants' clamour for a reversal of the status quo. In their assessment of those threats, journalists and editors concur on the need for specific constitutional provisions and enactment of enabling laws to protect them from threats. They also recommended enforcement of existing constitutional provisions and laws to deter violations against media freedom; and the establishment/ empowerment of institutions to certify journalists like what is practiced in the country for professions like Medicine, Accountancy and Engineering; while instituting policies for continuous editorial staff training on conflict, safety and sensitive reporting; and reviewing the NUJ Constitution to address contemporary media and journalism practices and issues.

CONCLUSION AND FURTURE RESEARCH DIRECTIONS

This chapter explained the threats to media freedom and safety of journalists in Nigeria from the perspectives of news editors and reporters. It exposed the conditions of Nigerian journalism practitioners in a tense society. These have specific dangerous implications on journalists and journalism practice, its freedom, performance and credibility. This reality demands urgent action from stakeholders, including the provision of revolutionary and counteractive measures that would strengthen media freedom and enhance the safety of journalists in Nigeria.

Meanwhile, this study uncovered the threats to media freedom and safety of journalists in Nigeria. Previous studies have examined political sources of information subsidies and political pressures on journalists, threats to journalists in conflict zones, and repression of press freedom in democratic dispensations. Specifically, future studies can scrutinise the sources and trigger of threats, channels of threats and their consequences to media freedom and safety of journalists in Nigeria because contexts, actors, legal and constitutional provisions can alter the nature of threats. Additionally, this chapter already confirmed that ownership interferences are commonplace among media proprietors and political interest is a factor. Therefore, interrogating the sources of threats and their economic and political interests within a plural press like Nigeria's, could reveal the dynamics and political-economic contexts of the operations of media ownership in Nigeria. Similarly, this study corroborated existing evidence that Nigerian elites, including politicians, act with impunity to stifle press freedom. Further studies can investigate impacts of censorship and the psychology of journalists and media organisations towards censorship. Future studies can also investigate the channels and consequences of those threats from social and psychological world views.

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KEY TERMS AND DEFINITIONS

Freedom of Information: The presumption that public information should be in public domain unless there are logically persuasive reasons why that information should be concealed.

Freedom of Speech: The foci of press freedom that constitutes fundamental human rights, often taken for granted, but which guarantees freedom to speak, to be listened to and responded to, such that it engenders unfettered human relations within society.

Media Freedom: Is the freedom for news organisations and journalists to report without subjective oppression and restrictions, including holding government accountable to its responsibility to the people and vice versa.

Safety of Journalists: A condition where journalists are not threatened in any form (i.e., physically, psychologically, or verbally); where no harm comes to them as targets of violence or any forms of attacks, in such a way that they can safely and responsibly report events and issues in society.

Threats: Any form of danger to journalists or media organisations that could cause physical, verbal or psychological vulnerability, including threats to life and family, or harm to their equipment, including laws or absence thereof to protect journalists and media organisations.

ENDNOTE

[1]   @ 360 Naira/1USD.

Chapter 14
Types and Sources of Threats to Media Freedom in Uganda

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ABSTRACT

This chapter contributes to journalism research from the Uganda's context by investigating the types and sources of threats to journalists' safety and media freedom in the country. The authors achieve this by examining relevant documents on the state of journalism in Uganda and interviewing journalists. There are two overarching questions that this chapter is concerned with, which are What are the types of threats to journalists' safety and media freedom? and What are the sources of threats to journalists' safety and media freedom in Uganda? The investigation is grounded in theory about journalists' safety and media freedom. The data were collected through document analysis and interviewing of a purposively selected of sample of journalists in Kampala. The data was collected between April and May 2019 in Kampala, Uganda's capital. The findings show rampant violations against journalists and the media. The violations include physical assault, intimidation, arrests in addition to destruction of journalists' property such as cameras. These are perpetuated by security agencies.

INTRODUCTION

There is no doubt that the media plays a crucial role in society. Yet, world-wide journalists and other media professionals continue to be persecuted for doing their work. A United Nations Education, Science, Culture and Communication (UNESCO, 2018) report rated journalism as one of the most dangerous professions because of the safety and security risks associated with this profession. For example, between 2012 and 2016, a total of 530 journalists were killed across the world, with only one out of ten cases receiving justice (UNESCO, 2018). According to the International News Safety Institute, a total of 73 journalists were killed in 2018. The Institute further reports that 13 of the murdered journalists were

from Afghanistan, nine were from Mexico while seven were from the United States. Armed conflicts remain a key cause of deaths of journalists while other major causes of risks are reporting on corruption, crime, politics and drugs. The number of local journalists' murdered compared to international reporters continues to be high. In fact, it is possible that some of the local murders of journalists go unreported. However, international correspondents such as the former Washington Post columnist, Jamal Kashoggi, murdered at the Saudi Embassy in Istanbul in October 2018 tend to attract a lot of attention. Apart from killings, other threats that journalists face world-wide include intimidation, harassment, detention, kidnaps and exile.

The tense relationship between governments and the media in semi-democratic contexts means that practicing journalism is a challenge. In some countries, it is common for security agencies and politicians to target sources, interviewees and informants. In Ethiopia for example, security officials are known to harass or threaten individuals who speak to the media (Human Rights Watch [HRW], 2017). In South Sudan, court in May 2019 sentenced a prominent economist, Peter Biar Ajak to two years in prison for "disturbing peace" because he gave interviews to foreign media.[1] This makes it difficult to find witnesses to events and experts willing to be interviewed. Thus, there is a reluctance of potential sources to openly speak to journalists on sensitive matters due to pervasive surveillance. Additionally, Internet and mobile communication surveillance under anti-terrorism and interception of communication regulations allow security forces to monitor communication devices of opposition politicians, perceived enemies, activists and journalists. Real and perceived surveillance limits mobile and telephone communication between journalists and sources, which poses a big challenge for newsgathering.

Like in many other less democratic societies, journalists in Uganda face serious threats to their own safety as a result of their work. Whereas only two journalists have been killed between 1992 and 2017 (Committee to Protect Journalists, 2017), other forms of threats are on the rise. For instance, a total of 113 cases of media freedom attacks were reported in Uganda in 2016. At least 45 of these cases were arrests and detentions, 27 cases were related to assault, while 11 cases involved blocking access to information (HRNJ-U, 2017). Most of these attacks tend to be heightened during politically-charged periods such as times of contentious political debates and during elections. Some examples include: the arrest of journalist Joy Doreen Biira in November 2016 for filming a military raid in Kasese, the kidnapping of Gertrude Tumusiime Uwitware of NTV for criticising the First Lady who also doubles as the minister of education on Facebook and the kidnapping of *New Vision's* Charles Etukuri.

Some of the major sources of online and offline threats to journalists' safety and media freedom are perpetrated by state and non-state actors, although the former seems to be most involved in cases of violating media freedom. For example, of the 113 cases of media freedom violation that happened in 2016, the police were involved in 83 cases (73%) followed by the statutory media regulator, Uganda Communications Commission (UCC) and the judiciary perpetrating four cases each (HRNJ-U, 2017).

BACKGROUND

Media and Journalism in Uganda

Uganda's media landscape can be described as dynamic, with over a dozen publications, hundreds of licensed radio stations and scores of licensed television stations. The broadcast media, particularly radio, have expanded more rapidly than the print and as such, Uganda can be described as a radio nation with

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statistics showing close to universal access to the medium at 99% (Uganda Communication Commission [UCC], 2017; Mwesige, 2009).

The British established media outlets to serve the interests of colonial businessmen, settlers, teachers, officials and soldiers (Tunstall, 1977 in Mwesige, 2004, p.5). They controlled the media through the Colonial Ordinance Act, the Press Censorship and Correction Ordinance No.13. Upon independence in 1962, Uganda Broadcasting Service (UBS) was renamed Radio Uganda, broadcasting in over 20 languages (Chibita, 2006, p.117). Uganda Television went on air in 1963. The broadcast media remained under government control and a mouthpiece for post-colonial political leaders who used the airwaves to lodge themselves in power and to fight perceived enemies. Since independence, political leaders cemented their control of the media using draconian laws such as the 1963 Television Licensing Act and The Official Secrets Act 1964. These and a plethora of other legislations narrowed the public sphere and enabled those in power to maintain a grip on public opinion.

Idi Amin's regime from 1971 to 1979 was the most turbulent period for the media. Amin controlled the media by firing and hiring staff and eliminating dissenting voices. He tightly controlled the media, critical voices suffered imprisonment, state or self-imposed exile and in some cases death. But the wave of economic change across sub-Saharan Africa saw governments adopt capitalistic policies such as deregulation, privatisation and commercialisation (Banda, 2010, p.132). This brought about a transformation in the media industry in which privately-owned media compete for audiences and advertising revenue. Museveni's government that dates back to 1986 to-date expanded the media sector (Banda, 2010; Chibita, 2006). However, this expansion has mainly been quantitative in terms of number of media outlets rather than the quality of journalism and the level of media freedom. Although murders of journalists are rare in Uganda, the state uses many direct and indirect means to suppress media freedom. Indirect means include bribing journalists to refrain from covering some stories and threats to withdrawal government advertisement.

Generally, the media and journalism face constraints including underfunding, lack of professionalism and poorly trained journalists, censorship, prohibitive laws and attacks on journalists. In their study about journalism training and the extractives sector in Ghana, Nigeria and Uganda, Colmery et al (2009) found that media organisations have limited resources and therefore struggle to pay their journalists adequate salaries (Mwesige & Kalinaki, 2007). The media depend on advertising as the main source of revenue from private businesses and government agencies. In some instances, media are careful not to publish news that may offend their advertisers (Rhodes, 2014; Schiffrin, 2011; Colmery et al, 2009). Uganda's constitution guarantees freedoms of expression and of the media; right of access to information and assembly. But the freedom is relative due to widespread concerns about censorship as government targets critical voices through legislation and prosecution of journalists. Journalists work in an environment consisting of unfriendly regulation as well as control that impede their freedom. They operate in a hostile environment with reports of arrests, physical assault and arbitrary closure of media houses deemed critical of the government (ACME, 2016; Balikowa, 2006).

The government has since 2009 become stricter with the press, threatening to close media houses that publish or broadcast information that is perceived to be dangerous to the country's security and economic interests (Global Challenges, 2017[2]; Freedom House, 2012). Independent media operate under fear of closure, advertising bans and constant threats. Newspapers such as *Daily Monitor* and *The Observer* are often accused of promoting the agenda of opposition politicians and for publishing stories critical of the government (Rukuuka, 2012).

The perception that privately-owned media are pro-opposition casts news outlets and journalists in bad light and makes them easy targets for crackdown, harassment, imprisonment and closure. In some cases, the security apparatus and individual politicians prevent journalists from accessing certain news events and sources in addition to beating them and destroying their newsgathering equipment. For example, in the aftermath of the February 2016 general elections, police arrested seven journalists for covering former opposition presidential candidate Kizza Besigye (Bagala, 2016). In May of the same year, government banned the coverage of opposition protests (Wesonga & Bwire, 2016).

Police raid and closure of *Daily Monitor* headquarters in Kampala and the main offices of *Red Pepper* over a story about a presidential succession story in May 2013 had a chilling effect on the media fraternity countrywide. The story was sparked off by a letter purportedly initiated by a former government chief spy stating that government officials who did not support the president's son, Muhoozi Kainerugaba[3] as his father's successor would be killed. The government tried to limit the coverage of the story by disabling the printing press and computer servers of *Daily Monitor* and *Red Pepper* as well as radio transmission equipment and declared the premises of the two newspapers a crime scene[4]. Two radio stations - *Dembe FM* and *KFM*, which are linked to *Daily Monitor*, were also shut down[5]. The closure lasted 10 days. Other media outlets were not spared during the same period. For example, FM station journalists at *Radio One*, *Top Radio* and *Endigyito* were ordered off air for hosting opposition politicians. *Daily Monitor* had in October 2002 been shut down and had its offices occupied by security agents for publishing a story deemed to breach national security[6] (Balikowa, 2006).

Media ownership in Uganda is split between the government and private owners that include one regional conglomerate; the Nation Media Group based in Kenya. Majority of the media is privately owned. However, some private media owners are either holding positions in the ruling government or are business partners of politicians from the ruling party. Other private owners include religious groups and cultural institutions (Kingdoms/chiefdoms).

The media face political pressures plus internal restrictions from individual politicians and powerful business people who expect positive coverage. Government remains the biggest advertiser in Uganda, implying that news media must carefully toe the line as they report about it and individuals that occupy its high offices. Moreover, the president and his close allies control the media and do not hesitate to invoke existing regulations or propose new ones to influence news institutions. A directive from government or the president via the regulator – Uganda Communications Commission (UCC) can instantly close a media house.

Media Laws and Regulations

While Uganda's constitution provides for freedom of expression and of the media as well as freedom of access to information, several laws restrain these freedoms and subsequently constrain journalism practice. For example, the Press and Journalist Act 2014 (amendment) requires print media to be registered annually and licensed by the statutory Media Council[7]. It gives the Council power to revoke a license in case of breach of licensing conditions (Biryabarema, 2010) and the power to close a newspaper if it publishes content that endangers national security or unity. The law seeks to destroy critical and independent journalism by giving government powers to determine what is fit for print and what is not (ibid).

The media regulator, UCC lacks independence from the appointing authority as its licensing procedures are arbitrary and susceptible to manipulation and influence by the executive (Freedom House, 2016; African Media Barometer [AMB], 2012). Privately-owned radio stations have had their licenses

suspended under this law and some have been forced into self-censorship once reopened to avoid renewed conflict with authorities. The regulator has also issued warnings to television stations and in some cases directing them to stop hosting commentators deemed to be flouting the law. For example, in October 2016, UCC ordered NTV-Uganda to stop featuring views of a renowned government critic or risk having its license revoked (Anena, 2016). Earlier, the regulator had warned nine news organisations, directing them to stop hosting another controversial media commentator[8] (ibid). In early May 2019, UCC ordered 13 media houses to suspend 39 workers, that included news managers, producers and heads of programmes accusing them of breaching minimum broadcasting standards.[9] The journalists took UCC to court challenging this directive.

The Public Order Management Act 2013 stipulates that any meeting of three or more people may require police authorisation. Such meetings may be private or social-related seminars or work-related gatherings such as press conferences (Gwayaka, 2011). The law, branded by Amnesty International (2011) as a serious blow to open political debate, gives the police discretionary powers to veto and break up meetings and gatherings of as few as three people discussing political issues in public spaces (BBC, 2013). Therefore, the law[10] has a bearing on journalists' work in regard to access to sources and reporting issues such as political activities of opposition politicians. It limits media practitioners' roles of seeking, receiving and imparting information as it imposes indirect limitations to attending and reporting proceedings of outlawed meetings (ibid). A number of journalists have been injured and had their cameras and recorders destroyed at such meetings. The Anti-Terrorism Act 2002 also contains sections that potentially restrict the freedom of the media and journalists to contact any person that the government labels a 'terrorist'. The law restrains journalists regarding what they cover and whom they interview as sources, particularly with regards to the opposition politicians. Its contravention carries a mandatory death sentence. Other regulations such as the Computer Misuse Act 2011, the Electronic Transactions Act 2011 and the Electronic Signatures Act 2011 limit journalists' ability to gather information, threaten the confidentiality of sources and can compromise journalists' sources (AMB, 2012). Such regulations point to gradual decline in freedom, democracy and official accountability as police regularly break up peaceful public demonstrations, uses excessive force in response to riots in addition to targeting and intimidating journalists during such events (Freedom House, 2016). All the above have implications for independent journalism as media practitioners engage in self-censorship in anticipatory obedience (ibid).

LITERATURE REVIEW

Safety of Journalists and Media Freedom

Media freedom encompasses the right to hold and express opinions in addition to the free flow of information across various channels[11]. It is the degree to which various media outlets operate freely without incumbrances. Freedom of expression and of the media are ingredients for democracy and without them, individual basic rights cannot be realised. A free media is essential for good governance and accountability because the media serve as watchdog for those who hold political power. There is a growing interest in scholarly research on journalists' safety and media freedom around the world. The studies assess freedom of expression and of the media as well as journalists' safety. Some of them highlight how threats to safety of journalists affect the state of media freedom in various contexts. Scholarship

into media freedom focuses on government restrictions and political influence, the impact of economic pressures and media concentration on a free press, as well as the effects of censorship on media freedom.

Media freedom remains a relevant subject of study with indications that there is a correlation between a free press, human development and governance (Guseva et al, 2008; Soon & Tan, 2017). The media and journalists must, therefore, operate freely without interference in order to perform their duties. Academic efforts concerning the subject varies from press freedom, government's restrictions on the media (Weaver et al, 1985; Popescu, 2010); the effect of media concentration and economic pressures on the media (McChesney, 1997, 1999; Doyle, 2002; Schudson, 2003) as well as censorship and press freedom (for example Hussein, 2010). The media the world over exists in highly troubled economic times (Josephi, 2012) and in so doing, journalism is a commercially-driven process (Schudson, 2003). The media, therefore, face pressure from advertisers, owners and politicians who sometimes exercise economic and political power to control how journalists operate.

Recent research specifically focuses on safety for journalists. Such studies include: *The assault on journalism* an anthology with a collection of studies from Nigeria, Afghanistan, Iran, Colombia, Australia, Mexico, and Pakistan, among others (Carlsson & Pöyhtäri, 2017). Some of these studies take stock of the status of journalists' safety (Cottle, 2017 and Berger, 2017); offer reflections about journalists' safety in countries such as Afghanistan, India, and Philippine (see Eide, 2017; Thomas, 2017; Tuazon, Diaz & San Diego, 2017). Some studies call for academic research initiatives on media freedom and journalists' safety (Pöyhtäri, 2017; Harrison, 2017; Abu-Fadil, 2017). Others focus on journalists' protection in conflict situations (Lisosky & Henrichsen, 2011); organized crimes against journalists (Relly & González, 2014); digital risks to journalists (Henrichsen et al, 2015); journalists' killings and physical targeting (Cottle et al, 2016); as well as challenges to journalists' protection (Adhikary et al, 2016). Unaegbu (2017) explores safety concerns in Nigeria from the gender perspective while closer to Uganda, Nyabuga (2016) gives an overview of the situation of journalists' safety in Kenya and analyses the types of threats against the lives of journalists.

According to the African Media Barometer (AMB), in Uganda, journalists are threatened, assaulted, attacked and arrested; their equipment seized and their offices raided or put under siege, especially shortly before, during or after elections. Some journalists receive threats from anonymous callers saying: "How dare you speak about someone like this. Are you bullet proof?" (FES, 2016, p.7). Nassanga and Tayeebwa (2018) found that several journalists in Uganda have sometimes been threatened and assaulted by state agents in the course of their work. According Freedom House (2017), journalists covering the 2016 general elections in Uganda faced harassment and arbitrary restrictions, particularly those covering activities of the opposition or stories critical of President Museveni. Walulya (2018) also found rampant media freedom violations that range from beating, harassing and arresting of journalists, closure of media houses to denial of journalists from accessing certain sources of news.

While the subject of journalists' safety and media freedom has gained momentum, it is an emerging field that needs more scholarly attention. This chapter contributes to expanding this scholarly debate by examining, from the Ugandan context, a) the types of threats to journalists' safety and media freedom and b) the sources of threats to journalists' safety and media freedom.

MATERIAL AND METHODS

The data for this chapter is partly based on the 2018 Uganda Press Freedom Index report published by a local NGO, Human Rights Network for Journalists – Uganda (HRNJ-U). The Index was compiled by both quantitative and qualitative methods of data collection. These included compiling cases of media freedom violation that were reported to HRNJ – U by journalists, human rights monitors and media houses from across the country. Each of the reported cases was followed up by the HRNJ-U legal and investigating team to verify its accuracy. Other cases were compiled by scanning of articles and stories in media outlets particularly newspapers by HRNJ – U staff for stories that report incidents, administrative actions, policy statements and actions by state and non-state actors that affect the enjoyment of freedoms of expression and of the press. The information from the Uganda press freedom index has been supplemented with interviews from 10 purposively selected journalists in Uganda. Purposive sampling means that the chapter only included journalists who were involved in incidents of media freedom violations in the last three years between 2016 and 2019. These journalists include three print journalists, one online journalist, two radio journalists and four television journalists. One of the ten selected journalists is a foreign correspondent, while the remaining nine are local journalists. This was particularly intended to reflect the ratio of local to international journalists in Uganda. The chapter also deliberately considered more photojournalists and TV camera journalists (four) because they tend to be at the center of controversy in most of the incidents that have happened. In terms of gender, the chapter included three female journalists and seven male journalists, also keeping in line with the ratio of male to female reporters in Uganda.

These interviews were conducted in May 2019. Most of the interviews were conducted at journalists' places of work for the convenience of the interviewees. One of them was a telephone interview because the reporter could not be interviewed face-to-face because he was working upcountry. An interview guide was prepared beforehand to ensure that the data collection was structured in line with the study's objective to examine (from journalists' perspective), the types and sources of threats to their safety and media freedom in Uganda. The interviews were transcribed and data analysed using cross-case analysis as articulated by Patton (2002).

FINDINGS

Types of Media Freedom Violation

As stated earlier, the purpose of this chapter was to investigate the types of media freedom violations in Uganda and the sources of these violations. According to the 2018 Press Freedom Index released by local NGO, HRNJ – U, a total of 163 cases of media freedom violations were reported in 2018. This represents a significant increase in the number of cases of media violation from the 113 recorded in 2017. It is also important to note that some media freedom violations that take place at radio stations in rural areas may go unreported. This means that the number of cases could be higher than what these figures suggest.

There are quite a number of media freedom violations that take place in Uganda in any given year. The most dominant cases relate to blocking of access to news sites, assault, arrests, threats and destruction of journalists' equipment as Figure 1 indicates. Below the chapter discusses in detail the five common forms of media freedom violation.

Blocking Access to Information

In the year 2018, blocking of access to news and information was the most common form of media freedom violation in Uganda with 40 cases being reported on this matter. It is a common occurrence in Uganda for state security organs and other state agents to block journalists from accessing news sites. For example, in February 2018, police blocked journalists from covering the trial of a former District Police Commander, Mohammad Kirumira, who was facing disciplinary charges in the police tribunal[12]. Although the trial had stimulated a lot of public interest, the police argued that it was an internal matter. Another incident happened in September 2018 when journalists were blocked from covering the return of Member of Parliament Robert Kyagulanyi (also known as Bobi Wine) who was returning from the United States where he had gone for medical treatment after being detained and tortured by security forces[13]. Other incidents of blocking journalists happen during demonstrations and riots as one female television journalist explains below:

Most of these things (of blocking access to information) happen when we go out to cover riots because some police or army officers will say 'don't film this' they will find a way of getting a camera person out of that place by throwing a tear gas canister in that particular place, anything that can get someone from a given place because there are certain things they don't want us to put on camera. (Personal communication, May 30, 2019)

This situation of blocking journalists particularly gets worse for photographers and video camera journalists who need to get as close to the news scene as possible so that they can capture images as one photojournalist explains;

There is a lot of limitation on what goes on air, what goes in the papers. They [security] also sometimes dictate which pictures you are to take. They might decide to say 'journalists stop here' when things are happening the other side. They make sure that they cut you off." (Personal communication May 17, 2019)

Another photo journalist added;

As a camera person I may need a certain picture that tells the story but I can't get it because of the threats. I have seen people being beaten up, like I saw one of my colleagues Kenneth Kaweesa was

Figure 1. Violations and abuses against journalists in 2018
Source: *HRNJ – U 2018 Uganda Press Freedom Index report*

beaten up some time back during the free Bobi Wine riots in Kampala. The day I saw that, I never cross some lines. There are some pictures I fail to get because of that incident that happened. (Personal communication, May 30, 2019)

According to the HRNJ – U, 2018 report, blocking journalists' access to information by the state security agencies has become a common tactic used to prevent the media from publishing information the state considers as embarrassing. Incidents of blocking access to information tend to become more rampant during politically charged periods in Uganda, such as election campaigns or during times of contentious political debates. This may explain why in 2017 only 11 cases of blocking access to news were reported compared to 40 cases in 2018. In 2018 there were contentious parliamentary by-elections and widespread political criticism of government after parliament lifted the age limit from the constitution to allow President Yoweri Museveni to seek re-election.

Blocking journalists from covering an event of immense public interest is problematic because people have a right to know what is happening around them, about their leaders and actions that their government is taking. Blocking journalists from reporting on legitimate news events creates suspicion of sinister motives by the authorities. Journalists are the eyes and ears of society, (HRNJ-U, 2018).

Assault of Journalists

Assault of journalists remains one of the leading types of violations against journalists in Uganda. In 2018 alone, 37 cases of assault were reported (HRNJ-U, 2018). Journalists are beaten on duty by state security agencies, ordinary people and politicians. Some of the journalists receive life threatening injuries after being assaulted.

Assault of journalists is closely linked to blocking access to information that is discussed earlier. Many assaults happen when journalists insist on covering events whose access is blocked by state security agencies. But other assaults also happened after no prior warning is given to journalists. For example, Reuters photojournalists James Akena and *The Observer* journalist Alfred Ochol were assaulted in August 2018 while covering riots in which supporters of Member of Parliament Robert Kyagulanyi were demanding for his release with no prior restraint to accessing the news source. According to journalists, their safety while doing their work depends on what type of assignment they have been given. They note that when you are covering riots or activities of the opposition politicians, your safety is not guaranteed. One TV journalist narrated how he has been assaulted on several occasions by different groups of security personnel. The perpetrators have never been punished as narrated in the interview excerpt below:

When veterans were taking over Lubigi swamp we were beaten by military police and police officers from Kawempe. That is not the only case, when the police were charging the late ASP Kirumira, they blocked us from covering that case. Police teargassed us and also assaulted us with batons. […] a group of police officers came and wanted to take my camera. I was beaten and the camera broken. Up to now the camera is still at police. (Personal communication, May 30 2019)

As stated earlier, journalists are assaulted by different groups of people, including police, army, politicians and ordinary people. According to HRNJ-U (2018), compared to 2017, the year 2018 marked a significant rise in the number of assault cases the army committed against journalists. For example, during a by-election in the north western district of Arua, the army assaulted several journalists includ-

ing Hebert Zziwa and Leonard Muwanga of NTV who were reporting live on air. Others including Yiga Julius Bakabaage a cameraman with NBS TV and Joshua Mujunga were also assaulted. On August 31, 2018, Joshua Mujunga, fully clad in his press jacket, was beaten by soldiers while covering pro-Bobi Wine riots in Kamwokya, a Kampala city suburb (HRNJ-U, 2018). The riots erupted when the government stopped MPs Robert Kyagulanyi and Francis Zaake from travelling for medical treatment.

It appears that beating journalists with impunity by security forces gives impetus to ordinary people. This is because cases of assault against journalists by members of the public have increased over the years. For example, in 2018, supporters of the ruling National Resistance Movement (NRM) party assaulted journalists during several by-elections. Such incidents occurred in Arua and Apac, where Moses Okello of Radio Divine was assaulted by NRM supporters. Okello was covering youth and special interests' elections at Apac Mayor's Gardens. In Wakiso district, students of St Augustine College under instructions of one staff member assaulted Vision Group journalists Paul Watala and Ronald Wabomba who were reporting about a school fire. The fire was suspected to have been caused by disgruntled students (HRNJ-U, 2018). A key important difference to note is that journalists who work for local language media and cover local issues such as family and land conflicts are more likely to be attacked by ordinary people while journalists covering political issues at national level are mostly beaten by state security personnel.

Arrests

Arresting journalists is a common type of media freedom violation in Uganda. Often times, journalists are arrested while on duty and detained for varying periods. In 2018, arrest was the third most committed media freedom violation, with 31 cases being reported. The most worrying thing is that these arrests do not lead to any charges mainly because they are done on people who have committed no crime as one photo journalist explains below:

When I was covering opposition activities, they [police] turned their guns on me, they grabbed me and drove me away to Naggalama (police station) and detained me there. Moreover, I identified myself (as a journalist), they saw me with a camera. As a photo journalist I would think that I am more easily identifiable because everyone would be seeing me from a distance that I am a journalist because I have a camera but it is not the case. I will be targeted because they think after capturing that image, I will show the world what they are doing. You see wrong people don't want to be shown whatever they are doing. (Personal communication, May 24, 2019)

Apart from security operatives, Resident District Commissioners also arrest journalists. For example, on 17 November 2018, Lira Resident District Commissioner Milton Odongo ordered the closure of Unity FM in Lira and ordered police to arrests six journalists and two clients found at the station. He accused the radio station of inciting violence in town following riots during the funeral of an 11-year-old boy, Okello, reportedly killed by two men of Asian origin (HRNJ-U, 2018). Angry mourners demonstrated during the burial when police read an autopsy report that indicated that the boy had died of heart-related complications.

According to HRNJ- U (2018), the arrests point to a larger scheme and a new strategy of using various tactics to prevent journalists from reaching news sources and news sites so that they do not inform the public of information that is critical of government. Arrests are also linked to other forms of media freedom violations such as assault and denial of access to information.

Threats

Threats and intimidation of journalists is rampant in Uganda. Threats manifest in form of calls, text messages and written notices from anonymous sources. In most cases, the sources of threats want journalists to back off some stories they may be following. Such threats appeared in central Uganda on 05 November 2018. A letter containing threats was dropped at the offices of the South Buganda Journalists Association. The anonymous letter contained death threats to 12 journalists working for different media houses in the region. The journalists continue to live in fear. A month before this threat, Tomusange Kayinja, one of the journalists listed, was ambushed by gunmen who shot at his car and shattered its windscreen. He escaped unhurt. The attack happened not far from his home (HRNJ-U, 2018).

According to one journalist, threats are sometimes aimed at persuading journalists to join the state spying network as he further explains; 'Threats vary. At times they threaten you with arrests. They normally send people to take you and meet security heads. When you meet them, they talk to you and even ask you to start working as their informer in case you cover [the] political beat.' (personal communication May 17, 2019. Another journalist further narrates how he received a threatening call below:

Towards the end of last year [2018], I got a telephone call from someone who said he was calling from the security command centre and said that my name was on the list of journalists who are known to be anti-government and that they had made a commitment to aid the opposition to overthrow the government. The person who called me even cautioned me to restrain myself from making comments in the public domain that can incite the public against government. (Personal communication, May 28, 2019)

Another journalist explains that the calls they receive from security agents and other parties sometimes intimidate them to abandon particular stories. The journalist opines thus:

We receive calls from security agencies over certain stories that we have written, they call intimidating you. First, they call the individual journalist, then they call the media owners telling them 'so and so did this which was bad' yet in the actual sense it is just a story that you wrote. Of course, the threats demoralise us, we get scared, on a number of occasions we abandon some stories that we are working on or would be willing to work on because of being scared.

Confiscation and Destruction of Journalists' Equipment

The final major type of media freedom violation is the destruction of journalists' equipment. This mainly takes place during arrests, assault and blocking of journalists from accessing news sources. Photojournalists and video journalists have particularly been major victims of this form of violation. According to HRNJ –U (2018), the majority of these incidents happen when journalists are reporting protests and demonstrations. Some of the prominent cases of damaging of equipment happened in August 2018 when *The Observer's* Alfred Ochol and *Reuters'* James Akena had their cameras broken when they were assaulted while covering riots. The army later apologised for its action and paid the two journalists some money to replace their cameras and also cover their medical bills (HRNJ-U, 2018).

The first thing security orders photojournalists and video journalists after being arrested is to delete all images that they had recorded. Confiscation and damaging of equipment, therefore, seems to be part of the larger scheme by security officers to incapacitate journalists and prevent them from either reporting

on anti-government protests or show evidence of how security forces violently deal with demonstrators. A TV journalist who has fallen victim to this practice narrates thus:

One day we had gone to shoot pictures about the community but there was a house being used as a secret detention center by security. So, they thought we had gone to spy on their activities. I was arrested and my equipment confiscated. All the footage we had got in the course of the shooting was deleted and on gun-point I was forced to write a commitment letter with my signature stating that I would never post on my Facebook wall or tweet about what had happened and committing that I will never mention to anyone at our TV station about what had happened to me. My [camera data] card was formatted, notebook thoroughly checked and confiscated. (Personal communication May 24, 2019)

Although destruction of property and equipment is an offence, most offenders walk scot-free because of the culture of impunity on crimes committed against journalists. In this section we have discussed five major types of media freedom violation in Uganda namely, limiting journalists' access to news sources, harassment, arrests, threats and confiscation and destruction of journalists' equipment. In the next section we discuss the sources of threats to media freedom.

Sources of Media Freedom Violations in Uganda

As evident from the previous section, the major sources of media freedom violations in Uganda are the police, the army and ordinary people. The figure below shows the perpetrators of media freedom violations in 2017 and 2018.

Police

Although the police are constitutionally mandated to secure people and their property in Uganda, it continues to be at the forefront of violating the rights of journalists. Of the 163 violation incidents reported last year, the police committed 80 of them representing about 50% of the overall number of violations that happened in 2018. As the figure indicates, the same institution was also the leading perpetrator of media freedom violation in 2017.

Basing on the deliberate way in which the police violate media freedom, it could be possible that politicians, especially those in the ruling party and powerful business people use the police to achieve their motives. The use of force against journalists is a stumbling block to the public's right to know as well as the journalists' right to disseminate information.

Figure 2. Violations by perpetrator type 2017 and 2018
Source: *HRNJ – U 2018 Uganda Press Freedom Index report*

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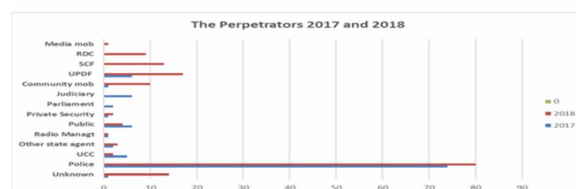
The Army (UPDF)

In the previous years, the army has not been much involved in violating journalists' rights mainly because they are less involved in quelling riots or demonstrations. However, the year 2018 was unique in this respect because the army was involved in 30 media freedom violations according the Uganda press freedom index (HRNJ-U, 2018). These incidents are vivid when you consider the fact that Special Forces Command (SFC)[14] which is also reflected in the graph above is also a section of the army. Although the frequency of the army's involvement appears minimal compared to police, their assault of journalist tends to be more brutal compared to police.

Some of these incidents happened in the North Western district of Arua during a by-election. In this election, the army indiscriminately attacked ordinary people, opposition politicians and journalists. In the aftermath of the by-election, the army also assaulted other journalists including *Reuters* and *The Observer* journalists James Akena and Alfred Ochol. This was during riots in Kampala when citizens took to streets to demand the release of opposition MP Robert Kyagulanyi and his colleagues. Like the police, the army continues to be used by the ruling party politicians to prevent journalists from publishing some information that does not depict government in a positive light. The harassment by the army has caused fear as one journalist explains:

Personally, when I look at a military man wearing a red cap of course I can't get even two meters next to him because I have seen this happening to my friends and psychologically when I look at such people in military uniform, I get intimidated. In future I see us boycotting certain stories due to lack of media freedom because some of my friends have given up on covering some stories. There are people sent to some assignments and they are like 'I can't go to that story please give me another assignment' just because they are intimidated. So, I think in the future no media person will report about some issues that involve the military because of the threats they have received so far. I think most people are going to be keeping quiet or stay away from some types of assignments because of the oppression they have gone through. (Personal communication May 30, 2019)

The Public and Community Mob

Over the years, the number of media freedom violations by the public in Uganda has increased. These perpetrators under this category include organised gangs affiliated to political parties, supporters of political candidates, students, politicians and private security guards. Others are civilians involved in land wrangles. The increase in abuses by members of the public points, on one hand, is a rising trend of intolerance in the population. On the other it reflects the effects of repeated assaults on journalists by state agents who get away unpunished as one journalist explains below:

It's not always the police or soldiers that violate our rights. There is hostility down town there from the street vendors. They were told to get off the streets and if you take their photos, they think that you want to report them to Kampala Capital City Authority. So, they are also violent. Recently taxi operators beat up journalists. We had to go there to rescue them and take them to hospital. Some of them [public] don't want the media, some of them can hate you because of a story that was done by another media house about their person. So, for them they generalise it that journalists are like that. (Personal communication May 17, 2019)

The lack of respect for journalists and their work continues to generate spillover effects that lead to more media freedom violations. It is possible that the list of media freedom violators may continue to grow in the next few years.

DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

This study found that journalists and the media in Uganda face challenges such as blocking of access to information and venues of events, arrests and detention, threats and intimidation as well as destruction and/or confiscation of property. Uganda's access to Information Act 2005 guarantees the right to access information which means that blocking journalists' entry to news events and venues where they can obtain information violates this law and restrains the practice of journalism. Security agents often invoke the Public Order Management Act 2013 to bar journalists from accessing press conferences and public meetings of opposition politicians (BBC, 2013). The finding that journalists are sometimes barred from accessing information is in tandem with reports of rampant violations that target journalists during political rallies (e.g. Freedom House, 2017; Bagala, 2016; Walulya, 2018). As Rukuuka (2012) earlier posited, journalists of media houses such as *Daily Monitor* are sometimes denied access to news scenes for critical and negative reporting.

Additionally, assault is an offence punishable by law in Uganda but many offenders against journalists go unpunished because of high level of impunity. This encourages the offenders to continue and also encourage others to do the same. Increased public assault brings shame on journalists and reduces journalists to mere punching bags. This explains the increasing incidents in which civilians, including students assault journalists at will. This reflects findings from other researchers which indicate that journalists are targeted by state agents (for example, Nassanga & Tayeebwa, 2018; AMB, 2012). Reports of attacks on journalists have been documented elsewhere. For example, Nyabuga (2016) found that Kenyan journalists face harassment, physical attacks, threats and imprisonment because of their work. This reflects a pattern similar to what journalists in Uganda experience. Threats to journalists have implications for news gathering as sources are targeted. For example, assault and imprisonment of opposition politicians denies journalists access to them and also may scare other potential sources into self-censorship.

The study revealed that arrest of journalists coupled with arbitrary closure media are common occurrences as has been previously mentioned (ACME, 2016; Balikowa, 2006). Namasinga (2018) reflects on an incident in 2013 in which security forces raided and closed down *Daily Monitor* newspapers as well as its sister radio stations Dembe FM and KFM. The media houses remained closed for two weeks and provoked public outcry. As Namasinga (2018) argues, journalists must manoeuvre several hurdles including threats to their lives, arrests and attacks during their news gathering duties. These violations not only paralyse the business of the media but instil fear among journalists. They force media into censorship to avoid trouble (Kakooza, 2012). It is also arguable that experienced journalists have been forced out of practice into so called 'safe' professions such as Public Relations and communication to avoid threats.

The Uganda Police Force and has topped the list of perpetrators of crimes against journalists for five years in a row. In a 2016 report 'tough times: political intolerance stifles media', HRNJ-U (2016) documented 135 cases. The police were responsible for over 61% (83) of the reported cases in 2016. The same trend was report in 2015. In addition to beating up journalists, state security forces confiscate and/or destroy their equipment in addition to blocking journalists from news scenes and arresting them.

Assault on journalists by members of the public has increased since the election year 2016. According to the HRNJ-U (2016) report explains that some parliamentary candidates had rowdy crowds that targeted journalists assigned to report on the campaigns. Moreover, some individuals with ongoing court cases turned violent in an attempt to prevent journalists from covering their cases. This study's findings confirm recent reports that Uganda's position in the world press index has considerably dropped. For example, Uganda moved from 102nd position in 2016 to 112 in 2017 and further to 125 in 2019 (RSF, 2019[15]), something that shows worsening conditions for journalists and the media.

This study echoes views from other scholarly endeavours which indicate that more journalists lose their lives while other face threats today than before. As scholars such as Cottle (2017) and Berger, (2017) and Eide (2017) noted, this study established that journalists in Uganda face threats, violence, harassment, intimidation and detention. Kidnapping is a rare method but has also been used, targeting journalists perceived to be critical of the government. Most of these violations are sanctioned by state agencies.

This chapter aimed at examining types and sources of threats to journalists' safety and media freedom in Uganda. Through document analysis and interviewing, the study established a relationship between journalists' safety and media freedom. Media freedom violations threatened the safety of journalists especially in their line of duty. The media freedom violations that pose a threat to journalists' safety include: blocking access to information, physical assault, arrest and prosecution, (verbal) threats as well as confiscation and destruction of work tools such as cameras. Increasingly the political environment is becoming polarised with many reports of physical assault and arrest of journalists, intimidation and sometimes closure of media houses. The study identified the police, the military and the general public as the most violators of freedoms of the media.

The government invokes laws such as the Public Management Act to prevent journalists from accessing news scenes such as public gatherings organised by opposition politicians. Journalists who cover such events are sometimes targeted by security personnel who beat and cause physical harm to journalists. This means that journalists must manoeuvre hurdles including threats to their lives, arrests and attacks. It often does not matter whether the journalists identify themselves as such, something that makes doing journalism an offense. The threats affect journalists' ability to access sources and gather news and also affect the sources' ability to access journalists especially those affiliated to mainstream media. The implications of these violations on the media is self-censorship and the tendency for the media to shy away from reporting on what is perceived as sensitive topics. There are already indications that some media outlets resort to entertainment programming to stay away from content that could land them in trouble.

This chapter raises the need to create an environment for critical and independent journalism, the need to transform that culture of impunity that fosters crimes committed against journalists. This is important because if there are no minimum conditions of expression that allow journalists to monitor public affairs and if journalism cannot fulfil its role as a watchdog of political and economic powers, but is only allowed to make propaganda, then it is not useful to democracy and it loses its transforming power.

There is need for more academic research into the subject with a focus on how impunity for violations against journalists and the media affect the public's perception and attitude towards the media. This research identified the public as a source of threat to journalists' safety, a trend that seems to be on the rise in the country. A study that interrogates why non-affiliated members of the public attack journalists would help to find solutions to threats against freedom of the media. More so, there is a need to interrogate the role of journalists and the media in identifying violations against them and finding solutions to impunity for offences against them.

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[2] Uganda: Managing democracy through institutionalised uncertainty. At http://globalchallenges.ch/issue/2/uganda-managing-democracy-institutionalised-uncertainty/ accessed 05.04.2018.

[3] Muhoozi Kainerugaba is President Yoweri Museveni's only known son.

[4] *The Guardian* (2014) Uganda police raid newspapers to recover story's source. 21 May. At http://www.theguardian.com/media/greenslade/2013/may/21/press-freedom-uganda Accessed on 11.11.2014.

[5] *Daily Monitor* owns two radio stations (Dembe FM and KFM) and these are housed in the same premises as the publication. See http://www.bbc.com/news/world-africa-22717291 Accessed on 11.11.2014.

[6] The newspaper did not go to print for one week. The shutdown followed *The Monitor's* publication of a story about an army helicopter that had crashed while fighting the Lord's Resistance Army rebels in northern Uganda.

[7] The Council was established by the 1995 Press and Journalist Act to regulate the mass media. See http://www.mediacouncil.ug/data/smenu/1/Company-History.html Accessed on 23.10.2014.

[8] The commentators in question are Frank Gashuba – an activist, motivational speaker and entrepreneur and Tamale Mirundi, the former presidential press secretary See http://www.monitor.co.ug/Business/Prosper/Frank-M--Gashumba--The-business-enigma/688616-2705906-aof3whz/index.html and https://www.facebook.com/josephtamalemirundi/ respectively. Both URLs accessed on 21.12.2016.

[9] https://observer.ug/news/headlines/60575-ucc-orders-suspension-of-39-journalists-at-13-media-housesaccessed13/5/2019.

[10] The Public Order Management Act undermines and limits citizens' participation in governance as well as journalists' right to seek information. It indirectly puts journalists' safety at risk during such gatherings as public demonstrations, which gives the police leeway to assault demonstrators who may include journalists (Gwayaka, 2011). It also empowers the police to stop journalists from attending certain meetings.

[11] https://www.csce.gov/issue/freedom-media accessed 11.06.2019.

[12] https://www.monitor.co.ug/News/National/-journalists-ASP-Kirumira-case-ate-my-rolex-crime-preventer/688334-4325448-u6pj7sz/index.html

[13] https://www.theeastafrican.co.ke/news/ea/Uganda-bars-journalists-from-covering-Bobi-Wine-return/4552908-4769270-tiuccm/index.html

[14] SFC is an elite force within the army with a responsibility to guard the president. Figure 2 that the chapter adopts from the HRNJ-U report wrongly spelt it as "SCF."

[15] https://rsf.org/en/ranking accessed 01.07.2019.

Section 3

Threats to Media Freedom and the Safety of Journalists in North and South America

Chapter 15
Journalism in Violent Times:
Mexican Journalists' Responses to Threats and Aggressions

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ABSTRACT

The aim of this chapter is to describe Mexican journalists' responses to constant threats and aggressions. In doing so, it draws on 93 semi-structured interviews conducted in 23 of the most violent states of the country. The results indicate that violence against news workers has a twofold set of implications for the practice of professional journalism: On the one hand, constant attacks on media staff have promoted the development of a more elaborated journalistic performance, based upon factual reporting, diversification of sources, collaborative coverage, and the creation of journalists' associations. On the other hand, however, in many cases the same situation has also inhibited reporters' and newsrooms' jobs by forcing them to self-censorship and the dependence on government official versions of sensitive issues such as crime news or corruption, amongst other passive routines. The simultaneous coexistence of both outcomes provides evidence of the operation of multiple journalisms within the Mexican media system.

INTRODUCTION

Journalism is a dangerous profession in Mexico. Only in the last decade, more than 100 news workers have been killed (Article 19, 2019; PGR, 2018; CPJ, 2019), not to mention the large number of threats and other kinds of aggressions that they have to constantly deal with (Article 19, 2019). In addition, there is an almost complete impunity for the perpetrators, because less than one out of ten attacks results in a criminal conviction, and many of them are not even properly investigated (Article 19, 2019). Under these circumstances, and in order to stay safe, Mexican journalists face a twofold dilemma: They either improve their practice via professionalization, or they adopt self-censorship.

Therefore, the aim of this chapter is to describe both of these paths. In doing so, the study draws on a set of 93 semi-structured interviews with journalists from 23 of the most dangerous states in the country.

The findings indicate that, as a response to the endemic risk, many reporters have found that certain practices - such as factual reporting, diversification of sources, or collaborative coverage - minimise potential dangers. Nonetheless, many others have decided to reduce - and even avoid - the coverage of sensitive issues (e.g. crime news or government corruption).

Interestingly, these decisions are not only made by individual news workers. On the contrary, there is an increasing number of newsrooms that are forced to follow one path or the other. Hence, the empirical evidence suggests that adopting one of these logics is both an individual and organizational measure. Furthermore, the results also indicate that this situation is consistent across the country and not confined to specific regions. This is because nationwide media and their staff have to operate in a context of permanent risk, thereby reinforcing the idea of multiple journalisms that simultaneously operate within the Mexican media system.

BACKGROUND

This section presents a review of the relevant literature and, hence, serves as a context for the empirical evidence that will be presented and analysed in the following pages. In doing so, there are three key issues that will be discussed in this part of the chapter: the endemic state of violence against news workers in Mexico, the concept of journalistic professionalization, and an overview of the limitations to the Mexican journalism practice.

Violence Against Mexican Journalists

Mexico is one of the most dangerous places in the world for journalism. Diverse reports consistently stress that freedom of the press in this country is very limited compared to other democratic nations (IFJ, 2016; CPJ, 2019; *Article 19*, 2019). In addition, violence against journalists has become a highly complex phenomenon in which different actors intervene (Cottle, Sambrook & Mosdell, 2016). Therefore, this initial part of the section presents an overview of the precarious safety conditions that Mexican news workers are forced to face in order to do their job.

Before describing the specific Mexican context, it is important to explain that current violence against journalists worldwide is the outcome of a complex process, in which different overlapping factors intervene (Cottle, Sambrook & Mosdell, 2016): First, there is a significant growth of organised crime as an actor that actively shapes politics and economics in emergent democracies. Second, journalists have lost their neutral status during the coverage of certain topics in particularly dangerous regions. In these zones, rather than as objective observers, they are considered enemies by one of the many parties involved and, hence, are treated as such. Third, the rise of new communication technologies has become both a tool and a weapon for journalism. On the one hand, devices such as laptops and smart phones have fostered not only the creation of an increasing number of online news outlets, but also have made the job for mainstream media staff easier. On the other hand, the same tools represent a risk for their own digital security, because – for instance – web sites can be hacked, or phones can be located via GPS. Finally, and as a result of the permanent flow of news and information, conflicting actors have gained visibility and, thus, awareness of their image portrayed by the press (Cottle, Sambrook & Mosdell, 2016). In doing so, they can actually control the message by controlling the messenger (González, 2018).

Mexico is an illustrative example of this situation, because the country has been in the midst of a spiral of non-combatant violence that has equally reached civilians and journalists, in addition to members of both the armed forces and cartels. Even though the levels of violence have increased during this century, it cannot be said that it is a new phenomenon (e.g. Solomon, 1997). Notwithstanding, after the then-president Felipe Calderón declared the *War on Drugs* in 2006, crimes against news workers have become more frequent (IFJ, 2016; CPJ, 2019). It is not surprising then, that the precarious conditions under which reporters must work, have an impact on the overall perception of the decline of peace in the nation as a whole (IEP, 2017).

As a multi-faceted phenomenon, the analysis of violence against journalism is problematic, especially when trying to measure it. There is a plethora of reports, published by different organizations, which shows an equally diverse set of findings (IFJ, 2016; *Article 19*, 2019; PGR, 2018; CPJ, 2019, INSI, 2019). Despite the inconsistencies regarding their methodological criteria, all of them coincide in at least three issues: First, the number of aggressions is significantly high when compared with other modern democracies. Second, many victims used to cover stories related to organised crime and/or government corruption. Finally, there is almost a complete impunity regarding those crimes, because the vast majority of them are still not solved, and many were not even properly investigated (see for instance Solomon, 1997; Estévez, 2010; Del Palacio, 2015; Brambila, 2017).

Beyond the mere conjuncture of the declaration of the so-called *War on Drugs*, the analysis of anti-press violence in Mexico should consider four crucial aspects: Geography, complicity, corruption, and impunity. Regarding the first factor, the academic literature has consistently stressed that mortal attacks on media staff do not take place nationwide. On the contrary, they are clearly focussed on specific regions; such as Chihuahua, Veracruz, or Tamaulipas. This is because drug trafficking is more intense in those states and, hence, drug-related crimes – including aggressions against reporters – are more frequent (Rodelo, 2009; Relly & González, 2014; Holland & Ríos, 2015; Brambila, 2017). Furthermore, the concentration of journalist killings in specific areas also responds to the historically precarious local media, which operate under the pressure exerted by local strong actors (politicians, businessmen, gangsters…). This is not the case for news outlets located in the larger and more developed cities (Mexico City, Guadalajara, and Monterrey), where their staff is supposed to operate under relatively safer conditions (Estévez, 2010; Del Palacio, 2015; Hughes et al, 2017). Nevertheless, more recent assassinations during 2018 and 2019 have taken place in states such as Chiapas and Quintana Roo, which were not previously considered as particularly dangerous spots. This indicates, once again, that violence against media staff is becoming an increasingly complex phenomenon and, thus, it can hardly be predicted (González & Reyna, 2019).

The second factor is related to government complicity with organised crime, either in a passive or active way. That is, on the one hand, certain local and state authorities willingly allow members of the cartels to freely attack media and their personnel. It happens when, for example, crimes are not adequately prosecuted or, when some public servants are also employees of drug lords (Estévez, 2010; Relly & González, 2014; Hughes *et al*, 2017). On the other hand, in some more extreme cases, specific authorities are actively involved in the aggressions against reporters. For instance, in states like Veracruz, Guerrero, and Oaxaca, several actors within the government have been accused of attacks on news workers and human rights defenders as well (WOLA & PBI, 2016; Del Palacio, 2018). As a result of the coordinated work between the government and organised crime, a set of "dark networks" is created in order to hinder journalists' watchdog role (Relly & González, 2017).

Third, and closely connected with the previous factors, the concept of impunity is also a hallmark of anti-press violence in Mexico. Beyond the high rates of aggressions, there is also an almost complete

absence of legal consequences for the perpetrators. That is, more than 90% of the attacks are poorly prosecuted and, thus, the crimes end up unsolved. Furthermore, because of the aforementioned links between authorities and cartels, the limited mechanisms to protect the victims are also ineffective (Solomon, 1997; Estévez, 2010; Holland & Ríos, 2015; Del Palacio, 2015; WOLA & PBI, 2016; Relly & González, 2017).

Finally, corruption is another feature of the "dark networks" built by organised crime and the government. It is also the foundation of complicity and impunity, since the exchange of mutual benefits between both actors is at the core of silencing news outlets. In other words, getting rid of critical journalists by the recourse of threats, aggressions, and/or lack of prosecution represents only a part of the agreement between certain authorities and drug lords (Relly & González, 2017; Hughes *et al*, 2017; Del Palacio, 2018).

Journalistic Professionalization

In journalistic terms, professionalization is a fuzzy concept. Practitioners and scholars have tried to define it, but there is still not any definition that completely satisfies both groups. In spite of this lack of agreement, it is indeed possible to outline a robust discussion that facilitates the understanding of the empirical evidence that will be presented in this chapter.

Taking Tuchman's (1978:65) seminal work as a starting point, this term "connotes the exercise of autonomy, the right of workers to control their own work, frequently by reference to norms developed by professional agencies external to the organizations in which they work". Therefore, the first key element is related to socialization, both within and outside newsrooms. In that sense, "journalists learn what their organizations want by observation and experience... New journalists quickly learn what the boss likes from more experienced staffers" (Shoemaker & Reese, 1996:92). For that reason, sharing and internalising particular routines within specific news organizations is the most important way of learning the trade.

In addition, within the newsrooms the concept of a professional reporter also means being aware of what the rest of the media are doing. That is, he/she must monitor the news presented by other organizations for two reasons: First, because if a news outlet publishes a story it means that its newsworthiness has already been judged by another journalist. Second, that story might as well become a source for other news (Gans, 2004). Hence, being a professional journalist is mainly valued by peers and colleagues rather than the audience.

On the other hand, any given news story is the result of a process. The fact that there is a systematic logic behind it, means that it is produced by following a set of routines which organise and facilitate the journalistic work (Tuchman, 1972 and 1978; Schudson, 1989; Shoemaker & Reese, 1996; Gans, 2004; Standaert, Hanitzch & Dedonder, 2019). These routines are also the result of an agreement amongst the actors involved in the news-making process. Therefore, consensus is a key element of the concept of professionalization (Gans, 2004). Nonetheless, this consensus is mainly internalised through everyday practice, instead of being explicitly stated (Tuchman, 1972 and 1978; Shoemaker & Reese, 1996; Standaert, Hanitzch & Dedonder, 2019).

The contribution of these routines is that they become the framework that guides reporters on the field, which is built upon a set of accepted and repeated activities. This is because "these practices and forms spin webs of significance" (Wahl-Jorgensen 2007:58). In sum:

Journalistic routines represent a judgement about the availability and suitability of sources, story importance or interest, as well as novelty, quality, and other product criteria. In addition, every story must be judged for its salience to the medium and format of the television program or newsmagazine. These considerations are necessary not only because they prescribe the essential ingredients of any story, but also because they express and represent the interests of the major participants in story selection and production. (Gans, 2004:280)

The concept of routines is also related to the notion of objectivity. Even though, in practice, there is no such thing as *journalistic objectivity*, many reporters worldwide still consider that if they collect and present the information in a "detached, unbiased, and impersonal manner", they are being objective (Tuchman, 1972:676). Nonetheless, as commented above, these canons are the outcome of internal agreements, which were reached by people with their own interests, and guided by their own ideologies, thus, their own subjectivities.

In order to prevent internal and external criticism, news workers try to meet the journalistic standards they have been taught in the form of routines: offering more than one side of the story, presenting supplementary facts, using direct quotations from their sources, structuring the story in descending order of importance, and clearly separating facts from opinions (Tuchman, 1972). Therefore, objectivity demands fulfilling these canons, which could be summarised in two main requirements: First, factuality related to the notions of truth and relevance. Second, impartiality which involves a neutral presentation of the information in a balanced and non-partisan news story (Westerstahl, 1983).

Furthermore, the concepts of efficiency, deadlines, immediacy, and beats are also relevant to professionalization. In journalistic terms, efficiency means that a reporter is expected to deliver a story in a short amount of time, based on reliable sources, and without spending a lot of the company's economic and material resources (Gans, 2004). On the other hand, deadlines determine the phases of the news-making process, because - as a product - a news story is produced by a series of stages (fact-gathering, writing, edition, etc.). Closely connected with these last terms is the idea of immediacy, which is another exigency regarding time. It is related to shortening the time lapse between the actual occurrence of the event and the publication of the news story, which must also represent an accurate account of the former (Gans, 2004). Finally, the beats represent the diversity of themes and, hence, sources that the news workers report on (Magin & Maurer, 2019).

In that sense, Hallin & Mancini (2004) proposed three dimensions to evaluate the level of journalists' professionalization within a media system: Autonomy, distinct professional norms, and public service orientation. The first dimension emphasises that as someone else's employees, news workers will never have complete control over their work. Notwithstanding, an important degree of autonomy could be reached when they, as individuals and/or a collegiate group, conciliate their own interests with the institution they work for. The second aspect suggests that reporters in a specific media system tend to share similar ethical principles, such as the clear separation between advertising and editorial content, the protection of confidential sources, or the common standards of newsworthiness. The third dimension represents the extent to which journalists are aware of their own role as civil servants, who need to show trustworthiness to their audiences by providing them with accurate and useful information.

In order to sum up this discussion, journalistic professionalization means the observance of a set of canons shared and accepted by trained news workers. These canons are known as routines and their aim is to structure the work of the actors involved in the news-making process (reporters, photographers/cameramen, editors, anchormen, directors…) (Tuchman, 1972 and 1978; Shoemaker & Reese, 1996;

Gans, 2004; Wahl-Jorgensen 2007; Standaert, Hanitzch & Dedonder, 2019). Some of these standards are: Offering more than one side of the story, presenting supplementary facts, fact-checking, using direct quotations from the sources, separating facts from opinions, as well as separating advertising from editorial content. These issues should be included in a news story, which is presented in an accurate, informative, and balanced message (Deuze, 2005; Andrews & Caren, 2010; Meijer 2012; van der Wurff & Schoenbach, 2014).

Limits to Professionalization and Multiple Journalisms in Mexico

Mexican journalism has been historically constrained by powerful actors (government authorities, politicians, businessmen and, more recently, organised crime), who have succeeded in controlling the news flux. Nonetheless, this situation has undergone changes throughout the times: During much of the XX century, particularly during the hegemonic regime of the Institutional Revolutionary Party (1929-2000), the state apparatus exerted control with the *carrot and stick* logic. After the democratic transition, the then-president Felipe Calderón declared the *War on Drugs* at the end of 2006, which also had an impact on the media, because the coverage of the conflict was significantly determined by the *bribe or bullet* logic.

The first strategy consisted in the use of subtle means of control – *carrots* – such as government advertising allocation, tax exemptions, free service of the state-owned news agency *Notimex*, low interest loans, and cheap newsprint, to mention just a few. Nonetheless, when the friendly instruments were not persuasive enough, some other mechanisms – *sticks* - were activated, and government reprisals tended to be noisier and even more threatening. Retributive tax audits, bills for accumulated debts of newsprint, and - in very rare occasions - overt intervention, were some examples (see for instance Lawson, 2002; Hughes, 2006; González, 2017).

Besides these institutional tools, a more focused form of *carrot* is still widely practiced: the bribe. Known in Mexican journalistic slang as *chayote*, this form of coercion consists in offering money - or favours - to journalists, editors and even photographers in exchange for friendly coverage. Though to differing degrees, depending on the times and budget, all branches and levels of the government permanently use it. Its effectiveness relies on the fact that most of the news workers earn low salaries and, hence, this extra money may even represent up to one third of their income (González, 2013 and 2017; Márquez, 2014; Maldonado, 2018). Discretional information access is another form of control: Documents, interviews, and even press releases are frequently used to make friendly reporters' jobs easier, and to block independent or critical ones.

Taking the *carrot and stick* logic several steps further, more recently, drug lords and certain government authorities have adopted the *bribe or bullet* logic. In order to dominate the agenda management process, these powerful actors literally buy journalists and news outlets. In other words, having control of the information, framing, and timing of the news stories is proof of their unlimited economic resources. However, when this means is not persuasive enough, the guns do the talking. That is, extreme violence becomes the expected reaction if the offered money is not accepted (Relly & González, 2014; Holland & Ríos; 2015; Del Palacio, 2018; Cepeda, 2018; González, 2018).

Under these circumstances, the coverage of criminal activities and/or government authorities' wrongdoings represents a dilemma for journalists. They have to decide whether to publish a story or not. Either way involves a risk. If they expose one of these actors, they may have to face a violent retribution. If they decide to self-censor the information, the drug lord or politician may reward them with money or something else. That is, both of these powerful agents utilise their economic strength in order to domi-

nate the agenda management process (Del Palacio, 2018; Cepeda, 2018; González, 2018). Therefore, the expected outcome is either silence or alignment from (paid) news outlets. As a consequence, news stories are supposed to stress or ignore certain issues, according to the paymasters' interests. In that sense, rather than the public interest, it is a powerful external force that determines the content that the audience receives (Del Palacio, 2018; González, 2018). This situation is an illustrative example of media instrumentalization, which can be defined as the control that external actors exert over news organizations, in order to determine the news-making process (Hallin & Mancini, 2004).

Therefore, the historical features of the mainstream media in this country are the dependence on the press release, a dominance of agenda by political authorities, officialdom, and a lack of investigative reporting. In short, due to their own professional limitations, most of the news outlets tend to be lapdogs instead of watchdogs (Márquez, 2012; Reyna, 2014; Martínez, González & Miranda, 2015; González, 2016; Espino 2016).

It is important to stress, however, that not all media organizations have reacted to this situation in the same way. Certain newspapers and – more recently – news sites have shown more sensitivity and assertiveness than radio and television. These outlets have understood the increasing democratic aspirations of a large number of Mexican citizens, who constantly demand that the authorities build a more modern political system, in which journalists have freedom of expression and access to crucial information. In doing so, media can strengthen people's right to know (Lawson, 2002; Hughes, 2006).

Although this transformation has not involved the Mexican media system as a whole, there are some signs of professionalization, particularly in the more developed cities such as Mexico City, Guadalajara, Monterrey, and Tijuana. Quality press in those places is known for being independent, critical, politically detached, and civic-oriented. That is, close to the so-called liberal journalistic model (Lawson, 2002; Hughes, 2006; González & Echeverría, 2017 and 2018; Salazar, 2018). On the contrary, news outlets in the rest of the country lag behind their more progressive counterparts. This is because journalism practice in those regions struggles to survive within an authoritarian and clientelistic environment (Guerrero & Márquez, 2014; González & Echeverría, 2017 and 2018; Salazar, 2018).

In summary, the Mexican case illustrates the concept of multiple journalisms, which refers to the diversity of journalistic practices that simultaneously overlap in a single media system (Waisbord, 2006; de Albuquerque, 2012 and 2018). In other words, instead of being homogeneous, media operation tends to be heterogeneous. This is because "journalism is plural and is always contingent on local configurations of history, culture, and power" (Roudakova, 2009: 425). Thus, there is clash of forces that fosters an uneven process of journalistic professionalization, in which both liberal and authoritarian features converge. As a result, there is neither a general transformation nor stagnation, but a hybrid set of practices. That is, rather than a unique model of journalism, there is a diversity of journalisms in Mexico (González & Echeverría, 2018).

MEXICAN JOURNALISTS' RESPONSES TO THREATS AND AGGRESIONS

The results of the study will be presented in this section. The content is organised in two main parts: First, there is an overview of the methodological design of the fieldwork. Second, the interviewees' opinions, perceptions, and experiences will be described and discussed.

Materials And Methods

Although there is an increasing body of literature regarding violence against Mexican journalists, most of the studies are based upon quantitative methodologies (mainly surveys) and, hence, qualitative approaches are less frequent. However, in order to understand a complex phenomenon such as this, it is necessary to go deeper into journalists' own experiences and perceptions. Compared with data analyses or even nationwide surveys, interviews allow journalists to express their views in their own terms, instead of forcing and limiting them to respond standardised questionnaires (Standaert, Hanitzch & Dedonder, 2019). Therefore, this research draws on a set of semi-structured interviews, conducted between February 2017 and August 2018, in which the aim was to describe the impact of the aggressions towards them.

The sample size was 93 informants (see Table 1), who were selected according to the following criteria: First, they had to be current practitioners in either newsrooms or as freelancers, with – at least – a couple of years of experience as reporters, photojournalists/cameramen, editors, anchormen, or directors-general; no matter the type of news outlet (newspaper, magazine, radio, television, online publication, or news agency). Second, they should currently cover – or have covered – hard news, especially the *War on Drugs* or corruption-related topics. Even though having been a victim of an aggression was not a requirement, many of them unfortunately were. The selection of the interviewees followed a snowball logic. That is, most of them were contacted by the suggestion of one of their colleagues.

The sample - 62 men and 31 women[1] - included local reporters and state correspondents of the so-called *national* media (located in Mexico City) such as *Proceso, La Jornada, Reforma, El Universal, Televisa, TV Azteca*, and *Imagen Televisión*. It also included journalists from prestigious local and regional news outlets: *El Informador, El Siglo, A.M., El Diario de Juárez, Zeta*, and *Río Doce*, to mention just a few. Members of independent hyper-local online news sites were considered too,[2] as well as staff of national and international news agencies (for instance, *Notimex, EFE*, and *AFP*).

The aim of this study was to have a national scope. For that reason, the geographic distribution of the sample had a twofold rationale (see Table 1): On the one hand, in order to have a better coordination of the fight against crime, in 2013 the National Council for Public Security determined five zones of action: Northwest, Northeast, West, Centre, and Southeast. On the other hand, every year the NGO *Article 19* publishes a report on violence against journalists in Mexico which summarises – amongst other things - the number of aggressions and the state in which they occurred. Therefore, the selection of the states included in this chapter considered the data of the 2016 and 2017 reports. In that sense, the 23 selected states were those in which most of the incidents were concentrated during that period, distributed within the aforementioned zones.

FINDINGS AND DISCUSSION

In order to describe the implications of threats and aggressions for the practice of journalism in Mexico, the results of the fieldwork will be presented in this section. As commented before, violence against news workers is an increasingly complex phenomenon and, hence, it has a multi-faceted impact. This means that its repercussions simultaneously affect journalists and the newsrooms they work for. That is, it has an impact – in terms of professionalization - on both the individual and the organizational levels. This is because - besides the direct victims - news outlets operation is also affected when a member of their staff is attacked. However, whereas in certain cases this phenomenon fosters the development of

Table 1. Geographic distribution of the sample

Zone	Selected states and sample
Northwest	• Baja California: 9 • Chihuahua: 6 • Sinaloa: 6 • Sonora: 5
Northeast	• Coahuila: 3 • Nuevo León: 4 • San Luis Potosí: 4 • Tamaulipas: 4
West	• Aguascalientes: 1 • Guanajuato: 2 • Jalisco: 6 • Michoacán: 7 • Zacatecas: 3
Centre	• Mexico City: 4 • State of Mexico: 2 • Guerrero: 2 • Morelos: 1 • Puebla: 8
Southeast	• Chiapas: 3 • Oaxaca: 3 • Quintana Roo: 4 • Tabasco: 1 • Veracruz: 5

the field, in others it inhibits it. Therefore, the interviewees' answers will be organised following those two trends at both of the aforementioned levels.

It is worth stressing beforehand that, according to the informants, the ultimate goal of all these changes is to minimise potential risks. This leads to a more cautious practice, and - as a result – a better quality of life: "You start thinking what is more important, a story or your own security. I was single, but now I am married with kids. I cannot be reckless during a coverage, because someone is waiting for me at home" (*I42*, female state correspondent in the Northwest region of a national TV station). Having that in mind, some journalists considered that their life is much more valuable than their job, or as *I57* – male director of a local news site in the Northwest region - put it: "We are journalists, not heroes. Graveyards are full of heroes". That is why *I46* (male state correspondent in the Northeast region of a national TV station) added:

I have been very lucky, because I have never suffered any aggression. But I am also very cautious. I am not the kind of reporter who risks his life for a story. I am just willing to inform, not to be a hero.

Attacks Foster Professionalization

At the individual level, news workers have developed a series of changes in the way they do their job. In order to be more professional, some of these new practices are: Never conducting interviews with sources by mobile or home/office phone, always face-to-face; strictly factual reporting; cautious selection of sources; a better organised schedule; double-checking the facts to make sure no one is wrongly

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exposed; and saving critical information on different devices, both digitally and physically, but never sharing it by email or any cloud server.

In that sense, *I38* – male reporter of a local newspaper in the West region - explained that "as a reporter, you should be very careful too. You must be impartial at all times and avoid being too close to a source. This is one of our constant mistakes". For that reason, *I58* – female reporter of a local news site in the Southeast region - suggested that journalists "must be very careful with the job, very respectful. If you decide to dig into something, you have to be aware that there may be consequences. You should plan ahead to protect yourself". For that reason, *I42* (female state correspondent in the Northwest region of a national TV station) emphasised:

Despite the violence, we try to be professional all the times. But there are many of us who decided to get out of here and leave the job as a consequence of the constant fear. We, the ones that stayed, ought to do the best we can.

Regarding the organizational level, the impact is connected with changes of newsroom's practices. In other words, aggressions against journalists have altered the news-making process of the media they work for. In that sense, the interviewees provided a diverse set of insights related to the development of their newsrooms' every-day practice, and some of them were: A boost of investigative journalism or – at least - factual reporting and diversification of sources, in order to make sure that the story is solid; planning the coverage of sensitive issues, in which potential risks are evaluated in advance; a flexible schedule of investigative reports in order to manage the publication of harsh stories, or as *I64* - male director of a radio station in the Northwest region - put it:

Within the newsroom we learnt how to stretch the elastic band. After a really harsh investigative story, we 'behaved as good boys' and published stories on turtles or butterflies. Unimportant matters, you know. After a while, when things were quiet, we started to investigate again. That is how we learnt to manage our stories. That is the only way to practice journalism here.

Another recurrent answer is related to the collaborative coverage of potentially dangerous issues. It means that journalists from different news outlets coordinate their efforts in order to work on the same stories. This situation may follow two directions: On the one hand, several organizations could investigate on one particular story, and present it as the outcome of a team effort. In that case, no one has the exclusivity of the information. On the other hand, staffs assigned to crime news tend to move as a pack. In doing so, they minimise attacks on individual reporters. The following answers illustrate both trends:

When anti-press violence arose, we were taken by surprise, because we were unprepared and unorganised. Today, we are fostering alliances amongst us that allow us to be more prepared to face this situation. We have learnt to be more strategic and we are aware that we cannot win unless we collaborate with one another (I25, female freelance investigative reporter from the Centre region).

At the beginning, everybody wanted to be the first one at the crime scene and get the picture. But because of the constant aggressions against us, nowadays we wait and go there after we are sure that the police have already arrived. And we never go there alone (I40, female photographer in the Northwest region of an international news agency).

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One more impact at the organizational level is related to the creation and consolidation of journalists' associations. These formal groups[3] have two main goals: First, through constant training, they foster professionalization and security. Second, when an individual news worker is a victim of an aggression, they accompany him or her throughout the legal process, and provide assistance. *I56* (male correspondent in the Southeast region of a national magazine) explained that

As journalists, we must be united. Fragmentation is our weakness. I am sure that no one is immune to an attack, but we could prevent aggressions with proper training. That is when journalists' associations become relevant, because they are trying to help us.

There are some other associations - in particularly dangerous regions - that also promote local law initiatives to protect media staff. An interesting case is a group in a Southeast state that organises meetings with members of different interest groups (teachers' and taxi drivers' unions) to explain to them that they must not attack reporters, because they are just doing their job. In at least three different regions (Northwest, Centre, and Southeast), some of these groups have created independent online news sites where they can freely publish all those stories that were banned from the mainstream media.

In addition to these formal associations, there are many other informal groups at the local level, in which photographers/cameramen and reporters from different news outlets permanently look after each other. For instance, via WhatsApp, they are constantly monitoring their movements. This has proven especially helpful during the coverage of potentially dangerous events, such as crime news. Notwithstanding, as *I10* (male director of a local magazine in the Southeast region) mentioned, this has not been easy because:

There is a lack of solidarity amongst us. The question is how can we solve it, because not even the deaths of our colleagues unite us. The first thing to do is to build a common ground, and start helping one another, no matter who you are. This is hard because there are a lot of egos involved and, hence, everyone is only after his own interests. Certain colleagues even publicly fight on social media, and that is also noticed by our enemies.

Whether formal or informal groups, it can be argued that the strengthening of ties between journalists from different news organizations is a positive outcome of the constant attacks on the Mexican press. Or, as *I32* – male photographer in the West region of a national magazine - considered: "The creation of groups of journalists is a positive effect of the general context of violence".

Attacks Inhibit Professionalization

However, not everybody reacted in that way. Most of the participants for this study agreed that the main impact of anti-press violence on their job was self-censorship. This means that, as a result of a threat or aggression, journalists are forced to hide information or, even worse, not publish anything that may put their lives at risk. *I11* (male investigative reporter of a national newspaper in the Centre region) summarises this situation:

The first impact of the violence against us is self-censorship. I consider it as the worst effect, because it is not the same situation when someone tries to impede that you publish something. In that case, you

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end up publishing it one way or another. However, when it is you the one who censors your own work, there is no human power that can make you say what you do not want to say.

Just as the individual journalists accepted, many news outlets also implemented an organizational censorship as a result of the constant aggressions. That is, media decided not to cover sensitive issues, such as organised crime. Drug-related stories are particularly dangerous, as *I57* (male director of a local news site in the Northwest region) explained:

At the beginning, we did not have any protection measures nor security protocols regarding the coverage of sensitive issues. When Alfredo Jiménez[4] disappeared, the media were obliged to censor themselves, especially regarding crime-related news. We realised that we could no longer report on drug dealing here, otherwise we faced the risk of kidnapping. At that point, there was a self-imposed silence boosted by fear.

However, drug lords' activities are not the only potentially dangerous beat. As several informants stressed, such as *I52* (male state correspondent in the Northeast region of a national TV station), the coverage of government authorities' wrongdoings and/or the collusion with other powerful actors is a risky job as well:

We live in a permanent state of risk. We could be silenced and forced to hide information. As journalists, we are helpless when we face the economic and political strength of powerful actors. It is an unfair fight. We would really like to tell the truth, but our limitations are overwhelming. Very often, your boss simply tells you 'this story won't pass'. Why? It is because there are a lot of interests of media owners, entrepreneurs and businessmen.

The outcome of organizational censorship is the practice of a less professional journalism. In other words, the potential risk of violent retribution has hindered investigative reports on crucial issues. According to the informants, when a risky story cannot be ignored, its visibility is minimised. That is, its publication is never on a front page or at the beginning of a news programme. Besides this, the information is only based upon the government official version, which fosters the press release dependence.

SOLUTIONS AND RECOMMENDATIONS

Although offering solutions to the endemic violence against Mexican news workers by far exceeds the aim of this inquiry, there is a viable recommendation derived from the interviewees' perceptions and experiences: In order to minimise potential threats and aggressions, news workers should consider becoming members of a local, regional, national, or even international journalists' association. As discussed above, these formal groups promote professionalization, collaborative coverage, and security. Furthermore, in the case of an attack, they provide legal assistance to the victim. In addition, in order to look after one another, reporters from the same beat could also create informal groups. In short, the empirical evidence suggests that union between media staff may be a starting point towards a safer practice of journalism.

FUTURE RESEARCH DIRECTIONS

Considering this chapter as an initial step, there is – at least – a couple of future research directions: First, the extent of professional performance during the coverage of sensitive issues could be measured through a content analysis, with more specific variables and indicators. This is particularly relevant, because there is an inherent potential mismatch between what informants say they do, and what they – for diverse causes – actually do. The second suggestion is related to an ethnographic approach to journalists' formal associations and/or informal groups. An inquiry like this could shed light on the dynamics, contributions, and limitations of these collectives, and its implications for their members' daily activities.

CONCLUSION

This chapter has emphasised the idea that violence against journalists is a multi-faceted phenomenon and, thus, its impact is neither homogeneous nor straightforward. In that sense, the Mexican case has proved that constant threats and aggressions against news workers have a twofold set of implications for the professionalization of the field: On the one hand, attacks may promote better practices of reporting on sensitive themes, but – on the other hand – they may also hinder these initiatives. This situation reinforces the notion of multiple journalisms that simultaneously coexist within media systems. Therefore, this last section will offer some concluding remarks on these issues.

First, despite being problematic, the concept of professionalization can be used as a framework for discussing these findings. This is because the informants continuously referred to it during the interviews. Thus, it can be argued that this term is still relevant for them when they evaluate their own job. This situation is also consistent with recent literature on journalism studies (see for instance Pate & Idris, 2017; Standaert, Hanitzch & Dedonder, 2019). Furthermore, as a normative ideal, professionalization involves a set of practices that shape journalists' *responsibility to report* (Cottle, 2013 and 2017). That is, their commitment to provide an accurate account of crucial events, which is the ultimate aspiration of some of the interviewed media staff.

Having said that, it is important to stress that - regarding professionalization - the inhibiting effect of the dangerous conditions for reporters has attracted most of the scholarly attention (e.g. Rodelo, 2009; Estévez, 2010; Schneider, 2011; Cottle, Sambrook & Mosdell, 2016; Hughes & Márquez, 2017b). The aspects that have been consistently analysed are – amongst others - the decline of investigative journalism, and the increasing dependence on government press releases. In that sense, this study reinforces previous arguments, as well as expands other less discussed angles, such as the individual and organizational self-censorship.

Notwithstanding, there is also another side of the story that needs to be documented. Based upon the collected answers, the constant attacks on news workers have fostered a more professional practice, and an incipient union between journalists. Related to the first issue, there is an increasing trend towards investigative and/or factual reporting, and diversification of sources. The second outcome is related to the creation and consolidation of formal associations, and informal groups of journalists. Both of them aim to boost professionalization, security, and collaborative coverage. This aspect is particularly worth stressing, because it has been widely assumed that news workers were usually a highly fragmented group. However, as a response to the aggressions, there is a growing impetus to a more collective, less competitive, and individualised practice. It can be argued that, under different circumstances, this kind of

synergy could have been more difficult to achieve. Although it is not the rule yet, there is an increasing number of examples of these trends across the country, as this study has shown.

In addition, these signs of professionalization challenge the aforementioned historical limitations of the Mexican media that were discussed in the literature review (see for instance Márquez, 2012; Reyna, 2014; Martínez, González & Miranda, 2015; Espino 2016; González, 2016). It has been widely accepted that – despite a few exceptions – quality journalism is more an ideal instead of a reality. Nevertheless, the findings also point to an incipient tendency towards a more professional practice. As a consequence of the endemic violence, the coexistence of these two logics strengthens the concept of multiple journalisms. That is, rather than a general and uniform performance of the media system as a whole, there are different approaches to the news-making process. This is because journalists integrate a rather heterogeneous group and, hence, there are diverse positions in relation to their practice and risk management (Cottle, 2018). Following Hallin & Mancini's (2004) evaluation of journalistic professionalization, as the evidence suggests, Mexican news workers do not have homogeneous levels of autonomy, professional norms, or public service orientation.

The results indicate that there is neither a general transformation nor stagnation of the Mexican journalism. Instead, there is a hybrid set of practices with different levels of professionalization. In other words, rather than a unique model of journalism, there is a diversity of journalisms in Mexico, determined by an equally diverse set of practices. As the interviewees perceived, the specific safety conditions of media in every region dictate whether investigative reporting or self-censorship is promoted.

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KEY TERMS AND DEFINITIONS

Anti-Press Violence: Different threats and aggressions against media and journalists, which aim to limit freedom of the press and access to information.

Bribery: The act of giving, accepting – and even asking for – money or any other favour, in order to illegally do – or stop doing – something for someone.

Coercion: The use of different means – such as bribes or threats – to force someone to do something they do not want to voluntarily do.

Instrumentalization: The control that external actors exert over news outlets, in order to shape the news-making process according to their own interests.

Journalistic Professionalization: The observance of a set of norms shared and accepted by news workers. Some of these standards are: Offering more than one side of the story, presenting supplementary facts, using direct quotations from the sources, separating facts from opinions, as well as separating advertising from editorial content.

Multiple Journalisms: A diversity of journalistic practices within a region, shaped by the interaction of the political and media systems.

Self-Censorship: In the context of anti-press violence, as a result of a threat or aggression, journalists are forced to hide information about sensitive issues.

ENDNOTES

[1]   There is not an official directory of active journalists in Mexico. Nonetheless, Márquez & Hughes (2016) estimated that the gender ratio within Mexican newsrooms was roughly 70% male and 30% female. Thus, the sample of this study is consistent with that report.

[2]   Excluding several independent hyper-local online news sites, the majority of the interviewees worked for commercial news outlets by the time the fieldwork was conducted. Once again, the sample is consistent with Márquez & Hughes (2016), who found that nearly nine out of ten journalists in Mexico work for a commercial organization.

[3]   Some of these are Periodistas de A Pie, Red de Periodistas de Juárez, Voz Alterna, and Prensa Oaxaca, to mention just a few examples.

[4]   José Alfredo Jiménez Mota was a young journalist from a Northwest state that disappeared in April 2005. He was kidnapped and he is considered dead, although his whereabouts remain unknown. His coverage of organised crime activities is presumably the cause of the attack.

Chapter 16
Journalists' Safety and Multifaceted Censorship in Colombia

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ABSTRACT

Safety of journalists has been studied as part of freedom of expression. This chapter seeks to address issues surrounding journalists' safety and censorship in Colombia by shedding light on a triple menace: the decrease in journalistic quality, citizens' right to information, and the influence on journalists' professional behavior by analysing the multifaceted press censorship from 2008 to 2012, which occurred before the Peace Accord between FARC guerrilla and former president Juan Manuel Santos. Media ethnography and in-depth interviews were used. Employing the Bourdieu's theory of professional field, the praxis, rationale, and censorship of journalists during the conflict were mapped. The findings shed light on how the censorship went on during a more stable period in the conflict and how journalists were silenced and threatened.

INTRODUCTION

Why does researching Colombian local war journalist's mater? The research question guiding this investigation is to determine what local practices and rationales conflict journalists apply during an armed conflict regarding their safety and professionalism. By studying the world of local conflict journalists in Colombia, this chapter will examine how conflict journalists reflect on and comprehend their professional performance and their ethos, and how this might shed light on their professional experiences when reporting on war in their own country. In answer to this question, the hypothesis posited is that Colombian local conflict journalists may have a critical reflection on their praxis and professional logic to cover war in its particular violent context of a fifty-year old multifaceted war. In turn, this could illuminate journalistic praxis and ethos when covering other contemporaneous wars. The research presented in this

chapter is part of a larger study *Revamping journalism in the midst of conflict: Mapping the world or local journalists* (Zárate, 2016).

As this chapter will expose, self-censorship is the result of the impunity in the country and new threats appear with online harassment to journalists. If the assassinations of journalists are not solved (FLIP, 2011, 2018) this might help to explain or validate – to a certain degree – their silence on a regional level. Given that there are inadequacies in government security policies to protect effectively journalists in conflict and post-conflict. Yet this situation does not explain the self-censorship in bigger national media (e.g. *El Tiempo, Caracol, RCN*). The chapter will conclude with recommendations to address censorship in Colombia and journalists' safety in conflict.

In the following, we will analyze threats to journalists in Colombia that shed light on a triple menace: the decrease in journalistic quality, a citizen's right to information and, the influence on journalists' professional behaviour. There are three kinds of censorship: political interests, economic interests, and fear. Censorship can work in different forms linked to power, repression and discipline. Foucault (1984, p.60) explains that power does not weigh on society as a repressive form, but instead 'traverses and produces things, it induces pleasure, forms of *knowledge*, produces *discourse'* [italics added]. In Colombia, during Álvaro Uribe's government the official discourse permeated several media institutions, as the power underneath the social body, reproducing the endorsed discourse of the war on terror. As Philip Knightley asserts:

The truth is that governments wage war to win and do not greatly worry about how they do it. To them media are a menace and unless there is an actual declaration of war and they can impose censorship then they have to try to persuade and coerce the media to get on side. (Knightley, 2010, p.4)

George Orwell argued that "unpopular ideas can be silenced, and inconvenient facts kept dark, without the need for any official ban" (1972, n.p.). He pointed out subtle forms of censorship that can be immersed in media culture and journalists' professional practices. There are many academic studies focused on censorship (Curry Jansen, 1991; Green & Karolides, 2005; Jones, 2002; Warburton, 2009), given that the history of journalism has always been linked with censorship, not only under authoritarian regimes but also in democratic states. Colombian journalism has different levels of censorship interlaced with government, armed groups, and media. As a result, it is easy to observe evidence of Restrepo's argument that journalist's greatest and vilest professional behaviour is clearly exposed when they are under attack by violent actors.

Curry Jansen (1991) elucidates that censorship is a form of surveillance and a mechanism that gathers intelligence that the powerful can use to increase control over ideas or individuals that threaten to disrupt the established sense or order. Self-censorship manifests as the silence that journalists might impose on themselves in defence of their lives or interests. Journalists and media are targets of the wielding of power, and Colombia is not the exception. Most interviewees lived under the pressure of armed groups but also —and sometimes disregarded— are the influences exerted by politicians, public servants and advertizement revenues, all of which might silence the press.

Censorship becomes more explicit during wartime. Given that censorship is characterized as the suppression by any strategy of information, preventing citizens from being informed. In war, information control is a frequent tactic used by all sides of the conflict with the objective of preventing the enemy from using it in its favor. Therefore, censorship and self-censorship exerted formally and informally has become a practice often used and justified (Miller, 2004, 1994).

BACKGROUND

The conflict was constructed by the entangled participation of four agents: the guerrillas (FARC, ELN; since 1960s now in post conflict process), the paramilitary (consisting of many sub-groups, since 1970s, now demobilized), the drug trafficking cartels (former Medellín, Cali, Cauca Valley and Caribbean Coast cartels since 1980s), the military and the State it serves. In 2012, Colombian president Juan Manuel Santos who ruled from 2010 to 2018, together with FARC guerrilla started the peace negotiations and bilateral ceasefire. In August 24, 2016 the final agreement was reached. Yet, two months later the referendum to ratify the agreement was narrowly rejected. However, the Congress ratified it in the same year without an extra plebiscite. In 2017, the post-conflict process started with several issues, to consolidate peace, and regarding journalists' security and freedom of the press, threats, attacks and assassinations. The country is ranked 129 out of 180 countries in the 2019 World Press Freedom Index. Since 1992, 51 journalists have been murdered according to Committee to Protect Journalists (2019). Colombia continues to be one of the most dangerous countries for journalists they are intimidated by gangs of former paramilitary involved in drug-trafficking. The media's close links to 'Colombia's business empires and political class undermines their editorial independence and reinforces self-censorship (Reporters Without Borders, 2019).

Censorship increased at the peak of the drug-traffic war in Colombia in the eighties with terrorist attacks and threats that limited the freedom of expression. These were followed by paramilitary and guerrilla intimidation, which censored journalists directly. Another important factor in the censorship was the propaganda campaign articulated by former president Uribe. Any opposition to that regime was regarded suspiciously. That is also a clear form of hidden censorship, Uribe was offensive and intimidated certain journalists who strayed from the official line (e.g., famous metropolitan journalists such as: Hollman Morris, Claudia Jimena Duque, Daniel Coronell, Alejandro Santos); therefore, the result within the journalist's guild was silence towards these very important, issues.

Symbolic attacks on journalism in Colombia, we can refer to the assassinations of Jaime Garzón[1] and *El Espectador* newspaper editor Guillermo Cano. Garzón's murder resulted in the disappearance of political critique and political humour on television (see FLIP, 2018). However, despite these crude displays of violent and direct censorship, there are many cases of formal censorship in journalism that will be analyzed in the next section. Journalists are also specifically regarded in the constitution: Article 73 states that journalistic activity will be protected to guarantee professional autonomy and freedom. Finally, Article 74 states that all people have the right to access public information except in cases established by law (Constitución Política de Colombia, 1991).

LITERATURE REVIEW

Theoretical Framework

Russell's infamous feature, *The Charge of the Light Brigade*, set at the Battle of Balaclava (1854), described the British army's war strategies. This report became a landmark of modern journalism (following normative journalism theory); it depicted the gruesome battle and casualties of war. As a result, the public disapproved war, and consequently Lord Aberdeen's resignation. In order to avoid repetition of this incident, Sir William Codrington, British military commander in chief, established a type of

censorship for future wars, including the First World War (Knightley, 2003), by limiting the information war reporters could publish. In this regard, he created embedded[2] reporting to transmit previously authorized propaganda. As Martin Bell wrote a century later, "It is hard to escape the conclusion that in the absence of the independent journalism that has been driven from the field, embedded reporting is by its nature deeply and dangerously misleading" (2008, p.203).

Contemporary examples, such as conflicts in Iraq, Syria, Afghanistan, and Northern Ireland, to name a few, can help illustrate that during war, censorship can be exerted in a more frequent manner, given that political tactics include the use of information as a tool in war (Monrow & Thompson, 2002; Wolfsfeld, 2004; Di Giovani, 2015). In this way, governments justify their actions through a 'common good', namely the legitimization of war, via a dominant discourse (cf. Foucault). Therefore, there is an Authoritarian theory (Siebert, Peterson & Schramm, 1956) once again operating in the core of war. Press Agenda (Agenda Setting, framing and priming) is sought to frame and subordinate to the interests of the political agenda by ignoring those of the public agenda (McCombs & Shaw, 1972; Iyengar, 1991). Therefore, informational discourse is required to follow authoritarian principles, as well as political subordination, in order not to affront or criticize political values or war strategies. Any deviation from the official government line could lead to public reprimand (of certain journalists or media by key government personnel) or, in some cases, legal punishment for acts deemed penal felonies. In this regard, key journalism studies in Colombia (Bonilla 2012, 2007, 2002, 2000; Bonilla, Castañeda, Manrique et al., 2006) have analyzed press, violence and information. Scholars Arroyave and Barrios (2012), Barrios and Arroyave (2007), and Garcés and Arroyave (2017) have examined the sociology, autonomy and security of Colombian journalists by using a quantitative approach.

Therein, qualitative research on conflict journalists is emerging in this country.

The normative line of the Liberal Theory of Journalism (Siebert, Peterson & Schramm, 1956) states that the main function of the press is to help discover the truth and to report government misconduct. In this regard, journalists ought to be watchdogs for wrongdoing, thus contributing to the strengthening of democracy. However, not all journalists follow this ideal. Latin American media politics scholar Waisbord (2000) researched cases in some South American countries (Peru, Colombia, and Brazil) regarding investigative reporting and the reality of the 'watchdog' role. News is not only straightforward objective reporting, it is also a way of storytelling, intertwined with a journalist's professional identity. Some scholars (Bird & Dardene, 1988) argue that journalists are professional storytellers constructing narratives for the public's understanding of reality.

Bourdieu's Field Theory shares with Foucault an understanding of language rooted in Saussure's notion that "work does not exist by itself, that is, outside relationships of interdependence which unite it to other works" (Benson & Neveu, 2005, p.10). On another level this approach will help to develop an examination of the 'journalist as an individual' in which Bourdieu's *'Habitus'* plays a key role. This position points out how different categories are constantly interacting education, social background (class), competition for 'the scoop', professional distinctions, constructions of identity, and agency (the latter can be understood as within the field, society and the media). This categorization can help to comprehensively understand the 'individual journalist' (microstructure) within their agency of the media (macrostructure) and the dynamics between the two; the institutionalized rules and the praxis might give some autonomy to the field and transform power relations (Bourdieu in Benson & Neveu, 2005).

Informal Censorship

Censorship does not always involve laws and constitutional articles that dictate what to publish. It has various forms, such as interference with what journalists' report, such as gathering of information, sources or obstruction of their work. Take the intimidation of journalists for instance, or the occasional use of contempt-of-court law against the media (Article 19, UDHR, 1989). Gómez (city journalist) recalls that, during Uribe's mandate, two departmental capital cities remained without journalists: Arauca and Pasto. Arauca journalists had been covering human rights abuses from armed groups when they had to flee their region. A particular case is *Radio Meridiano 70* at Arauca. Paramilitaries murdered the director, Efrain Varela[3] for having revealed information about them.

A year later, the paramilitaries entered the radio station and killed the director in the middle of the programme. Immediately after that, two lists of targeted journalists appeared, one list from guerrillas (FARC) and another from paramilitaries (*Bloque vencedores de Arauca*); the two blacklists (*listas negras*) together named all sixteen Arauca journalists[4]. Of the eight targets on the guerrilla list and the ten on the paramilitary list, two had been already killed. The Colombian Freedom of Press Foundation (FLIP) organized an emergency operative to send a plane to bring all the journalists to Bogotá. However, Varela's assassination changed journalism in the Arauca region[5]. That murder was clearly directed to produce silence among journalists, and it achieved its aim. The direct or indirect threats made by guerrillas or the paramilitary have affected journalists' performance, and their freedom to inform. As Reporters Without Borders (2010) indicates:

The constant monitoring by the Armed forces of the information published in local media, as well as the multiple complaints towards journalists regarding their [paramilitary, guerrilla] satisfaction or dissatisfaction of news content have become both hidden and direct pressures on the media. Today in Arauca, almost all news has as a single source: the military. (n.p.)

Examples of self-censorship as a result of fear and threats include Carmen Rosa Pabón, one of the journalists threatened by FARC, and the director of the news programme *La voz del Cinacure*, an adjunct of Caracol Radio. Pabón fled the region, and when the journalist returned, she radically changed the news programme's content; at present, it only broadcasts official news releases and light information, according to Reporters Without Borders (2010).

Programme to Protect Journalists

In 2000, Colombian government approved the decree 1592, which created the Programme to Protect Journalists and Media Professionals (*Programa de Protección a Periodistas y Comunicadores Sociales*) which implements security measures to protect journalists in violent zones and dangerous missions. Therein, journalists were acknowledged as a vulnerable professional group. The decree also established the Committee of Regulation and Risk Evaluation (*Comité de Reglamentación y Evaluación de Riesgos, CRER), w*hich examines the veracity of cases and suggests and approves protection guidelines. The members are the vice-chancellor, the governmental human rights director, a delegate of the Security Administration Department (*Departamento Administrativo de Seguridad,* DAS) and NGOs (Media for Peace, Freedom of the Press Foundation, Journalists Associations, among others), all of whom met

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monthly. This programme is crucial, since the government and non-governmental organizations regulate the institutional protection to journalists.

The programme started with 14 journalists in 2000. Two years later, 168 journalists were under this programme. According to the Colombian Home Office Report (2009) on Freedom of Expression, by 2009 this number had decreased to 129 however by 2017 it had increased to 144 journalists (FLIP, 2017). The most recent Freedom of Expression report 2018 (FLIP, 2018, p.9) revealed 477 attacks to the press, 167 more than in 2017 (53% increase) and 120% from 2016. Threat is the most frequent, followed by harassment – including psychological torture – and gender-based attacks. In a post-conflict situation, the threats have increased exponentially.

According to NGO reports (FLIP, 2018, 2017, 2012, 2009, 2008) and this research's data, journalists in this country shows fear to exercise their rights. The censorship manifests mainly indirectly. For instance, the freedom of the press organization (FLIP, 2008) expressed their concern that high-ranked public officials, such as former president Álvaro Uribe, reprimanded journalists on their war reporting. This hostile rhetoric serves to publicly stigmatize journalists and put them at risk of violence (Freedom House, 2009). According to FLIP (2018) report, politicians, particularly at a local level, frequently denounce journalists. Even though the government provides physical protection (bodyguards) to journalists this protection is not accompanied by *political* protection. President Uribe's accusations towards certain journalists increase their vulnerability.

Hollman Morris, as a journalist, reported the liberation of four hostages at a clandestine camp of FARC in the department of Caquetá. On February 3, 2009, the former President of Colombia, Álvaro Uribe, stated in a news conference that Morris (OEA-IACHR, 2009), "shielded himself through his condition as a journalist to be a permissive accomplice of terrorism, [...], one thing are those friends of terrorism who act as journalists, and another thing altogether are journalists". In addition, the former head of state added that Morris "took advantage of his situation as a journalist [...] and he held a terrorist party at an alternate place from that where the soldiers and the police were released".

The UN and OAE (Organization of American States) rapporteurs of freedom of expression, La Rue and Botero (2009), stated that they did not have knowledge of any evidence that tied the journalists to criminal activities. What is more, La Rue and Botero expressed their concerns regarding the statement made by high-ranking government officials against journalists who are critical of the government. Uribe's statement (on Morris) "increased the risks to life and personal integrity of journalists and human rights defenders, and that generated an effect of intimidation and self-censorship among social communicators in Colombia" (OEA, 2009).

In this regard, to mark a journalist as a 'terrorist collaborator' or simply as a 'guerrilla collaborator' (*colaborador de la guerrilla*), without any legal evidence of such link is a clear example of the Colombian State's failure to guarantee and respect basic constitutional rights. The State attempted to slanderously criminalize these reporters without appropriate verification of the facts, and as a result this accusation created media turmoil.

Investigative journalism in Colombia is limited in the mainstream press; however, *Semana* and the closed *Cambio* newsweeklies had research units. For instance, *Semana* has uncovered critical issues like the Paramilitary and Politics '*Parapolítica*' scandal. In addition, newspapers such as *El Espectador* and *El Tiempo* have their investigative units. Muckraking journalists from mainstream and alternative media, reporting on topics such as conflict, human rights, politics, the paramilitary and drug trafficking can face intimidation and threats from different sources (i.e., Gómez, Morris, Cano, and Santos).

As we have seen, these statistics support the view put forward above by presenting data on the high levels of intimidation and aggression faced by Colombian journalists in their work. The diagrams are also intended to facilitate a clearer understanding of the hostile context within which journalists live on an everyday basis.

Colombian Media Discretion Accord

Former president Uribe called the media to show 'prudence' and 'discretion' in news coverage and urged journalists to exhibit self-control. There are diverse threats to journalists that are multifaceted, for instance from 2010 to 2018 the main sources were unknown followed by public servants and public forces (FLIP, 2018, 2017, 2016, 2014, 2010).

In November 1999, media representatives signed the Colombian 'Media Discretion Accord' (see Table 1), which was an agreement regarding the broadcast of violence. Given the criticized media coverage of the conflict and aiming to reach higher quality standards regarding the coverage of violence, media academics from the Media Department of Colombia's *Universidad de la Sabana* proposed the framework of the '*Acuerdo por la Discreción*' (Discretion Accord). Thirty-two directors of the most influential media outlets in the country agreed and signed the accord in 1999. This agreement, conceived during the violent environment that dominated Colombia at the end of the 1990s, aimed for a higher quality of coverage of the conflict as well as greater responsibility regarding the broadcasting of violence and violent situations, and peace negotiations. It is important to note that the agreement did not intend to undermine the war on drugs nor any of the actors in the armed conflict, but only to decrease the apology for violence portrayed by the media.

This was an effort at self-regulation to control news of extreme violence. However, one can argue that this was another case of censorship –is subtler and more institutionalized one– and limitation of the freedom of expression. The theoretical framework of the accord was based on the Social Responsibility Theory, developed by the Hutchins Commission regarding better professional practices and better information quality to set the basis of a journalistic renovation. The main point was that the press should acquire, in a symbolic manner, responsibility to society through an implicit 'contract'. It should be acknowledged that the initiative came from academia and the media, not from the government.

The accord aimed to improve language, increase respect for victims and families, avoid sensational (yellow) journalism, verify facts, and contextualize information, but above all to inform responsibly. In a study conducted by the media observatory of *Universidad de la Sabana* (see *Universidad de la Sabana*, 2010, 2001; Velázquez & Gutiérrez, 2001), researchers interviewed media directors from across the country regarding freedom of expression, the peace process, and the discretion accord in order to assess the effectiveness of the accord.

Threats: The Safety and Phone Tapping of Journalists

The Colombian State has shown its inability to guarantee safety to practice journalism, particularly in certain regions, and its failure to punish crimes against journalists. The government has shown inadequate concern for the reputation or security of journalists. On one hand, the government protects journalists through the state-funded programme of journalistic protection, which provides bodyguards and armoured cars to protect those under threat. On the other hand, the president and government officials (DAS) target journalists in national declarations, discrediting their work and value, as well as engaging in phone

Table 1. The discretion accord (Acuerdo de Discreción)

S/No	The Discretion Accord
1	As we are aware of the social responsibility of our work, we—Colombian media professionals—commit to this Discretion Accord to contribute to peace, the respect for life and the search for communal well-being.
2	News coverage of acts of violence—attacks on villages, massacres, kidnapping, and combat between conflict actors— shall be accurate, responsible and balanced. In order to accomplish this purpose, every media outlet will define professional standards that promote quality in journalism and, benefits for their public.
3	For ethical reasons and those of social responsibility we will not pressure victim's relatives through the media.
4	We will establish criteria for the publishing and broadcasting of images that might generate public repulsion, widespread violence or indifference.
5	We will respect and promote ideological, doctrinarian and political pluralism. We will utilize expressions that help coexistence among Colombians.
Signatory Parties	
Aida Luz Herrera, Director *Cadena Noticias radio Net*; Ana Mercedes Gómez, Director *El Colombiano* Newspaper; Andrés Botero Molina, Director *Radio Ecos 1360 of Pereira*; Aura Isabel Olano, Director *El Liberal* newspaper, Cecilia Orozco, Director *Noticiero de las 7*; Daniel Coronel, Director *Noticias Canal RCN*; Darío Arizmendi, Director *Noticias Caracol Radio*; Daissy Cañón, Director *Noticiero 24 Horas*; Diana Calderón, Director *Informativo 24 Horas;* Eduardo Durán Gómez, Codirector *Vanguardia Liberal* Newspaper; Enrique Santos, Codirector *El Tiempo* Newspaper; Felipe Zuleta, Director *Noticiero Hora Cero*; Félix de Bedout, Director *NTC Noticias*; Francisco Javier Díaz, Director *TV Hoy y NCA* newscast; Gerardo Páez, Director Cadena Melodía; Guillermo Gaviria, Director *Periódico El Mundo;* Jairo Gómez, Director *Noticiero Uninoticias;* Jairo Pulgarín, Director de *Noticias Radio Santafé*; Javier Ayala, Director *Noticiero En Vivo 9:30*; Jhon Dider Rodríguez, Director *Noticias Colmando Radio*; Jorge Uriel Hurtado, Director *La Tarde* Newspaper; Juan Carlos Pérez, Director *Noticias Todelar Radio*; Juan B. Fernández, Director *El Heraldo* Newspaper; Juan Gossaín, Director *Noticias RCN Radio*; Juan Guillermo Ríos, Director *Noticias Radio Melodía*; Juan Lozano, Director Noticias *Canal City Tv* ; María Teresa Ronderos, Magazine Director *La Nota Económica;* Mauricio Vargas, Director Cambio Magazine; Max Duque Rengifo, Director *Diario del Huila;* Lays Vargas, Director *Noticiero Hora 13 de Tele-Antioquia*; Rafael Santos, Codirector *El Tiempo* Newswpaper; Ricardo Santamaría, Director *Noticiero CMI*; Rafael Vergara, Director *Cadena Radial Súper*; Sebastián Hiller, Codirector Vanguardia Liberal Newspaper; Yamid Amat, Director *Noticias Canal Caracol;* Miguel Silva, Director *Semana* Magazine.

Source: "Acuerdo de Discreción", Bogotá, November 4th, 1999. [Author's translation]

tapping and hacking, a scandal that will be analyzed in the following section. Any protection is useless if the president and government officials can accuse you of being a journalist for terrorist groups or a guerrilla supporter. The libel and stereotyping that political institutions can hang on a reporter are great and bring immense negative consequences. The effect of this declaration was extensive and harmful for the reporter's reputation, since it was made on national television following the internationally famous hostage release of Ingrid Betancourt and other FARC prisoners. The president admitted his guilt, saying that it was a mistake to point to him as guerrilla collaborator, and the government later issued a press release acknowledging the mistake. However, that statement, coming from the president on a national level, put this journalist in the spotlight, and consequently, threats increased (Montaña, González, & Ariza, 2015).

In this regard, the United Nations and the Organization of American States (OAS) have urged the Colombian government not to stigmatize journalists. The UN *Rapporteur* of Freedom of Expression, Frank La Rue (IACHR, 2010), expressed serious concern regarding this stigmatization of journalists in Colombia, particularly regarding Hollman Morris. This journalist works under the OAS (Organization of American States) preventive measures, and thus the Colombian state is obliged to protect him. Since 2005, he has been assigned bodyguards. Morris (city journalist) comments: "In 2000, threats made me flee the country with my family. When I came back, I was threatened again with funeral wreaths in 2005. Uribe pointed to me on all the radio stations as having links with guerrillas".

Another form of stigmatization is legal harassment, such as the belittlement and slander of witnesses. In this vein, legal harassment also includes judiciary orders to testify in court and violate their right to professional secrecy as well as criminal libel and legal responsibility lawsuits towards journalists. Some 12 journalists (columnists) have been charged, including Alfredo Molano columnist of *El Espectador* and María Jimena Duzán of *El Tiempo*.

Through judiciary actions, opinion journalism has been restricted, and freedom of the press has been attacked. An emblematic case is that of Alfredo Molano, a veteran journalist and sociologist, who was sued for libel due to one of his weekly articles in *El Espectador*, titled 'Araujos et al.' published in February 2007. In this article he criticized the corruption of economic and political power among certain Caribbean families in Colombia. The *Araujo de Valledupar* family sued Molano for slander. The process lasted three long years, until the court found him innocent. This is a clear example of the type of persecution that journalists may face. Therefore, in sensitive cases, journalists often prefer to leak the story to bigger national media than to break the story by themselves.

In 2009, the systematic espionage of journalists devized by high-ranking officials from the Colombian government's Administrative Department of Security (*Departamento Administrativo de Seguridad,* DAS) was exposed. Since 2003, government officials had intercepted and recorded emails and telephone conversations and had followed certain journalists. In consequence, sources became more hesitant to talk to journalists, because they are no longer guaranteed protection, and not even the journalists themselves are immune. In the phone tapping (*chuzadas)* scandal, government was exposed—for either covering up or instructing—the illegal telephone interceptions and by following journalists and human right defenders, orchestrated by its intelligence department, the DAS.

A delegation of Reporters Without Borders (RSF) visited Colombia together with AMARC (the World Association of Community Radios) in 2010. The committee researched illegal interceptions of intellectuals and journalists who were critical of the establishment during Uribe's government. Among those investigated were 16 journalists and several media (Reporters Without Borders, 2010). The government spied on journalists, human rights defenders, NGOs, politicians from opposition parties, and top judges –they even spied on themselves– and all these actions were ordered by Uribe during his term as president. *'Puerto ASIS'* was the name given to the intelligence gathered on Hollman Morris Rincón and his *Contravía* crew, Daniel Coronell (*Noticias UNO*), Félix de Bedut (*La W Radio*), their families, and work team. According to the Committee to Protect Journalists (2010), the strategy was to primarily gather information in order to start a smear campaign on an international level through press releases, to include them in a FARC guerrilla video, and to suspend their visas.

MATERIAL AND METHODS

The methodological approach taken in this study is qualitative research, based on media ethnography particularly 'ethnography of journalists' (Boyer & Hannerz, 2006) and so uses anthropological inquiry into media (Hannerz, 2004; Pedelty, 1995), media anthropology (Askew & Wilk, 2002). The main purpose of this tool was focused on collecting data on the dynamics of the research subjects (regional journalists). Therefore, in-depth face-to-face interviews were carried out with local journalists, editors and NGO professionals. The data was collected over a period of six months in various Colombian regions. The research subjects have Colombian origin, mainly journalists who are linked to conflict reporting areas. The rationale for choosing these regions is that the selected zones have important journalistic activity

and have been directly affected by the conflict, either paramilitary and/or guerrilla. Respondents had been covering this theme for several years.

To keep the scope of this research as broad as possible, journalists from both the regions and main cities were interviewed in-depth. The study included mainly 64 local conflict journalists from the regions and 26 conflict journalists from Bogotá, nine newspaper editors, and eight NGO personnel. The places were mainly Bogotá, Cundinamarca, the Caribbean region (Barranquilla, Cartagena, Bolívar, Since-lejo), and the Pacific region (Antioquia, Santander). The rationale for choosing these regions is that the selected zones have important journalistic activity and have been directly affected by the conflict. The age of respondents ranged from 24 to 60 years. The quantity of the research subjects is to have a broad qualitative sample of the journalists' situation.

The methodology of media ethnography, in-depth interviews to local, metropolitan journalists and editors will help to comprehend the praxis and rationale of journalists. These individuals are part of a small group of journalists that report conflict and are an interpretative and knowledge-production community. This group is characterized by its unity, solidarity, and its members' specialized knowledge in covering conflict. The interview (e.g., Bell, 1992; Frankfort-Nachmias & Nachmias, 1992; Wimmer & Dominick, 1997) semi-structured in-depth interviews in order to examine journalists' insights, narratives and their vision of their professionalism, and on their role in war. A question guide (semi-structured interview) based on reactive to its professional behaviour was used. Interviews were held in their media and outside their workplaces on average one- to four-hour interview was the median.

RESULTS AND DISCUSSION

Self-censorship is subtle. It is the systematic omission of information that reporters or media inflict on themselves in order to secure their lives and political and economic interests. This practice is hardly ever acknowledged, and in this case, for example, it was confessed in the light of a research interview; always asserted with a hint of apologetic guilt and embarrassment. Orwell (in Brevini, 2010) identified the most terrifying kind of censorship: the kind that you practice on yourself and that you even embrace. Molano (2008) asserts that the paranoia created by a regime that imposes the Manichaeism makes self-censorship a way of life, a manner of speaking and writing. "The word loses its strength. Adulation wins, and criticism loses (...) the enemy is within, it becomes part of its sight and eventually of its word". Consequently, in this study case, self-censorship in warfare, is a survival device.

In this regard, 80% of journalists interviewed in this research, agreed that self-censorship has become a synonym for self-protection, as journalists pled guilty to this practice for their own safety. Social environment and the guild's situation have clearly influenced their practices, as they recall having omitted certain news or scopes about other colleagues' experiences or incidents that had occurred to them. In some regions, self-censorship has become socially accepted. Impunity is another issue that was persistently guiding their professional work; the government's weak approach to implementing justice to solve hostilities against their colleagues has affected their professional judgement to avoid the same issue. "Self- censorship is that Colombian journalists are no longer going to the conflict zones, since the government has pointed to journalists that wander these zones as 'linked to terrorism" (Morris, city journalist).

Fear is the fundamental core of self-censorship among Colombian journalists. Fear of losing their job or losing their life. As this reporter puts it bluntly, "I regret to admit that I censor myself because I'm afraid to lose everything; my employment, my professional strength, my family... it is my way to

stay alive" (Anonymous B1, local journalist). In this regard, the United Nations High Commissioner for Refugees, in the Colombia report (2005) stated that self-censorship and intimidation has brought forward three issues. Firstly, it has stopped journalists reporting in certain places about specific news. Secondly, reports are based on official numbers or statements, and some facts that are considered dangerous are omitted from reporting. Thirdly, the report registered that many journalists abandoned their line of work.

Regarding their helplessness, journalists concurs, "To have a bodyguard in Bogotá can certainly help you. A bodyguard in rural areas, in a conflict zone, is useless" (Sierra, city editor). Another journalist expresses it thus: "Bodyguards, armoured cars, bullet-proof jackets, police patrols of our homes, office reinforcement in certain cases… there are thirty-four of us journalists who live this way, otherwise we could be killed" (Gómez, city journalist). Another journalist states:

To live with the fear that you can be killed anytime... it's difficult. This is true mostly in small villages such as Santa Marta [Pacific Coast] where everybody knows everyone, and even though you don't sign your piece, they'll know who wrote it. (Beleño, local journalist)

To monitor self-censorship is a complex endeavor, as the nature of personal censorship can be caused by various factors. However, the media outlet where journalists work can also be a catalyzer of self-censorship practices. Scholars (Reyes, 2007) claim that self-censorship takes place in two places, firstly as pre-censorship (journalist self-censored) and post-censorship (media censorship). Journalists in certain cases have decided to avoid pressing issues in their region, citing various reasons: self-protection, economic and political pressure, or working strains. Consequently, as observed and corroborated with colleagues, this is not open censorship, but it underlies institutions, editors, and journalists. This situation becomes more frequent in regions of conflict. Journalists' fear amidst the armed conflict is exposed through these practices. Therefore, the silence and disregard of certain information are not only a last resource but also a mode of survival.

A reporter in Buenaventura (Valle), in the Pacific area, recalls that on April 19, 2008, twelve young footballers were killed. Local journalists found out rapidly that the paramilitaries had pointed out two players as being linked to FARC. To contextualize, many journalists had been murdered in the area; this is one of the most affected regions in the conflict. "All the neighborhood knew what happened, but we couldn't publish it because of the *fear* [italics added]." (Vides, local journalist)

Local journalist Vides is an example of a reporter who challenged the constraints of social censure through his feature reports "Massive detentions" at Montes de María – northern Sucre and Bolivar regions. When former president Álvaro Uribe started his term in office, he instituted the 'democratic security' policy, which was a strategy to attack illegal groups. FARC (group 35, 37) and ELN guerrillas operated in Montes de María. In 1993, 156 were detained by military and police forces; among the detainees were peasants and tobacco workers who were presented as guerrilla supporters without proof. These detentions caused impoverishment to several families in the region, yet again the feature was under-reported. A few years later, threats followed his work:

When I was a journalist for regional Radio Caracol of Sincelejo, in 1996 I was threatened, and I had to flee from the zone for a year. I went to work at a television news channel for two months. When I came back, I was threatened again, and I had to run away once more. Since then, I've been threatened constantly. I haven't stopped doing journalism, but I've taken some precautions such as self-censorship. (Vides, local journalist)

After my exile in 2013, I had a tough experience. When you come back, and you have access to information, many times I decide to not work on the subject and I send the information to Bogota. I don't want to be threatened again… especially for my family. (Avendaño, local journalist)

Another journalist concurs:

The government's line in 2010 stated that besides the conflict, Colombia was under a terrorist threat. Consequently, media should be part of the government's propaganda line. I crossed that line, but I believe that I'm a minority and the majority of media has bought that argument of 'united against the war on terror (…) [I]nformation here, mainly political, is part of government's news agenda, such as RCN and El Tiempo. The journalist does not consider its critical role, but its role as an apologist of a critical government. The president has made false accusations through its media; RCN, to attack my credibility and that of the director of television program Noticias Uno. (Gómez, city journalist)

Self-censorship is not a uniquely Colombian phenomenon; it happens even in societies with the most plural media (Wolton, 1992). A survey of North American journalists by the Pew Centre and Columbia Journalism Review (2000) showed that 40% of professionals practice self-censorship. Local journalists face many challenges, and about 32% of local reporters acknowledged that they have softened the tone of a news story at the request of their news organizations. Although this is a case from United States, it shows similarities among the types of censorship that local journalists face; even in a country without conflict and with stability, journalists might be required to censor their work. "At the present, assassinations of journalists have diminished, but that doesn't mean that there is more information, or that freedom of expression is better, rather that the journalists have self-censored. In this situation, there are less threats but there is less information." (Cortés, NGO director)

In this regard, journalists covering conflicts face various threats and their work is produced as if they were observed. Beleño (local journalist) says, "*Bochinche* (the concept that everything is known but at the same time not known) is very common, everyone knows what is happening, but it is never published, you never see a word of it in the newspaper." On self-censorship and reporting on paramilitary issues (at the Colombian coast), a journalist says:

In 2002, the year with the most paramilitary activity, everyone knew who they were [the paramilitary], but there was no way that the newspapers would publish it. This was true of all regional newspapers on the Caribbean coast: El Meridiano of Cordoba and Sucre and Vanguardia Liberal. (Beleño, local journalist)

There is a hidden censorship among journalists, examined in this case from the Atlantic Coast. They apparently knew that the paramilitary was operating in their region; however, if they had reported the issue, they would have likely been disappeared and threatened. The situation is even harder on a more local level, for example in small villages such as Santa Marta (Atlantic Coast), "the entire city knows that you work in the newspaper, and report on crime. Since there are not many of us, people know who was enquiring about certain news" (Ramírez, local journalist). In this regard, there is a news agenda with several omissions, citizens learn news through *bochinche* and rumours, and street gossip. As a result, controversial yet important information is absent, at the cost of the protection of journalists' lives. This concept of *bochinche* alludes to a culture of silence regarding certain information—as a consensual behaviour immersed in a culture that is either permissive of/or unable to recognize transgressions of

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freedom of expression. This finding concurs with Arroyave and Blanco's (2005) research on censorship with drug-trafficking and armed actors.

The paramilitary demobilization has created several risks and hazardous topics whereby journalists are confronted with a minefield of what to report on and what to avoid. In the 2007 FLIP report, the organization documented the intimidation that journalists faced when covering the judicial hearings of demobilized paramilitaries from the AUC (United Self-Defence Forces) in Medellin, Antioquia. Their reporting was recorded and documented for unknown purposes. Additionally, they received messages of intimidation in relation to interviews recorded outside the venue of the hearings (FLIP, 2008, p.64). This resulted in journalist's self-censorship and inhibition, and the result was *bochinche* as already noted. In addition, it intimidated the victims and removed them from the process (in which they could attend the hearings and ask questions regarding disappearances), thus preventing them from the possibility from attaining information about their missing relatives.

Colombia's conflict merges three stages of this phenomenon: pre-conflict, conflict and post-conflict processes. The first one is the origin –as we have seen in the literature review, the guerrilla movements– the second the armed confrontations, and the third is non-violent solutions such as reconciliation and demobilization. We will focus now on the latter, the coverage of paramilitary demobilization process. This stage was based on the disarmament of paramilitary groups through Colombia's Justice and Peace Law (Law 975) which was approved by the Colombian Congress on June 21, 2006 and ratified by the government in July of the same year. However, this process was focused on paramilitary fighters, who have been responsible for most of the massacres of civilians, together with disappearances and torture of civilians and guerrilla people (cf. Amnesty International, 2005). Most of the paramilitary hearings took place on the Atlantic Coast (Barranquilla), were open to the media and public. In this regard, a journalist underlines:

Before, much information was not published because of fear of targeting by subversives, but now it has changed. In Sucre we send our information to newscasts and colleagues at national newspapers, once they publish it, we pretend to do the follow up, but it is our work. There are many informations [sic] that have come up [from national press] but we're afraid to publish it, so we take the news from Colprensa, even though we are the ones who sent it. (Anonymous, local journalist)

The Freedom of Press Foundation (2007) pursued an exercise with journalists from the Atlantic Coast which identified how the paramilitary themes –even during the demobilization process– are still causing intimidation and self-censorship. The topics that presented highest risk were 'how many groups continue operating in the region'; also, the number of possessions they have handed in as a requirement to appease the peace and justice law. Other hazardous topics concerned the number of victims, the clandestine burials, and minors handed in within their state. The intimidations of the paramilitary were notorious during the paramilitary hearings (*versiones libres,* 'free versions' of Peace & Justice Law) especially with the local press.

During *El Caguán* peace negotiations, journalists that covered the process suffered prejudice in newsrooms. Since journalists were required to stay and live there around two to four weeks, "In the newsroom when we arrived (...) after such a long time, my co-workers told me, "'where are your [guer-rilla's] rubber boots, where's your rifle? Did you bring the camouflage?" (Castrillón, city journalist) The reporter affirmed that although this was a joke at first, it became a grim comment and accusation from colleagues at the same newspaper. The result was a slight polarization of the newsroom between

journalists and conflict journalists covering the peace talks. This not only happened in the newsroom but also within society, the journalist states that they suffered threats because of the stigma that conflict journalists carried as connected to the guerrilla, based only on the fact that they had to interview them and travel to their guerrilla bases as part of normal journalist reporting. In this regard, Morris (city journalist) declares:

Stigmatization is like a bomb. Where it falls it first destroys the family base, it affects your children, your wife, your family... and the explosion reaches your neighbors, the guards, colleagues, and people around you. Your social network regards you with suspicion. It's terrible for me, but it's even worse for democracy.

In recent years, threats have become the most common instrument to silence the press and to consolidate self-censorship in certain regions (FLIP, 2017, 2007). There are many levels of threats; the most common are telephone calls, text messages, and e-mails. Intimidators have also sent funeral crown wreaths and threatening pamphlets. This can have a tremendous impact on journalists' fear, as the following journalist illustrates, "I was threatened by AUC's [paramilitary cluster] northern section (...) it was an e-mail and I believed it was meant to scare me. For that reason, I didn't write too revealing things [*sic*] about the paramilitary leader Jorge 40." (Beleño, local journalist)

In this case, an e-mail threat to this regional journalist might have been sent out as a warning. Although the e-mail format was depersonalized, some journalists take it seriously while others choose to disregard it, according to each journalist's circumstances and conjunctures. However, the threat was still a caution that he might have been closer to crossing the line, since –according to the journalist– the article was not *that* revealing of the paramilitary leader. That is why this forewarning did not inject fear, although it did make the reporter reflect on his work and whether he had written something provocative. This exposes the vulnerability of the regional journalist, who works close to paramilitary hearings, and shows a small degree of self-censorship. Even if the threat was ignored, the poisonous effect of the menace kept the journalist aware by emphasizing that this armed group was following his work and movements. Research respondents agreed upon the importance of the unity of the journalist's guild to counterbalance self-censorship because a lonely journalist is more vulnerable.

The Untouchable Topics

According to Guerrero (2010), in Colombia these topics include paramilitary rearmament, emerging criminal gangs, the increase in violence levels post (paramilitary) demobilization process, links between armed groups and politicians (*paramilitary–politicians*), bonds between drug dealers and armed forces, the strengthening of drug-dealing networks and those of social control, the appropriation of lands belonging to indigenous groups, fieldworkers, and Afro-Colombian communities, displacement, and mine exploitation, among others. This coincided with some of this research interviewee's answers.

However, the majority coincides with regards to the paramilitary rearmament, the lack of reporting on conflicts, news about drug trafficking, corruption, and displacement. It can be clearly shown that ninety percent of journalists agree that the paramilitary rearmament is a disregarded issue, therein a self-censored topic. Since paramilitary hearings were taking place in 2008, the focus was centred there, however regional journalists do not dared to become muckrakers in order to report on the well-known and documented issue of the formation of new paramilitary groups. While the demobilization process

has ended, the attention has focused on other topics surrounding the conflict. The main reason given by research subjects for its self-censorship is fear and lack of interest in the national news agenda.

Eighty-five per cent of interviewees concurred that news about displacement is rare, and never prominent in the media. When asked why they thought this issue was underreported, the greater part of respondents that had never reported about it, showed a slight embarrassment and argued that they lacked time and resources to travel to these areas or to track displaced people. In contrast, those who had covered it revealed a sense of accomplishment and gratification in knowing that they had done a decent job. Corruption is also absent in regional media. Journalists admitted that corruption dealing with the state or the private sector is reported with less frequency. The situation becomes aggravated when the information is concerning certain groups connected with the media. This is due to political economy of the media.

There is a disregard for investigative journalism within the regional press, given that resources are scarce. Additionally, the enormous workload, disregarding bank holidays and extra hours, make the task of investigative reporting an almost impossible one. This is due to the lack of time to reflect and assemble news with a more in-depth analysis in order to explain it as a process. Another factor, as analyzed before in this section, editors and reporters favor non-controversial topics that might lead to any form of coercion. In the coverage of conflict, the news agenda usually focuses on the evolution of the conflict, detentions, the guerrillas, forms of control of armed actors, the military budget, child recruitment, mines, displacement, humanitarian accords, kidnapping, and the definition of combatants, among others. Post-conflict coverage includes demobilization, actors demobilized (leaders, groups, individuals), and reintegration programmes.

FUTURE RESEARCH DIRECTIONS

The present study adopted a qualitative approach, focusing on in-depth interview and media ethnography. Future research should explore focus-group discourse and further research could be done with a larger number of research subjects and a longer period of fieldwork. It is expected that some of the weaknesses of the present methodological approach may be overcome and better findings yielded. Furthermore, future research should alternatively use the data generated in this study and analyze it transversely with quantitative research to generate an integral evaluation. However, given the issues of press freedom and threat to journalists in Colombia are intricately linked to the 50-year-old conflict with several actors, a longitudinal study would have been better adopted to generate trends about journalists' safety and press freedom in Colombia. Hence, future research should consider the feasibilities of conducing a longitudinal study. There is also a need to research on Colombian journalists with a gender perspective, given that several women journalists face a double discrimination at work and therefore self-censorship, due to its gender and security inside the newsroom, as well as outside their media and sources.

CONCLUSION

Given that Colombian journalists are still facing threats, there is a need to address their safety and media protection. It is also necessary to combine qualitative and quantitative research on Colombian journalists to attain a comprehensive scope of the phenomena that will allow to an enhanced protection of journalists. Before and after the peace accords, the local journalists continue to work in unsafe conditions. The

research question is corroborated, given that Colombian local conflict journalists have had profound critical reflections on their praxis during five decades of war, mainly since the early nineties this is intertwined with a collective thinking and the definition of professional logic to cover their violent, multifaceted war.

The aggressions towards journalists constitute censorship as direct violence, that not only risks journalists' and work, but also society's right to information. There is a flaw in the makeup of the State that allows legal persecution of those that question or criticize the actions of public servants. This is best exemplified in the case of former Colombian president Ernesto Samper and the columnist Claudia López. The latter faced a judiciary process back in July 2006, accused of slander and defamation because the journalist questioned Samper's appointment as ambassador to France in her *El Tiempo's* newspaper column entitled: 'The Uribist reinsertion: From 8 thousand to 64 thousand' (*El Tiempo*, 2006). The jury, despite the petition of the judiciary prosecutor, absolved López. Although there is wide jurisprudence regarding freedom of expression, as presented in this chapter, Colombia needs precise measures in its legislation improve protection of journalists.

The lack of social recognition and lack of trust of certain journalists and against journalism as a professional guild in Colombia explains that issues of censorship, self-censorship, threats, stigmatization and homicide are minor concerns. Despite the symbolic hits to journalism, there is no social valuation of journalists as essential actors who report on the armed conflict and the strengthening of democracy. There is a geographical divide regarding the freedom of expression, as explained by an editor; "In Colombia there are two kinds of freedom of expression: there is one kind in Medellin, Bogotá, Barranquilla and Cali [the main cities], and the other one is that of the rest of the country [the regions]." (Sierra, city editor). Therefore, the advances of journalists' protection are located mainly in the cities, with city journalists, given that there are major difficulties to protect regional journalists. Despite regional journalists are the most vulnerable ones they are the most relegated in society given their geographical location by living faraway the urban centres and power hubs. Additionally, before the post-conflict agreement, they were immersed in or extremely close to the armed conflict, in which the disciplinary measures of protection of journalists do not function or operate with difficulty.

Censorship in journalism is an evident issue in Colombia, particularly in provinces that are close to the actors involved. As found in this research, self-censorship is a frequent practice. The geographical divide between the provinces and the capital affects freedom of expression; therefore, the challenges presented when reporting are mainly in the regions located near conflict zones. The research found that the three types of interests that produce censorship (political, economic and fear) are a triple menace that is more explicit in conflict areas and is a challenge to their professionalism. There is a tension between 'quality' reporting and suppressing information, mainly due to threats. Given that many assassinations of journalists are never solved, this might help to understand—but not justify—the silence in the regional press on certain delicate issues. Self-censorship in this context has become such a strong tool of survival and protection that journalistic culture in this context permits it. But these attacks on journalists lead to a vacuum of information in the public sphere and the right to know. The decrease in journalists' assassinations might be due to the increase in self-censorship praxis. Therefore, 'specialized journalism' is tested in this scenario by how journalists can devise strategies to produce information and, at the same time, stay safe. As presented in the data, coercion and intimidation can lead journalists to disregard their watchdog role and it might lead also to a move from "crime" "beat" and "conflict" sections to different areas, i.e., "economy" or "light news" for protection.

It is clear that Colombian conflict journalists are still in the spotlight of threats and intimidations. Evidence shows several factors that are omnipresent: the challenge of working in this arena, the low wages,

the lack of social recognition and the aggressive environment. Finally, these journalists are performing a key job for their society, but also is a test of survival and professionalism for those in this situation.

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KEY TERMS AND DEFINITIONS

AUC: *Auto-defensas Unidas de Colombia* (The United Self-Defense Forces of Colombia) was a right wing paramilitary organization.

Culture of Silence: This refers to the spectrum that affects media, journalists, and citizens who choose to overlook certain information.

DAS: *Departamento Administrativo de Seguridad* (Colombian Administrative Department of Security).

FARC: *Fuerzas Armadas Revolucionarias del Pueblo - Ejército del Pueblo* (Revolutionary Armed Forces of Colombia - People's Army) was a guerrilla organization.

ENDNOTES

[1] Jaime Garzón Forrero (1960-1999) a famous journalist, humourist and peace-negotiator, assassinated by paramilitary leader Carlos Castano.

[2] Embedded journalism refers to reporters who travel to warzone commonly with the American, British, European military. They stay in the 'Green Zone' where the army lives in war. There is a limitation of movement and censorship (Cockburn, 2010) therefore reporting a distorted view of war.

[3] Polemic and critical, Varela was the 52-year-old journalist, owner, and director of Meridiano 70. Murdered on June 28th, 2002, Noriega directed the news programme '*La actualidad informativa*' for eight years. He was also a former *El Espectador* correspondent.

[4] Arauca's journalists experienced myriad of threats while on duty: Carmen Rosa Pabón, Lizneira Roncancio, Yineth Pinilla, Hernán Morales, Henry Colmenares, Willian Reyes, José Antonio Zocadagui, Carlos Pérez, Emiro Goyeneche, Rodrigo Anila, Narda Guerrero, Ángel María León, Miguel Ángel Tojas, Zorayda Aliza, Luis Guedes. International Federation of Journalists (2003).

[5] Arauca region has four broadcast stations: *La Voz del CInacuro* (affiliated to Caracol Radio), *Meridiano 70* (independent), *La Voz del Rio Arauca* (affiliated to RCN), and *Radio DIC* (community radio). There are two local media: *Sarare estéreo* and *Tame estéreo*, besides the army's radio. Newspapers: *El Corredor* and *Nueva Frontera* (Reporters Without Borders, 2010).

Chapter 17
The Pitfalls and Perils of Being a Digital Journalist in Venezuela

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ABSTRACT

To be a journalist in Venezuela is very dangerous. In the past decade, there has been an increase of attacks against media and their personnel. On the one hand, attacks against journalists include harassment (physical, digital, legal), illegal detentions, kidnapping, and assassination. On the other hand, digital media have experienced blockages (DNS), internet shutdowns and slow-downs, failures in the connection, and restrictions to access internet-based platforms and content. Since 2014, the situation is deteriorating and limitations to exercise the right to freedom of expression have increased. However, this issue remains understudied; hence, this chapter considers primary and secondary data to analyze the types of limitations experienced by Venezuelan digital journalists from 2014 to 2018, explains the effects of ambiguous regulations and the use of problematic interpretations, and describes the inadequacies of national policies to promote freedom of the press.

INTRODUCTION

Despite the fact that UNESCO or the Committee to Protect Journalists does not consider Venezuela as one of the most dangerous countries in the world to exercise journalism, is far from being a safe place (CPJ, 2019; UNESCO, 2019). International organizations such as Amnesty International and the Inter-American Commission of Human Rights have constantly denounced limitations experienced by journalists which, among others, include harassment (physical, digital, legal), illegal detentions, kidnapping and assassination (Amnesty International, 2019; Inter-American Commission of Human Rights [IACHR], 2017b). In fact, because of the increasing number of attacks against media and their personnel, the organization Freedom House rates Venezuela as not free (Freedom House, 2019).

In 2019, these attacks against the press have increasingly focused on the emerging digital media outlets, which have become the target of the majority of the attacks (Ipys Venezuela, 2019); but this is no new. In the past five years, international organizations have been constantly denouncing this behav-

ior. In 2014, the IACHR indicated that two digital journalists were detained; four journalists received threats through Twitter and Facebook, and state-owned Internet Service Providers (ISP) impeded access to several digital media outlets (IACHR, 2015). The same year, Freedom House indicated that by mid-2014 at least 400 websites disseminating economic and political content were blocked without following any legal procedure (Freedom House, 2014). Those practices continued, and in 2018, Freedom House added to the list of limitations Internet shut-downs, failures, restrictions to access social media, illegal detentions, and attacks against journalists (Freedom House, 2018).

One could think that those constrains to exercise the right to freedom of expression are caused by the lack of regulations, yet, that is not the problem in Venezuela. The legal framework exists. The National Constitution, for example, guarantees the right to freedom of expression, and laws adopted in the last decade seek to promote it. The Venezuelan problem is that laws do not meet international standards on clarity and proportionality (Ipys Venezuela, 2018). The terminology used allows discretionary interpretation and application; which favors the implementation of the state communicational hegemony.

With this scenario, it is necessary to analyze the causes and consequences of this policy for journalists' safety and for the exercise of the right to freedom of expression. Therefore, the purpose of this chapter is to analyze the impact of the implementation of the state communicational hegemony on the type of limitations experienced by Venezuelan journalists, the effects of ambiguous regulations in the implementation of protection mechanisms, and the inadequacies and gaps of national policies to promote freedom of expression and freedom of the press. Yet, because limitations are directly linked to the type of medium used (Mitra, Garrido, Høibe, forthcoming), and to a specific period, this chapter only focuses on journalists who work for digital media outlets and their experiences between 2014 and 2018.

The chapter begins with the theoretical framework and methodology of the study and that is followed by four main sections. The first section provides a brief explanation of the Venezuelan context. It considers some of the situations faced by traditional journalists that fostered the transformation of the Venezuelan media landscape and the use of Internet-based platforms (i.e. verbal and legal harassment, closure of TV and radio stations). Situations included in this section are presented in a descriptive manner and in chronological order to demonstrate the evolution of the attacks, restrictions experienced by journalists between 2014 and 2018, and the existence of a dangerous environment for the exercise of the profession and the right to freedom of expression.

The second section describes the type of threats experienced by Venezuelan digital journalists, while the third section analyses how the legal framework tolerates violations to the right to freedom of expression and limits the possibilities of digital journalists to exercise their profession in a safe environment. The final section assesses how the implementation of national policies impede journalists from operating in a safe space and provides some recommendations to improve their situation based on the comparison of the answers given by journalists and the current legal standards.

THEORETICAL FRAMEWORK

Siebert pointed out "no single method of control was successful over any extended period of time" (Siebert, Peterson, & Schramm, 1963, p. 19), and Venezuela is a good example of that. Between 1958 and 2001, Venezuela followed the libertarian approach, which started to become authoritarian after 2002.

To understand the change it is necessary to indicate that journalism in Venezuela has been traditionally linked to political and economic interests. Hence, when Chavez assumed the power, in 1998, the

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main media outlets supported him, but later they started to criticize him, and by 2001, many opposed his policies (Salojärvi, 2016). In 2002, when the coup d'état occurred, the most important media outlets were against President Chavez and journalists' neutrality was affected (Salojärvi, 2016). For that reason, after overcoming the 2002 political crisis, President Chavez gave major importance for media control and started to promote an authoritarian approach to media (Bisbal, 2008, 2012). Yet, to make the shift, since 2007, President Chavez implemented the so-called "state communicational hegemony."

This approach perceives media as a political resource, and in Venezuela, President Chavez related it to Gramsci's ideas to transform people's visions and values (Bermúdez, 2007; Salojärvi, 2016). In accordance to Gramsci, to implement the state communicational hegemony there should be a process that combines coercion and ideological direction with the aim of creating a single vision (Bermúdez, 2007; Colina, 2016). This process relies on the use of power (political and cultural) by the state over the society to control the production and dissemination of information (Colina, 2016; Palencia, 2009; Salojärvi, 2016).

In Venezuela, the creation of a state communicational hegemony included the creation of the Bolivarian System for Communication and Information (*Sistema Bolivariano de Comunicación e información)*, the acquisition of media outlets (print, radio, TV, digital), and the control of the digital telecommunications system (Colina, 2016; Centeno Maldonado & Mata Quintero, 2017). This system allowed the state's control, but with predictable confrontations between the state and representatives of the media (Palencia, 2009). Those confrontations occurred in the economic, legal, and cultural realm and had a major influence on digital media. In Venezuela, the state communicational hegemony represented a transformation of the media sector, which had a direct impact on the exercise of journalism, the protection of journalists, and for the protection of the right to freedom of expression, as it will be discussed in this chapter.

MATERIALS AND METHODS

The methodology followed is a case study (Yin, 2014). The case of Venezuelan digital journalists is analyzed in-depth, and for that reason, different methods are used. Nonetheless, this qualitative research uses a pragmatic approach to explain how the state communicational hegemony influenced digital journalism, and what were the main dangers and difficulties experienced by Venezuelan digital journalists between 2014 and 2018. This approach facilitates the understanding of the problem and the presentation of recommendations that can contribute to improving the situation. Moreover, because this is an understudied issue, the research is an exploratory study that seeks to add to its understanding (Creswell, 2014, p. 29).

The first section uses document review and description as a method to analyze the Venezuelan context in chronological order and demonstrate the influence of the state communicational hegemony in the operation of digital media. The second section is based on the revision of primary data to explain what are the main dangers and difficulties experienced by digital journalists. For this, the author conducted an online survey between August and September 2017 as part of her doctoral research to identify the type of threats experienced by Venezuelan digital journalists. It relied on snowball sampling (Fricker, 2008), and for the purposes of this article, the information analyzed refers to the answers given by 147 participants who lived in Venezuela.

The critical legal method was used for the evaluation of the dangers and difficulties created by the Venezuelan legal framework (Koskenniemi, 2004). This method involves the identification of the most important regulations, the evaluation of the legal obligations, and the analysis of the effects of those

rules for the exercise of digital journalism in Venezuela. Thus, the third part of the chapter focuses on the revision of Venezuelan laws that directly influence the work of digital journalists, particularly the national constitution and its interpretation, organic laws, and regulations directly linked to the use of Internet-based platforms.

FINDINGS AND DISCUSSION

Venezuelan Context

President Nicolas Maduro started his first presidential period in 2014. He succeeded President Hugo Chavez, and document review suggested that because he was a member of the Chavez political party, he continued with the implementation of the policies initiated by Chavez in the 2000s (Cañizales, 2013). Several social manifestations and electoral processes influenced Maduro's presidency; yet, in this section, the emphasis is placed on the situations that directly affected digital media between 2014 and 2018. However, before doing it, it is necessary to mention the most important situation for the development of digital media. In 2006, President Chavez ordered the closure of RCTV *(Radio Caracas Television)*, which materialized in 2007. On the one hand, this event allowed the implementation of the state communicational hegemony, and on the other hand, it became the beginning of the use of digital media (Centeno Maldonado & Mata Quintero, 2017; Palencia, 2011). After 2007, professional journalists relied on their reputation and experiences to develop projects that allowed them to publish critical information in digital formats (Otis, 2015), and as a result, the form in which journalism was practiced. Since then, digital media has been used to overcome restrictions imposed by the government; and for that reason, the government has also used the digital realm to implement the state communicational hegemony.

In 2014 journalists used Internet-based platforms (particularly social media), to publish information about the more than 9,200 social protests that occurred throughout the year (Venezuelan Observatory of Social Conflict [VOSC], 2015, p. 6). That year only 55% of the population had access to the Internet, but Venezuelans were using digital platforms as the main communication media (Freedom House, 2014; United Nations General Assembly, 2017, para. 11). Thus, the government's reaction was immediate. For instance, Twitter and Zello, the most commonly used Internet-based applications, were quickly blocked by CANTV and Movilnet (Colina, 2016; Garrido V., 2016, p. 53). Likewise, the National Telecommunications Commission (CONATEL) and the national telephone and ISP, CANTV, blocked the access to the websites of the news stations NTN24, RCN Radio, and AlMomento360.com, within the Venezuelan territory (IACHR, 2015, Annex III, paras. 991-1078; Puyosa, 2015). Consequently, by mid-2014 Freedom House indicated that at least 400 websites disseminating economic and political content were blocked without following a legal procedure (Freedom House, 2014). This form of control was under the umbrella of the state communicational hegemony to control access to and dissemination of information.

Another form of restrictions relate to physical safety. That year, for example, two journalists from the Internet editorial team of *El Nacional* were detained and their materials confiscated. Three journalists received threats against them and their family through Twitter. One journalist was threatened and harassed through Facebook; while Tim Pool from Vice.com left the country after receiving several threats. Five journalists were interrogated by police officers for the publication of information about the students' protest in their Twitter accounts. One citizen journalist (CJ) was killed in Caracas for having recorded videos with his mobile phone, another one was attacked, and at least other 13 CJ were arrested

and prosecuted for expressing opinions through their Twitter accounts (Garrido V., 2016, p. 61; IACHR, 2015, Annex III, para. 991-1078; Puyosa, 2015).

Because control of media is needed for the implementation of the communicational hegemony, by the end of 2014, the ownership of some media outlets changed. The IACHR indicated that there were 15 open TV channels funded with public resources and three private channels. Digital transmissions started but *Globovisión, TV Familia, Vale TV, Canal I*, and *TVepaco* were excluded from this system. Moreover, the newspapers *Últimas Noticias* and *El Universal*, and the TV channel Globovisión were sold. Those media companies were strongly related to opposition leaders and their supporters, but because of the sale, coverage of political events of opposition leaders diminished facilitating the control over the production of information (Correa, 2016a, pp. 13-14).

In 2015 controls and restrictions imposed by the government augmented. Freedom House indicated that problems to access Internet increased, and in some regions, failures of the service provided by CANTV lasted 36 hours, and at least 1060 websites were blocked by CONATEL (Freedom House, 2015). Yet, at the same time, Twitter was used to deliver threats against journalists. Some journalists' social media accounts were hacked (IACHR, 2016, Annex XI, paras. 1161-1250). On this issue, Freedom House recognized three operating patterns: restrictions that were directly ordered by CONATEL, limitations unilaterally implemented by CANTV, and controls unilaterally implemented by private ISP to prevent the imposition of sanctions by CONATEL. However, the procedure in which decisions were adopted is unknown (Freedom House, 2015). Additionally, the same year, Citizen Lab reported the use of the software FinFisher for the surveillance of communications (Marczak, Scott-Railton, Senft, Poetranto, & McKune, 2015).

In terms of physical safety, in 2015, the civil society organization (CSO) *Espacio Público* reported that at least 200 journalists were victims of attacks, censorship, and harassment; and it indicated that those mainly responsible for the violations were the owners of the media outlets due to the imposition of censorship for political reasons, and state representatives (Correa, 2016b, pp. 3-19).

Another tactic that used to control the production of information were stigmatizing statements against journalists and media outlets. Government representatives started to question journalists' use of Internet-based platforms. In fact, Delcy Rodríguez, Minister of Foreign Affairs, justified this behavior by indicating that "social media 'are the armed wing' of a public opinion used by an 'internationally orchestrated policy of communications to lash out against Venezuela'" (IACHR, 2016, Annex XI, para. 1175).

Attacks continued in 2016. Espacio Público registered 12 cases of censorship; six cases of threats delivered through Internet-based platforms; and indicated that nine newspapers had to stop activities due to the limitations to access newsprint (Correa, 2017, p. 1-8). Similarly, Freedom House reported limitations to access media sites and blogs. For instance, as a result of the application of ambiguous regulations "[c]ontent related to economic issues or political criticism were regularly targeted for removal" (Freedom House, 2016a). CANTV blocked access to web sites like La Patilla, Infobae, Maduradas, Aporrea, Informe21, NTN24, and information related to cases on corruption, inhumane treatment of prisoners, and political support to legal initiatives proposed by opposition leaders was removed. Besides, Freedom House reported the use of other forms of attacks like hacking, falsification of social media accounts, cyberattacks, use of malware and phishing software (Freedom House, 2016).

Because communicational hegemony is not limited to national media outlets, CJ and journalists from foreign media outlets were also affected. Blogger Luis Guevara, and Twitter's users Pedro Hernández and Marcos Rada Ríos were illegally detained. Representatives of *Al Jazeera, Caracol Radio, Le Monde*, National Public Radio and The New Herald were not allowed to enter the country (Correa, 2017, pp. 6-7,

11; IACHR, 2017a, Annex I, paras. 1066, 1084). And according to Freedom House, "Law enforcement officials and government personnel reportedly searched homes and confiscated mobile phones in an attempt to suppress video evidence" of protests against President Maduro that occurred in September during his visit to the state of Nueva Esparta (Freedom House, 2017).

In 2017 social protest increased and so did attacks against media. Following patterns of previous years, the CSO Espacio Público reported 634 cases of limitations to the exercise of the right to freedom of expression that affected more than 560 journalists. The limitations included intimidation, aggressions, censorship, and harassment against media personnel. It is noticeable that one CJ, Dan Zambrano, was arbitrarily detained and tortured for disseminating critical content in his Twitter account. He was released on 09 August 2017 and he left the country for security reasons (Espacio Público, 2017, October).

To continue controlling media, CONATEL ordered the closure of 54 radio stations, eight TV channels, and three international TV stations (El Tiempo, Todo Noticias, and CNN en español) were impeded to transmit by subscribed TV, 17 newspapers stopped circulation due the newsprint shortages (Espacio Público, 2018, p. 21). Those decisions had a chilling effect on the production and dissemination of information. In fact, private mass media did not report the manifestations that took place between April and July; while public media focused on the dissemination of information related to events organized by the president or other national authorities, and transmitted false information (Espacio Público, 2017, June 06).

Those restrictions forced Venezuelans to rely more on digital media outlets. At that time, out of the more than 19 million Venezuelan Internet users, approximately 14 million were active social media users. Facebook was the most common platform, and at least 54% of its users were women (We Are Social, 2017, pp. 132-137). Likewise, the company *Relaciones TN* reported the existence of at least 160 digital media outlets, including radio, TV, and newspapers (2017).

In an attempt to control the dissemination of information through Internet-based platforms, in June 2017, President Maduro gave the order to investigate Twitter employees working in Venezuela for the closure of at least 180 accounts from his followers, including the account of the Presidential radio @RadioMiraflores (El Nacional, 2017). He also ordered CANTV the blockage of social media (Facebook, Twitter, YouTube, Instagram, and Periscope) (VenSinFiltro, 2017). By the end of 2017 at least 13 websites dedicated to the dissemination of news were attacked or blocked (Espacio Público, 2018), and according to the CSO Ipys Venezuela, those attacks involved Distributed Denial of Services (DDoS) (2017, July 06). Access Now added that journalists were victims of "Double-switch" attacks (Access Now, 2017). Yet, that year during the 163° Period of Sessions at the Inter-American Commission of Human Rights, the government publicly admitted that CONATEL blocked 800 websites and that journalists covering highly conflictive areas were victims of restrictions committed by police and military officers (Espacio Público, 2017, July).

In 2017 the government also relied on the use of legal restrictions to continue imposing its communicational hegemony. For example, on 13 May the Presidential Decree N° 2849 declared a state of economic emergency, which authorized the implementation of measures to impede the dissemination of content through Internet-based platforms that could affect the national economy and the adoption of national plans to guarantee national security (Article 2.7 and 2.10). On 8 November 2017, the National Constituent Assembly approved the "Constitutional Law against hatred, for peaceful coexistence and tolerance" (also known as the Law against Hatred). This regulation includes a prohibition for the dissemination of content that can be considered as discriminatory, or that promotes hatred and establishes that those who violate this rule can be imprisoned for a period between 10 and 20 years (articles 8, 20, 21).

Several organizations expressed their concerns over their proportionality and legality because the law left an open window for the government to make broad interpretations of the faculties given by law to filter and surveille digital platforms (Index of Censorship, 2017; Internet Society, 2017; IPYS Venezuela, 2017, May 17). In fact, in 2018 those fears materialized. The Law against Hatred was used in 19 occasions as a mechanism to punish public servants, protesters who were detained during public manifestations, representatives of the Catholic Church, journalists, and digital media (Correa, Espacio Publico, 2019). Because of the discretionary powers were given by law to public authorities to interpret what is hate speech, and what constitutes a public offense, journalists and editors have been abstaining from publishing information that contradicts official versions (Freedom House, 2018).

Because confrontations were expected as a reaction against the implementation of the state communication hegemony, the government was prepared to control and diminish any attempt of social uprising. 2018 was the year in which the government was tested in the more of 12,700 social protests that occurred all over the country (VOSC, 2019). By the end of the year, reports indicate that 13 people were assassinated (VOSC, 2019); 130 people were detained for the exercise of their right to seek, receive, or disseminate information (24 people out of the 130 were detained due to their publications on Twitter and Facebook);[1] 78 public servants were threatened for disseminating complaints or information related to the malfunction of public services; and more than 170 journalists were attacked or impeded from practicing their profession (Correa, Espacio Publico, 2019).

Also, as a consequence of the policies implemented to control the media, by the end of 2018, 40 printed media stopped operations, and in consequence, 10 states were left without local newspapers (Amazonas, Apure, Barinas, Cojedes, Delta Amacuro, Falcón, Monagas, Portuguesa, Sucre y Trujillo). This situation increased the use of digital media to seek, information; yet, throughout the year 14 websites were blocked or attacked being the most affected El Pitazo, El Nacional, Punto de Corte and La Patilla (Correa, Espacio Publico, 2019). To overcome blockages, users started to use several digital tools, including ToR; however, in late June 2018, CANTV blocked access to it, and continue to impose intermittent blockages to social media and digital newsmedia outlets (Freedom House, 2018).

It is remarkable that Internet speed was 1.6 megabits per second (Mbps); which was reported as a limitation to access Internet content, and a deterioration of the quality of the service (IACHR, 2019, Vol. II, para. 1064). On this point, the CSO Ipys Venezuela indicated that in rural areas Internet speed was only 1Mbps, and the most affected were those located in Zulia, Lara, and Trujillo. Moreover, the CSO specified that even though the Internet penetration rate was 62%, there are still more than 15 million Venezuelans who cannot access the Internet (Ipys Venezuela, 2017).

All of these situations favor the imposition of the state communicational hegemony and have had a major impact on the exercise of the right to freedom of expression, as well as for the practice of journalism. Venezuelan audiences use digital platforms to obtain information; yet, barriers to access Internet and Internet-based platforms, as well as difficulties to disseminate critical content, have created a repressive environment that especially affects Venezuelan digital media.

Limitations and Threats Experienced by Digital Journalists

After considering the social environment in which digital media operates in Venezuela, it is necessary to consider the specifics of the attacks received by digital journalists. Some of them were already described; nonetheless, for this part, the emphasis is placed on their lived experiences.

In 2017, the author conducted a digital survey to better understand the types of attacks and threats received by digital journalists. The instrument contained three questions to explore the situation. The first question addressed the difficulties in access to Internet-based platforms (websites and social media) and dissemination of content. The second question tackled the type of threats received by participants, and the last one was an open-ended question in which participants had the opportunity to explain other types of restrictions. In this section, the answers obtained to each of these questions are considered.

Access to the Internet

For the Special Rapporteurs on Freedom of Expression, access to the internet is essential for the exercise of the right to freedom of expression (Joint Declaration, 2015), and for that reason, a question was included to measure journalists' lived experiences. It was closed-ended, and from the 147 participants, 117 answered that they encountered difficulties to access web sites, 90 indicated that they could not access social media, 79 faced restrictions to publish information (including videos, images and written content), and 19 answered that they never experienced limitations. The majority of the respondents were located in Caracas (110); however, it is noticeable that their experiences were similar to the ones faced by those living outside the capital city. Venezuelan men and women equally faced these type of limitations; however, rural communities were more affected due to the deterioration of the Internet service.

As reported by Venezuelan CSO, in 2017, the majority of the participants were victims of limitations to access the Internet and Internet-based platforms to exercise their right to freedom of expression. This situation remained throughout 2018. Actually, it worsened due to the Internet speed and restrictions imposed by CONATEL and IPS to access digital news media outlets and social media.

Threats

To get this information, the survey included a mandatory question in which participants should answer if they received any type of threats. If they answered yes, they had the possibility to explain what happened in the following open-ended question. From the 147 participants, 22 said that did receive a threat; and from this group, eight respondents were women and 14 men, and the majority lived in Caracas (12).

The types of threats that women reported were against their personal integrity (five), verbal harassment (three), against their families (one), and imprisonment threats (one). Two of them indicated that threats were related to the claims that they published in social media in relation to the protection of human rights, the protection of journalists, and the fight against censorship. They did not specify if these threats had sexual connotations; hence, it is not possible to say that they included a gender-related element.

The type of threats men reported were against their personal integrity (eight), verbal harassment (eight), death threats (one), and one indicated that he suffered physical aggressions from representatives of the Bolivarian National Police (*Policía Nacional Bolivariana*, PNB) while covering a social protest in Caracas. It is noticeable that two of them explained that local politicians and government supporters delivered the threats. As in the case of women, they did not specify the content of the threats, which impedes me from doing a gender-related analysis. Yet, in at least two cases, the publication of political content caused the threats.

In accordance with the information provided by the CSO Espacio Publico, the type of threats included all of the above-mentioned situations, plus censorship and legal harassment to impede the circulation of information related to the effects of the complex humanitarian crisis (Correa, Espacio Publico, 2019).

Other Type of Restrictions

To end the survey, respondents had the opportunity to refer to other types of limitations that they experienced but that were not included in other questions; and 101 participants answered it. Eighteen indicated that the survey contained all the restrictions they could imagine; but the responses from the remaining 83 participants illustrate other situations that they considered as restrictions, including:

1. Poor quality of the Internet, violations to the net neutrality principle, and poor Internet infrastructure. This includes limitations to access foreign currencies to improve the service, shortages, and blockages to the Internet.
2. Censorship and self-censorship due to the closure of mass media outlets, limitations to acquire newsprint, state's communicational hegemony, and attacks against social media users.
3. To receive threats from public authorities and their followers for the publication of information that perpetrators considered critical or false. Some participants related it to the dissemination of information against the government or the opposition. Others did not specify, but they said that anyone could be punished for disseminating information that is considered different.
4. Problems related to the judiciary and the litigation of cases in international tribunals.
5. The application of the Ley Resorte-Me and other norms to control the dissemination of information through social media. In this regard, it is noticeable that participants considered that the activities performed by the Nacional Constituent Assembly would affect the exercise of the right through Internet-based platforms.
6. Fear to be spied or surveilled, controlled, observed, imprisoned, attacked or tortured.
7. Other social situations related to the complex humanitarian crisis like famine, diseases, robberies, difficulties to access mobile phones and other digital devices.

It is remarkable that only a woman, from Caracas, between 26-35 years, indicated that not knowing what private companies and public institutions do with her data constitutes a situation that affects the exercise of the right to freedom of expression. Likewise, this was the only question in which political affiliation made a noticeable difference. One man who self-identified as pro-government referred to the power of the state as a situation that affects the exercise of his right to freedom of expression. This person reported problems to access websites, social media platforms, and digital content. However, two other men, who also self-identified as pro-government indicated that in Venezuela the right to freedom of expression is protected and can be exercised without limitations. One of them said:

In reality, here in Venezuela, there is full freedom to publish and read any type of information, in blogs and Internet-forums. In fact, the Venezuelan state and the constitution encourage freedom of expression and freedom of the press, in media that support pro-government and pro-opposition ideas.

Similarly, for the other man, there was great freedom to express through social media. He explained that Venezuela "is so free that any person can use it [social media] to disseminate all kinds of information without restrictions; what generates biased, false, and even degrading content."

As explained in the previous section, in 2018, CSOs like Espacio Publico and Ipys, Venezuela registered cases related to all the situations mentioned by digital journalists, and unfortunately, there are no indicators pointing to a change of the situation in the near future.

Venezuelan Legal Framework

As previously mentioned, Venezuela has a legal framework that seeks to protect the right to freedom of expression, and it starts with the National Constitution. Venezuela is party to the International Covenant on Civil and Political Rights (ICCPR), and the constitutional framework seeks to ensure the exercise of the right as stated in article 19. Nonetheless, as it will be demonstrated in this section, the ambiguity of the terms used in the Venezuelan laws allows its discretionary application by the judiciary; which has favored the creation of the repressive environment previously explained.

Because Venezuela follows the civil law tradition, the most important norms guaranteeing the right to freedom of expression are established in the National Constitution (Constitución de la República Bolivariana de Venezuela, hereinafter CRBV or national constitution); which indicates that freedom of expression is an intangible human right. The main constitutional rules protecting the right are:

- **Article 57:** Guarantees the protection of the right in the same form as article 19 of the ICCPR; however, it expressly prohibits anonymity.
- **Article 58:** Assures press freedom and the right to reply. It specifies, "Everyone has the right to timely, truthful and impartial information, without censorship...", and tribunals are entitled to decide which information fulfills those requirements.
- **Article 143:** Establishes the right to access to public information in a timely and impartial manner, as well as the right to be informed about the status of the proceedings in which the person is a party.
- **Article 28:** Establishes the right to access information concerning the individual, kept in private and/or public records, also known as the right to habeas data.

Within this framework, the most important constitutional norms are articles 57 and 58, and in 2001, the Constitutional Chamber of Supreme Tribunal of Justice (Tribunal Supremo de Justicia, hereinafter TSJ or the Tribunal) adopted a binding interpretation of both articles that is necessary to acknowledge. On the one hand, the Tribunal affirmed that article 57 protects the right to express freely her or his thoughts. Yet, even though it accepted that everybody is a right-holder, in the TSJ's opinion the exercise of the right is relative because it depends on access to the media. It emphasized that disseminated content must be in accordance with the editorial line of the media. On the other hand, the TSJ indicated that article 58 not only promotes the right to receive accurate, timely and impartial information imparted by media outlets but also looks for the regulation of the media. In its opinion, the concept of information only includes news and advertisement; hence, it determined that media outlets must abstain from publishing: fake or manipulated news; disseminating negative or critical concepts without a contextual explanation, and refrain from hiring the majority of the journalists from a specific political or ideological tendency. Furthermore, it argued that the dissemination of information that does not meet the constitutional standard always generates civil responsibility for the journalists and the media outlet that published it (TSJ/SC Exp.00-2760, 2001, pp. 5, 10-11, 15/20). Those interpretations allow control over the production of information needed for the implementation of the state communicational hegemony.

In that the decision, the Tribunal also determined that media outlets or media personnel are not entitled to exercise the right to reply; which not only affects the exercise of a right but also favors control over the dissemination of ideas. In the TSJ's opinion, the right-holders are only those receiving the information and those who cannot access media to publish their version of the news. It clarified that

the exercise of this right does not allow the maintenance of a public and open debate because, in its opinion, it will affect society and the consequences will be innumerable (TSJ/SC Exp.00-2760, 2001, p. 15-16/20). On this matter, the IACHR clarified that the purpose of the right is "to correct inaccurate or false information, then opinions not subject to such verification must be excluded from it" (IACHR, 2003, para. 432). Henceforth, limitations to this right result in the abstention to transmit or publish information of controversial issues, and put media outlets in risk of losing editorial control over their publications because journalists will have "to cover only superficial stories" (IACHR, 2003, para. 437).

Moreover, in 2003, the TSJ affirmed that restrictions to the dissemination of anonymous speech are legal because they favor the protection of other's rights (TSJ/SC Exp. 01-0415, 2003, p. 18/38). However, it is necessary to highlight the fact that IHRL allows anonymity when it meets the three-part test: it is established by law; it seeks to protect one of the criteria established in article 19.3 of the ICCPR and is proportional and necessary.

Hence, the inobservance of these criteria produces an illegal interference with the exercise of the right to freedom of expression, especially when the right holder uses Internet-based platforms (Joint Declaration, 2015, para.8.e).

Likewise, because article 58 of the national constitution establishes the possibility to impose further responsibility for the dissemination of prohibited content, the TSJ allowed the use of legal procedures to protect the right to honor, private life, intimacy, self-image, confidentiality and reputation of others (Cañizales, 2013). Yet, those concepts have been used to limit the publication of content that relates to urban violence, or the humanitarian crisis. For instance, to protect children's rights the TSJ determined that printed media cannot publish pictures of corpses in the front page of newspapers, or in the main pages of the publication without a warning (TSJ/SC Exp. 07-0781, 2012, p. 30/35); and it banned the publication of videos of lynching in digital media (TSJ/SC Exp. 16-0360, 2016, pp. 6-8/12). For this reason, scholars argue that in Venezuela regulations are applied at the convenience of the government and with the purpose of establishing the state communicational hegemony (Centeno Maldonado & Mata Quintero, 2017; Palencia, 2011).

Constitutional regulations are further developed in other instruments, and for the purpose of this chapter, there are several that are worth discussing. Firstly, the Telecommunications Law, which created the National Telecommunication's Commission (CONATEL). This regulatory body is entitled to supervise the observance of media regulations, and to adopt binding decisions related to the promotion of freedom of the press. It functions as an autonomous institute; however, the President appoints its director (Telecommunications Law, article 40). This aspect is critical for the exercise of the right. In fact, the IACHR has continuously expressed that this norm does not meet IHRL standards because these types of organs must be impartial, autonomous and independent "to guarantee the highest degree of pluralism and diversity of communications media in the public debate" (IACHR, 2009b, Chapter IV, para. 370).

In compliance with its duties, CONATEL has used the Law on Social Responsibility in Radio, Television and Electronic Media, also known as Ley Resorte-ME to control the dissemination of content (Cañizales, 2013; Colina, 2016). This instrument is one of the most controversial laws because it regulates the activities performed by TV and radio broadcasters, electronic media, producers, and users; but also because it allows the implementation of the state communicational hegemony. To meet its purposes, it regulates the dissemination of content (articles 5-10); and it develops the legal limitations established under article 57 of the national constitution. Particularly, it indicates that electronic media cannot disseminate war propaganda, hate speech or any type of speech that promotes intolerance, advocates for the commission of crimes, alters public order, disavows public authorities, and promotes the breach of the

Venezuelan norms (article 27). On this point, it is necessary to highlight the fact that the Ley Resorte-Me does not provide definitions for any of the categories considered as prohibited content; which, as in previous cases, allows the discretionary interpretation and application.

Another controversial regulation also used by CONATEL is the Law against Hatred. This regulation seeks to control the dissemination of specific type of speech but is far from offering a solution to the problem created with the Ley Resorte-Me. The Law against Hatred does not provide a definition of what is considered as hate speech, contempt, harassment, or moral violence, and judges should interpret these vague, ambiguous and broad terms. As previously mentioned, this law has been used to condemn Internet-users for the dissemination of information against the government, and for that reason, is important to remember that:

…vague, ambiguous, broad, or imprecise punitive norms, by their mere existence, discourage the dissemination of information and opinions that could be bothersome or disturbing. Therefore, the State should clarify which types of conduct can be the object of subsequent liability, to avoid affecting free expression especially when it could affect the authorities themselves (IACHR, 2009a, Annex I, Chapter IV, para. 355).

As a form to establish the digital communicational hegemony of the state, the government relies on sanctions imposed to ISP for the dissemination of prohibited content. The Ley Resorte-Me establishes that they are responsible for the publication of prohibited information, and CONATEL is the body entitled to impose limitations and fines (article 35). However, this body acts in a discretional manner, which leads to self-censorship (Puyosa, 2015). Similarly, because social control is essential for the imposition of the communicational hegemony, the criminal code indicates that anyone disseminating offensive or disrespectful speech against the President, or national authorities, could be imprisoned between 6 and 30 months (articles 146, 147). It specifies that anyone who disseminates information through any media, (including e-mails) to create panic, instigation to crime, produce scarcity or affect the imposition of basic products' prices can be imprisoned for a period between 2 and 5 years (articles 285, 296-A, 372). This law allows the use of discretionary interpretations, and as a consequence, it has been used to criminalize dissenting and critical opinions, or in other words to silence those who oppose government policies (Canova González & Herrera Orellana, 2016).

Finally, another regulation that affects the practice of journalism is the Law on Data Messaging and Electronic Signatures. This law indicates that any type of information written in a digital format that can be stored or interchanged through any electronic media messages can be used in any legal procedure (articles 2-5, 34). That implies that any type of information disseminated through Internet-based platforms can be used in any type of legal procedures to determine responsibilities for the commission of criminal offenses established in other regulations (i.e. defamation, dissemination of war propaganda or hate speech). Hence, this law is also meant to control the dissemination of people's ideas through Internet-based platforms.

Protection mechanisms are designed to avoid the negative consequences of the application of arbitrary regulations, and article 55 of the CRBV establishes that "[e]very person has the right to protection by the State". To exercise this right, the national constitution specifies that anyone has the right to "petition or make representations before any authority or public official concerning matters within their competence, and to obtain a timely and adequate response" (CRBV, art. 51). However, because that will impede the imposition of the communicational hegemony, a special legal procedure to protect

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journalists does not exist in Venezuela. In consequence, journalists must initiate any of the following procedures to seek protection:

1. Protection remedy, which is regulated in article 27 of the national constitution. It can be used to question the legality of legislative, administrative, and judicial measures adopted by any local or national authority, to question the omissions of public authorities, to review judicial final decisions, and to obtain protection from situations created by other citizens or private entities.
2. Protection within a criminal procedure as indicated in the Law on Protection of Victims, Witnesses, and Others Subject to Proceedings (Ley de Protección de Víctimas, Testigos y demás Sujetos Procesales, LPV). This law is not specifically designed to protect journalists. However, journalists who are part of a criminal procedure can request measures to redress any type of physical or psychological damage or economic loss (LPV, article 5)
3. Complaints about the omission, delay and/or deficiency in the provision of public services. In this procedure the intervening parties are the affected person, the organ providing the service, the autonomous institute for the defense of consumers, the General Prosecutor, and any other organ that can have a direct interest in the controversy (Organic Law of the Administrative Jurisdiction, [OLAJ] article 68). It starts with the presentation of a written complaint before the competent judge; who can order the adoption of all measures needed to guarantee that the provision of the service in an efficient manner (OLAJ, articles 71-75)

In Venezuela, competent tribunals should interpret and apply all the instruments mentioned. However, the independence and impartiality of judges is not guaranteed. In fact, Venezuela has the weakest adherence to the rule of law in the world; or in other words, the justice system is not accessible and affordable, and authorities improperly influence procedures (World Justice Project, 2019). Actually, as previously mentioned, respondents to the digital survey identified this situation as a limitation to the exercise of the right. Sixteen respondents indicated that the protection remedy was not appropriate to obtain the protection needed, 30 considered that criminal procedures were not adequate to protect the right to freedom of expression. Likewise, 52 respondents indicated that to present complaints before CONATEL was not appropriate to protect their right to freedom of expression. Nevertheless, more than 100 respondents indicated that the ICHR and the UN Special Rapporteur for Freedom of Expression could provide the protection needed. These answers also explain why protection mechanisms are not commonly used in Venezuela, which exacerbates problems related to due process and the rule of law.

In Venezuela, tribunals are used to impede journalists from disseminating critical information, not to protect them nor to guarantee the exercise of the right to freedom of expression, but to favor the state communicational hegemony.

An Environment Against Journalists

In Venezuela, off-line activities have a direct impact on online activities. Digital media outlets were created as a reaction against the implementation of the state communicational hegemony; and for that reason, the threats and limitations faced by digital journalists are influenced by this fact. Digital platforms are used to disseminate information that is critical or contrary to the government, and those producing that type of content are subject to limitations in the physical and in the digital realm.

On one side, physical attacks against digital journalists tend to increase during periods of social unrest. When digital journalists are in the field they are exposed to the same risk that any other journalists covering the situation will face; however, the effects for the exercise of the profession are graver. When digital journalists are robbed they stop seeking and disseminating information. They usually use smartphones, and because in Venezuela they are extremely expensive, journalists are impeded from practicing the profession for undetermined periods (Mitra, Garrido, Høibe, forthcoming). Also, when they are in the field they can be attacked by any person, including state representatives and protesters. In fact, in 2018 Espacio Publico indicated that at least seven percent of the cases were perpetrated by particulars and that state representatives (security forces and public servants) were the perpetrators of at least 40 percent of the cases registered by the organization (Correa, Espacio Publico, 2019).

On the other side, when journalists are disseminating information related to protests or public manifestations they face digital limitations. First, they have to overcome accessibility barriers, or in other words, they have to ensure that they have a data plan that allows them to post, or that they have the necessary tools to guarantee that Internet slow-downs or blockages do not affect them. Second, they have to keep high digital security standards because digital attacks against them are common, not only in terms of digital harassment but also in relation to double-switch attacks, denial of service, and hacking. And finally, they also need to consider the type of content that they disseminate. When Internet slow-downs are imposed people have problems to download or retrieve videos, picture, and audio because they require a higher speed; therefore if digital journalists cannot overcome that barrier, they must limit themselves to the dissemination of written content.

The survey conducted in 2017 demonstrated that digital journalists can easily identify the type of threats and limitations they face and that they can provide information related to the risks they could face in the years to come. They can also indicate the problems associated with protection mechanisms, and provide insightful information for the adoption of national plans that can better protect them. However, they cannot perceive limitations as part of the state's strategy to implement its communicational hegemony.

CONCLUSION AND RECOMMENDATIONS

To implement the state communicational hegemony in the digital era is extremely difficult. Digital audiences are global and journalists find the way to overcome barriers. To avoid the effects of the social and legal restrictions Venezuelan digital journalists have found several forms to guarantee the dissemination of critical content; however, when they are impeded from publishing their ideas the effects have an international impact. Given the fact that the legal framework will not be reviewed in the near feature, nor the state's policies, it is possible to expect that Venezuelan journalists will continue fighting the imposition of the state communicational hegemony. Hence, for them, it is necessary to have access to the Internet and to a variety of ISP; to have digital tools that allow them to overcome digital attacks, as well as the means to overcome physical attacks.

In the long term, the protection of journalists in Venezuela must be adapted to international standards. The legal framework must be reviewed to meet international standards, and ensure that ambiguous terms are not used and that discretionary powers are not given to state representative. That will contribute to the exercise of digital journalism, protect journalists from illegal attacks, reduce the effects of censorship, self-censorship, and all forms of limitations discussed throughout the chapter.

The state communicational hegemony theory offers a path to analyze the effects of state's policies for the protection of journalists. This article considered the situation of Venezuelan digital journalists, yet, more research is needed to better understand the impact of the policy for another type of journalists, and have a holistic perspective of the Venezuelan situation.

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[1] For detailed information of the cases see: Espacio Publico. (2019). Detenciones en línea. Presos por usar las redes sociales. Available at: http://espaciopublico.ong/detenciones-en-linea-presos-por-usar-las-redes-sociales/#.XN8YJlRKjct

Conclusion

There is no dearth of international studies into the freedom of media and the freedom of expression (Hocking, 1947; Nixon, 1960, 1965; Irani, 1965; Stein, 1966; Lowenstein, 1970; Kent, 1972; Nam and Oh', 1973; Weaver, 1977, 1985; Hachten, 1985; Lee, 1991; Powe, 1991; Padhay, 1991; Kamali, 1997; Sadurski, 2001; Price, 2002; Rozumilowicz, 2002; Becker et al., 2004, 2007; Himelboim & Limor, 2008; Siraj, 2009; Nerawi, 2009; Hussein, 2010; Popescu, 2010; Kakooza, 2012; Williams & Ronald, 2013; Carlsson & Poyhatri, 2017; Jamil, 2017; Jamil, 2018). However, research into safety of journalists is a recent trend that has grown worldwide during the past five to seven years. One obvious reason for the growth of research within the area of safety of journalists is a lack of knowledge that renders working journalists more unsafe in conflict and non-conflict situations, and there are many crucial areas related to their safety that must be addressed. As mentioned in the Introduction of the book, the rights to media freedom and individual's safety are enshrined in the Universal Declaration of Human Rights (1948). However, they carry diverse considerations to bear. For instance, any limitation on a journalist's right to free expression do not necessarily affect on his or her right to life and safety. Thus, it is essential to consider the "distinctiveness" of the issues of journalists' safety and media freedom, whilst at the same time also it is important to remember the "interconnections" between these two crucial issues. This book recognizes this fact and acknowledges that the knowledge results can only enhance the practices of actors seeking to work across the many dimensions of media freedom and safety of journalists, to list a few: the media operational structure; media law; media ownership; informational and media literacies; freedom of expression and access to information; journalism education and so on; all of which are to be examined and understood in a broader political, legal, economic, religious and cultural context.

Atop, there is a need to consider the global approach to promote media freedom and safety of journalists as enriched by the United Nations. For example, the UN Plan of Action on the Safety of Journalists and the Issue of Impunity is the first ever UN strategy to highlight the issue of journalists' safety and the problem of impunity. "It was developed by UNESCO in consultation with other UN bodies, inter-governmental organisations, NGOs, professional associations and UNESCO's member states. It was endorsed by the executive heads of the UN specialised bodies, the UN Chief Executives Board, in April 2012" (International Freedom of Expression Exchange, 2017). With regard to this, UNESCO's programme strategy suggests:

Freedom of expression in general, and media development in particular, are core to UNESCO's constitutional mandate to advance "the mutual knowledge and understanding of peoples, through all means of mass communication" and to promote "the free flow of ideas by word and image". Through fostering free, independent and pluralistic media, UNESCO contributes to peace, sustainability, poverty eradication and human rights, while keeping its global priorities: Africa and gender at the top of its agenda. UNESCO is uniquely placed to promote press freedom, working with professional media organizations, civil society actors and national authorities in its Member States.

The 2030 Agenda for Sustainable Development recognizes the importance of access to information, fundamental freedoms and the safety of journalists for the creation of peaceful, just and inclusive societies, under Goal 16, Target 10. The issue of journalists' safety has become a priority not only for UNESCO, but also for the UN system as a whole, with the adoption in 2012 of a UN Plan of Action on the Safety of Journalists and the Issue of Impunity, spearheaded by UNESCO[1].

In October 2016, UNESCO has created its Multi Donor Programme on Freedom of Expression and Safety of Journalists. The purpose of this programme is to buttress values and policies related to "freedom of expression, including media freedom and the right to access information, online and offline, and are reinforcing the safety of journalists by implementing the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity."[2]

At a national level, especially in many developing and under developed countries, there is indeed a need for many efforts and extensive initiatives that cover different aspects related to legal protection to journalists' rights to freedom of expression, access to information, equal pay-scale and safety; information and media literacies.

TOWARDS A MULTI-STAKE HOLDERS APPROACH TO COMBAT THREATS TO MEDIA FREEDOM AND JOURNALISTS' SAFETY

In this book, contributing authors have highlighted problems in fifteen countries of the world including: Philippines, India, Bangladesh, Pakistan, Nepal, Malaysia, Indonesia, Turkey, Egypt, Ghana, Nigeria, Uganda, Colombia, Venezuela and Mexico. The contributing authors have also proposed solutions to promote media freedom and to combat threats to safety of journalists within their respective countries. However, there is a need for multi-stakeholders' initiatives to address the issues of media freedom and safety of journalists. Therefore, the following recommendations have been proposed by the editor of this book:

GOVERNMENT'S INITIATIVES

General Initiative

- Government ensures free operation of media organizations and provides legal protection to journalists and media outlets for their rights to freedom of expression and freedom of information.
- Government and law enforcement agencies ensure journalists' physical (bodily harm) and psychological (harassment, surveillance, pressure, stress etc) safeties countrywide and especially in the conflict areas of the country.

Monitory Initiatives

- Government provides funds to victimised journalists and their affected families.
- Government protects journalists from financial risks (example: economic constraints, corruption, forced job termination, low or in-equal pay-scale etc) through effective implementation of Wage Board Award and pay-scales.

Monitoring and Data-Base Establishment

- Government ensures the regular monitoring of violence, crimes online and offline abuse against journalists.
- Government develops the data-base of incidents of sexual harassment, online abuse and violence against female journalists.
- Government develops the data-base of journalists' killings; other cases of legal actions, violence and crime against them.
- Government's regulatory mechanism protects journalists from unnecessary legal pressure (example: unlawful detention and imprisonment).

Legal Framework

- Government establishes a legal framework that ensures media freedom, pluralism, on-time, effective and fair prosecution of crime and violence against journalists.
- The legal framework of the country protects and respects the journalists' rights to freedom of expression, access to information and the confidentiality of their sources.
- Country's laws and constitution restrain the ruling authorities from media censorship, extrajudicial violence, arbitrary digital surveillance and other actions against journalists.

Access to Information

- International and national organisations monitoring and promoting media freedom and journalists' safety has an open access to government's data of journalists' killings; other cases of legal actions, violence and crime against journalists.

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Counselling Assistance

- Government establish counselling centres to help journalists in dealing with their psychological and emotional issues that are resulted due to diverse safety threats and a lack of protection.

MEDIA ORGANISATIONS' INITIATIVES

Physical Safety

- Media organisations provide necessary physical safety measures to journalists such as life insurance and bullet-proof jackets.
- Media organizations ensure a physically safe working environment for female journalists to avoid incidents of sexual violence and abuse.

Financial Protection

- Media organisations protect male and female journalists financially through better and equal pay-scales and by avoiding delays in salary payment, forced or un-notified job-terminations.
- Media organisations provide monitory assistance to victimised journalists and their affected families.
- Media organisations ensure journalists' financial protection to discourage corruption in journalism.

Legal Protection

- Media organizations provide legal protection to journalists especially for their right to fair trial and in court cases.

Psychological Protection

- Media organisations support journalists to encounter political or government's pressures, harassment, threats from different sources (example: pressure groups, public, non-state actors, political and religious parties, intelligence agencies and so on) that affect their right to freedom of expression and psychological well-being.
- Media owners avoid unnecessary pressure of organisational policies so as journalists can perform their routine jobs freely without any psychological pressure.

Safety Training

- Media organisations provide regular safety trainings to journalists to protect them especially from physical, psychological, legal, digital, gender and topic-specific risks.

In-House's Code of Conduct

- Media organisations develop an 'in-house code of conduct' that prevents them from unethical practices that might result in physical, psychological, legal, digital and social risks.

Collaboration with Academia

- Media organisations cooperate and collaborate with universities to enhance practical knowledge around the issues of journalists' safety.

Academia Initiatives

- Universities incorporate journalists' safety modules in their curriculum to enhance the awareness of safety issues among journalism students.
- Universities encourage academic research on safety of journalists.
- Universities coordinate with media organisations and journalists' unions to organise regular safety workshops and trainings of working journalists and journalism students.

JOURNALISTS' UNIONS' INITIATIVES

General Initiative

- Journalists' unions emphasise especially journalists' physical, psychological, legal, financial and digital protections.

Safety Training

- Journalists' unions provide regular safety trainings to journalists to protect them especially from physical, psychological, legal, digital, social, emotional, gender and topic-specific risks.

Ethical Code of Conduct and Guidelines for Conflict Reporting

- Journalists' unions develop an 'ethical code of conduct' and guidelines for conflict reporting to prevent them from physical, psychological, legal, digital and social risks.
- Journalists' unions ensure consensus on 'code of conduct' and guidelines of conflict reporting that address preventive, protective and pre-emptive measures to promote journalists' safety.

Monitory and Legal Assistance

- Journalists' unions provide monitory and legal assistance to victimised journalists and their affected families.

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Counselling Assistance

- Journalists' unions establish counselling centres to help journalists in dealing with their psychological and emotional issues that are resulted due to diverse safety threats and a lack of protection.

JOURNALISTS' INDIVIDUAL INITIATIVES

- Journalists effectively implement on ethical code of conduct and guidelines to report on conflict.
- Journalists actively participate in safety trainings and implement on the given training while at work. Journalists immediately report any sort of faced risk to their media organisations and police/ or law enforcement agencies.
- Journalists avoid engaging in unethical or illegitimate practices, political and religious affiliations that might affect their safety as a journalist.

CIVIL SOCIETY'S INITIATIVES

- NGOs, human rights activists and civil society members advocate for safety of journalism and journalists in the country.
- NGOs strive to promote the public's awareness towards the issues of journalists' safety and freedom of expression.
- Public, human rights' activists and NGOs collaborate to establish voluntary funds to assist victimised journalists and their affected families (example: Pakistan's Journalists' Safety Fund, PJSF).
- By enlarge the civil society participate through media's debate and the public's symposiums to promote the safety of journalists.

In addition to the aforementioned proposed initiatives, it is important to develop knowledge and to promote research within this area.

NEED FOR BUILDING KNOWLEDGE AND FOSTERING RESEARCH

Building knowledge is a precondition for any effort to strengthening media freedom and to promote a safe environment for those who produce journalism. For journalism students and researchers, it is of the paramount importance that they widen their methodological, theoretical and analytical frameworks to address the challenges of media freedom and journalists' safety. There is indeed a pressing need for developing holistic and innovative research proposals that can offer empirical findings, deep theoretical insights and analytical concepts (Carlsson and Poyhatri, 2017). Consequently, we would be able to significantly advance our understanding of the multifaceted issues of the freedom of media and journalists' safety, and we would be able to promoting safer working environment for everyone who produces journalism.

Moreover, networking is very crucial to foster research. Therefore, it is important to broaden the research network at national, regional and international levels. This is imperative because journalism

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students, researchers and professionals all need different and mutual platforms to discuss and to evaluate prevailing and overlooked issues, research questions, findings and possible solutions.

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ENDNOTES

[1] See UNESCO's programme strategy at: https://en.unesco.org/sites/default/files/foe_special_account_programme_strategy.pdf

[2] See details of UNESCO's Multi Donor Programme on Freedom of Expression and Safety of Journalists at: https://en.unesco.org/sites/default/files/foe_special_account_programme_strategy.pdf

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