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Media Pandemics

Seeking Journalistic Answers in Eastern Africa

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Foreword

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As the COVID-19 pandemic strikes the world, especially the African continent, UNESCO's founding mandate to promote 'the free flow of ideas by word and image' has never been so important, to advance the right to freedom of expression and to foster peace and sustainable development through media freedom, pluralism, independence and journalists' safety.

Prior to the pandemic, UNESCO launched three reports on journalists' safety, access to information, and election coverage. The first report on, Intensified Attacks, New Defences: Developments in the Fight to Protect Journalists and End Impunity, assessed trends in safety of journalists around the world, flagged an increase in the killing of journalists compared to the previous five-year period and noted that 88% of killings recorded since 2006 remain unpunished. However, it does highlight a growing commitment to protect the media through the establishment or strengthening of mechanisms to monitor, prevent and prosecute attacks on journalists and protect those facing threats.

The second report on, Access to Information: A New Promise for Sustainable Development, reiterates the call on g overnments to ensure public access to information and protect fundamental freedoms. This is further reinforced by the Declaration of Prin-

ciples on Freedom of Expression and Access to Information in Africa, which stresses on the need for the right to freedom of expression and the right of access to information to be protected from interference both online and offline. Elections and Media in Digital Times, which is the third report, has brought to sharp focus three converging trends affecting the media and elections in the digital age: the rise of disinformation, intensifying attacks on journalists, and disruptions linked to the use of information and communications technology in the election process.

As stated by the UN Secretary-General, on the occasion of the 2020 World Press Freedom Day, "Journalists and media workers of all kinds are crucial in helping us make informed decisions. In a pandemic, those decisions can save lives and more than ever, we need the media to document what is happening, to differentiate between fact and fiction and to hold leaders accountable". However, *UNESCO* report on Safety of Journalists Covering Protests – Preserving Freedom of the Press During Times of Civil Unrest highlights a sharp increase in the global number of protests during which the police and security forces violated media freedom in the first half of 2020. It highlights a wide range of abuses journalists face when covering protests, from harassment, intimidation and beatings, to being shot at with lethal or non-lethal ammunition, detention and abduction.

Taking this into account, there has been no time for delay, especially during this humanitarian crisis of COVID-19 pandemic. It is for this reason that UNESCO has joined efforts with its partners in Africa in defending the legitimate rights of media practitioners. From May to July, supported by the UNESCO Multidonor Fund for Freedom of Expression and the Safety of Journalists and the Open Society Initiative for Eastern Africa (OSIEA), 4 webinars were organised by the East Africa Editors Forum in partnership with the Open Society Foundation of Eastern Africa. The webinars capacitated the East African journalists on digital security, physical security and psycho social security in reporting COVID-19.

This first printed issue of the Eastern Africa Journalism Review in celebration of the 2020 World Press Freedom Day, presents the media industry's current situation in Eastern Africa, with a focus on the COVID-19 pandemic. In 13 articles written by regional editors, this Review explored the problems and challenges the media industry is facing, while posing important questions about where the COVID-19 pandemic is leading us.

The publication of this Journalism Review

would not have been possible without the continued support from the Eastern Africa Editors Forum, OSIEA and the UNESCO Multidonor Fund for Freedom of Expression and the Safety of journalists whose flexibility to respond to the immediate needs such as the covid-pandemic, has enabled us address the current challenges in the media sector. This work was possible also thanks to the commitment of UNESCO's staff in Addis Ababa liaison Office to African Union and the Economic Commission for Africa and Nairobi Office. I wish to also express our gratitude to Mr. Churchill Otieno, the President of the Kenya Editors Guild, and all the other regional editors for their time and efforts devoted into this publication.

Saving journalism is the editors' first job

Journalists, especially editors, must step up and drive the innovation needed to protect news media and enable it to perform its democratic purpose in Eastern Africa. **CHURCHILL OTIENO** explains why the 13 regional editors who have co-authored this book believe that any other approach to saving journalism is riddled with fatal risks.

In today's Eastern Africa, as indeed in the world, if editors are not spending their best efforts in finding ways to save journalism, then it will not matter what else they do. Given the essential purpose of journalism in society, we owe it to ourselves, our fraternity and to humanity to define new ways that will ensure critical reporting happens emphatically, consistently and in a timely fashion.

This duty has been with us for years, but has been loudly thrust into the public conscience by the ravages that the coronavirus has visited on journalism. In Kenya, the need to fix media grew dramatic with every lost newsroom job. In 2020 up to August, more than 300 newsroom

jobs were lost. The reality of Covid-19 and its impact on business hit media entities the most in the months of June and July. In the two months alone, the Kenya Editors Guild established that 141 journalists lost their source of income. Of these, 67 were women while 74 were men. Out of the 141, a large majority - 106 - were from one media entity. In October 2019, 160 journalists from the same media house lost their jobs.

Those left in the newsrooms have had to make do with painful pay cuts even as the workload increased because there were fewer of them left. This in turn has visited untold stress and other health concerns as the journalist seeks to cope.

The Eastern Africa Editors Forum, an organisation that brings together the Tanzania Editors Forum and the editors guilds of Uganda, Ethiopia and Kenya, therefore challenged its members to propose the interventions needed to save journalism against a pandemic specific to media, that of sustained revenue loss that has introduced systemic failures in the industry.

In this project, a selection of Eastern Africa's eminent editors confront this challenge from a multiplex of perspectives. They include editors who have seen the ground shift right under their feet as they midwifed thousands of stories, one a time, to those who have observed keenly as media institutions fight for life, drawing deep insights in the process. Editors in Eastern Africa have agreed to, every year, aggregate their deep reflections on the profession and share them in a book. This is the first of that effort.

Media home

There is a media quest for a new home. Birthing a new home is painful, but finding a new home in which our hopes for the future can nest and grow - in the words of Shoshana Zuboff[1] - is the solemn duty of today's journalist.

In her just released book; *Power and Loss in South African Journalism*, Prof. Glenda Daniels makes this case emphatically. She writes that journalism has power and can find humanity itself amid the noise of social media, of the binary oppositions of us and them, male and female, black and white, left and right, for climate change or not, feminist or sexist[2]. In a few words, Daniels succinctly captures the place of accountability journalism in the connected world, and loudly shows why it matters even more.

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1 Zuboff, Shoshana (2019). *The Age of Surveillance Capitalism: The Fight for a Human Future at the New Frontier of Power*. New York: PublicAffairs.

2 Daniels, Glenda (2020). *Power and Loss in South African Journalism*. Johannesburg: Wits University Press

The citizen's need for reliable, dependable, verified and relevant information, if nothing else, must push editors to consider and drive the media in a direction that gives primacy to the public interest. That is the soul of journalism. It is what we exist for. It embodies our solemn purpose in society. It is cardinal. It is a duty that journalists must serve with fortitude for many would wish we do not. It is a call that we must answer meticulously to forestall the cynics and ambulance chasers. The truth is forces against independent journalism are growing in number and are always seeking ways to cut our legs. It behooves us, therefore to, like Eneke the bird[3], learn to fly without perching. We must adapt, we must innovate.

Even with the many challenges it currently faces, good journalism is still threatened by the mighty. Editors need to be aware of initiatives across the world to help secure some protection. A Media Defence Fund, administered by UNESCO, is one such option, going by the words of Ana Elisa De Santana Afonso, the Representative to Ethiopia and Director of the UNESCO Addis Ababa Liaison Office to AUC and UNECA. She spoke at a EAEF Webinar on May 3, 2020 to mark World Press Freedom Day.

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3 Achebe, Chinua. Things Fall Apart. New York: Anchor Books, 1994.

She captured the political risks that obtain in the region frankly: "Some political leaders have subjected journalists doing critical reporting to harsh verbal attacks and instilling fear as well as causing them psychological trauma. There is also increased surveillance and hacking which have undermined journalists' ability to ensure the confidentiality of their sources, at a time when some governments have cracked down on whistleblowers."

The question of how to pay for journalism is not one just for journalists, not just for the media, but indeed for all in society. But journalists have a bigger responsibility in answering it. Since today many in the public can publish, journalists must invest know-why and know-how to ensure material they publish carries more consequence than that produced by the common populace. The money question has classically been left to the other side of the wall that protects editorial independence, but that model is now broken into a billion pieces and the journalist must figure out revenue to keep reporting.

Lydia Gachungi, UNESCO's Regional Advisor on Freedom of Expression and Safety of Journalists, holds that strong national editors associations are needed to help defend the space and to effectively steer professional innovation. Across Eastern Africa, if the media is to

play its role effectively, then urgent and significant reforms are necessary. Conversations with many national and international leaders during convenings by the Kenya Editors Guild (KEG) and the Eastern Africa Editors Forum (EAEF) confirm that the industry badly needs repair. A few areas present opportunity to continue this work.

First is media regulation. Given the media's unique role, diversity is critical. As indeed is institutional renewal. The reality today is that the legal frameworks obtaining in many jurisdictions in the region are replete with minefields deliberately laid as traps by the powerful and mighty to ensure a stranglehold on free journalism. Power and its purveyors will never willingly allow free media to thrive. Hence, journalists need to find ways to bring about the reforms to push back and secure the space. Deodatus Balile[4] has explored some options in Chapter 11 just to outline a few possibilities.

In Kenya, the Editors Guild have strongly pushed for the regulation of media to be mandated only to an independent entity that reports to the people through parliament. The prevailing co-regulatory model where the state and the private sector join forces in running the Media Council of Kenya has presented advantages, but

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4 Chairman, Tanzania Editors Forum

Lydia Gachungi, Regional Expert for Safety of Journalists and Media Development UNESCO Regional Office for Eastern Africa

these need securing for the long term.

Second, bad journalism is bad business. It does not matter how one looks at it, all media that ever entertained a dalliance with the state or big advertisers always ended up sorry. Being true to the people is the only milk cow that always gives, and any innovation will only survive if it respects this age-old principle. The saving of journalism, hence, demands intellectual roots and value-led purpose. Schools of journalism

must therefore fill our newsrooms with committed professionals by building their curricula on ethical foundations as opposed to merely on reporting and editing techniques. The people want their stories told in an interesting, engaging and accessible manner, but these come after we find the hard facts on issues that matter to their lives.

Third, let us consider how to retain a portion of the economic value generated in the industry and use it for media development. Across the region, tax policy should recognize the unique place of the media, and allow reinvestment of the value created from the industry. Different examples abound in the world to help us ensure the public sustains journalism. Tax measures should be implemented to promote growth of free media, and to ring-fence editorial independence from state, commercial and political interference.

Finally, the growth of journalism as a profession should not be left to happenstance. The Kenyan Constitution frames an expectation of independent journalism. How is it that subsidiary laws then allow a free-for-all situation? Innovative policies and laws should be enacted to ensure Editors-in-Chief are made legally accountable for the observance of ethical standards on their platforms. We must stop situations where some FM stations have the owners as editor, sales director, chief anchor all in one person.

Just as it happens in other professions, there has to be a clear guidance on the role and responsibilities of the owner in editorial matters. Many media entities have been stunted due to interference in editorial matters. Their stagnation is a public concern, for lack of diversity in the media market limits choice for that same public. No matter how much resources investors raise, they would never start a hospital, a law firm or a financial consultancy without relying on a qualified professional in good standing. These measures are in place to protect the public, and comparable protection of the public is overdue when it comes to media.

These obviously are not challenges that will be cured with quick fixes. We will need bold, innovative and democratic ways to reimagine the media space. Many countries are battling these same questions. Let us innovate for our space. Peter Opondo, a television editor who has run newsrooms in both Uganda and Kenya, summarizes it sharply.

"The human software that runs [media] organisations must be rebooted. There is too much homophily in the industry - organizations have developed corporate antibodies that reject anyone who doesn't conform to the dominant logic... it is relying on expertise and models that led to past success which are, however, hopelessly

Eric Watnik- Counselor for Public Affairs - US Embassy, addressing the Mini Stakeholders Convention on Wednesday, August 26th, 2020.

inadequate for the present, let alone the future. The industry needs to bring in more mavericks and iconoclasts, people not enamored of the success of the past." Read his full argument in Chapter 13.

We do recognise that a lot depends on what the leading media institutions do, but the in-dividual journalist shares in this duty. Ever hungry for information, journalists must work to understand the new information economy and ecosystem, and see what it means for the plying of public journalism. They must there-after reimagine the necessary ingredients to make journalism thrive in this new world. It

would be sad, and a monumental failure, if we merely transferred the legacy traits and methods into the new space hoping for success.

As the engines turn in search of new business models, editors must be the pistons in this quest – constantly setting the pace and rhythm.

A US diplomat summarised it clearly when addressing a cross section of media leaders in Kenya on August 26, 2020, who had gathered to seek ways to sustainability in journalism: "To be sustainable, Media must have consumers. Independent journalism is key to gaining new readers," said Eric Watnik, the Counselor for Public Affairs at the US Embassy in Nairobi.

No argument, the traditional wall between the newsroom and the commercial functions of media must come down, and editors must begin viewing their audiences as consumers.

New newsroom

Naturally, this effort will see a flood of new roles emerge in the newsroom, pushing some traditional positions out or to the back room, and populating the space with people speaking adjusted jargon to accommodate this new reality. One key discipline that this flood must bring in for the good of journalism are journalists who think product development as a discipline, journalists who code, editors who think revenue and journalists who bat for the audience.

Like all new things, the product skill set means different things in different newsrooms across the world. Tanya Pampalone, the managing editor at the *Global Investigative Journalism Network,* in 2017 saw it as the editor who drives the building of digital products like apps, bots, newsletters, and digital and data presentations[5]. However, other newsrooms, especially those that have looked the subscriptions way, see it as the scrum master for the paywall. Largely, it's a technology development mindset weaved into the newsroom workflow, because in the new age journalism products don't come in newsprint and bulletins but in apps, websites, emails and other tech channels.

Product thinking is a skill largely absent in Eastern Africa media houses, but as things stand today, it is the one expertise that no newsroom will shift business models without acquiring. The questions that come up as we consider turning journalists into product managers include how to embed product thinking in the newsroom; ideation: the beginning stages of developing a product strategy; goal-setting and prioritization through learning cycles: the tac-

5 Pampalone, T. (2017) Does Your Newsroom Need a Product Manager? https://gijn.org/2017/10/12/does-your-newsroom-need-a-product-manager/
 (Downloaded: August 23, 2020)

tics of developing and executing a product strategy; and, the most critical, ethical considerations and challenges. Any journalist who spends time and money learning these is definitely onto some gold.

Prof. Francois Nel, a reader in media innovation and entrepreneurship at the School of Journalism, Media and Performance, University of Central Lancashire, believes these new roles, when properly applied, work together to open new opportunities to protect independent journalism. When he spoke at the Second Annual Editors Convention hosted by the Kenya Editors Guild in Mombasa in December 2019, Prof. Nel reminded us that many journalists will feel like they are losing power to these new roles as long as they do not update their own skills.

A second type of journalism that is increasingly getting relevance is the one fed with philanthropy. It has given rise to what has come to be known as the non-profit news. Early days show that the few newsrooms that run on this mode have shown more resilience than their commercial counterparts, even though the latter remain more influential because of a superior reach.

Non-profit newsrooms usually run on the resources provided by foundations, individuals or earned sources such as self-run endowment funds. It shields the newsroom from the market shocks that have become synonymous with the commercially-run media, even though criticism have come up that their benefactors gradually assume a huge power in determining their editorial focus.

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Strong numbers: Protection through global collaborations

CATHERINE ANITE finds an age-old fix to a current problem, that Eastern Africa journalists have lots of chances to ride global networks to help build solidarity in response to some of the local challenges.

J ournalism in the new age is increasingly becoming synonymous with alliances and partnerships between media houses and journalists that ordinarily would be competitors, rivals or even those for whom teaming up would be unimaginable. Despite its competitive and sometimes exclusive nature, in recent times, good-quality journalism is progressively leaning towards collaborations, especially in the public interest.

Collaboration in journalism is not a contemporary theory. In fact, cooperation and joint efforts by journalists from different media houses have been traced as far back as the 18th century, when, for example, five New York newspapers formed the Associated Press in 1846 to share costs for efficient and effective coverage of the Mexican-Ameri-

can War.[1]

It is argued that the variance of media collaboration between the old and new age is that current times are characterized by an extensive "diffusion of networked forms of organization and production, and the transformative impact of these cooperative practices in reshaping the new media world and its underlying social and technological infrastructure as public utilities."[2]

This paper underscores the importance of collaborations by journalists and media houses in the East African region with each other and beyond as a means of strengthening and protecting the newsroom, through tapping and maximizing external expertise and resources. Firstly, freedom of expression, media rights and the impact of COVID-19 on the media in East Africa will be highlighted and briefly it is noted that the current economic pressures on the media, the shift in technology, and the restrictive operational environment for media in East Africa are a key factor in enhancing collaborations among newsrooms. A deliberation on the meaning of collaborations and the extent to which newsrooms should collaborate will then be discussed in light of two variables: the time and degree of integration which have created the common modes of collaborative journalism. We will then discuss the outlook of effective and successful collaborations within and beyond newsrooms, opportunities for global collaborations and the role of editors, and conclude by emphasizing the benefits of collaborations in journalism.

Freedom of expression, media rights and the impact of COVID-19 on the media

Freedom of expression is an essential right and the unrestricted flow of ideas and opinions among people is a bedrock of a functioning democracy, helping to hold leaders accountable as well as contributing to developing society. In this regard, a free press is essential for the enjoyment of freedom of expression and other rights,[3] and to enable the public in any democratic society to receive information and share opinions.[4] In this regard, the media then becomes the cornerstone of any democratic society.

The enjoyment of freedom of expression and media rights in the East African region generally is under siege and continues to shrink though

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1 Collaboration and the creation of a new journalism commons, Carlos Martínez de la Serna, March 2018, at https://www.cjr.org/tow_center_reports/collaboration-and-the-journalism-commons.php

2 Id.

3 UN Human Rights Committee, Communication No. 1128/2002, Marques v. Angola, views adopted on 29 March 2005.

4 UN Human Rights Committee, communication No. 1334/2004, Mavlonov and Sa'di v. Uzbekistan.

countries possess constitutional guarantees and subscribe to international standards on freedom of expression as enshrined in varied international human rights instruments. This is majorly attributed to a restrictive legal/policy framework and an equally over-bearing and heavy-handed regulatory regime. An annual survey by Reporters Without Borders shows a downward trajectory in regards to media freedom in the region.[5]

In times of health crises like the COVID-19 pandemic, the importance of accurate and reliable journalism cannot be overstated. Media freedom has become more important than ever, but the media and journalists have been among the most affected, by the wave of unforeseen economic hardships, shrinking media space through salary cuts, forced leave and retrenchment of media workers.[6]

The impact of the pandemic on the media industry in East Africa and across the globe has especially affected media houses that have no crisis response mechanisms and contingency plans for journalists, forcing outlets to reduce their workforce in an *ad-hoc* manner, in most cases without adequately preparing the affected employees. Freelance journalists have been disproportionately affected as they lack access to the same resources and support as staff or contracted journalists.

With the current economic pressures on the media, the shift in technology, and the restrictive operational environment for media in East Africa, there is an urgent need to rethink the future of journalism, reconfiguring how news is gathered and disseminated within and across borders. Perhaps it is time for media owners, managers and editors from different media houses to devise measures and develop strategic networks that would enhance sharing of information, expertise and resources to reinforce their newsrooms.

In this internet era, information that might have been exclusive to traditional media is increasingly becoming available online, for example through leaks from different sources, and it is imperative that media houses work together to verify the authenticity of such information, and this requires networks of people across newsrooms and beyond who may have the expertise to analyze and authenticate such information.

Many traditional media houses in East Africa, normally referred to as legacy media, are struggling to sustain their business models due to, among other reasons, falls in advertising, and yet they are still trying to cope with the digital shift in journalism that requires building

5   https://rsf.org/en/ranking

6   See https://www.pmldaily.com/news/2020/04/media-crisis-giants-vision-group-nmg-announce-huge-salary-cuts.html

technological structures, skills and mindsets to enable a reasonable transition to online media. This *status quo* requires a merge in resources and expertise through collaboration in order for media houses to remain relevant and produce high-quality stories that they would otherwise be unable to solely publish, especially in a vastly competitive digital space.

Amid the COVID-19 pandemic, many media houses across the world are shrinking, especially due to resource strains and technological advancements, which may require fewer individuals to run effectively. Inasmuch as this threatens journalism, it is an opportunity to collaborate across news networks and tap into external resources and expertise.

Collaboration in journalism

Sarah Stonbely describes collaboration in journalism to mean an informal or formal cooperative arrangement between two or more news and information organizations, aimed to supplement each other's resources and maximize the impact of the content produced.[7]

She stresses that although engaging the public in news collection may have a collaborative element, collaborative journalism should not be confused with "citizen-," "participatory-," "engaged-", "public-," or other types of journalism that solicit information from the public or consider interaction with the public a cornerstone practice. Collaborative journalism is rather squarely situated in and between newsrooms and news and information organizations that belong to the journalism field or the field of professional media more broadly.[8] However, she further acknowledges that "collaborations involving non-news partners may be the next frontier in collaborative journalism."[9]

Heather Byrant, a collaborative journalism enthusiast, argues that collaboration in journalism helps in pulling together resources to cover stories that lack the requisite resources, allows partners to obtain and provide expertise for complex reporting, builds trust with audiences, creates accountability between organizations, fosters diversity of thought and perspective, expands the reach and impact of content that requires larger audiences, and creates access to new topics, regions and sources without duplicating efforts. It also garners influence that single newsrooms might not be able to create

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7 Sarah Stonbely, "Comparing Models of Collaborative Journalism," Center for Cooperative Media, September 29, 2017, at pg 14, https://collaborativejournalism.org/wp-content/uploads/sites/8/2017/09/Models-for-Collaborative-Journalism-research-paper.pdf

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8 Id.

9 Id.

alone and focuses attention on stories of public importance.[10]

To what extent should media houses collaborate?

In her research on models of collaborative journalism, Sarah Stonbely[11] identifies two variables that play a significant role in collaboration: the amount of time and degree of integration among partner organizations. This is crucial in increasing levels of commitment and key in ensuring effective collaboration. Through these two variables, she formulated six types of collaborative journalism that are summarized hereunder to enable newsrooms, and media organizations in East Africa pick their preferred mode of collaboration:

"Temporary and Separate" involves one-time and limited projects where collaborators create content separately and may share it on each other's or different media platforms. This approach allows for individual media organizations to work independently without overriding each other's cultures and priorities, whilst following agreed-upon guidelines for production of content. When small newsrooms partner with

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10 The Future of Journalism is Collaborative, Heather Bryant, 2018, page 2, at http://www.projectfacet.org/wp-content/uploads/2018/05/facet_collaboration_workbook.pdf

11 Sarah Stonbely, "Comparing Models of Collaborative Journalism," Center for Cooperative Media, September 29, 2017, at pg 14 to 15, https://collaborativejournalism.org/wp-content/uploads/sites/8/2017/09/Models-for-Collaborative-Journalism-research-paper.pdf

bigger media organizations under this arrangement, they are likely to gain exposure to different techniques and obtain greater visibility than they would have otherwise. On the downside, if there is no dedicated project manager or editor, it may be difficult to control the quality of work.

"Temporary and Co-creating" also involves one-time projects, but collaborators work together to create content, although this may likely cause tension due to conflicting priorities in different newsrooms. This can be mitigated through general excitement about the topic, intense coordination, a pre-existing level of trust and high level of rapport between the partners and by a desire to combine resources.

To enhance the success of this kind of partnership, collaborators may or may not have written agreements and this perhaps could be gaged on levels of trust. But there is a need for detailed instructions for workflow, training for participants prior to the content creation and a matrix to track success, including identifying the extent to which instructions were followed and which participants published stories based on agreed instructions.

"Temporary and Integrated" differs from the previous models because of the integration levels of organizations. This is the final one-time type of collaboration where partners cooperate closely through sharing data and/or other re-sources at the organization level and remain in regular contact for the duration of the project.

The Panama Papers story,[12] mirrors the best example of this kind of collaborative journalism, and perhaps the biggest contemporary journalistic collaboration. The success of the Panama story is attributed to strategic collaboration, coordinated by the International Consortium of Investigative Journalists (ICIJ), alongside media houses from different countries including the UK-based *Guardian* and BBC, *Le Monde* in France, *Süddeutsche Zeitung* in Germany and *La Nacion* in Argentina and over 100 other media houses, mostly small and online across the globe who unearthed and reported a public interest story on money laundering, tax fraud and crimes committed by some of the world's wealthiest, most powerful people.

The project involved an anonymous leak of 11.5 million files from the database of Mossack Fonseca bank in Panama to the German newspaper *Süddeutsche Zeitung,* which then shared it with the consortium of journalists (ICIJ), which subsequently shared these files with the global network of media and journalists.

All participating organizations had access to the same resources including data and soft-

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12 Panama Papers: a special investigation, Luke Harding, April 2016, at; https://www.theguardian.com/news/2016/apr/03/what-you-need-to-know-about-the-panama-papers

ware, had a central encrypted communication platform that allowed them to exclusively speak with each other and share ideas to enable them to write stories for their platforms. These journalists and media houses collaborated in a profoundly integrated manner to achieve results that would never have been achieved by a single journalist or media house.

"Ongoing and Separate" is the first of a more permanent way in which journalists collaborate in newsrooms. This model is best suited for content that requires the expertise of multiple organizations. Here, partners create content separately and share it with other newsrooms that might be interested in using it, while maintaining a high level of autonomy and editorial independence. These arrangements are said to be informal and may be formalized with time, but should be mutually beneficial. Perhaps many of the current collaborations fall under this category.

"Ongoing and Co-creating" are open-ended and integrated collaborations in which partners work together to create content agreed upon and acceptable to them all. An idea could originate from one journalist or one media house but is expounded on and enhanced by other partners. Successful partnerships have involved hiring a dedicated and competent editor to manage the collaborative project, charged with regular communication with the organizations involved while sharing resources across institutions.

For ease of work, collaborators can create one email address for communication between the coordinator and the partners, create a guide sheet on workflows, and establish thematic groups made up of reporters and subject experts on topical issues. New affiliates can also be added on a rolling basis. Communication, connectivity, news data and data sharing systems can also be developed to strengthen the collaboration. Many such collaborations may initially benefit from grants, but eventually and for sustainability, partners agree to make monetary contributions.

"Ongoing and Integrated" are continuing collaborations where partners share content, data, and other resources at the organizational level. Here, collaborators possess editorial independence, but are integrated on the business side, including in terms of resources through sharing back-office services, logistics around accounting, funding, engineering, and membership. Success is hinged on trust between general managers, news directors, editors, and reporters based on years of working together; sharing a region with similar audiences and contexts; and sharing a need for resources or product that they could not meet on their own. This type of collaboration also minimizes trust issues

because publishers work independently. In this digital age where journalism is threatened, collaborations such as this may go a long way in resolving sustainability issues.

It is therefore up to media houses to identify the collaboration model that best suits them and optimizes their ability to utilize their resources while exploiting their highest potential to produce quality content.

Effective and successful collaborations

Successful collaboration in journalism requires concerted efforts in identifying allies among a cross-section of media houses and other partners like academia, civil society and the general public, who are able to share ideas on producing cutting-edge content that can only be achieved through cooperation. It has been argued that collaboration is a three-way catalyst; firstly, to repair the decline of media and the constant erosion of the conditions for journalism; secondly, to provide a shared resource including databases, technology and networked communities that help in revitalizing investigative reporting through multi-level partnerships; and thirdly, to converge diverse players whose role has been prominent in fostering, funding, and sustaining partnerships.[13]

It is important from the onset to have a clear assessment of whether or not it is a good idea to collaborate on a particular project. Of course, working on a story "in big numbers" will highly increase impact through quality and reach, but it can also be disastrous, especially if the foundation of the collaboration is weak. It is vital to have a solid framework from the beginning and this can be achieved through creating a vision and goals for the collaboration from the onset.

Developing clear communication strategies, branding, deciding on whether to keep the partnership formal or informal, and thinking through clearly on who can make a good partner and what they bring on board are some of the key considerations. It is also important to know the capacity of your own newsroom or media house and the value it adds to any partnerships. It is not good enough to initiate a collaboration without being able to add value to your partners but rather exploit their efforts for your gain.

During the initiation, design and implementation stages of a collaboration, prior planning from each partner is imperative and it will determine how effective and successful a project will be. In her publication on "collaborative

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13 Supra, note 1.

journalism,"[14] Heather Bryant emphasizes that the future of journalism is collaborative and makes recommendations on planning and managing the details and logistics of inter-organization news collaborations.

The first step is to identify the project, partners and scope of collaboration, the time frame for the entire project, shared values of the partner organizations and what they are each trying to achieve with this collaboration, the expectations of each partner, their capacity and contribution in terms of time, resources, staffing and expertise. It is also important to decide on the leadership and management of the collaboration and resolve whether to appoint a lead editor, a team of editors and/or a project manager from within the participating organizations or hire externally and also be able to identify all participating individuals from each partner organization.

The chain of communication between participating individuals, partner organizations and project leads, the workflow and tools available to partners, benchmarks and metrics that will help partners evaluate the success of the collaboration and the question of financial investment on whether the project will be funded by external grants or by partner contributions should be clarified. Finally, partners should conclude on the formality or informality of the collaboration and agree on the necessity of memorandums or contracts.[15]

The idea for collaboration may come from an individual within a newsroom, but it is important that it is shared with the entire team, discussed and endorsed by journalists, editors, and managers. This, in my view, is the backbone of a strong collaborative project.

Journalists and media houses that have enormous experience in collaborative journalism have further shared helpful tips for successful collaborations and partnerships.[16]

The first step is to take the first step. Do not sit on a good idea, but rather find the courage to reach out to partners who can work with you and help you advance your idea. Secondly, find partners who complement your skills. These may be young "little-known" journalists from small media houses, but with incredible potential, ambition, flexibility and creativity. It is, however, important that they be credible. It is

14 The Future of Journalism is Collaborative, Heather Bryant, 2018, at http://www.projectfacet.org/wp-content/up-loads/2018/05/facet_collaboration_workbook.pdf

15 Id, pages 10-20.

16 The Global Journalism Investigative Network, 10 Tips for Successful Collaboration Among Journalists, by Guilherme Amado, Xin Feng, Titus Plattner & Mago Torres, January 15, 2018 see https://gijn.org/2018/01/15/10-tips-for-successful-col-laboration-among-journalists/

also important to give your all and acknowledge everyone's efforts so that your partners can too give their best.

Formalize the terms and expectations of the work, with clear timelines, communication channels and transparency levels, often updating each other on how-far with the tasks and accomplishments. Partners should maintain trust by honoring commitments, whilst being mindful of their limits and resources even when they are unable to beat deadlines. Adopting an open-door policy and a radical information sharing attitude with collaborators will enhance transparency where partners will also benefit from critiquing each other's work and providing constructive feedback. However, be mindful of the identities of your sources, and endeavor to be professional by following journalistic ethics.

Recognize that not all collaborations are rosy. Assess the risks and share them with your potential partners before committing. Oftentimes, it is risky to collaborate with new partners although the benefits may be worthy. However, if the risks seem too big, opt out, but if you choose to stay, face challenges with positivity, be flexible and remain confident, passionate and enthusiastic. Collaborations are basically human interactions and positive mindsets lead to successful impacts.

Collaboration beyond content

Collaborations between newsrooms and media organizations can also go beyond content creation, distribution and coverage or resource sharing and take the form of joint advocacy through legal and quasi-legal processes to advocate for media rights. For example, media houses can jointly file suits challenging laws and practices that unnecessarily restrict media freedoms such as sedition, criminal defamation, illegal arrests and detention of journalists.

In instances where it becomes difficult to access information from the state and corporate companies, media houses may further resolve to jointly file information requests under the different access-to-information frameworks, especially if they are investigating similar issues. This makes it easier to pull resources together to challenge in courts of law any illegitimate information denials by the state or corporations, mitigating the tedious and expensive litigation process.

It is also worth noting that journalists and media houses have in the past collaborated at the regional and international levels to push for reforms. In June 2007, the World Association of Newspapers and News Publishers, together with freedom of expression advocacy groups initiated a meeting with the African Union Special Rapporteur on Freedom of Expression, held

in South Africa, in which the Declaration of Table Mountain was drafted to call upon African states to abolish criminal defamation laws and promote a free press.[17] This then led to Niger's president adopting and signing the Declaration of Table Mountain on November 30, 2011, in a bid to abolish the country's criminal defamation and insult laws.[18] This process further culminated in the African Commission project that advocates decriminalizing defamation in African countries,[19] leading some African countries to repeal or consider repealing their criminal defamation laws.

Global collaborations

In exploring the possibilities of collaboration between newsrooms and media organizations in East Africa and beyond, one former editor and journalist stated that the first opportunity would be for local media to reconcile their differences and form one strong solid voice before seeking global partnership opportunities.

He added that currently, there is a lack of solidarity among journalists and editors across the different media houses in one country, citing examples where journalists and editors have been unlawfully arrested and detained by security forces for doing their work, with minimal uproar from colleagues and the media industry. "When a journalist is being persecuted for doing their work, it shouldn't be an 'inside story' by other media houses, it should be a headline by all media houses. We need to see that solidarity where you touch one, you've touched us all." Editors, therefore, become very instrumental in bridging the gap, if they all have a common code to protect their newsrooms and journalists through speaking out against unnecessary restrictions and interferences.[20] This rhetoric was shared by other journalists across the region.[21]

Editors are also fundamental since their cardinal duty is to ensure information flows accurately and reliably to the people. For a newsroom to be successful, it is important that editors are accorded the independence they deserve and that their voices are heard and decisions respected, including by media owners, who sometimes unnecessarily meddle in newsroom affairs.

It is very crucial that each country has an

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17 See, http://www.wan-ifra.org/sites/default/files/field_article_file/Declaration%20of%20Table%20Mountain%20Eng%20text.pdf

18 See, http://wanifra-mediafreedom.org/president-of-niger-endorses-the-declaration-of-table-mountain/

19 See, http://www.doxafrica.org/the-campaign/

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20 Interview with a former editor and journalist in Uganda.

21 Interview with journalist from Tanzania and Kenya.

Editors Guild that is respected and appreciated by all journalists, and listened to by the government. The formation of the East Africa Editors Forum will definitely enhance unity among journalists and media houses in the region and create opportunities for collaboration through sharing resources and expertise.

Collaborations indeed are central in strengthening the media, especially if it involves resource sharing, and speaking out against media restrictions, advocating against unnecessary laws, including addressing the safety and protection concerns of media workers. Newsrooms become more powerful and impactful when journalists and editors share skills, expertise, knowledge, networks, and financial resources beyond their own newsrooms.

However, in order to add value to collaborations, each partner needs to bring expertise and skills that would complement other collaborators. Besides having reporting skills, it is, therefore, imperative for journalists and editors to have a clear understanding of the legal, policy and political contexts and frameworks, not only within their jurisdictions but across jurisdictions. This makes collaborations easier. For example, it is now imperative for members of the East African Editors Forum to have a regional understanding and context of the media operational environment. What media laws, poli-

cies, issues and trends are emerging in Ethiopia, Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan, and how are they affecting the media and the public? How can the Forum contribute to the processes? What are the potential projects for collaboration? Who are your allies?

The success of global collaborations, therefore, may hinge on how strong local collaborations are; how well do editors and journalists from different local media houses collaborate with each other? Is it possible to share story ideas or tips on reporting, or develop content jointly? There is an urgent need to see a shift from "why editors and journalists should collaborate to how they should collaborate."

Freedom of expression is under threat in most of our countries, so collaborations act as a means of managing exposure and risks against journalists. If it becomes impossible for journalists in one country to write a story, then colleagues in another country may write the story, while ensuring that lives are not put at risk. In cases where legal protection and expertise is locally unavailable for journalists and editors, through collaboration, such services may be obtained from regional and international partners who are known for providing such protection. It becomes easier and more credible when there is a joint referral or application for such assistance.

Barbara Kaija, Editor-in-Chief of New Vision

Journalists and editors in East Africa, therefore, need to map out the non-news networks with which they can collaborate for purposes of capacity building, legal aid, funding, safety needs and protection. For example, Law Societies, Article 19,[22] Media Legal Defence Initiative,[23] UNESCO,[24] Committee to Protect Journalists[25], Reporters Without Borders,[26] Defend Defenders[27], the United Nations[28] and African Union[29]

22 https://www.article19.org/ ,

23 https://www.mediadefence.org/

24 https://en.unesco.org/

25 https://cpj.org/

26 https://rsf.org/en

27 https://defenddefenders.org/

28 https://www.ohchr.org/en/issues/freedomopinion/pages/opinionindex.aspx

29 https://www.achpr.org/specialmechanisms/detail?id=2

Special Rapporteurs on Freedom of Expression and journalism schools are some of the partners to seek out.

Conclusion

Collaboration in journalism when approached with a positive mind can provide enormous benefits to participants, newsrooms and their audiences. It is, however, essential to set clear goals and expectations, a work plan and an elaborate communication strategy before embarking on partnerships. It is also important to build trust and acknowledge each participant's contribution towards the success of the collaboration.

Currently, the COVID-19 story is perhaps the biggest story of the century, having unexpectedly disrupted routines and operations of states and individuals. It may, however, create opportunities for newsrooms and media organizations to collaborate. For example, the East Africa Editors Forum may coordinate a collaboration on the impact of the coronavirus on citizens, focusing on countries where the government is hoarding information relating to the virus, or the viability of elections amid COVID-19, looking at the electoral processes of countries like Uganda that are planning to hold virtual elections, or Tanzania that is following the ordinary elections course. These stories can then be adapted for broadcast and print and run concurrently on digital and offline media platforms across and beyond the participating countries.

Analogue mindset in a digital land

The coronavirus pandemic has emerged as an existential threat to the media industry, but the business model of mostly private, advertising-driven, for-profit media delivering a public good has been weak for decades, writes **Daniel K. Kalinaki**

A survey by the International Federation of Journalists in late April 2020 found that two out of every three journalists, both full-time and freelance, had suffered pay cuts, lost revenue, jobs, cancelled commissions or a deterioration of working conditions[1].

The findings of the IFJ survey were, unsurprisingly, clouded by the coronavirus pandemic, which has wrought economic carnage across most sectors all over the world. Despite robust efforts by governments to provide economic stimuli, global GDP is projected to contract by 5.2% in 2020 – the steepest global recession in decades – and the

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1 The IFJ represents 600,000 professional journalists in 146 countries. The report is available here: https://www.ifj.org/fileadmin/user_upload/Platform_English.pdf

Dr. François Nel of the Reuters Institute for the Study of Journalism takes a question from KEG member Dr. Nancy Booker during the training session at the Second KEG Annual Editors Convention in December 2019 in Mombasa. Dr. Nel delivered a training on Building the 21st Century Newsroom for editors from the Eastern African region.

World Bank expects the pain to continue for years to come[2].

However, the pandemic has merely accelerated a crisis that has been unfolding in the media industry for decades. The US media industry, for which data is more readily available than in other markets, is illustrative. Newspaper circulation there fell in 2018 to its lowest level since 1940, the earliest year for which such aggregate data is available. That slide has almost probably continued in the intervening period[3].

What is happening to the media industry is not a bump in the road but a slow-mo wreck that has left it hanging onto the edge of the cliff. Research from the Pew Center shows that newspaper revenues fell sharply in the decade between 2008 and 2018, primarily weighed down by advertising revenue, which fell by more than half from $39.8 billion to $14.3 billion.

Therein lies the fundamental problem. The media industry as a whole, and the printed newspaper in particular, was built on a business model that involved creating content that enough audiences could rally around, and then selling those audiences to advertisers. While circulation revenue was important, it was nowhere as important as advertising. This meant that when the internet rolled around at the tail end of the last millennium, the media industry took an analog mind-set to a digital landscape; they would give the content away on their websites, pool audiences, and sell them to advertisers.

History has proved this to be a strategic mistake. According to the United States Census Bureau 2002 Economic Census, total newspaper revenue for the year was $46.2 billion. Of this, print advertising revenue accounted for $30.8 billion, with print circulation bringing in another $10.6 billion. Advertising revenue from the internet was a paltry $300 million, while digital circulation was even less, at $100 million.

Less than two decades later, advertising internet revenues in the United States for the first half of 2019 were $57.9 billion, a 16.9% increase from the same period a year earlier[4]. By comparison, data from the Pew Center show newspaper advertising revenue had dropped to $14.3 billion in 2018 and more than halved in the prior decade from 2008. GroupM, a media-buying agency, estimates that newspapers and mag-

2 World Bank Group, June 2020, https://www.worldbank.org/en/publication/global-economic-prospects, last accessed on July 10, 2020.

3 The Pew Center provides some of the best long-term data on trends in the media industry. See https://www.pewresearch.org/fact-tank/2020/02/14/fast-facts-about-the-newspaper-industrys-financial-struggles/

4 The Interactive Advertising Bureau https://bit.ly/2CDAg9w last accessed on July 12, 2020

azines hosted half of all advertising spending worldwide at the turn of the millennium. At the start of the year, their share of that $530 billion market had shrunk to less than 10% and whatever was left has been decimated by the coronavirus pandemic.

Two important shifts had happened in the two decades. First, audiences had shifted away from traditional or mainstream media to online and social media platforms like Google, Facebook and Twitter, among others.

Secondly, advertising had followed, jumping off the printed newspaper page onto not just online spaces, but on mobile devices. By mid-2019 the Interactive Advertising Bureau estimated that advertising delivered on a mobile device accounted for 69% of all internet ad revenues.

The shift online and to mobile devices had three underlying consequences. The first was that mainstream media lost their vantage position of holding content that media gatekeepers believed audiences wanted to consume. Instead, the internet unleashed a flood of user-generated content and allowed the audience the ability to consume information without the intermediation of mainstream media.

Having had its grip on content thus loosened, mainstream media then lost control over the delivery platforms, with the internet, social media applications and other mobile applica-tions shifting agency away from long-established platforms like print, television and radio. The new platforms called for new skills that were outside the newsroom, such as software engineering coding, putting mainstream media at a disadvantage.

They also reduced the price of market entry that had, for decades, acted as a defensive moat around the gilded castles of mainstream media. Thus almost overnight over-the-top video-on-demand services like Netflix were able to build competitive businesses without the need to build cable television infrastructure.

Thirdly, the shift in audiences and revenues then left mainstream media bereft of the resources to invest in compelling content, retain talent, or attract the new skills to build new platforms and analyse audience and advertiser needs better.

At the very time mainstream media needed to invest, the industry found itself pressed against the wall, fighting for its life, and often resorting to eating its own children. Between 2008 and 2018 newsroom employment at US newspapers dropped by almost half, from 71,000 to 38,000 workers. The *Financial Times* newspaper estimated that the onslaught of the coronavirus pandemic could have forced the US media industry to lay off, furlough or impose pay cuts on at least 38,000 workers, including

commercial staff, since March 2020[5].

As the FT noted, "Industry executives admit that the news business responded disastrously to the advent of the internet. Premium content was given away for free, while the publisher's role between reader and advertiser was left wide open for others to intermediate, or replace."

The impact of the coronavirus pandemic has been to accelerate this slow death of mainstream media in the West and bring it home to emerging markets sooner than was originally expected.

5 https://www.ft.com/content/b6f-dec4c-e3e7-43b9-a804-03c435de65bb?shareType=nongift

A report by the South African National Editors Forum (Sanef) said the pandemic had "ravaged" the media industry in the country due to a collapse in print circulation and overall advertising generally. Smaller media houses were particularly hit hard: the Association of Independent Newspapers, which represents small community papers, said its members had lost 80% of their revenue and at least 80 had been forced to shut down.

The carnage to the media industry spills like a large bloodstain across the continent. Small, weaker newspapers were the first to go under by suspending publication of the print edition completely, or in favor of web-only versions.

The *Botswana Gazette*, *The Patriot on Sunday*, and *Newsday* in Botswana and Zimbabwe respectively opted to circulate PDF copies online. *The Voice* in Botswana switched to an e-paper version. In Uganda the government-owned Vision Group pulled the plug on four vernacular newspapers; the *Weekly Observer* temporarily suspended its printed version. In Tanzania, several small papers went under.

Even Kenya, the more mature market in the region, was not spared. Nation Media Group,

the largest in East and Central Africa, Royal Media Services and the Standard Group, all went through some form of restructuring or pay cuts in response to advertising and circulation revenues having fallen off the cliff.

Many media houses across the continent asked journalists to take pay cuts or unpaid leave or cut jobs. Freelancers were particularly hit hard, by being unable to work or by being cut loose.

The impact of this disruption will be long-term and widespread. For starters, the coverage of local issues is likely to suffer as smaller community newspapers and media houses shut shop. The four vernacular newspapers shut down by the Vision Group in Uganda, for instance, were unprofitable but were the only such papers serving communities in the north, west and east of the country.

While local radio stations can, in the short-term, continue to fill this hole, their own viability cannot be guaranteed. And with many of them owned by politicians, there is a risk that diversity of views will disappear, especially as the country goes into an election in early 2021.

As Sanef noted in its report, "The flow of verifiable, credible information is as necessary for the health of democracies and economies as blood is for the existence of human bodies. And financial sustainability is an essential underpinning of credible news media. The alternative is narrowly partisan news media.[6]"

Secondly, media houses, which have long struggled to retain talent, are likely to see a mass exodus of journalists seeking the relative safety of public relations or civil society organisations where they can swap the long-hours, low-pay tradition of the newsroom for better pay and shorter hours.

Which way forward?

While it is easy to see the many ways in which societies will be left worse off by the loss or disappearance of independent and pluralistic media, it is harder to see a way back from the edge of the cliff – but worth attempting.

The starting point for mainstream media is to acknowledge, as painful as it might be, that the old advertising-driven business model is dead. This is the only logical conclusion to be drawn from the fate of outfits like *Vice, BuzzFeed* and *HuffPost*, which were heralded as the future of the media industry – lean, digital-native media outfits – only for them to flounder on the rocks of an unsustainable online advertising shoreline.

While there is likely to be some form of re-

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6 The full report can be accessed here: https://www.scribd.com/document/463965359/SANEF-Covid-Impact-Research-Final-Report8#

covery in different markets as lockdowns and social distancing measures are lifted, this is likely to be more of a dead cat bounce than genuine long-term recovery.

Attempts to tax the big digital players, as is being mulled in Europe, is likely to face spirited resistance from these deep-pocketed companies as well as the US government itself.

The digital companies themselves have handed out what could loosely be seen as an olive branch; Facebook and Google have each committed $300 million to support US news publishers and, at the height of the pandemic, the former offered to expedite $25 million in emergency grants to struggling local groups.

For many, however, this is merely tokenism. "For them to step in with $50,000 grants or $100,000 grants…that's not going to fix a newsroom, Nancy Dubuc, chief executive of Vice Media, told the FT. "The scale of these platforms were built on other people's brands. Facebook walled [in] those audiences. [The platforms] are going to emerge only stronger [from this crisis] and at the expense of what?"

Even if these efforts succeed somewhat, they might increase tax revenues for governments but that will not necessarily push advertising dollars back into the pockets of mainstream media players.

In theory, European governments could use such new revenue streams to provide direct or indirect subsidies to mainstream media, including tax rebates, advertising or a combination of no- and low-cost funding. This isn't without its challenges.

In the United Kingdom, for instance, private media houses pressed against the wall, complain about what they see as the license fee revenue that goes to the British Broadcasting Corporation, creating an uneven playing field. Such complaints are only likely to soar as the financial pressure on private media houses increases.

In sub-Saharan Africa, the challenge is likely to be somewhat different. Most public broadcasters have long been starved of funding and serve the public interest in name only, often serving merely as mouthpieces of the government of the day. Increased funding to these outfits would keep them alive and possibly in better shape than their private-sector counterparts, but it is unlikely to create the robust journalism that serves the public interest and holds those in power accountable.

Another avenue for the media industry is to rebuild their underlying business models around selling content, but this, too, will not be smooth sailing. A recent report by the Reuters Institute for the Study of Journalism at Oxford University found that half of all respondents polled said they would never pay for content on-

line[7]. Most websites convert less than 1% of their visitors into paying customers, and in Europe and America these tend to be older, wealthy and white – a demographic that media houses in Africa cannot reasonably be expected to rely upon.

While willingness to pay has proven higher in high-income countries such as those in Scandinavia, which has the highest density of news subscriptions, it is likely to be a barrier in lower-income countries, especially in Africa, where poorer people are likely to face choosing between basics like food or paying for content. Yet even in cases and countries where audiences are willing to pay for content online, media houses face a classic problem, already seen in advertising rate cards, of trading print dollars for online cents.

Advertisers who are able to get a lot more bang for their bucks on social media and place targeted adverts in front of prospects are unlikely to pay the premium rate cards traditionally charged by mainstream media.

Evidence shows that online audiences are growing in Africa. In Nigeria, the continent's biggest economy and most populous country, some media houses make more money online than offline, and traffic has increased during the pandemic. For instance, *The Punch* grew its online traffic from 17.7 million visits in February to 28.8 million in March.

South Africa's News24 saw its traffic rise from 18.2 million in February to 32.23 million in March when the country went into a full lockdown. The good news is that there is higher consumption of content; the bad news is that media houses will struggle to migrate audiences back to high-margin legacy platforms like print and appointment viewing on television.

What this means is that those media houses that survive this crisis will still do so with significantly reduced revenues and margins. Already evidence from the Reuters Institute study above, and from elsewhere, shows that there will be many losers and only a few winners.

For instance, the *New York Times* added more than half a million new digital subscribers in the first quarter of 2020; according to the *Financial Times* newspaper, this was more than all the 100 newspapers owned by Gannett, the largest US print publisher, and more than the paying online readership of the *Los Angeles Times* and the *Boston Globe* combined[8].

This, according to the Reuters Institute study, is likely to lead to a winner-takes-it all situation where early adopters with big brand

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7 https://reutersinstitute.politics.ox.ac.uk last accessed July 10, 2020.

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names and deep pockets survive while smaller outfits around them disappear, and with them the diversity in the industry.

"Very few will focus on the broader public, let alone more marginalised communities," says Rasmus Kleis Nielsen of the Reuters Institute. "What is the price? A lot of journalists will lose their jobs, a lot of communities will lose their local source of news and a lot of stories will not be covered because there will not be anyone to cover them."

Another problem for media houses looking to convert into selling premium content is that having cut costs by sending away a lot of their newsroom talent, they find themselves without the primary resource needed to create the very content they need to sell.

If evidence from more mature markets is an indicator, there are at least two exits that mainstream media houses in Africa can take off the boulevard of broken dreams. One is via philanthropy, where rich benefactors buy up media houses and maintain them using fortunes earned from other businesses, as Jeff Bezos, owner of Amazon, did when he bought the *Washington Post* for $250 million. However, there are fewer people with such resources, and even fewer willing to invest them in propping up mainstream media houses, no matter how illustrious their histories might be.

Rasmus Kleis Nielsen of the Reuters Institute.

The other avenue is non-profit funding for media houses, but even here the Global Investigative Journalism Network estimates that there are fewer than 50 serious such outfits across the continent and that those seeking to venture in this direction will find it difficult to attract and sustain funding.

Hostility from governments towards donors in countries like Uganda, Tanzania, Kenya, Rwanda, South Sudan and Burundi is likely to

also stymie this particular source of funding from civil society organizations that increasingly find they have to negotiate for the space within which to operate.

Conclusion

The mainstream media industry has been in decline for several decades. While some of the challenges, such as pressure from politicians and big business, can be considered occupational hazards, those that have emerged from the underlying business model have turned out to be existential.

The media industry, the world over, now faces a dual challenge: how to stay in business, and how to stay in journalism. On the face of it, the solution lies embedded within the problem; to stay in business, the industry has to stay in journalism, but this is easier said than done.

The coronavirus pandemic has accelerated the long-term decline in the industry to the point that a lot of the attention for most media organizations, at least in the short-term, is how to stay in business, even at the expense of journalism, or good journalism as we have come to know it.

Organizations that figure out a way to stay in journalism without a viable business model

> **Organizations that figure out a way to stay in journalism without a viable business model will soon find themselves in the morgue. But similarly, organizations that find ways to stay in business but at the expense of journalism will either find themselves out of business or in a shape and form unfamiliar to the traditional role and responsibility for journalism.**

will soon find themselves in the morgue. But similarly, organizations that find ways to stay in business but at the expense of journalism will either find themselves out of business or in a shape and form unfamiliar to the traditional role and responsibility for journalism.

In other words, the question of the viability of media houses has been around for many years and continues to be a work in progress. The real impact of the coronavirus pandemic is to quickly and sharply bring into question the long-term viability of journalism itself as we know it.

It is time for journalists, who ask questions for a living, to begin thinking of and about some answers.

A photojournalist at work, well protected in a face mask and gloves.

Remote Options: Experimenting with television journalism in Kenya

JOE AGEYO finds that it's time to examine the impact of COVID-19 on the TV industry as a major driver in shaping its prospects in the short term, peer into the future of TV in the medium term through the lens of both the impacts of the pandemic and overall consumer behavior that was already shifting in radical ways even before the outbreak of coronavirus and distill the specific implications of these trends on the future of television journalism.

Akisa Wandera, news anchor with KTN.

The television industry around the world is at a pivotal point. Since its inception in the 1940s and the advent of cable TV in the 1970s, the developments of the last decade and a half have perhaps been the most rapid and widespread – and in time, may well end up being the most consequential. For years, traditional television news has been the most common and important source of news in many countries. That remains largely the case around the world but the rise of the internet and the options it presents for video have changed the face of TV content generation, distribution and monetisation in unprecedented ways. Streaming services that have defined the new face of TV in recent years are no longer just distribution channels for TV shows and films. These platforms are now in direct competition with traditional TV broadcasters. They have begun producing their own premium content, some of which has registered marked success on the global stage. In response, traditional broadcasters are rolling out their own video-on-demand platforms and vying for the same space.

These trends were poised to stretch over several years before completely changing the face of what has been regarded as the TV industry. But observers now believe that the ongoing COVID-19 pandemic has already recast that trajectory and may considerably fast-track the evolution of television. The COVID-19 pandemic is arguably the biggest news story in modern history. It has preoccupied the news media, both traditional and new, since it broke out in China in December 2019 and rapidly spread around the world in the first quarter of 2020. The pandemic has devastated the global economy, triggering an unprecedented wave of business closures, pay cuts and job losses. The ensuing economic downturn has forced many media houses to shed off staff and publish less frequently. It is also accelerating a shift in the media, to a more digital environment, as a direct response to the COVID-19 containment measures and the changes in audience behavior, many of which were already underway.

For television journalism in particular, the timing of the pandemic could not have coincided with a more turbulent period in the history of the medium that has gone through ebbs and flows since reporters in front of cameras burst onto the global scene, riding the crest of the Second World War in the early 1940s. Even before the COVID-19 outbreak, the television industry was already grappling with existential challenges, triggered largely by rapid technological advances and shifting consumer preferences. In the United States, for instance, the Nielsen ratings for 2018-19 showed that the broadcast networks had an average viewership of just 28.5 million in primetime, a 20 percent decline since 2014-15, when the networks averaged slightly

over 21 million viewers. Similar trends obtained around the world at the beginning of 2020, as consumers continued moving to new platforms such as video-on-demand streaming services. However, the global crisis occasioned by the exponential spread of the coronavirus and its catastrophic health and economic impacts has, ironically, disrupted the free fall of television, albeit temporarily. But in a paradoxical twist, the spike in ratings has also coincided with a rapidly shrinking bottom line.

According to the *Digital News Report 2020* published by the Reuters Institute and the University of Oxford, the panic caused by the pandemic and the explosion of fake news may have given traditional news platforms such as television a temporary new lease of life.

"The seriousness of this crisis has reinforced the need for reliable, accurate journalism that can inform and educate populations, but it has also reminded us how open we have become to conspiracies and misinformation," says the report.

By the beginning of April 2020, the global news agency AFP estimated that nearly 3.9 billion people or half of the world population, had been placed by their governments under some form of restriction or other, in an attempt to curb the spread of the novel coronavirus. The drastic measures that included school closures, suspension of social gatherings, curfews and other restrictions, forced many people to stay at home and consume media products. In so doing, they have inadvertently given television a fighting chance in the short term, at least in terms of audiences.

In Europe, the lockdowns have driven TV viewership numbers to an all-time high. Marketing research firm IntoTheMinds found in a survey that since the restrictions were imposed in the first quarter of the year, viewers in France were, on average, now spending 4.5 hours watching TV. The number was 3.5 hours in Belgium and 3 hours in the United Kingdom in the same period, representing a 10-minute or 6.2 percent increase. The firm, in its report, *Covid-19: the impact on the future of the media industry*, estimates that in 2020, the restrictions and the need for information will lead to an average increase of 10 percent in the time spent in front of the television.

The trend is similar across the African continent, where more than 250,000 COVID-19 cases had been reported by the third week of June 2020. A GeoPoll survey conducted in 12 countries in sub-Saharan Africa found that TV was the most common source of information relating to COVID-19, with 45 percent of those surveyed citing it as their preferred medium. As indicated in Fig. 1 below, social media came

in a close second at 40 percent. The survey also revealed that throughout the region, there was a move away from entertainment channels and towards news channels, perhaps driven by a desire to get accurate information about COVID-19.

Fig 1: Sources of information on Covid-19
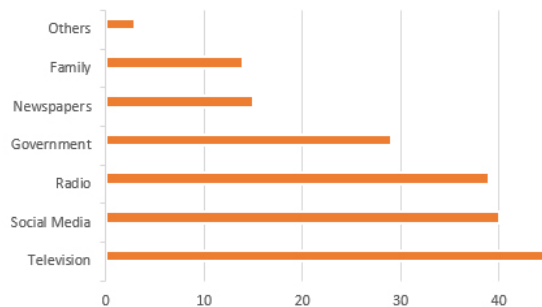
Source: GeoPoll

In Kenya, where the first case of COVID-19 was reported on March 13, 2020, the short-term television boom has been observed since the confirmation of that first case and the consequent restrictions announced by President Uhuru Kenyatta two days later. A GeoPoll survey published at the beginning of April found that overall TV ratings were markedly higher than they had been before the advent of COVID-19 in the country and the imposition of containment measures. The average television viewership in the country rose by 335,000 from 6.76 million to 7.09 million in March 2020, according to the survey.

The surge in TV viewership over the lockdown period would typically signal a revenue boon for the TV industry, which in Kenya has largely been driven by a free-to-air advertising model for decades. Under this arrangement, broadcasters freely distribute their content to as many viewers as they can reach. Advertising agencies then look at the ratings and allocate their advertisement spending based on audience numbers. However, the economic downturn resulting from the COVID-19 crisis has brought investments in advertising to a screeching halt. This disruption has hit private broadcasters particularly hard since they depend almost entirely on advertisement revenue. IntoTheMinds says some private broadcasters in Europe had revenue losses of more than 50 percent between March and April 2020, with some projections putting April losses at nearly 70 percent.

In Kenya, there is scanty information about the exact figures of financial losses occasioned by the pandemic, but industry estimates suggest that advertising revenues may have dipped by up to two thirds of previous earnings in some media houses. Media business leaders say the

impacts of COVID-19 on the bottom line will have a sharp bearing on the practice and quality of journalism in the short and medium terms. In many newsrooms, travel budgets have been dramatically reduced, if not completely eliminated. Cost-intensive news products such as investigative stories, features and special reports that depend on extensive travel are getting increasingly little budgetary support or being shelved altogether in this new 'normal'. This could have lasting impacts on the depth of stories as well as their geographical spread.

According to Wachira Waruru, the managing director of Royal Media Services, the industry is finding it increasingly difficult to fund quality journalism, owing to the confluence of the COVID-19 crisis and the depressed overall business environment.

"There was a time we would pursue journalism for journalism's sake, now we have to ask ourselves, can we afford it?" he opines, adding that "this is hampering the growth of journalism and the growth of journalists, and to an extent, it is also limiting the scope of content for the consumer. That is the danger," he warns.

The COVID-19 lockdowns have changed the way business is conducted in virtually every sector. In the broadcast industry, it has fast-tracked a shift towards greater use of technology in daily operations. Before the crisis, most TV news

> **There was a time we would pursue journalism for journalism's sake, now we have to ask ourselves, can we afford it?"** he opines, adding that **"this is hampering the growth of journalism and the growth of journalists, and to an extent, it is also limiting the scope of content for the consumer. That is the danger,"** he warns.
> Wachira Waruru

formats depended either on a reporter going to the field and interacting with various people, or an anchor sitting with a group of guests in the studio and engaging in important conversa-

tions of the day. However, the drastic reduction of physical interactions between journalists and news sources has led to the emergence of new formats based on the use of consumer technologies such as Zoom, Webex and Google Meet. This drive for virtualisation has already gone beyond on-air productions. Routine meetings involving tens or hundreds of staff members within news organisations are now held remotely. With the extended COVID-19 restrictions, this trend is likely to become a business imperative in the short to medium term. This will call for increasingly heavy investment in the requisite information technology (IT) infrastructure and further put pressure on the already stretched revenue streams for media houses.

Waruru, who is also the chairperson of the Media Owners' Association in Kenya, agrees that the new dispensation has made technology an essential component of business continuity, but warns that the shift will come at a heavy price.

"We may need to cost-cut so heavily in order to release additional funds to do the new things, but the cost will be that you are dealing with fewer people, that means job losses," he grimly observes.

Indeed, COVID-19 appears to have accelerated a wave of job cuts and other cost containment measures that were already picking pace across the globe at the beginning of 2020. British broadcaster ITV announced in a trading update in March 2020 that it was reducing its budget for programs by an equivalent of $116 million in the wake of COVID-19 restrictions. In April 2020, Channel 4 outlined similar plans, revealing that it was reducing its content budget by nearly $230 million and laying off 10 percent of its staff, in addition to a recruitment freeze.

In Kenya, all major broadcasters announced salary reductions ranging from 5 to 50 percent in the first quarter of 2020. Nation Media Group, the Standard Group Plc, Radio Africa, Royal Media Services and Mediamax Ltd, all of which have imposed pay cuts, attribute their actions to the COVID-19 disruptions. In addition, all the major broadcasters have declared redundancies in an attempt to remain afloat in the face of falling revenues and rising costs.

IntoTheMinds predicts that the cost reduction measures will persist through 2020 and that the decision by media managers to relax them will depend on the resurgence of the advertising market. And with a dwindling global economy that is hitting businesses hard, companies, the report says, will continue to make the tough choices even in 2021.

"Advertising revenues will be the only variable of adjustment for broadcasters because technological investments will have to be made to

cope with the profound behavioral changes generated by the virus", says the May report.

This trend is likely to make it increasingly difficult for media houses to hire and retain highly qualified journalists, and therefore, could compromise the quality of television journalism in the short term.

While the medium-term prospects for the television industry in Kenya will have reverberations of the COVID-19 crisis, the industry will have to contend with the disparate factors that were already shaping its trajectory before the pandemic. For instance, the industry was only just beginning to take stock of the full impacts of the 2015 digital migration that introduced tens of new players in the market. An analysis of the TV industry can thus not escape the lofty promises that this switchover entailed and how it affected the prospects of the industry in Kenya.

The term 'digital migration' entered the global broadcast vocabulary in the mid 1990s following the invention of a new technology that would allow the broadcasting of TV signals through the air with what came to be known as a digital signal. The 'migration' thus would mark a departure from the analog technology that had defined the industry since its inception in the 1920s to the new transmission format.

The analog technology, which is still in wide

use across Africa and the world, involves transmission of audio and video signals over the airwaves in a manner similar to a radio signal. The sound and picture quality vary depending on the distance between the receiver and the transmitter, in addition to other factors. Each television station has a single frequency over which to broadcast its analog signal.

The digital TV signal, on the other hand, transmits in 'bits' of compressed data. Under this technology, there is no variation of signal quality relative to distance from the transmitter or its power output. The viewer typically sees a full-quality image or nothing at all. The signal is more efficient and thus uses fewer frequencies to broadcast more channels.

In Kenya, the journey towards digital migration started with the country's signing of the Geneva 2006 (GE06) Agreement of the International Telecommunication Union (ITU). The accord set June 2015 as the initial global deadline for all signatory countries to switch from analog to digital broadcasting. The move would entail the licensing of a few companies to be known as Broadcast Signal Distributors (BSD) to distribute all television content and leave the existing broadcasters to focus on content generation. The government outlined several potential advantages of the new technology, such as increased content diversity, creation of new jobs,

cost savings for broadcasters, freeing up of extra frequencies for other national uses and even environmental conservation.

But the migration process, which was also known as the Analog Switch-Off (ASO), remains a controversial subject in Kenya more than five years since its completion. The government's formal commitment to meet the international deadline of 2015 meant that it had to put in place the policy environment to deliver on its promise. But the extant players in the broadcast industry viewed the government's intention with suspicion.

The three biggest media companies – Royal Media Services, the Standard Group Plc and the Nation Media Group – lodged various complaints about the process, including several court challenges. They accused the government of forcing them to leave their established transmission infrastructure without due regard to the huge investment that had gone into setting up the equipment. They also complained that the government was using the digital migration to 'sneak' in pay TV companies into the market, at the expense of the free-to-air (FTA) television stations that were largely dependent on distributing their signals for free and selling advertising on the basis of audience numbers. The first complaint was triggered by the government's decision to license only two BSDs - the Chinese

company Pan African Network Group (PANG) and Signet Kenya, run by the Kenya Broadcasting Corporation with shareholding from MultiChoice Africa.

The tussle emanated from the fact that each of the major stations, such as Citizen TV (owned by Royal Media Services) and NTV (Nation Media Group), as well as KTN and KTN News, both owned by the Standard Group Plc, had an elaborate network of transmission stations across the country with a considerable collection of equipment whose value ran into millions of shillings. They complained that all the equipment would go to waste if the government did not allow them to continue using their own infrastructure even in the context of digital broadcasting. The protracted row was eventually resolved when the government agreed to give the existing stations what was referred to as 'self-provisioning' licenses. These allowed them to use their own infrastructure but they could only carry their own channels and not any third-party signal.

The second bone of contention arose from the fact that the two Broadcast Signal Distributors licensed by the government also owned pay TV platforms, i.e., GOtv in the case of MultiChoice and StarTimes, in the case of PANG. Local broadcasters argued that it was commercially unfair for the government to require them to hand over their content for free, and yet the two pay TV companies would use the same content to market their platforms and recruit subscribers. According to Joe Munene, the managing director of the Broadcast Division at Standard Group Plc, the government, through digital migration, virtually turned Kenya into a pay TV country.

"The regulator favored pay TV platforms. They took our content and monetised it without any reference or payment to us. We thus moved from free-to-air terrestrial television to digital pay TV," he charges.

The pay TV companies employed aggressive marketing campaigns during the digital migration and recruited millions of viewers as the changeover was taking place. Indeed, a 2019 survey by the Kenya Audience Research Foundation (KARF) found that the distribution of set-top boxes (STBs) in Kenya were heavily skewed toward pay TV platforms. Of all the STBs in Kenya, 89.7 percent were owned by pay TV companies, with GOtv and StarTimes accounting for more than 70 percent between themselves. The other pay TV platforms Zuku and DStv owned nearly 20 percent of the STBs, leaving only about 11 percent in the hands of free-to-air STBs.

Legend: GOtv, Startimes, Zuku, Dstv, Others

GOtv 38%
Startimes 34%
Zuku 9%
Dstv 9%
Others 11%
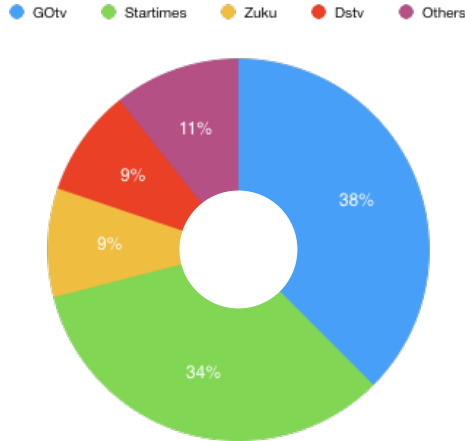
Source: KARF, 2019

The FTA channels complain that the pay TV stations have locked in a majority of viewers and continue to monetise these audiences without any consideration for the content creators. A recent ruling ordered pay TV platforms to ensure FTA channels are not switched off even when a viewer's subscription is not up to date, but compliance with that directive has been erratic.

Many analyses admit that digital migration has indeed realised some of the intended benefits. The Communications Authority of Kenya says the reach of television signals in the country has increased by more 20 percent and the number of TV stations expanded more than four and a half times. According to the Digital Broadcasters Association of Kenya, digital migration has opened up the market to new players and expanded the diversity of content. The association's chair, Joel Waweru, says the Kenyan consumer is the ultimate beneficiary.

"People have more choice and the content is not limited to just one type or a few broadcasters. Further, most of the new channels (that came as a result of digital migration) are filling a niche that was not properly covered by the old channels," he says, citing the advent of specialized channels dealing exclusively with subjects such as health and education.

He also notes the emergence of vernacular broadcasting as a result of the reduced broadcast set-up cost.

"Prior to digital migration, we had a lot of vernacular radio stations...but there was almost nothing for TV...but with digital migration, 20 percent of Kenyan languages are now covered," he says, adding that certain audiences that were cut off from news and entertainment owing to the language barrier now can access TV content.

The increased number of TV channels has also given rise to more localized storytelling. This, according to Prof Levy Obonyo of Daystar University, is a boon for television journalism.

"From a micro point of view, we now have more outlets telling stories, that implies more local stories are being told," he observes. He, however, notes that content diversity has not in-

Prof Levi Obonyo - Dean, School of Communication, Languages and Performing Arts at the Daystar University, Kenya

creased significantly as many of the new entrants have a shortage of differentiated content.

In spite of the gains, many industry players lament that the full potential of the digital dispensation may never be realized. A combination of policy gaps and the ongoing internet-driven digital disruption has cast a dark shadow over the entire industry. The smaller stations that came out of digital migration are the worst-affected with rising costs and shrinking advertising revenues. Joel Waweru says many of the smaller stations have not even broken even, more than five years after they went on the air.

"We spend between Ksh1.5 million and 2 million every month for signal distribution. You have not even talked about staff costs and other overheads. It comes to about Ksh10 million a month. Which startup can afford that?" he asks, calling on the government to intervene with policies to save the industry.

According to Munene, the fragmentation that came with digital migration has worsened the competition that was already growing from newer internet-based platforms. He predicts that many of the smaller channels that rose from digital migration may not survive for much longer. "Many of the channels now exist only in name. Sustainability has become an issue; they can't even afford carrier charges. Inevitably there will be consolidation in the market and some will just close down," he says.

A further challenge facing the broadcast industry in Kenya in general is the inequitable advertising model that has routinely depressed their revenues. The media houses have accused advertising agencies of colluding with one another to undercut advertising fees while demanding more value on the air. The broadcasters charge that they are forced to grant big advertisers unsustainable discounts that are then applied by the agencies across the industry. According to Munene, this trend is unsustainable. "The Kenyan television industry is contending with a broken advertising model that is strongly characterized by buyers' market pow-

er", he says, adding, "this has resulted in unsustainable discounting practices that have made it difficult for many TV businesses to operate viably despite the heavy investment in people and resources necessary to put out a credible and professional TV product."

The media houses are also grappling with the ascendancy of ruthless public relations companies that foist the demands of their clients upon TV editors. In the late 90s and 2000s, news releases were routinely trashed at the news desk without due regard to any non-journalistic considerations. In recent times, however, public relations companies not only send news releases, but also place specific demands on editors for coverage of their clients' events. Munene says the rise of PR firms has come at the expense of advertising revenue.

"Over the past 15 years, PR has grown exponentially while advertising has lagged and even stuttered on the back of reducing yields. Numerous PR firms – many quite successful – emerged over this period. All dependent on the significant value that they are able to extract from media houses." he laments.

He argues that the twin pressures of cartel-like advertising agencies and increasingly overbearing PR firms have continued to imperil the practice of impartial journalism.

"Do you broadcast that (critical) story that may well mean you lose a huge advertising contract? Do you carry that editorially worthless PR story for Company X just because they are one of the biggest advertisers for the group?" he asks, insisting that good journalism can only thrive in the context of a sustainable business. Munene insists that the newsroom and the commercial department of each media house can no longer operate in silos with only an adversarial relationship. He proposes a radical shift to a more collaborative dispensation where the news desk and the sales departments work together to safeguard the course of journalism while seeking to meet the unique desires of clients. This unusual shift is already defining the operation of many newsrooms in Kenya but it has grave implications for the independence of journalism. Media leaders in the country and the East African region at large will have to find creative ways of safeguarding journalistic independence, while securing the long-term economic viability of their organisations. An arrangement that gives the advertiser – which in many instances is the government – any say whatsoever on editorial content is a recipe for controlled and uncritical journalism.

The outlook for television on the content side is more nuanced. Technology will, no doubt, play a major role, not just in shaping the day-to-day operations of broadcasters, but more criti-

cally it will dictate the type of content and the platforms on which it will be distributed. Newer platforms known as Over The Top (OTT), such as Netflix, are increasingly posing a direct threat to news content. Many viewers now routinely set these streaming services as their default channels at the expense of live linear channels. Frank Mungeam, a Knight Professor of Practice in TV News Innovation at the ASU Cronkite School of Journalism, says TV content creators must now strive to produce timeless content to compete with these newer platforms. "Success in the OTT space will require stories that are compelling live and on demand – worth watching now, and later," he says. Prof Obonyo argues that the technological change will enhance rather than hamper television journalism. He says the human quest for good stories will transcend the ongoing technological revolution.

"The technological changes will definitely affect how a journalist tells his story but he will tell his story all the same," he says. "If we look at journalism purely from a storytelling perspective, we'll always yearn for more stories, even more so in light of the changing technology…journalism is here to stay," he declares. Prof Obonyo insists that TV journalism content will endure through time, but its mode of distribution will keep changing with technological advancements.

The rapid changes will, however, force media houses to find innovative ways of creating and distributing their content. The impending introduction of Next Gen TV and 5G mobile technology, for instance, will both have far-reaching implications for video content.

Next Gen TV, a new broadcast technology that could start rolling out around the world before 2025, promises superior picture quality and a more stable signal, less prone to interference. But more critically, it is interactive and could deliver personalised content, including advertising. Instead of everyone in the country or region receiving the same commercials, advertisers will be able to target specific towns, neighbourhoods, or even individuals with their messages. Prof Obonyo says this will present great opportunities as well as challenges for broadcasters. The new system of broadcasting, he argues, will require video content creators to tailor their formats to fit the new technology. But he adds that the new technology, coupled with driverless cars, which could also hit the market in the same period, would provide a new content distribution channel for video and an opportunity for targeted advertising to support content creation.

The 5G wireless networking, on the other hand, will eliminate intermediaries between content and the consumer. According to Robert

Kenyan investigative journalist John Allan Namu during a popular TV current affairs and press analysis show – NTV Presspass

Cringley, writing in the computer trade newspaper *InfoWorld*, 5G will mark a new phase in the evolution of television.

"Going all-wireless almost completely eliminates customer-facing labor. No more guy with a tool belt to keep you waiting for service. No more truck rolls," he says. "There will be 5G and there will be content, that's all."

These new technologies, he argues, will create a level playing field, enabling even the smallest content creators to have a chance to thrive in the digital space. This could spur the emerging trend of experienced journalists leaving established newsrooms to start smaller independent content creation outfits. Kenyan journalists John-Allan Namu (Africa Uncensored), Alex Chamwada (Chams Media) and Asha Mwilu (Debunk Media) are already pioneering this model.

Conclusion

There is no doubt that the COVID-19 pandemic that sneaked onto the global stage in December 2019 has altered the course of media consumption, perhaps irreversibly. The drastic impacts it has had on the global economy and the ripple

effects on the media and other industries will define how and how rapidly the next phase of television unfolds. Media houses around the world and will have to continue re-engineering their processes and content to not only cope with the short-term devastating impacts of the pandemic, but also to craft a commercially sound post-COVID-19 strategy.

Further, every indicator suggests that television will continue to reach millions around the world for years to come. But the ongoing disruption of traditional television and the rise of online video options will present the so-called mainstream media with stark choices. Large organizations that have occupied the top of the pile with little to no real competition will have to devise survival strategies to ward off existential threats as they suddenly find themselves thrust into the middle of cutthroat competition where everything is at stake.

Experiments around the world, have yielded many possible best practices, but they are yet to apply across the board. The need and courage to experiment with new ideas and formats must be a key component of navigating the new reality. The continuing challenge for traditional media houses going forward, will be the dilemma of losing audiences on air in the short term and gaining great following online but with no corresponding revenue boost. Success will therefore be measured by every broadcaster's ability to put in place measures to recoup online, revenues that are rapidly declining on air.

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Confronting the circulation puzzle: What options?

Newspapers form the core of the news media in Eastern Africa. Their fate, to a large extent, determines whether the media thrives, and **PAMELA SITTONI** finds tricks in the magic bag to keep print resilient.

There's a rarely told story at the Nation Media Group, the largest media house in East and Central Africa, of a circulation manager who decided to optimize costs by replacing fleets of pickup vehicles used to distribute newspapers in various towns with large trucks.

The group, fearing that circulation numbers had stagnated, had challenged all concerned departments to come up with innovative ways to grow sales. And, as the editorial department went about launching new magazines to attract more readers, the circulation

> **When social media became ubiquitous because of smartphones, the decline in newspaper circulation became more pronounced, with the weekend publications taking the biggest knock, an indication that most readers rely on the office copies,"**
> Robert Kabushenga, the CEO of Vision Group in Uganda

department examined distribution routes and relooked at the cost of transporting the newspaper to the market.

This was how the circulation manager came up with the truck idea. "In his calculation, instead of dispatching so many vehicles, it would be cheaper to put all the newspapers in one vehicle. That came with consequences he had not seen. One, the lorry could not move at the same speed as the pickups, and this led to late arrivals. The combined load of newspapers also weighed down the lorry. So, whatever we saved from using the truck, we were losing because of selling fewer copies because of late arrival to the market," says Mr. Joseph Odindo, who was editorial director at the time.

The heavily laden, slow-moving trucks were quickly decommissioned, and the manager was assigned other duties.

Today, a fleet of pickups would be the least of worries for any circulation manager in East Africa. No need for a truck. In fact, where drivers from rival media houses used to race at dangerously high speeds to get to the market first, it would not be odd to find one pickup transporting the titles of competing media houses. Companies are choosing to pool their printing and distribution — on account of a huge drop in circulation — to optimize costs.

As is the case globally, the manner and means by which readers in East Africa consume news has changed dramatically with the emergence of competing online platforms, particularly over the past decade. And, as the cost of accessing the Internet decreases and more people get connected, fewer people are turning to print newspapers.

This has created a nightmare for print-dominated media houses, for which circulation is a key revenue stream, alongside advertising. In addition to bringing in revenue from the sale of newspaper copies, circulation has a corresponding bearing on the level of advertising.

Across Eastern Africa, the circulation story is the same, differing only on actual numbers of copy sales. The best period of growth was just before the turn of the century, for slightly over ten years. Then the decline began. For many media companies in the region, there are now real

fears that the Covid-19 pandemic might turn out to be the proverbial last nail.

Robert Kabushenga, the CEO of Vision Group in Uganda, says the industry has witnessed a steady decline in circulation since 2011.

"When social media became ubiquitous because of smartphones, the decline in newspaper circulation became more pronounced, with the weekend publications taking the biggest knock, an indication that most readers rely on the office copies," he says.

In Kenya, the story was the same. Odindo, who became editorial director in 2009, recalls that at that point, circulation had stagnated and he and his team at the Nation Media Group were under immense pressure to grow it.

"At that point, I thought we were setting rather ambitious targets in the budget, which were not taking into account the reality that the factors which finally brought down circulation had already taken effect. The move to social media was just beginning, but we were not responding at all. Our eyes were still fixed on electronic media. Even our editorial strategies were largely to counter radio and TV," Odindo says.

Rapid response

To grow circulation, the editors created "value-add products" in the hope of cultivating new groups of readers, particularly young people.

"Our strategy at that time was, one, to find ways of differentiating our news with radio and television, recognizing that they would break the stories before the print. That is the same problem social media has presented, only it's got an infinitely wider reach and it's so much faster."

To achieve this objective, the media house set up a rapid response team to enable it to provide wider coverage through the newspapers.

"When a story broke, we would make sure that we had very broad coverage the next day. That's when we started cultivating these expert commentators, and that's the reason we brought in some of the seasoned senior journalists who could help to do the quick analysis. The movement had started, from breaking news to giving some value add. Circulation colleagues were telling us we could not go to the streets with a headline of the story that had been on TV. But the irony was that, if a story had received saturated coverage on television, that helped to drive sales, because everybody would want to know what the newspapers had to say about it. But you had to make sure your content went beyond the reportage."

The intervention worked for a while, but a few years later, circulation started falling, to the consternation of editors.

"We were so incredulous. We did not believe

it. We were convinced there was theft. (There might have been!) We suffered this precipitous fall in circulation of the *Sunday Nation*, from 240,000 to 225,000. It was sudden, and it was steep.

Because of the nature of the fall in circulation numbers, editors were so convinced that something was amiss that they instigated an audit of the distribution processes.

"In our own reasoning, we thought that when a paper began to lose impact in the market, and readers were turning away, they dropped off at a gentler pace. But this sudden drop was the kind of fall you saw when you had annoyed the market, either with a blunder in political coverage, or religious coverage."

To the editors' disappointment, the fall in circulation has continued, and the trend has been the same for every print media organization.

According to the Audit Bureau of Circulation (ABC) of South Africa, which records the circulation trends of some of the main newspapers in East Africa, overall newspaper circulation dropped with each quarter in 2019.

In quarter four, for example, there was a drop of 4.7 percent compared to quarter three. The circulation of newspapers in quarter four of 2019 had dropped by 9.1 percent from quarter four of 2018.

Performance of select newspapers in 2019[1]

Publication name	Frequency	% change quarter	% change year
Daily Nation	MD, Mo-Sat	-0.3%	-3.7%
Daily Sun	Mo-Fr	-6.8%	-16.9%
Isolezwe	MD, Mo-Fr	-7.7%	-17.1%
Star, The	MD, Mo-Fr	-15.7%	-26.2%
Sowetan	Mo-Fr	-8.2%	-21.5%
Son (Daily)	MD, Mo-Fr	-4.7%	-21.6%
Citizen, The (Daily)	MD, Mo-Fr	-3.4%	-12.1%
Burger, Die Daily	MD, Mo-Fr	-0.8%	-14.7%
Bukedde	MD, Mo-Sat	-11.1%	-7.3%
Namibian, The	MD, Mo-Fr	2.8%	-10.5%
Beeld, Daily	MD, Mo-Fr	-4.5%	-10.7%
Cape Times	MD, Mo-Fr	-6.3%	-13.5%
Cape Argus	MD, Mo-Fr	-7.8%	-11.8%
New Vision	MD, Mo-Fr	-5.1%	-6.4%
Mercury, The	MD, Mo-Fr	-5.2%	-15.8%
Times of Swaziland	MD, Mo-Fr	-1.2%	-9.8%
Daily News	MD, Mo-Fr	-5.1%	-15.6%
Business Day	MD, Mo-Fr	0.8%	-9.1%
Daily Monitor	MD, Mo-Fr	-0.8%	-4.6%
Herald, The	MD, Mo-Fr	3.2%	-12.1%
Daily Dispatch	MD, Mo-Fr	-7.7%	-11.9%
Volksblad - Daily	Mo-Fr	-3.9%	-13.4%
Pretoria News	MD, Mo-Fr	-15.8%	-20.1%
Witness, The	MD, Mo-Fr	-2.4%	-9.1%
Taifa Leo	MD, Mo-Sat	-14.8%	-6.2%
Zambia Daily Mail	MD, Mo-Sat	-5.1%	7.4%
Diamond Fields Advertiser	MD, Mo-Fr	-8.0%	-9.0%

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Joseph Odindo, former Editorial Director Nation Media Group and the Standard Group

On the global stage, US newspaper circulation fell in 2018 to its lowest level since 1940, with revenues declining dramatically between 2008 and 2018.

In the United Kingdom, concerned about a "negative narrative of decline" in newspaper sales, the ABC in May 2020 stopped public release of UK newspaper sales figures.

For media houses, the onset of Covid-19, with the ensuing restrictions on movement and ravaging of economies, only made an already bad situation worse: "April (2020) was the worst month. In 32 years of business, we've never come down to 9,000 copies like we did that month. There were no people in the streets and offices to buy newspapers and there was no distribution infrastructure because the vendors were not at work," says Kabushenga.

The paranoia that engulfed the world also saw some readers avoid buying newspapers for fear that they might get infected. This has persisted despite compelling scientific evidence that newspapers do not transmit Covid-19. As early as March, the International News Media Association released a statement dispelling these fears using research that had established that when the coronavirus gets transmitted to an inanimate surface, its potency and lifespan is lowest on porous surfaces, such as newspapers.

Yet, in spite of the gloom, it appears too early to start writing the obituary for newspapers.

Writing in 2014 about newspapers, Sandra Gordon, the CEO of Wag the Dog Publishers and publisher of The Media Online, observed that newspapers were still the number one medium for shaping public opinion. "This research insight emphasizes that the credibility, knowledge, values and information gathering skills of the press remain important. In my view, in this age of a total information glut, these values are crucial, allowing consumers to connect emotionally with brands not just through reach but also reliability," she wrote.

The New York Times Headquarters in New York.

Kabushenga shares this view, noting that in this era of misinformation and disinformation, people find established media houses reliable. Although he outright dismisses doomsayers, it is instructive that Kabushenga also describes himself as an obsessive farmer, and proudly shares stories of his success at farming.

Never die

And, according to Odindo, print can only die when the generation that grew up reading newspapers finally dies off. "I think print has another 15 years or so. What will happen is that it will have to be reinvented. Print as a medium for delivering news or stories is not going to

die tomorrow. There's still a large community of this generation who have grown up on the printed word. And they're still more comfortable reading something that's printed," he says.

He observes that, even the *New York Times*, which recently announced that its digital revenues had overtaken print, cannot abandon its print edition because it is still a big contributor to the business.

"Some news publishers who started by publishing exclusively on digital later found it necessary to do a print edition because they felt they had a marketing gap.

"The change has started. We are caught up in a serious crisis, but it is not as if print is going away in the next fifteen, twenty years. It is going to be reinvented. The content, the way things are written, what is put in there, will change. Right now, the problem is that digital came delivering content in a particular way. Print did not change fast enough. There are advantages of coming out the next day: How do we maximize on these?"

To him, it is about recognizing that you have to abandon what you used to do, because that function has moved to a faster, more efficient platform, and realigning the journalism to this reality.

The circulation crisis calls for innovation across the board — from content to distribution models. And, while media organizations agree that monetizing content on the digital platforms is the way to go, as has been proven by the success of the *New York Times*, they are cognizant of the fact that it takes several years of investment and experimentation to realize results.

They must, therefore, protect the printed newspaper – which for most media houses remains the cash cow, bringing in circulation and advertising revenue – even as they make inroads in the digital space.

In May, the Vision Group made a strategic decision to use its newspapers to offer educational content, and the numbers started picking up.

"Suddenly the newspaper became important to Ugandans because of its utility value," says Kabushenga, explaining that unlike in Kenya where the internet penetration is quite high (at 87.2 percent of the population), a majority of Ugandans lack access to the internet, making online learning a preserve of only a few citizens. According to Internet World Stats, Uganda had 18,502,166 internet users by December 2019, representing 40.4 percent of the population.

Kabushenga is confident that newspaper circulation in Uganda will improve over the next two to three years as the country gets into

the heavily political season ahead of the General Election next year.

The media house is also working on a payment model that will enable it to start charging readers for its e-paper and other offerings on its digital platform.

In August 2020, as the Nation Media Group announced its transformation into a digital company, it also unveiled the redesigned and revamped *Daily Nation*, signaling the intention to protect its legacy publications even as it sets its sights on the digital horizon. Earlier in the year, the media house had invested in the redesign and revamp of its regional publication, *The EastAfrican*, as well as the *Daily Monitor* in Uganda.

More than ever before, newspapers in Kenya are also aggressively pushing the sale of their e-papers to improve their reader revenues.

Should media houses continue to bank on circulation cash for survival? Odindo advises otherwise, even as he remains confident that circulation will still be a stream that can be 'milked'. "The problem with our companies is that circulation is still the main source of revenue. And, as it was shrinking, we had this awkward situation where a business which was shrinking was saddled with a heavy cost base. The cost base was designed for a time

when the business was very profitable – media houses with several highly paid individuals. Things changed: Digital disruption happened," he notes.

The recent downsizing of staff in most media houses should have happened several years ago. But he warns that, as media houses move to sell content on their digital platforms, they will realize they need even more people.

Sales editor

Opinion is divided among media managers on the role of the editor in driving the circulation of the newspaper. According to Kabushenga, editors should focus on producing great newspapers and the business people tasked with maximizing the sales.

On the other hand, Odindo is of the firm view that editors must be actively involved in driving circulation.

"A mistake media houses made right from the beginning was to divorce responsibility for circulation performance from the editors. By the time I was leaving the newsroom I was convinced that an editor should be accountable for the publication's financial health, the same way they manage a budget" he says.

"If you read the history of the *Nation*, in the 1960s, the editor — those expatriates from Fleet Street – were fully involved in building circula-

tion. That effort, the push that eventually led to the *Nation* catching up with the *Standard*, was not a purely circulation issue. It was driven by the editors, who every week worried about what innovative things they would do. They had crazy initiatives, like having a special edition just going to the armed forces, because they knew that was a captive market. So they would do a special edition where they had a page with stories from the barracks. That's an editor thinking and asking, 'How do I take advantage of the pockets of readership groups?' It was because these editors felt the full burden of the pressure of building this paper and catching up with the *Standard*. My view is that that burden should never have been removed from the editors," he says.

"Digital disruption has shown that you really need to get editorial and circulation to work closely together. If you want to monetize your content, you cannot work without the marketing people. You have to plan together, someone has to have the analytics, and you've got to know what story performed well, and therefore, which way will you go? It's about, what kind of reader are you targeting, and therefore, are you actually giving them stuff that they will pick up? The same reasoning ought to have been extended to print.

I'm not saying we can blame the circulation fall on this, but we could have done much better working more closely together. The final word should always be the editor's, but the editor must have a very fine-tuned commercial sense. You cannot just put out papers that are not selling, and you're just compounding the problems in the finances," he adds.

Way out

As sales of printed newspapers plummet, it is time to give circulation a broader definition, taking cognisance of the digital transformation.

The future of media companies is now more in the sale of content than advertising - from digital publications to single stories, sector information and ideas.

The internet provides a wider market to circulate content. To get a copy of the *New York Times* or *Financial Times,* one had to find specific distributors or vendors in major cities. Now, from the comfort of one's rural home in Gulu, one can access these publications in real time, and at affordable rates. African media houses too can access these markets.

They must invest in efficient digital platforms, taking advantage of the proliferation of the smartphone on the continent, to optimise sale of content. Underpinning all these is quality journalism, which media houses must be willing and ready to sustain.

Building a newsroom in Covid-19 age

Revenue losses for most media organizations in Ethiopia stand at more than 60 percent and continue on a downward spiral. Although the pandemic has severely impacted media houses, it has also paradoxically increased the demand for digital content. Building on innovations that can ride this wave is an immediate concern, writes **ZEKARIAS SINTAYEHU**

The coronavirus pandemic poses extraordinary challenges to societies. The media sector has been no exception and journalists are going through a tough time as they struggle to provide timely and lifesaving information to the general public.

Many businesses have closed down as the spread of the virus throughout the globe increases and challenges the norm in almost every corner of the world.

Thanks to the pandemic, the global economy is witnessing

Tibebu Bekele,
training director at
the Independent
News and Media
Plc

one of the greatest meltdowns in history. Many businesses are closing, while many others are on the verge of closing.

Covid-19 has impacted the Ethiopian media, as the industry has little or no resilience due to limited financial and human resource capacity and institutional freedom. After the first case of the disease was reported in Ethiopia, the government adopted measures, including putting the country on a partial lockdown. Media organizations reported significant losses in advertising revenue as many businesses were crippled by the pandemic. On the opposite end, media houses' operational costs have increased due to the measures taken to ensure safety for journalists. It is estimated that revenue losses for most media organizations stand at more than 60 percent and continue on a downward spiral.

Although the pandemic has severely impacted media houses, it has also created a paradox by increasing the demand for digital content. That demand has increased significantly in terms of matrix, but unfortunately most media houses don't have the business models that can exploit it.

The challenging scenario brought together Ethiopian media stakeholders to an all-hands-on-deck webinar on May 4, 2020, culminating in the formation of the Ethiopia Civic Information Consortium working group to seek the way forward. During the webinar, participants from public, commercial and community media, journalist associations, government representatives, individual journalists and media development groups, painted a grim picture of the state of the media industry, identified challenges and vowed to seek a way forward collectively. The *ad-hoc* volunteer working group membership includes journalists from the registered media houses, journalist associations and trade unions.

Due to the ban on advertisements of alcoholic beverages, Ethiopian media houses were losing 40 percent of their advertisement revenue and were, as a result, experiencing a liquidity crisis even before the Covid-19 pandemic. The pandemic thus added misery to a media sector already reeling from the fragility due to underdeveloped capacities, lack of investment and a slow legal reform process and regulatory pressures built for authoritarian control.

As the government tightened measures to mitigate the spread of the pandemic, the media sector also started gasping for oxygen to survive. Dwindling advertising revenues present unprecedented challenges to the existence of media houses. With advertising revenues plummeting by more than 60 percent and continuing to decline, many media houses might not be able to cover sal-

aries for staff and other operational costs. The weakening of the media houses might exacerbate the spread of Covid-19 since information is a vital component of the fight against the disease.

According to information compiled by the Association of Ethiopian Broadcasters, its members have dedicated airtime valued at $4.2 million (156 million birr) for the production and dissemination of Covid-19-related information and content for free, to fulfil their public service duty and corporate social responsibility, while also incurring costs. The association also disclosed that satellite television stations were expected to pay $2.5 million per year to the government. Similarly, the free-to-air radio and television stations were also required to pay between $54 and $135,000 licensing fees per year to the government regulator, the Ethiopian Broadcasting Authority (EBA.

Tibebu Bekele, training director at the Independent News and Media Plc, remembers the media's struggles for three or four years before Covid-19 hit. He notes that the slowing economy, coupled with political unrest, have meant dwindling advertising income. That underlying condition has made Ethiopian media particularly vulnerable to the Covid-19-induced depression. He fears some small and troubled companies will never recover from this, and so will many media houses. His fears cannot be ignored, as in late April, one publishing house had to temporarily cease operations and one broadcast media company told its workers that it had no money to pay salaries and went off the air a few days later. Others were expressing their concerns that they may face similar pressure in the coming months.

Henok Semaegiziabher, the executive director of the MERSA Media Institute and a member of the consortium, argues that although the demand for content has drastically increased, most media houses in Ethiopia could not capitalize on it as they were not ready to change their business models. He noted that the media houses were not able to diversify their newsrooms and monetize their content overnight. "If we are talking about media viability, monetization will be an essential part of it. Media needs money in order to sustain itself and its operations. The gap is that media houses prior to Covid-19 were not able to diversify their newsrooms in order to benefit from digital advertisement," he says, adding that no business model exists that can support the surge in demand.

Media houses need to diversify by putting in an initial investment for the change. Henok argues that the first requirement of the initial investment is to have a solid

business model. He says media houses need to identify one or two revenue streams on a preferred platform. Most media houses, print or broadcast, have not made their initial investments, but some organizations were trying to push digital content. These organizations were examining how to monetize their digital content, but Henok notes monetization comes three years down the road if you start today. Media houses need to change their editorial processes to start digital integration so that they can fit into the digital diversification strategy. They also need to train their employees, not only their journalists, but also their marketing teams. This is because content production by itself cannot guarantee the media houses extra income, but can boost their digital presence. Henok underlines the need to monetize digital content because without it, they cannot sustain themselves.

Ethiopia is lagging behind in e-commerce, with many businesses still stuck in the traditional way of operating. This reality might be one of the main factors discouraging media houses from developing business models to tap income from digital platforms. But this should not be used as an excuse by media houses, because there are content aggregators making money out of digital content. Although some of the major aggregators produce their own content,

the quality is invariably lower than that of media organizations. Hence, this is a great opportunity for media organizations to produce digital content that can compete in the market. Covid-19 has pushed many financial institutions to consider e-commerce as an alternative way of doing business and they are aggressively engaged in it. This might also encourage many media houses to consider developing business models that allow them to seize the opportunity by monetizing their digital content in the future. Many media houses upload their content to digital platforms and consider this as evidence that they were in the process of digital integration, but Henok says digital integration requires much more than just posting stories on websites and sharing them on social media. He says the integration requires creating content and curating it to a specific audience, based on the social media platform. As different social media platforms have different types of audiences, digital content produced by media organizations should align with the needs of those audiences, he notes.

Access to information was one of the major challenges of the industry even before Covid-19, but the pandemic has exacerbated that challenge. The partial lockdown to mitigate the spread of the disease has curtailed access to authorities, who were capitalizing

Ethiopia Prime
Minister Abiy
Ahmed's ascent to
power has brought
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to the media
landscape.

on the situation to evade the media. It is an undeniable fact that Prime Minister Abiy Ahmed's ascent to power has brought positive changes to the media landscape. The laws that constrained growth in the sector were undergoing reforms and media houses were enjoying their freedom by reporting on previously untouchable topics. But despite all the reforms in media laws and the resulting freedom, the challenge of accessing information has worsened. This is because most of the officials in the Abiy administration tend to provide information only to select media houses, leaving others complaining about the unfairness of the government's dissemination of information.

Muferiat Kemil, the minister of Peace, confirms the challenge of access to information even after reforms in the Ethiopian politics. She says old habits still haunt state officials, making them shy away from the media. "The prime minister always encourages us to speak to the media by reminding us that it is a must to engage with the media as we are holding public offices. We are trying our best to provide information to the media," she underlines. But the challenge of access to information remains, especially for private media houses.

Similarly, Tibebu says the long-standing problem of barring access to information, and not just by government officials, but

even private companies and individuals, has worsened during the pandemic. Part of this situation, he says, is understandably beyond anyone's control as there was a partial shutdown of offices and staggered working arrangements. It is also a safety issue as reporters, too, must reduce their exposure to the virus. So, it has become increasingly difficult to reach the right people to compile news reports and meet deadlines. But the situation has also been exploited by those who never wanted to divulge information in the first place, even in the best of the times.

Henok believes that restrictions on movement, social interaction and public events compound the challenge of access to information for media houses. On top of that, Ethiopia is far from digitalizing public information, and anyone who wants public data must endure the hustle of bureaucratic processes. State emergency measures, including restrictions on movement, have had a chilling effect on access to information, he underscores.

Due to the complicated nature of the pandemic, journalists fear venturing out to report from the field. Most media houses were not providing personal protection equipment (PPEs) to their journalists because of their limited financial resources. The work-from-home model was also not

Muferiat Kemil, Ethiopia's Minister for Peace.

applicable to many due to the high internet costs in Ethiopia. Though there have been PPEs provided to the media by the Ministry of Health, they have been far from enough. This is putting the lives of reporters at risk and clearly affects the quality of journalism as they try to minimize the risk by relying on phone calls and desk journalism. Media houses must try to find donors who may help them.

Muferiat understands the problem regarding the shortage of PPEs in media houses, which were struggling financially. But she promised to provide the PPEs to media houses by consulting with the stakeholders, noting that journalists have a key role in the fight against Covid-19. She believes reporting Covid-19 is not just about relaying numbers, but rather it requires analyzing its overall impact. She asserts, strong media houses can help in the tough fight against the pandemic and that is why the government should at least provide journalists with PPEs.

Tibebu says media houses have been trying their best to use technology to cover the gap by holding meetings via Zoom, phone calls and videoconferencing.

On top of that, many actors in the Ethiopia media industry were polarized. This unfortunate reality poses another challenge for the industry to pass this testing time.

Muferiat believes the media industry in Ethiopia has a structural problem, making it weak even before Covid-19 hit. Although the country is transitioning from a media sector built from the bottom up for authoritarian control, people were still suspicious of each other in Ethiopia, ranked among the worst jailers of journalists. It is this legacy that the sector stands on today, leaving it with very weak media houses and journalist associations.

Henok notes that the suspicion among actors in the sector discourages them from taking a common stand in championing their interests. The silence of the sector when the government banned advertisements of alcoholic beverages, with most broadcast media losing 40 percent of their revenues as a result, was a good example of the lack of solidarity among themselves, he notes.

Despite all these challenges, the consortium is seeking to salvage the media sector hit hard by the pandemic. It proposes five strategies, carefully crafted to bypass the ethical dilemma that arises from attracting revenues from the state, without compromising media independence. The first is to have the taxpayer sponsor public service announcements (PSAs) to educate and inform about Covid-19. To do so, the government may allocate or set aside money to share

the cost of PSAs that are either developed by the media houses or government organs such as the ministry of health or the various Covid-19 taskforces.

In addition, providing payment to the media outlets to dedicate human resources and advertising space for PSAs will ensure an educated public that receives verified and comprehensive news and information about Covid-19. Further, this will help the media houses recover lost advertisement revenue, which is their lifeline.

The second strategy is to facilitate short term bank loans at considerably lower interest rates for media organizations. The consortium proposes government-hedged credit facilities that could extend a lifeline to media operations by easing financial burdens amid dwindling profit margins. Government-guaranteed bank loans, such as overdraft facilities, could address the financial problems. This strategy maintains the integrity of the media from special-interest influence as opposed to handouts or bailouts. It also encourages the finance sector to consider the media as a bankable business.

The third strategy is the Payroll Protection Program intended to help the cash-strapped media houses to retain their staff and continue operating so they can fulfil their mission of spreading life-saving infor-

mation against Covid-19.

The fourth strategy is the Fiscal Relief Program, to give media companies a break from their monthly tax obligations through VAT and withholding taxes. Offering media companies deferred obligations for up to five months can help them stay in business while keeping a healthy cash flow. The consortium recommended that the government allow the companies to withhold and repurpose these taxes for five months without penalties or interests.

The fifth strategy is for the government to consider waiving the annual broadcast fees media houses pay to the regulator, the Ethiopian Broadcasting Authority. In order to include print media in this scheme, Berhanena Selam Printing Enterprise could look into extending credit arrangements at no interest to relieve the burden of printing costs on publishers.

But Tibebu doubts that the government has enough resources to bailout independent media to a meaningful scale. But if there is any help that it can offer, he proposes making it project-specific rather than general funding, saying this would limit its impact on editorial independence. The possible influence should not be dreaded, as independent media confronts a similar dilemma dealing with advertisers. He believes media houses that have been ethical

enough to keep their editorial independence from advertisers should not have any problems safeguarding against the government's interests. After all, the government is merely the custodian of the taxpayers' money, he concludes.

Muferiat also promises that the government will seriously consider supporting the media sector as it is a key institution, not only in the fight against Covid-19, but also in building a democratic nation. Besides government support, Henok believes media houses should come up with business models that can accommodate digital integration. He believes the newsroom of tomorrow should consider digital diversification as a main strategy, not only to survive the pandemic, but also to become financially viable post-Covid-19. By doing so, media houses could sustain their business and keep their importance in providing information to the public as well, he concludes.

Audiences' pockets hold the best answer to protecting journalism

OCHIENG' RAPURO illustrates why the days of advertising boom paying for journalism is gone, and eplores alternative avenues that would provide new fuel

On July 23, 2016, Tom Mshindi, then Editor-in-Chief at the Nation Media Group, and I, then Managing Editor, *Business Daily*, left Nation Centre at about 11am for Harambee Avenue, Nairobi. Our mission was to visit the National Bank of Kenya headquarters for a meeting with managing director Munir Ahmed. Mr Ahmed had a few days earlier withdrawn the bank's advertising valued at about Sh35 million from all Nation Media Group (NMG) platforms on the grounds that the group's newspapers had published stories that were injurious to the bank's reputation and therefore was not fit to benefit from its advertising.

Nation Centre in Nairobi, the headquarters of the Nation Media Group. The second largest media entity in Africa recently launched its Africa digital brand as part of business remodelling.

The said stories had been carried in the *Sunday Nation* and the *Business Daily* and had focused on the bank's financial health, especially its rising pile of non-performing loans (NPLs).

The *Sunday Nation,* then under the leadership of Executive Editor Weekends Eric Obino, had published a series of investigative stories on the governance challenges the bank was facing. The reports basically indicated that the state-owned bank had been involved in questionable lending practices that had left it with huge mounds of NPLs. The stories were anchored in bank inspection documents, leaked to journalists, making them as solid and factual as good journalism could ever produce. Mr Ahmed, however, maintained that the stories were the products of mischief by senior bank employees opposed to reforms he was making in the bank.

Attempts to explain to Mr Ahmed the mission of journalism in the matter and the response options available to the bank as an aggrieved subject of the stories failed to impact his decision to weaponize advertising against coverage he deemed inappropriate.

Like many of his compatriots perched at the top of big corporations with massive advertising

budgets, Mr Ahmed's unequivocal position was that journalism knew or should have known where its bread came from. It would be reminded from time to time through 'severe consequences' such as withdrawal of advertising if it crossed the line. NBK, he insisted, would not spend a single cent with NMG until the 'negative coverage' stopped.

Barely one year later, Mr Ahmed was toppled from the leadership of the bank in a cloud of alleged improprieties that had left the lender in a difficult operating position.

At the center of the CBK-driven ouster of Mr Ahmed were the very issues the *Sunday Nation* and the *Business Daily* had covered at the time he pulled out advertising, vindicating the substance of the journalism that went into the coverage.

Government and the big advertising lid on the truth

Nearly four years after the NBK incident (2019), I was in Kisumu for the National Assembly's annual retreat with editors, when during tea break, a senior government official pulled me aside and told me that the Ministry of ICT was withdrawing publication of its weekly advertising platform, MyGov, from the Standard Group.

Power barons in government were particularly unhappy about the series of stories the

Standard had carried in the previous weeks, culminating in the decision to withdraw the advertising.

In government circles, he said, the Standard had become an enemy of the state with its latest series of unfavorable reports on senior government officials, including Cabinet secretaries.

The Government Advertising Agency (GAA), the entity that manages MyGov, would take the publication and the millions of advertising revenues it carries back to NMG, where it had been thrown out a year earlier for non-payment of millions of shillings in advertisement the *Daily Nation* had carried.

At the time, the Govern-

ment of Kenya, its departments and agencies, owed the media more than Sh1.2 billion ($12m) in unpaid advertising carried through MyGov, or booked directly by state departments and agencies. The withdrawal of MyGov from the *Standard* was the latest in a string of actions authorities had taken to demonstrate the use of government advertising to shape the narratives coming out of local media on the state and its agencies.

Successive governments had, since independence in 1963, always used or attempted to use advertising to shape the course of journalism but with little success. The monopoly that legacy media held in aggregation of audiences supported by the growing and varied mix of private sector advertising at the time was robust enough to keep the industry at a healthy pace.

More recently, as advertising volumes fell, the share of government advertising in legacy media revenues not only grew, but became a critical pillar in the business model that runs the industry.

This, it appears, is the opportunity that shadowy operatives in government, then desperate to find a new nexus of dealing with an emboldened media under the 2010 constitution, saw and immediately latched onto with near disastrous outcomes for the industry. Government advertising would henceforth be pooled in one basket called the GAA and used to manage the messages coming out of the media.

That is not all. The unspoken but even more fundamental ambition of the GAA's appears to be the use of advertising levers to slowly puncture and squeeze life out of media houses altogether. Media houses that carry unpalatable messages about the government would be denied advertising. Alternatively, any revenues earned from carrying government advertisements would be held for the longest time possible – turning the media houses into beggars for their own money.

In the past year, the agency has settled debts owed to media houses at its pleasure, despite the obvious harm that failure to convert revenues earned is having on the health of media houses and ultimately the quality of journalism.

It has not occurred to GAA (or it actually has) that refusing to pay or delaying payment of hundreds of millions of shillings it owes media houses ultimately blunts journalism by eroding the ability to finance quality content.

"Any revenues earned from carrying government advertisements would be held for the longest time possible – turning the media houses into beggars for their own money

In recent months, one of the biggest ironies of the Kenyan media industry has been the specter of hundreds of journalists losing jobs in a wave of retrenchments even as the state continues to hold on to the billions of shillings it owes media houses.

With GAA firmly in place, the industry's health (funding model), and ultimately its ability to serve the public interest — the very reason it exists — has been significantly eroded, with dire consequences on Kenya's governance, the media establishment, its managers and the journalists.

In this space, advertising is the beautiful instrument used by enemies of truth to quietly squeeze life out of the media without the possibility of suffering a backlash from the Kenyan public, who are the owners of the message.

Media capture

The foregoing combination of covert pressure on journalism by big business and government is what has been correctly identified as "media capture". It is a form of control that is different from old-school censorship or use of direct coercion and brute force by authoritarian governments to determine what gets covered or published.

Its effect is to leave audiences in a position where any expectation of independent jour-nalism that serves the public interest — speaks truth to power or holds power accountable — is not only unreasonable, but also grossly hollow and without a basis. Recent studies have found that media capture remains ubiquitous in many parts of the world with devastating consequences on the quality of journalism, and the public interest role it desires to serve.

As a phenomenon in contemporary analysis of journalism's plight, media capture is particularly useful in understanding the continuing inability of the press to keep in check the many quasi-democratic and authoritarian governments spread across Africa as well as the big corporations and their political benefactors.

While it may be argued — and truly so — that state and corporate control of the media is not new, a critical shift in the form of digital technology and the internet has occurred in the past two decades, tipping the scales against journalism's independence in a fashion most suffocating. Contrary to the expectation that these two (digital technology and the internet) would support a multiplicity of information sources and make "censure or capture" nearly impossible, the very opposite has occurred.

Under the ubiquitous reach of the internet, media freedom and independent journalism have been on the retreat, making nonsense

of earlier predictions that it would lead to 'a democratization of news' and 'secure the reign of independent journalism by boosting the flow of information'.

In effect, loss of advertising revenues for traditional media has created a cascading effect that in many countries — Kenya included — has left the independent press significantly weakened and fighting for life.

The numbers

It may help at this point to stop and delve into the numbers that demonstrate just how central advertising has over the years become critical to the funding of independent journalism.

In 2019, for instance, the Standard Group's total revenues stood at Sh4 billion. Of this amount, advertising accounted for Sh3.3 billion ($33m) or 80 per cent of the revenue, while circulation contributed Sh781 million ($90m) or 20 per cent of the top line. It was no different at the Nation Media Group, where revenues topped Sh9 billion for the same period, with advertising accounting for about 82 per cent of the total.

In the advertising revenue mix, the private sector accounts for between 60 and 65 per cent

of the revenue while the government share remains in the range of 35 to 40 per cent.

One could even go further to state that large corporations account for about 65 per cent of private sector advertising, establishing them as a key pillar in the business model that has predominantly funded journalism through its more than 500-year history.

Misalignment of objectives

These numbers describe a reality in which audiences, the real owners of journalism's output, and actually the group that gives meaning to the public-interest mission that journalism exists to serve, has only a minority stake in how it is funded — causing a grand misalignment in the business model.

This misalignment stands out even more starkly in the broadcast media, which in many parts of Africa remains largely free to air — meaning the journalism that happens in that space is 100 per cent funded by advertising. (For print media – save for the free sheets — reader or circulation revenue still accounts for about 20 per cent of the total.)

For TV, as it is with the internet, this pressure to serve the interest of advertisers, which is anchored in the ability to capture and sustain large audiences (often crudely reduced to eyeballs) for onward auction to marketers, marks the thin line between life and death.

In essence, it is the continued erosion of this old business model that has paved the way for media capture to tighten its stranglehold on independent journalism. As advertisers scatter their budgets in the many pockets of the digital space, legacy media is increasingly relying on the few big corporations and government advertising to stay afloat — and in turn opening for the two a huge back window of pressure and capture.

This reality leaves editors, media scholars and managers with the stark realization that finding a solution to the challenge of capture, or at least ways to limit its effects on independent journalism, is the biggest test of our time. Fact is Bottom of Form that as long as the business model remains anchored in corporate and government advertising, truly independent journalism will remain a mirage.

Digital technology

One more pain point for journalism in the corridor of capture is digital technology. In the past decade, digital technology has emerged as a game changer for media capture, both in terms of its prevalence and impact on the quality of journalism.

With the advent of digital media, many scholars had assumed that it would be easy for

journalism to publish online, making it harder for governments and advertisers to co-opt the media.

Even if parts of the media were captured, the argument went, the outlets that still retained their editorial independence would provide the necessary checks on corporate and political interests — save for cases where the government suppressed access to the internet. Increased competition, in ordinary open-market terms, would even lead to higher-quality news — so the argument went.

Yet it is the opposite that has happened. The rise of digital media has become a key driver of the ongoing decline of the traditional media business model, leaving the industry gasping for breath in the marketplace.

The dramatic fall in revenues with the migration of advertising to the internet, the ease of free distribution and the massive job losses in the print industry have rapidly eroded the quality of journalism and introduced new forms of capture. As media outlets become more desperate for digital advertising revenue, they have rushed to compete for mass audiences at all costs and with little regard to quality.

Indeed, many digital-first news outlets have emerged and won high readership rates with very low standards of reporting, pulling legacy media away from their traditional focus on impact journalism in favor of chasing eyeballs that attract the measly advertising revenues from digital platforms.

In addition, the collapse of journalism's advertising-driven funding model has forced media houses, known for their rigorous editorial standards, to adopt new revenue models such as native content — which is basically commercial advertising served to consumers in the form of news — to the detriment of public-interest journalism. Just 15 years ago, most media houses would have considered grossly indecent any such proposal to involve journalism in hoodwinking audiences.

This is because in its true sense, native content amounts to a complete erosion of the traditional operating wall between the editorial and advertising sides of the media business, whose effect is to make it even harder for the media to act as a watchdog and cover big business critically.

Capture by global tech corporations

More recently, some scholars have correctly observed that in the predominantly digital environment, any attempts to resolve the media's business-model predicament without addressing the digital pipeline (infrastructure) it uses to deliver content would be futile.

The reality of digital media is such that anyone who wants to play in that space has to contend or live with the two American technology giants Google and Facebook, whose power to deliver news has snowballed in recent times, yielding new forms of media capture.

These digital behemoths have not only scooped up most of the advertising revenue from traditional news outlets. Their algorithms have become so critical in determining what news and information reaches the public — producing a new form of 'tech capture'.

In practice, Google's and Facebook's ownership of platforms that media houses use to deliver content poses a dilemma for journalism, which then has to function both as a user and watchdog of the same platforms. Like their localized big-business counterparts and government, journalism is in this space expected to cover Google and Facebook critically, while relying on them for news distribution, data and revenue. Nothing could be more conflicted in its ambition, the mechanics of its operations and ultimately its business model.

Ownership turns sour

It has also been suggested that legacy media houses still have a chance at surviving as independent purveyors of truth and underwriters of the public interest if they are owned by deep-pocketed individuals with a commitment to journalism's mission.

But Rasmus Kleis Nielsen, an American scholar, argues that such thoughts are in conflict with the 'power, public service and profit' nexus that has traditionally attracted those with money to media ownership.

In the present circumstances, owning a media company is no longer the profitable investment it once was, making it more plausible that owners of capital would only want to invest in journalism to advance political agendas rather than to grow their wealth.

The Kenyan situation is indeed exemplary. The proliferation of media outlets that came with digital migration in recent times has largely taken a political direction.

More than 60 per cent of the country's 150 radio stations and more than half of the 97 TV channels are either owned by politicians or driven by pure pursuit of political gains. The media in these circumstances are viewed "as mouthpieces for self-serving political and business interests" that are far removed from the traditional pursuit of the public interest.

To expect that independent journalism can

happen in that space, is basically to be irrational in the most basic fashion.

Finding working solutions

So how does independent journalism thrive in the middle of all these disruptions? It is the question whose answer does clearly determine whether the media, as it has traditionally existed with its huge ambitions of serving the public interest, will thrive or continue to diminish and even die.

Three options are on the table. Journalism could turn to philanthropists and foundations — with little or no commercial or political interest — for funding to stay on or close to its mission of serving the public interest.

In many parts of the world, media houses have received substantial funding from philanthropists such as the Bill & Melinda Gates Foundation, the Ford Foundation, and the Open Society to advance the course of journalism, with mixed outcomes.

Ordinarily, philanthropists have no commercial or political interests. But their funding is usually tied to or directed at a cause that the donors choose to serve. Such a cause may be ideological (the Open Society is a liberal-leaning financier) or sectarian but global, e.g., the Bill & Melinda Gates Foundation's focus on global health and the environment.

Money from these organizations is therefore strictly meant to finance journalism that supports causes picked by the donor — putting paid to the adage that 'he who pays the piper calls the tune'. It is journalism that, though it may serve the public interest, cannot in whatever circumstances earn the credit of independence.

Donors in this space are seldom in the mood to support general reporting in critical areas such as investigative journalism, but choose causes like wildlife and water conservation, and energy. In reality, it is a funding model that opens the door for a new form of media capture by not-for-profit organizations — where participants include Facebook and Google through their foundations.

In Kenya, the Bill & Melinda Gates Foundation has pumped hundreds of millions of shillings into the Nation Media Group to support health and environment reporting. The jury is still out as to whether journalism coming out of that space is independent, and faithful to the mission of pursuing the truth in its purest form.

One big drawback to philanthropy-funded journalism is its weakness in the key area of sustainability. Financiers' interests could change or they may decide to pursue other worthy goals such as fair disbursement of their money and migrate their funding to other parts

Editors hold a virtual conference. Covid-19 pandemic has pushed many organisations into minimizing physical contact.

of the world or rival media houses, leaving the original recipients with huge financing gaps.

Shifting the burden of journalism to audiences

Ultimately, the only journalism that will avoid capture, stay true to the mission of public interest and remain sustainable in the long term is one that is anchored in audiences.

This is because from both conceptual and practical points of view, it is the audiences — sitting in the public and civic space as citizens and whose common good is the sum total of the public interest — that journalism exists to serve.

Two key approaches to audience funding of journalism have emerged. There is the near philanthropic track in which consumers of news or audiences make voluntary donations in support of journalism.

This can take several versions — the most popular being the *Guardian* model in which au-

diences are asked to donate money in support of good journalism. But some publications have, with a degree of success, also relied on modern methods of fundraising – crowdfunding to raise money for journalism.

The drawback of this model is that it operates like a spot-buyers' market — banking on the ability of the consumer to donate at the time of consumption and therefore does not provide the certainty of funding that journalism needs to thrive.

But as the *Guardian* has clearly proven, if the journalism is compelling enough to capture a large pool of loyal audiences, this model offers a realistic chance for independent media in a predominantly digital world.

Studies of the *Guardian's* model of crowdfunding have picked journalism's alignment with a public interest issue or causes that are close to, or supported by the audiences as key to succeeding in this environment. This includes ordinary political causes such as liberalism as opposed to conservatism, women's rights, environmental conservation, food security, immigration and universal health insurance.

Luckily, most of these interests that attract audiences, and hence the reason they are ready to pay, are not in conflict and can therefore be pursued concurrently.

The last and most important pillar of sustainable, independent and public-interest journalism is direct purchase of the products of journalism by the owners of the message — audiences.

Traditionally, audiences have paid for journalism through subscriptions to newspapers and pay TV channels. Digital technology has provided one more channel for the consumer to support journalism through direct purchases.

Indeed, as the examples of the *Wall Street Journal*, *New York Times* and a number of other publications have shown more recently, digital subscriptions and paying audiences have provided journalism with the energy, boldness and independence it needs to remain focused on the pursuit of the public interest.

The US, under President Donald Trump, has clearly demonstrated that when the threat to what is generally agreed in society as constituting the public good (such as respect for personal privacy, racial harmony, environmental conservation, immigration, international cooperation and public health) looms large, and the media is up to the task of playing the watchdog role, audiences are more willing to consume the content and fund journalism.

And when journalism is underwritten by audiences, the chain of capture is removed, the independence of media houses is entrenched

and room for pursuing the public interest is expanded.

Conceptually, when audiences are carrying the burden of journalism, the goals and missions of the message carrier (media houses) and the owners of the message (audiences/the public) are aligned.

This is the optimal point in which carriers of the message have a realistic opportunity to vigorously safeguard the independence that is critical to the pursuit of public-interest journalism.

It is only when the owners of the message are bearing the burden of keeping the bearer of the message alive and robust that they can have reasonable expectations of having a media that pursues the truth, underwrites their rights and freedoms, and serves as the watchdog that society expects it to be.

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Riding the Reform Wave: The double edges of Ethiopia's New Media Laws

The wave of democratization that hit sub-Saharan Africa in early 1990s ushered in flagship liberal constitutions and sweeping declarations regarding the rights to freedom of expression across many countries. However, it quickly became apparent that most of these governments were not going to live up to the constitutional promises as they started to pass draconian laws and crackdown on journalists and media institutions. In fact, from the early 2000s, laws in the continent have become primary instruments of muzzling the independent media. The Ethiopian media, during this period, is largely emblematic of this gradual shift. Certainly, the host of media proclamations, enacted in Ethiopia in the past three decades, have been highly contentious. At the same time, the sector has significantly diminished both in size and diversity. But, recently, hope has been revived as media law reform is afoot, writes **ASRAT SEYOUM**

Introduction

The series of misadventures in the Ethiopian media industry over the past three decades, in one way or the other, boils down to two major pillars: regulatory action and absence of professionalism. While the two are far from being mutually exclusive, regulation, most importantly the laws governing the sector, are perceived to be one of the biggest setbacks to the Ethiopian media sector.

On the other hand, with the exception of a few institutions, the Ethiopian media, particularly the private/commercial division, is often accused of practising opinionated, political or other-interest serving, low-quality journalism, seriously lacking in investigative content and largely restricted to cities/towns.

Government regulators are among those forwarding such strong criticisms at media institutions, at times rationalizing their own heavy regulatory approach. Media actors, for their part, blame the overzealous regulators and laws for curtailing the industry's progress, completing this vicious circle of blame and counter-blame for many years.

It was against this backdrop that Ethiopia's young and reformist Prime Minister, Dr Abiy Ahmed, took power in April 2018; and initiated a series of reforms in the legal framework, which included the laws directly affecting the media sector.

Abiy Ahmed took power in April 2018.

The first output of this process is a new and consolidated media proclamation that has come to be known as the Ethiopian Media Law; at the time of this writing, this draft law was scheduled to be tabled before parliament for final ratification. Similarly, at least two more media-related proclamations—Access to Information and Computer Crimes— are also reported to be in the review pipeline.

Given the past government-media dynamic in Ethiopia, the irony of having the media at the top of the reform agenda of the new administration is rather palpable. Regardless, it is important to properly qualify the "reform" in the

context of the media, and media laws in particular. This would entail exploring what these new (reformed) media laws might bring to the table; and whether they break the trend vis-à-vis past proclamations.

For that, one needs to take a deep dive into the complicated history of the Ethiopian media; most importantly, the evolution of professional journalism and the underlying laws that guided/regulated the sector through its evolution. This means understanding how laws and regulations, passed at different times, affected the progress of the media in Ethiopia; and ultimately, how they contributed to the fault lines created between the government and the private press.

Evolution of media in Ethiopia

Tracing the roots of the press or media as an organized undertaking in Ethiopia takes one, inadvertently, to the courts of Ethiopian emperors who ruled the nation into the 20th century. Evidence of this can be found in the records of contemporary print outlets of the 1900s—Ameero and Le Semeur d' Ethiopie—in local and foreign languages, respectively, during the time of Emperor Menelik II. The two publications, the former being a handwritten pamphlet with limited circulation, went down in history as the first attempt at introducing the concept of a media in Ethiopia.

However, this 120-year journey was arduous and riddled with stopgaps. In fact, it was only after 1920, after two decades of hiatus that somewhat better organized print outlets such as Berhanenaselam, having a circulation of 500 copies, started to show under the leadership of Emperor Haile Selassie I.

Then again, before this trend took root, the Italian occupation of Ethiopia would put things on hold for six years. It was in the post-Italian era, early 1940s, that publications that were able to go forward started their operations; these include the two prominent state print outlets—Addis Zemen (an Amharic daily) and the Ethiopian Herald (an English daily)—which are in circulation even today. This era also oversaw the introduction of the first electronic media platform, the radio, and a situation where a media really reached ordinary citizens in Ethiopia.

Yet, this lasted until the coming to power of the military regime with its fash-

ionable socialist ideology. While the media was not discontinued as in the period of the Italian occupation, real progress and new milestones were clearly absent during the two decades the Derg ruled over Ethiopia.

If there is something common among the consecutive regimes of Ethiopia before the 1990s, it is that all have managed to keep a firm grip on the media; they all made sure that media remained fully state-owned. Not only in ownership, but in function. The media existed to serve the communication needs of the government of the day.

Nearly a century since its introduction, the sector took a dramatic turn with the coming to power of EPRDF in 1991. This political transition brought forth another milestone in the media history of Ethiopia: the emergence of the first generation of private/commercial media outlets. This milestone is perhaps the most consequential in the country's media and all-round political life.

Accordingly, the first of these private/commercial newspapers were already on the streets across Addis Ababa, well before the transitional government was formally established. "The atmosphere was charged with the newly-found freedom," as Taye Belachew, a veteran journalist, who was editor of Tobiya newspaper, among the first publications to hit the market, puts it. Including Taye, many journalists who had experience in the state media outlets went in droves to apply for licenses.

Although accounts vary slightly, at least 450 newspapers and 130 magazines flooded the streets of Addis Ababa between 1991 and 2005. Then again, most publications were weeklies or monthlies with weak circulation, the highest-circulating papers not surpassing 40,000 copies.

Dawn of media regulation

It did not take long for the young administration to butt heads with the media, however. The initial media foray was simply too overwhelming for the new government; and according to various accounts, the party was at odds with many of the political press at the time, regarding the future of the nation (ethnic federalism).

Some of the emerging media outlets, on the other hand, were seriously lacking in institutional structures and professionalism. Taye attests to this, saying; "The flourishing industry, soon, started to attract bad apples, including publications having no office or staff, jokingly called 'one-man shows', writing unverified content from a café or bar, somewhere, and stirred by people with no journalism experience or passion at the top".

These differences soon started manifesting in the increase in aggressive measures taken against private media houses and journalists. Taye claims that most of what he personally spent on bail bond over the course of his ca-

reer was paid during this time, as he has been in and out of detention facilities so many times and most of the times without proper charges being filed.

These developments crystalized the need for a legal regulatory framework and hence precipitated the birth of the first media law in Ethiopia: the press law 34/1992. This four-page proclamation is emblematic of the drafting process, which was hastily conducted without so much as a hint of stakeholder consultation, Taye laments. As a maiden press proclamation, this piece of legislation codified the recognition of Freedom of Expression (FoE) and access to information in Ethiopia and to that end the abolishment of censorship and any other similar restrictions.

Melaku Demisse, managing editor of the Reporter newspaper, remembers 34/1992 rather fondly on account of the overall positive spiritedness of the law. "It was the first promissory document to press freedom in Ethiopia; its glaring shortcomings notwithstanding, the proclamation sets out with the right intention of protecting press freedom," he contends. And yet, the law also included very steep and broadly defined "responsibilities" for the press, such as making sure that its content is "free of any criminal offense against the safety of the state or the administration". Taye goes even further to point out that ambiguous limitations to FoEs were introduced to address "defamation or false accusation against any individual, nations/na-

tionalities, people or organizations," including "any criminal instigation of any nation/nationality against another" or "incitement of conflict between people". Both Melaku and Taye are in agreement, decrying unclear and open-to-interpretation limitations like these.

But on a fundamental level, Taye observes the press law lacked even a proper definition of what journalism means as a profession and there was a complete absence of the broadcast media from its provisions. Such critiques are perhaps the reasons behind the ratification of the next media law in Ethiopia, the broadcasting proclamation of 178/1999. Before that, in 1995, the FDRE Constitution arrived, not only to launch the Federalist Republic of Ethiopia, but also to enshrine, once and for all, the right to freedom of expression without interference and legal protection to/freedom of the press as an essential element of democracy. Almost in its entirety, article 29 of the FDRE Constitution is similar to universal declarations on the same subject.

But "almost" is the most important operative in this case. For instance, Article 19, a global advocacy network that promotes freedom of expression and of information, has noticed some oddities in the way the Constitution has attempted to introduce limits to FoE and its component right, access to information. While recognizing the rights to FoE cannot be restricted on account of "content or effect of a point of view expressed", the Constitution also offers

guidance as to reasons that can be the basis for such limitation: "protection of honor and reputation of individuals" or "protection to human dignity", which are largely ambiguous and open to interpretation. In the access to information aspect as well, the document guarantees rights but in the context of "public interest information", but leaves open what "public interest" could actually mean. Article 19 has openly advocated the amendment of these loaded phrases to reduce chances of further abuse in future proclamations.

Well, it suffices to say that amendments were never considered. The broadcasting proclamation that entered into force after the Constitution, as predicted, suffered from a similar shortcoming, which is loosely defined content restriction such as broadcaster obligation to ensure its programs do not violate "rule of good behavior" or "undermine belief of others". This and other loosely defined restrictions, while opening up the door for arbitrary prosecutions, also serve as a basis for imposing license revocation and property confiscation measures. This proclamation was also bold in legislating ethical and professional matters such as "accuracy", "diversity of views" and "accurate sourcing" of programs/content transmitted by a broadcaster, having clear conflict with the constitutional principle of "not placing restrictions on basis of content"; and in defiance to calls for self-regulation.

Once again, just prior to the 2005 national election, the government seized an opportunity to add an additional layer of legal regulation on the media. This time in the nation's Criminal Code, which was undergoing revision. The Criminal Code amendment proclamation 414/2004 proceeded to assign a laundry list of criminal liabilities to editors-in-chief, authors and publishers, including, but not limited to crimes against "the honor of people", "the public or private safety" or "any other legal right protected by law".

According to Melaku, the inclusion of the Criminal Code to the list of legal instruments used against the media was completely uncalled for, given the press and broadcast proclamation was already wreaking havoc in the sector. "It was a scare tactic meant to drive away potential entrants to the sector, both aspiring journalists and investors," he argues. The same was true with the crimes of "incitement" resulting in a military disorder, violence and war, and through the release of military secrets, where there is no national secrecy laws and what constitutes a military secret is up to the authorities to make up as they see fit.

Post-2005 laws

Already credited for taking the bold leap to allow private media in Ethiopia, the EPRDF-run government added elections to its track record in 2005, when it decided to hold the first free and democratic election in the nation's recent history. Inviting international election observers and allowing an adequate share of the state-owned media for the opposition, the political

environment in the pre-2005 election period was nothing short of a phenomenon for Ethiopia.

Little did it know that the consequence of this massively positive move towards democratization would end up nailing the coffin shut on its earlier project, namely the free press. Apparently, the relationship between the media and the ruling establishment reached its absolute worst in the aftermath of this monumental election.

When EPRDF walked out of the election, marred by controversy and violence, on the other side, it was a completely different party. This seismic shift was better captured by the drafting process of the most controversial and despised media law in Ethiopia: the Mass Media and Access to Information law of 590/2008. For instance, the draft of this law presented to stakeholders and experts before and after the election was wildly different, reflecting changes in attitude at the very top. For Melaku, the 590/2008 is the most draconian law ever to regulate the sector that he worked in for the past three decades.

At the fundamental level, the law suffers from all the symptoms observed in the past press proclamations, and then some. While its conjoined format (media and access to information) was not the most ideal, this proclamation went even further by introducing one of the most innovative administrative restrictions to the media sector to date. The law stipulated that any media operator owning an equity stake in excess of/equal to 15 percent in one media institution is prohibited from making similar investment/s in a different institution either in the context of the same or different medium. The restriction of ownership also extends to citizenship and passports, where not only foreign nationals but also Ethiopians in the diaspora were effectively kept out of the media business.

Just when members of the media thought that things cannot get worse with the criminalization of media transgression on the new criminal code, this press law surprised the industry with the extension of the definition of criminal defamation to include false accusation. Taye thinks this specific provision was particularly damaging to the media, because in a fast-moving news cycle, genuine mistakes, which are common, were going to be penalized as defamation with the intent to harm. Still worse is the provision that says a criminal act of defamation by media, when committed against government officials, would be prosecuted even if the victim did not make a claim. This marked another milestone for media laws, providing for victimless crimes.

The list of limitation to the right of access to information is so long, around 65, that it is a matter of slim chance for the media and public to exercise their right under proclamation 590/2008. Legal experts attest that anything more than 10 restrictions to access to information is already too excessive. On the other hand,

LAWS AND REGULATIONS

- **1992** — First media law in Ethiopia - The press law 34/1992
- **1995** — FEDRE Constitution - The right to freedom of expression
- **1999** — Broadcasting Proclamation 178/1999
- **2004** — The Criminal Code amendment proclamation 414/2004
- **2007** — Broadcast Service Proclamation 533/2007

Laws and regulations

- **2020** — Draft The Ethiopian Media Law
- **2019** — The Ethiopian Hate speech and Disinformation Law ---/2019
- **2016** — Computer Crimes proclamation 958/2016
- **2009** — The Anti-terror Proclamation
- **2008** — The Mass Media and Access to Information law of 590/2008

the provision covering the basis for impounding, which stipulates that the authority can impound publications "if it has enough reason to believe that it should", is so outrageously broad and vague in definition that it effectively borders on content censorship.

Technically, still the presiding media law, 590/2008, is one of the major pieces of legislation that the reform team is closely considering while formulating the new proclamation. But the Broadcast Service Proclamation 533/2007 is also another one. This law, as well, is criticized for assigning the sector regulating authority to be accountable to the Office of the Prime Minister, with absolute disregard to the fundamental principle of conflict of interest. Furthermore, the powers and duties of the authority given to it by the proclamation are said to be very am-

biguous, at times appearing to cross the line to content control, which is unconstitutional; the same is said of licensing and registration requirements in this law.

The post-2005 government paranoia, especially with media, is best described by the enactment of the Anti-terror Act of 2009, which took crimes committed through the media one step further to the level of terror. Nevertheless, the list of proclamations affecting the media in the post-2005 era is never complete without Computer Crimes proclamation 958/2016 and the infamous CSO law.

The faultiness

In the past 29 years, a staggering number of media laws (around nine) have been passed in Ethiopia. The scope and regulatory reach of these laws have also expanded greatly; but not so much when it comes to their legitimacy. In fact, by now, it is clear that most Ethiopian media proclamations had been controversial, if not downright despised. These laws are not only controversial, but the controversies also revolve around the same exact issues. Somehow, media proclamations, decades apart from one another, were criticized by the sector operators for very similar reasons. The government, on the other hand, was equally adamant in downplaying the criticisms thrown at it and the laws it was sponsoring.

Sadly, this long-standing disagreement goes to the heart of democracy and that of the me-

dia: the right to Freedom of Expression (FoE). As the government asserted its commitment to such rights and freedoms, the media seemed, increasingly, convinced that it (government) is working to curtail it. Right in the middle of all this are the media laws.

The majority of the problems for Ethiopian media laws arise from the lack of clarity; clarity in the limitations placed on the right to FoE, to be exact. Problems of definition, vagueness, ambiguity, and being open-ended/to interpretation were repeatedly cited as fundamental gaps in these proclamations. If it is not about the clarity, then it is the legitimacy of the limitations and the reasons attributed for such restrictions which are problematic; issues like the constitutionality of the limitations to FoE, their consistency with international declarations or the practice of democratic societies are also fiercely debated. In rare cases when the limitations placed on FoE appear to be legitimate and justifiable, the disagreements would be about the necessity or the true intentions of these restrictions. Are restrictions really necessary? Or are they to be used to suppress the media?

FoE and its component and derivative rights have always been controversial and their management quite difficult. As fundamental rights, they are also prone to severe abuse; and hence, these rights need a mechanism of protection, in the form of exceptions and restrictions. Most FoE advocates assert that restrictions, while appropriate, should be understood as instruments

of last resort, since limitless FoE could end up infringing on the rights of others. This is where things get complicated; many governments, while having the natural instinct to go further on restrictions, find themselves on a collision course with the media and political actors.

With this in mind, the UN and other global organizations have developed models and some litmus tests to make sure that FoE legislation strikes the right balance. In a nutshell, the litmus test maintains that all exceptions (limitations) to the rights of FoE must meet three conditions: legislated in proper laws, have a legitimate basis and must be a necessity (last resort). Fittingly, the debate surrounding the Ethiopian media also revolves around these three conditions.

Without the risk of exaggeration, vague, ambiguous and open-to-interpretation phrases and definitions have become trademark characteristics of Ethiopian media laws. In fact, the quest for clarity in legal and policy documents in Ethiopia is one that endured the test of time. And it is also one problem that keeps happening, for some reason.

Andualem Sisay, a seasoned journalist and former correspondent for Kenya's Nation Media Group, is convinced that the lack of clarity in Ethiopian media laws was rather by design. "It is a double-edged sword; when you are deliberately vague, on one hand, you can avoid real, logic-based challenges to your proposition; while at the same time, gaining the freedom to bend the law to fit your particular interest, especially in a fast-changing landscape like the media," he explains. Ambiguity, according to Andualem, is an inbuilt backdoor to the legal system, where prosecutors would not face much challenge to write any charge and make it stick.

Melaku thinks it is much deeper than that; he argues it was the culture of drafting laws that was endemic to the system. "Most laws are written in response to an immediate and perceived danger to the system, not to lay down the rule of the game. These hastily drafted laws would have a lot of gaps; and lack of clarity is just one of the issues. At a certain point, I remember, the quality of laws originating from the executive branch annoying even the lawmakers; and to this effect, MPs shunning the then minister of justice for constantly demanding amendments."

Ill-defined restrictions clearly violate the first of the three conditions in the litmus test—limitations should be clearly proclaimed in proper laws of the country. Taye agrees, in the sense that unclear provisions do not meet the standard of a proper law. Apart from that, most media practitioners are in agreement that an ambiguous/open-ended restriction enables authorities to frequently shift rules of the game; and this constantly moving goalpost has ultimately resulted in media self-censorship in Ethiopia and contributed to undermining professional journalism.

Solomon Goshu, chairman of the working group, lawyer and journalist by profession.

New dawn

The Ethiopian Media Law, the draft law, poised to enter the scene, is the work of 13 professionals, the media law working group, composed of experts from both the academia and the industry. Solomon Goshu, chairman of the working group, lawyer and journalist by profession, has been instrumental in drafting the new law.

The first thing the group set out to accomplish was bring together all media-related laws, broadcast and print alike, into a single frame of reference called the Ethiopia Media Law. "The new law has corrected serious misgivings in previous laws such as issues related to media regulatory organ, self-regulation, ownership, media defamation…"

Fresh start

One thing that is clear about the draft law is that it has no shortage of explanations and details; in total, it is a 63-page document, com-

prising 91 articles, divided in seven lengthy chapters. According to Solomon, the issues raised in the diagnostic study have guided the working group while drafting the new law. The draft starts with straightening out one of the controversial aspects of the Ethiopian media sector, the independence of its regulatory authority. Under the new law, the authority will be directly accountable to the Ethiopian Parliament, moving away from its previous reporting duties to the Prime Minister.

The powers and duties of this institution will now include lending support for media self-regulatory organs such as the Ethiopian Media Council, making the draft law the first legal document to recognize an independent media self-regulatory organ in Ethiopia. In fact, the authority is clearly proclaimed to give considerations or precedence to self-regulation in executing some of its powers such as overseeing "media content responsibilities" and in applying "administrative measures".

The draft also delved into the whole media ownership and registration aspect, making some sweeping changes to that area. Cross-media ownership prohibitions, a draconian element of the previous law, is unequivocally removed from the regulatory framework; while foreign media ownership is permitted up to 25 percent of the total equity of organizations. Meanwhile, the new law also eliminated any registration and renewal requirements that resemble indirect content control, which were

imposed on print outlets in the previous law. The right of reply, one of the newest provisions in the previous press law and which was criticized for infringing on editorial policy independence, was also revisited in the new proclamation in great detail; where all the rights and responsibilities of the media and the third party exercising this right were set out clearly. It also specified all the details needed by courts to adjudicate claims related to right to reply.

Apart from that, the draft clarified all format and content standards of broadcast media, while laying down the various steps and basis for taking administrative measures. The measures, while exhausting the steps ranging from a written warning to a financial penalty, program and license suspension and revocations, have to be conducted in a way that the subject has ample right to have his/her side heard; and even to appeal to the federal high court in case of disagreement with the decision. Perhaps the most important aspect of the draft law is its decriminalization of defamation and narrowing down of the definitions to only consider "intent to harm" and speeches made outside of the "public interest". Furthermore, the

> **The new law also eliminated any registration and renewal requirements that resemble indirect content control, which were imposed on print outlets in the previous law.**

law prohibits incarceration of journalists under suspension and during investigation of crimes committed through the media.

Both Melaku and Taye are of the opinion that this is close to the kind of law that the sector fought for, all those years; and that it presents a huge opportunity for an ailing sector like the Ethiopian media. "It is a real chance to start over; to start afresh."

Fresh challenges

However, others see a rather tough road ahead for the new media proclamation and regulator. Samson Birhane, a young editor associated with the Ethiopian Business Review magazine, chose to be cautiously optimistic on account of the current ethnic and religious tension in the country, and fresh polarization of the sector, since 2018.

True to form, recent, increasing regionalism in Ethiopia seems to have swept across the media sector as well. With that, new regional state or affiliated broadcasters look to be the new media powerhouses, as they command considerable attention.

In Ethiopia, politics has always played a guiding role in shaping the media sector. As Ethiopia's language-based federalism and political system make ethnic advocacy a legitimate political activity, the implementation of media laws originating at the center would certainly be in question. Samson fears that it is not only the media law, but journalism and reporting in general, could be in for a rough ride. "Previously, media feared intimidation from the government; now, the media is threatened not by the government, but non-state actors".

On the other hand, the weak bargaining power of the media is perceived to be another challenge facing the new law. Solomon agrees, writing the law is just half of the job, although a very important half. He too sees that institutional capacity of individual media outlets and collective bargaining power of the sector might not be where they need to be to push the government to implement the reforms and laws. Andualem also worries that without the help of the civil society, the frail Ethiopian media could not take advantage of the reform and the new media law.

Takeaways and recommendations

As the saying goes, "the devil is in the details". And if there is one major takeaway from the Ethiopian media saga, then it is this. As it is also pointed out by researchers, in Africa, Ethiopia included, big and sweeping constitutional provisions or ratification of fancy international declarations would not make press freedom a fait accompli. In fact, it is the sector-specific laws and regulations, aka the details, which either bestow or curtail freedom of expression and of the media. The eternal struggle between governments, which in the case of Africa are bent on controlling the media as a communication arm, and the independent press, which

Samson Berhane, Ethiopian journalist.

strives to occupy its rightful place as the fourth state, is now waged in the lawmaking bodies, where the laws and proclamations are passed, and the fate of the media is sealed.

The status of the Ethiopian media today also shows how the deeply entrenched mutual suspicion between the media and the government disproportionately weakens the former.

Furthermore, the Ethiopian case bears witness to the role of politics in shaping the media landscape in Africa, and how lack of institutional and organizational capacity has sidelined the sector from important decisions that affect its future. Another issue that becomes clear is the fact that it is still the private press that is waging the struggle for media freedom in Ethiopia

and Africa alike; and how public media still have a long way to go.

It is not all negative, however; Ethiopia is currently on a reform rail, and the reform is proving to be a much needed break for the declining media sector in the country. The sector as well looks to be rising to the challenge in formulating a comprehensive media law; but this is only half the battle to ensure vibrant and independent media.

" Previously, media feared intimidation from the government; now, the media is threatened not by the government but non-state actors"

Therefore, media in Ethiopia and the region as a whole, have to properly leverage their collective bargaining power to shape laws and regulations in their respective countries. The sector should also take advantage of regional and global networks and collaborations to lobby for better regulatory frameworks. The media should also strive to enlist the civil society and the public in the fight for better regulation and respect for basic rights like Freedom of Expression.

Apart from that, the media should also pay adequate attention to internal, organizational and institutional capacity to withstand pressure and hold governments to account. And both African governments and media sectors should start healthy and constructive engagement in their respective nations.

Intellectualism: Innovating beyond form

Newsroom is not a physical place anymore, hence a new mould of skills is required for editors to be effective leaders of their journalism enterprise. How they are told to look beautiful remain important, but what will make a difference is the fortitude with which editors hold and give life to quensequential principles and value, writes **GEORGE NYABUGA**

In 2006, the respected *Time* magazine declared 'You' ('You – Yes, You', the encapsulation of the individual computer and internet user, yes 'You') its person of the year. The choice was based on the fact that You, the ordinary individual person, had become the driver of world affairs. It suggested that the

individual had become a key ingredient in the success of the networked computers and other technologies. But it also indicated that computers had given people new ways of thinking, doing things, and had helped them achieve what was previously thought to be unachievable. The choice, the magazine's Lev Grossman said, arose from observations and convictions that the public was "seizing the reins of the global media … for working for nothing and beating the pros at their own game … [and creating] an explosion of productivity and innovation". [1]

Grossman went on to say, in what has become the 'testament' of the power of the individual and his or her technology, that "it's about the cosmic compendium of knowledge Wikipedia and the million-channel people's network YouTube and the online metropolis MySpace. It's about the many wresting power from the few and helping one another for nothing and how that will not only change the world, but also change the way the world changes". [2]

The tradition of choosing the 'person of the year' started almost a century ago in 1927. The choice often features a person, a group, an idea, or an object that "for better or for worse … has done the most to influence the events of the year". [3] The neutral term 'person of the year' came into effect in 1999 (prior to that, it was called 'Man of the Year' or 'Woman of the Year').

> " In what has become the 'testament' of the power of the individual and his or her technology, that "it's about the cosmic compendium of knowledge Wikipedia and the million-channel people's network YouTube and the online metropolis MySpace. It's about the many wresting power from the few and helping one another for nothing and how that will not only change the world, but also change the way the world change"
> Lev Grossman

It has been 13 years since *Time's* declaration. Nothing has changed. The computer, internet, mobile telephony continue to play an increasingly important role in human activity. And a lot has changed, however. We are no longer sure whether it's you or the machine that is in control. In the era of the internet of things, and artificial intelligence (AI), the machine seems to be growing in strength. It's now at the centre of production of any products, including, for example, journalism and news. There is talk of deploying AI reporters to work on stories. Reports indicate that the American Associated Press (AP), for example, started AI to automate reporting on sports and corporate earnings in 2013. "Using machine learning algorithms, AP

exponentially expanded its quarterly earnings reports to cover virtually every company in the stock market – a feat that was difficult, if not impossible, before machine learning systems became available," writes Julian Dossett in the article, *The Rise of Newsroom Smart Machines: Optimizing Workflow with Artificial Intelligence.* The article claims that "top news organizations now use AI for a variety of newsroom tasks".[4] Njoki Chege, the director of the Innovation Centre at Aga Khan University in Nairobi, supports this view, arguing that technological disruptions have offered the media an opportunity to innovate. "Technological disruptions have given today's media a peculiar gift, data," she argues. "I call it peculiar because you could use data to either understand your audiences more and serve them better, or manipulate them in the case of selling insights gleaned from data to predatory third parties. That said, intellectualism, powered by the affordances of digital technologies such as data and artificial intelligence, is gradually concretizing its place in today's media industry in the form of strategic prioritization and day-to-day decision-making at an unprecedented scale. Today, data is enabling intellectualism to thrive in the media industry by allowing editors and media managers to make decisions based on facts rather than intuition as was the case before. The industry now is able to identify strategic priorities based on data, which allows them to understand the DNA of their audiences, something that was practically unheard of prior to the technological disruption."[5]

The observations and reports above illustrate the violent and deleterious technological shifts that undoubtedly threaten journalism as a profession and the future of the newsroom as the nerve center of journalistic operations and productions. Legacy media and journalism have been forced to adapt or perish, die or become irrelevant. The journalist of yesteryear now does not seem to matter in a world of information overload. Information that is not necessarily collected and processed by journalists but sometimes machines that seem to possess the capability to crunch and make sense of information, numbers and whatever and have them published and shared, disseminated or published in real time.

When the internet first emerged, it heralded numerous prophesies, the most obvious but rather obnoxious one being the declaration as 'irrelevant' the media and the journalists as we know them. Some even claimed the media was either on its deathbed or had succumbed to the injuries inflicted by technology. Such declarations or obituaries were not new, however. Technologies have always been disruptive.

Modern technologies have often brought about serious challenges (and of course opportunities) to ways of doing things, the everyday life practices of various actors, including journalists and the media. The ability to appropriate them, and utilise them for own good is always called for, and success of any industry is often determined by how quickly one is able to adopt and adapt them for own use, and for the benefit of others. Whatever the case, the spectacle of technology is both an enabler and disruptor of modern media practices. John Pavlik has, for example, identified four broad ways in which technology influences journalism. Technology, he says, has affected "how journalists do their work; the content of news; the structure or organization of the newsroom; and the relationships between or among news organizations, journalists and their many publics."[6]

While the media has always relied on technology, modern technologies and the rise of social media have had serious effects on legacy media, and some of the operational factors, including the newsroom as the nerve centre of any news or journalistic media, everyday work processes of journalists, and the place of the newsroom in current media operations. Consequently, in the wake of various technological developments and innovations, there have been concerns on whether technology has spelt the end of media history; the end of things as we know (or indeed knew) them.

As we contemplate the place and character of the modern newsroom, the issue of intellectualism as both operational and philosophical thinking is difficult to fathom in a profession concerned more with practical elements that relate to everyday media and journalistic processes of news collection, analysis, processing and publication on various platforms. Yet, we cannot be ignorant of the fact that knowledge and its application is important in journalism. Neither can we overlook recent developments that have started to question the role of knowledge in such practices, and the notion that reason and/or rationalism are critical to media operations. The media critic and scholar, Dr. David Katiambo, for example, argues that while "the newsroom should remain a site where reason prevails, it must also recognise that the power of reason has been declining since the 1980s, with elite irrationalism camouflaging itself as reason". He then asks a particularly interesting question: "how do you identify elite irrationalism packaged as reason?" It would seem that in an increasingly nihilistic world, reason and thus intellectualism are not always desirable. This may, of course, require further interrogation and reflection.

Intellectualism, in the context of this article,

refers very broadly to the idea that knowledge is wholly or mainly derived from 'pure reason'. In this definition also lies the idea that reason or rationalism is devoid of emotion. In short, intellectualism is defined as the exercise of the intellect at the expense of the emotion. But as Prof. George Ogola of the University of Central Lancashire in the United Kingdom argues, this is a false perception. He posits that "the distinction between reporting of stories in a dispassionate way and getting involved emotionally is a false one. These two should not be seen as necessarily mutually exclusive. Journalists inhabit the very world they report so to expect them to stand apart from it is patently unreasonable. The media must be a deliberative public space to enable deliberative democracy. To do so, it must be radically inclusive of facts, opinions and emotions."[7] In this sense, and as Ms. Chege points out, "intellectualism is cementing its place explicitly in the form of quality and nature of journalism and, more importantly, in the quality and calibre of journalists and media managers."

Accordingly, this article, while interrogating the place of intellectualism in relationship to innovating the newsroom in an era of technological disruptions, asks whether it is possible to avoid emotion and focus exclusively on reason in the construction of the modern newsroom. Should journalists, for example, fetishize tech-

"The distinction between reporting of stories in a dispassionate way and getting involved emotionally is a false one.
Pro. George Ogola

nology and romanticize its possibilities as the *Time* magazine seemed to suggest? Does emotional intelligence matter? In his book *Critique of Pure Reason*, Immanuel Kant (1724-1804) looks at metaphysics (the branch of philosophy that deals with the fundamental nature of reality, and includes such concepts as being, knowing, and identity) and examines whether, how, and to what extent human reason is capable of what is called a priori knowledge, or knowledge whose justification does not depend on experience. It is in this complex environment

The digital era has forced many
media houses to rethink their
newsroom set-up.

that we find ourselves when examining whether and how intellectualism can be applied to the innovation of the newsroom in an era of technological disruptions, and what it should look at. What identity should it acquire, for example? What's the look and feel of the modern, appropriate 'smart' newsroom?

Disruptions and its (dis)contents

The word disruption has often been frowned upon because of the negative connotations it conjures. In the context of media, disruption was in the past seen as representing the seismic shifts in the media space. The attendant disturbance and chaos were thus seen as destructive to the tectonic structures and established ways of doing things, and especially the newsroom cultures, business models, and revenue streams that supported the media and journalistic operations.

The current *modi operandi* do not of course call for a departure from established or time-tested ways of doing things of yesteryears, but for innovations that excite the media in an era of serious operational, existential and even professional challenges. But as we continue to idolize and romanticize or even fetishize technology, we should perhaps consider what Neil Postman suggested was the oddity of what he called 'technopolis'. To him, technopoli … "in-

dicate a culture in which the goals that survive are those that the technology itself can make us achieve. We ask ourselves only the questions that technology can answer; we only propose to ourselves the problems that technology can solve. Tecnopoli manifests itself as a form of totalitarianism in which tradition … rituals are considered reactionary and useless old irons to be wiped out on the basis of the triumphal march of technological progress. In the Technopolis, people are considered above all as consumers and the 'markets'. People believe that fast is better than slow, that new is better than old, that more is better than less; and, if people can't get this, then they are forced to rethink the meaning of the word 'better'. This can lead to a heartless … degraded culture … ."[8] While the arguments seem rush, they are worth reflecting upon, especially because the modern newsroom is a place seen as devoid of 'compassion', and thus heartless in the quest for success, for the better, for profit, for the maximization of human capacity, and for multitasking at the expense of specialization. It is a space akin to a boiler room with obsessive focus on targets and performance. But the question worth asking is: Should that always be the case? Is there another way?

In thinking about 'smart' newsrooms, the word disruption defines innovation. It has dis-

> **The modern newsroom is a place seen as devoid of 'compassion', and thus heartless in the quest for success, for the better, for profit, for the maximization of human capacity, and for multitasking at the expense of specialization. It is a space akin to a boiler room with obsessive focus on targets and performance.**

rupted orthodoxy and the *status quo*. It has shaken the people and institutions out of their comfort zones. In addition to helping birth innovative thinking and decision-making, it has become part of the change obtaining the current media environment. Empirical evidence suggests that it is now an enabler and agency of change in a converged environment where technologies, institutions and journalists interact and operate. "With the technological disruption, journalists no longer control access to information as audiences have multiple options for accessing news. This has compelled individual news media organizations - and newsrooms by extension - to 'up their game' evidenced through deliberate efforts to improve the quality of their journalism by bringing some level of depth, analysis and novelty to otherwise mundane, incremental reporting that we witnessed before," says Ms. Chege.

Convergence

Convergence was one of the first buzzwords in the world of modern journalism. It has since remained in the journalistic and media lexicon because of the various ways in which media and journalistic practices on one hand and technologies on the other interface, and impact each other. The relationship is of course not always easy.

Pavlik defines convergence as the "coming together of once-separate media in a digital, networked environment".[9] He looks at convergence as based on four levels – organizational, organizational structure, individual journalists, and audience. From an organizational perspective, he argues that there is increasing synergy in media organizations where most media have online versions of their various platforms. This is perhaps the clearest form of convergence given various platforms – broadcast, print – have converged online. Thus at the press of a button a visitor or consumer is able to read, watch and listen to news, for example. They are able to search and retrieve videos, audio material, pictures, and articles. In this environment, consumers can access large amounts of content for 'free'. They have choice. They have variety. Thus they have a richer and more exciting user experience, from wherever they are. The material is searchable and retrievable. They can ma-

Carol Beyanga, Managing Editor for Digital Content, the Monitor Publications, Uganda. She moderated the webinar training on digital safety for regional journalists on May 26, 2020.

nipulate, move and store the content. This can also create citizen journalists. People who were once just consumers can produce and share their own content. They can contribute to media reports by commenting, tweeting, sending in pictures, videos, and whatever other material. The recent case of the killing of African American George Floyd illustrates this. Without the videos from ordinary people (what is sometimes called user-generated content), the reports might not have had the same impact. Advances in modern mobile technology mean people do not need high-quality cameras to take pictures and videos. Smartphones are advanced enough to take broadcast-quality videos. They can take high-quality pictures. Such contributions have become part of modern journalistic practices. There is greater flexibility in terms of composition, with different teams with various expertise contributing to making content richer and more attractive and appealing to disparate audiences. Online content contains audio, text, video, photographs, better content that any single platform can offer.

In a sense, the 'newsroom' has migrated. The newsroom is in a state of flux. There is more flexibility. Technologies can allow people to work from anywhere. Newsrooms do not need a physical space. Neither do virtual rooms. Meetings have become easier. Interaction between different players easier and cheaper to organize and conduct. That is the new norm. Why waste scarce resources travelling long distances to attend a press conference in some physical space. Why waste resources when you can file articles from email, share story ideas on WhatsApp, Skype and other technologies?

How ought the modern newsroom look and operate?

Despite the fact that human interaction is important, the Covid-19 pandemic has taught us that editorial meetings can be conducted via Zoom, Microsoft Teams, Google Meet, Skype, Cisco Webex, Jitsi Meet, and BlueJeans. The choice is wide.

Editors from left: Martin Masai, Zubeida Kananu, Bruh Yihunbelay, Hussein Mohammed, Emmanuel Juma and Linus Kaikai follow the training on Leading Change and Innovation with Prof. Hazel Gachunga of Strathmore University, during the Second KEG Annual Editors Convention, December 2019 in Mombasa

The crises in the media, precipitated by the pandemic, have offered opportunities for serious interrogation of current newsroom practices. They have forced journalists and media executives to think about their future. For the few who might come out unscathed, they might breathe a sigh of relief, and thank their gods for being resilient in times of crises. For those who come out with dents, it would be a time to reflect. And for both, it would be time to take a serious look at how to develop strategies for coping and surviving not only in the post-Covid-19 era, but also in the uncertain environment and future wrought by the consequences of the pandemic and the attendant fluid and unstable economic environments. Such issues will provide the media and others food for thought.

There is no gainsaying that the ability to

emerge from the current ruins is critical for the future of the media in what will be a rough and treacherous terrain. The ability to navigate the rough terrains and ecology of technology and landscape characterised by emerging issues of economic difficulties and existential challenges, misinformation, malinformation, propaganda and fake news, will determine the look and feel of the newsroom.

We must then ask ourselves: How ought the modern newsroom look and operate? How does the modern newsroom innovate for it to be fit for purpose? Such questions linger on and have become ever more urgent in the face of various crises. The Covid-19 pandemic has demonstrated that change is a constant. That it's important to think of the present with the future in mind.

Ecology of the modern newsroom

It is especially critical to look at the modern newsroom from an ecology perspective. According to Lance Strate, the founder and former editor of the journal *Explorations in Media Ecology*, issues of technological determinism, and evolution define ecology because they influence media environments, modes of information and codes of communication, which in turn "play a leading role in human affairs". For his part, Dennis Cali, in his book, *Mapping Media Ecology: Introduction to the Field*, looks at media ecology using different lenses.[10] Of interest to this article is his view of ecology as a *metaphor for evolution,* which he refers to as "a collection of social interrelations stimulated by interpretative ideas of change in the field of technology, culture, and our own consciousness".

As the nerve center of journalistic media, the newsroom is where key editorial work takes place – from story ideas, to decisions on content that brings to life the work of journalists. The shifting nature of newsrooms, however, seems to be affecting journalism. While the newsroom is not necessarily the physical place where news is determined, it also relates to the news models, work processes and the people that participate in the look and feel of journalistic media. Thus working within such environments is increasingly problematic and dynamic for various reasons.

As indicated above, the shifts in business models, the reduction in revenue streams, the changing nature of media ownership, advertising, editorial decision-making, and relationships between various actors – owners, sources, media managers and executives, advertisers, the state, the economy, law, etc. and journalists – have forced many media houses to relook at the place and function, and organization of the newsroom. It is particularly apt to enquire whether that dynamic and smart newsroom is

Ugandan journalists sit outside the Daily Monitor and Red Pepper newspapers premises, which were closed on May 20, 2013 by armed police. The Human Rights Network for Journalists and Ugandan journalists had organized a demonstration outside the two media. Police arrested two of the activists and fired tear gas at journalists protesting at the week-long closure of key independent media, after they reported arguments among army generals over whether the president's son is to succeed him.

able to liberate itself in sufficient measure from the pressures the various aforementioned actors exert on it.

While we celebrate the new, modern, smart, dynamic and versatile newsroom, we must, however, engage with and reexamine its identity and character. Professionalism, credibility and reliability of journalism have become problematic in the new *modi operandi*. How do journalists, for example, check the accuracy of their content if they are unable to sometimes interact with their sources? How do they provide the description of, for example, source behavior? The evolutionary nature of the newsroom and its character reflect changes in the modern ecology of journalism and the media.

The future is now

The media in Kenya celebrates at least 30 years since the space started to open up as a result of the expansion of the political space brought about by the reintroduction of multipartism. Since then, and since the advent of digitisation, the media space has grown. The number of platforms – broadcast, print, online – have grown exponentially. With that has come structural shifts and challenges, especially for the established main commercial media that had relied on advertising for survival. The disaggregation of the audience means the disintegration of ad-

vertising in an environment of little or stunted economic growth. Given the fact that advertising is the lifeblood of most media houses, it is almost impossible to carry out important journalistic work without funds. It is difficult to invest in expensive typologies of journalism. Investigative journalism is more or less dead because it requires significant amounts of resources. The situation is compounded by reductions in newsroom investments, not only in terms of funding journalistic assignments, but also in capacity building, and human capital development. The levels of remuneration have dropped significantly as media houses apply austerity measures to survive. In this environment, the newsroom suffers. However, as the saying goes, necessity is the mother of invention. In the disruptive era, innovation is thus key to survival.

As indicated above, smart newsrooms must be part of the future as long as journalistic ethos remain part of it. While technology becomes part and parcel of the modern newsroom, there is a need for a deeper reflection, not only on traditional journalism, but also on how to make it relevant, meaningful and appealing to current and future audiences. In essence, this asks how intellectualism must be applied to the conception and construction of the newsroom. There is little doubt that a rigorous intellectual mould is required, not only in thinking and

Participants and students during the launch of the Nation Media Group Media Lab at the Aga Khan University Graduate School of Media Studies at the 9 West Building in Westlands, Nairobi, on March 7,2016.

decision-making, but also action. A number of thoughts come to mind. First, in an information and knowledge society, there is a need to think deeply about the kind of media society wants and deserves. As it is abundantly clear, information is critical to modern practices. Not just any information. Accurate, factual, credible and reliable information. This can only be collected and disseminated by people who care about society and who understand the importance and impact of information. This cannot be left to AI or machines. "While the digital affordances provide for more granular insights, I still think that there is something that data or artificial intelligence will not tell journalists about their au-

diences. This then provides some wiggle room for journalists to combine intellectualism with an acceptable level of emotion," contends Ms. Chege.

In essence, professional, people-driven journalism still matters. That ought to be the foundation upon which the structural and operational elements stand. In other words, the newsroom must stand on a firm foundation capable of withstanding any volatile and violent disruptions and shifts created by risks, uncertainties and fluidity of modernity. But current challenges mean "the modern newsroom has to now literally negotiate for its relevance in the broader news ecosystem. The privileged space it

has occupied for nearly a century and the public legitimacy it commanded almost by default and which sustained its dominance has waned considerably. New players are chipping away at its dominance, and new technologies redefining the very nature of news and newsmaking. It would be folly to ignore these challenges. Even so, rather than look at these developments as existential threats, they should instead be looked at as opportunities. Path dependency has stifled radical changes in the sector for far too long and it is perhaps even arguable that the current disruptions are necessary for the newsroom's very existence," argues Prof. Ogola.

On the question of intellectual input into the construction of the modern newsroom, Prof. Ogola is categorical that intellectual input is necessary. To him, "the kind of conversations, reflections that modern newsrooms now need require significant intellectual input. There is a lot of navel-gazing in newsrooms. They are traditionally phobic to criticism, to change and to accountability. These newsroom cultures must be disrupted and the outsider, relatively objective voice is better placed to point them out and potentially suggest remedies." In addition, as Silvester Ogata, a lecturer at the Technical University of Kenya, argues, "intellectualism offers great support in probing matters and in the right way that they need be handled without fraterni-

zation of emotions. … a typical modern newsroom with all its latest technology, still requires the intellectual mind that probes issues and addresses them right in the way that they affect the ordinary citizen or news consumer. Technology does not operate in a vacuum, it requires a well vast mind that knows how to lodge an interplay of getting it fast, first and right."[11] And the words of Ms. Chege, "the modern newsroom should … [take] advantage of digital technologies to enable innovative storytelling, audience engagement strategies, news dissemination and digital-based advertising solutions. The modern newsroom should embrace a twin strategy that continues to reap the little remaining benefits of legacy platforms while actively seeking the opportunities of the digital dispensation. This strategy is known as 'organisational ambidexterity', which involves 'exploiting the present' and 'exploring the future'. In the age of the digital disruption, companies across all industries have been compelled to approach the future using this twin strategy with the aim of maxi-

> "In an information and knowledge society, there is a need to think deeply about the kind of media society wants and deserves.
> Njoki Chege

mizing the current potential while securing the future through experimentation."

So, the big question: How do the media and journalists interface and deal with the disruptions, and pleasures and pains that technology engenders? Does intellectualism have a place in the future smart newsroom? As the arguments above show, a deeper knowledge of issues, a clear understanding of the prevailing and future technological developments and impacts will determine the success of both journalism and media and the construction of the modern smart newsroom that is fit for purpose. This also calls for relevant training and capacity building, focusing on both knowledge and skills critical to journalists' performance in the dynamic smart newsroom and society.

Endnotes

1 Notes
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Power politics trample journalist safety in Uganda and Tanzania

JESSE KWAYU reviews the state of journalists' security and working conditions in East Africa, with a special focus on Uganda and Tanzania. Key incidents of press freedom violations in these countries and interviews with victims paint a worrying picture. Journalists and their editors have come under the grip of rich, powerful, and politically connected persons to do journalism that favors them, and failing to conform opens a host of risks.

For the purpose of this review, journalists' security refers to the ability of reporters, editors and associated media professionals to do their work freely without being coerced. The situation provides an opportunity for media professionals to seek, process and disseminate information to the general public without fear or favor.

Crack the shell

The safety of journalists has been a major concern for the media fraternity across the world and in particular among societies envisaged as having functioning governments, responsible civil society and generally functioning democracies. Press freedom violations have deterred journalists from performing their noble duties across all democracies. Among the major abuses are threats and intimidation, physical body harm, arrest and detention, abduction and disappearance, charges or prosecutions.

While press freedom violations are intolerable in most developed democracies, the abuses, however, do exist in growing democracies. The recent incident in the US where state apparatus had the guts to arrest, injure and even destroy the equipment of journalists as they covered demonstrations live on television have raised a red flag on the safety of journalists and the state of press freedom in recent times. Indeed, such brutality against journalists is a wake-up call for developing democracies like those in East Africa that the safety of journalists and their working environment could deteriorate even further.

Different countries in East Africa, however, have varying experiences on press freedom violations that manifest in journalists' insecurity, with moderate levels of abuses in some and higher in others. The levels of abuses have changed as different countries see new administrations come into power. Such experiences show that the major determining factor for a country to either have respect for press freedom or slide back is not necessarily the existing media legal framework, but rather the whim of the occupier at the center of power.

Uganda experience

Of all the East African countries, Uganda has seen a prolonged administration since 1986. While other regional countries have experienced a different thrust ushered in by new leadership, Uganda is stuck with the same administration. This has not worked well for its media, as a downward trend in press freedom emerges. Available documentation suggests that in every election cycle, Ugandan media fall victim to attacks.

Press freedom in Uganda has deteriorated steadily since the ruling political party took

Uganda police harass a lady journalist on assignment in one of the many encounters with security agencies.

power in 1986. "Uganda's president for the past 34 years, Yoweri Museveni, tolerates no criticism and often uses hate speech in his references to the media, as in a 2018 press conference when he called journalists 'parasites'[1]. The bitterness of the administration does not end with abusive language. It extends to charges being leveled against journalists. The 2020 World Press Freedom Index (WPFI) report ranked Uganda 125th out of 180 countries evaluated. The report emphasizes that Ugandan journalists have been intimidated and subjected to violence while performing their duties. "The security services, which are the leading press freedom violators, often target them and detain them arbitrarily, as was the case with several journalists investigating trafficking in fake medicines in 2019."[2]

A critical analysis of WPFI reports since 2013 confirms that the more an administration hangs on to power, the more it becomes sen-

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1 2020 World Press Freedom Index

2 2020 World Press Freedom Index

sitive to criticism. It thus ends up using state resources to muzzle the media. While Uganda ranked 104th out of 180 countries evaluated on press freedom in 2013, by 2019 the situation had deteriorated and the country slid further to number 125.

Uganda Scores in WPFI 2013-2019
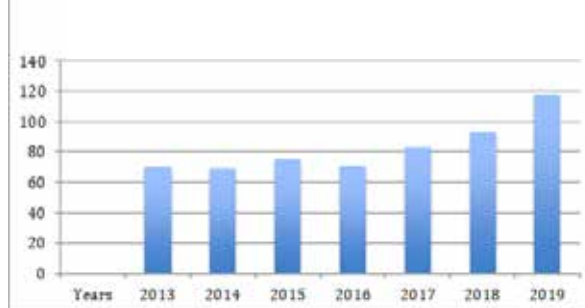
Source: World Press Freedom Index 2020

The 2018 press freedom index report shows a similar trend in Uganda. It contends that the situation is deteriorating as many threats are taking new forms to suck out even the little oxygen that existed in the media. Ugandan media, WPFI says, have witnessed the creeping in of new modes of press freedom violations in the form of unprecedented levels of self-censorship, fear of the state and caution over how to report about big businesses in a time of reduced advertising revenue. In short, subtly, journalists and their editors have increasingly come under the grip of the "rich and the powerful, politically connected persons to do journalism that favors their interests." Under such capture, the media cannot be expected to function without fear or favor. For the media to survive, whatever content they produce would be highly compromised to safeguard the interests of powerful actors. It is absurd to expect the media to play the role of public watchdog, as it has surrendered its social legitimacy to powerful influencers.

Available statistics from the Human Rights Network for Journalists-Uganda (HRNJ-Uganda) show that press freedom violations increased from 133 in 2017 to 163 in 2018. Journalists have found themselves in a difficult environment that jeopardized their safety and working tools. Many of these abuses were recorded as journalists covered political events associated with warring parties. This situation forced many to adopt a compromised position so as to survive. For instance, in April 2019, the Uganda Communications Commission (UCC) issued a devastating order against NBS Television, demanding the immediate suspension of its three key staffers - a producer, the head of news and the head of programs - for allegedly airing biased news reports covering opposition politician Robert Kyagulanyi. On the other hand, police were reported to have arrogated themselves the power to determine interviewees for the media. In the
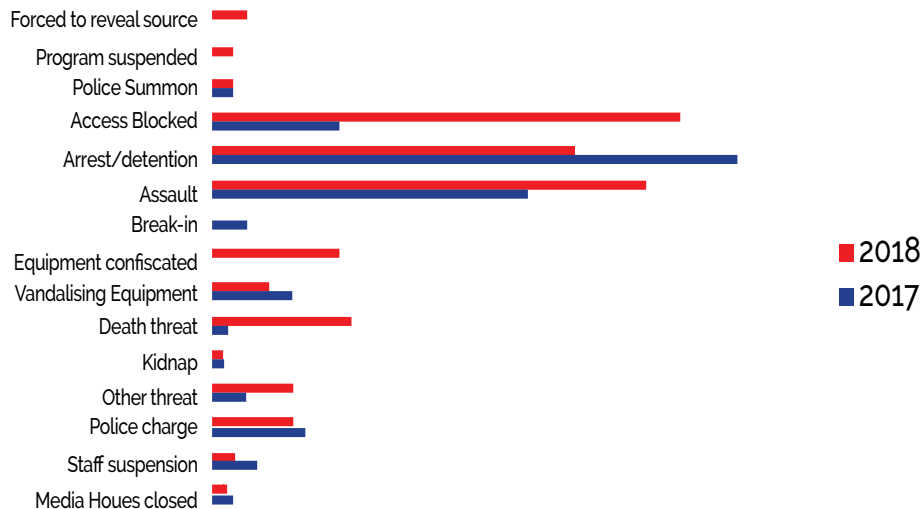
same month, police switched off three radio stations in Kabale, Jinja, and Mubende while they were hosting prominent opposition leader Kizza Besigye. The police acts not only amount to a denial of media access to opposition politicians across Uganda, but are also a direct infringement on editorial independence.

"Journalists are not free to do their jobs. In most cases, they really have the information. They have done investigations, have the documents, but then they sit on it. If it relates to [local government people] or a minister, even when they have the proof to pin down the person, the radio stations will sit on it, because they fear the consequences." Although this situation was revealed by a radio journalist in Hoima district who was interviewed and mentioned in the Uganda Human Rights reports some nine years ago, it persists today.

Going by the data above, it is self-evident that as the level of political antagonism between warring the parties vying for public office increased, so did the level of abuses, thus exposing journalists to danger in Uganda. Such violations manifested in different types of abuses that included threats, death threats, suspension of license, shutdowns, summons, police charges, malicious damage of equipment, kidnapping,

Comparative summary of violations and abuses in 2017 and 2018

Source: PFIR 2018

Members of the public get a gimpse of headlines at a newspaper stand in Dar es Salaam, Tanzania.

being forced to reveal sources, confiscation of equipment, blocked or denial of access, assaults and arrests.

As the chart above shows, the level of press freedom violations worsened as years passed. That means state organs seem to enjoy the culture of impunity to frustrate journalists from doing their work. This assertion was well captured in PFIR 2018: "In January 2018, police in Kampala and UPDF soldiers in Soroti separately threatened to beat up journalists who were covering opposition rallies. The soldiers reportedly accused the journalists of preferring to report about opposition activities while ignoring government functions." One would wonder why the police or army think it is their business to decide for journalists which rally to cover. It appears, therefore, that the state coercive apparatus feels it stands to gain by keeping the population in the dark about the accountability matters raised by the opposition. The level of abuse shows that the state machinery is all out to ensure journalists either turn into lame ducks, or join glorious reportage in defense of the *status quo* and not to be the mouthpiece of citizens.

Tanzania context

Gone are the days of vibrant journalism in Tanzania when newspapers used to compete for scoops, and sometimes had to stop the presses

to accommodate late-breaking news. On many occasions, one could see two editions of the same newspaper coming out on the same day. This is no longer the case. Although one would argue that the speed of the internet and social media to deal with breaking news have reduced significantly the ability of print media to accommodate such news, the fact that editors have to walk a tight rope to determine what to cover and how have thus had a chilling effect on their daily operations. Deciding what to cover nowadays needs a lot of consultations and compromise from centers of power, a situation that has erased editors' ability to accommodate all types of stories. Simple dissections of content in Tanzanian media reveal a picture that suggests almost all newspapers belong to one publisher. The tone, angling and narration of stories sound as if they have been directed from one command center.

The media legal framework had been a challenge ever since the enactment of the Newspapers Act No. 3 of 1976, which was regarded as a draconian law and lasted three decades before the adoption of the Media Services Act (2016). The Act brought about a nightmarish experience for editors, especially under the new law.

The multiplicity and diversity in media ownership and content that started to take root with multiparty politics in the early 1990s has run into headwinds as the current administration is hell-bent on building and instilling a sense of neo-nationalism in all spheres of life. Nationalism has been defined "an ideology that emphasizes loyalty, devotion, or allegiance to a nation or nation-state and holds that such obligations outweigh other individual or group interests," and media, and in particular editors, have thus been caught up in this new normal. They can only survive if they keenly take cognizance of this phenomenon.

While nationalism can be viewed as both a positive and negative gain for a nation, press freedom and editorial independence have been squeezed to a suffocation point, pushing one to view it in the line of Dalia Gebrial, who asserts: "The idea that nationalism can be a neutral tool, used for good as well as bad, is a fantasy that has been tried and tested throughout history – and almost always ended catastrophically."[3] It is this whim that has seriously set back the positive gains in press freedom that Tanzania witnessed since the early 1990s to what is seen today as the era of 'glorification'.

The media terrain in Tanzania in recent years has seen a complex mirage on the path for active journalists. It is now the order of the day that journalists are constantly negotiating a

3 Dalia Gebrial on nationalism https://newint.org/debate/2018/10/10/nationalism-ever-force-good. Accessed June 2020

balance between ethical and professional standards on one hand, and the dictates of the new normal on the other. A tough operating environment coupled with tough laws and regulations have pushed many active journalists either to adopt a soft tone in their reportage or hang their boots altogether, expecting the future to change the situation.

The available reports from 2015 to 2020 show that the current administration has censured several media outlets - electronic and print alike - on various alleged offenses. Such offenses include violation of the Media Services Act 2016 (MSA) and the Electronic and Postal Communications Act 2014 (EPOCA). All penalties imposed on media outlets were executed in a kangaroo court, since the complainants were also the judges of their own cases. The judgment by the Fair Competition Tribunal (FCT), issued in May 2020 on the matters pertaining to Watetezi Online TV against the Tanzania Communications Regulatory Authority (TCRA), is self-evident on this matter. The FCT ruling concluded that the Content Committee working on behalf of the TCRA was not a competent organ to adjudicate the issues of violation of the conditions of license and hence its penalty on Watetezi was null and void. Watetezi was required to pay TSh5,000,000 (about $2,000), a penalty also imposed on another online TV channel - Ayo TV - while Kwanza Online TV's license was suspended for six months. The punishment forced the entire labor force of 15 people at Kwanza TV to live in very hard conditions.

Abiding by ethical standards is a noble calling for every journalist, but the experience has shown that almost all punishments imposed on media outlets are not meant to correct the ethical conduct of practising journalists. Rather, they are a calculated approach aimed at muzzling the editorial independence of media organizations and in particular journalists and their editors.

The series of punishments against Hali Halisi Publishers Limited (HHPL) outlets tell a lot about this reprisal. HHPL has been in a constant battle with the establishment for more than a decade. All its titles, *MwanaHalisi newspaper, Mseto* and *Mawio*, have been either indefinitely suspended or refused a license by the registrar of newspapers, contrary to the MSA 2016 condition. Despite numerous victories in courts allowing HHPL publications to bounce back to business, the government has deployed a hide-and-seek tactic, seeking to avoid respecting court decisions in order to ensure that such publications do not return to business.

The East African Court of Justice (EACJ), as recently as June 2, 2020, dismissed a notice of

appeal from the Government of Tanzania in case number 3 of 2019 against *Mseto*. The notice was a government attempt to challenge the judgment of the case that saw *Mseto* triumph against a three-year ban order it was slapped with by the Tanzanian government since August 11, 2016. Despite this, the government has refused to allow *Mseto* to be published and circulated on Tanzanian territory. The axe on *Mseto* followed another order by the government against *MwanaHalisi,* the flagship of HHPL whose operation was banned for a year from July 30, 2012. Although the newspaper finished its suspension a year later, the registrar of newspapers has still tactically refused to license it.

The founding director of HHPL, Saed Kubenea, who also serves as a Member of Parliament through opposition party Chadema, in an interview, said: "We have won all battles against the government in the legal passage. *Mawio* won the case before the High Court of Tanzania, *MwanaHalisi* won both in the High Court and Court of Appeal, recently *Mseto* has won in the East African Court of Justice at Appellate Division. Despite all these victories, all our titles have been refused a license by the registrar of newspapers."

He recalled that the staff of HHPL have been destitute; to survive, they have been forced to seek help from other media houses. "It is as if our rights to work have been curtailed apart from being an issue of press freedom violation," he said.

Narrating his ordeal, Martine Malera, the

acting Managing Editor of *Tanzania Daima*, a daily Swahili newspaper, said: "In fact, it is as if there are types of stories that whenever we publish, for certain, we receive a sort of reprimand letter from the registrar of newspapers." He even mentioned the names of personalities that covertly they have been warned not to cover. All seem to be critical of the current administration, ranging from clerics to outspoken politicians.

He emphasized that on average, they receive one demand letter from the registrar every month. "Such letters really disorient us, sometimes you lose focus completely because you cannot tell whether the explanation you give would exonerate you from the ban." *Tanzania Daima* had tasted bitter pills from the government when the minister for information in October 2017 slapped a 90-day ban on it, alleging the publication of a false story. From 2019 to June 2020, they received 20 show-cause letters from the government. Two days after an interview with the author of this article, the government revoked the license of *Tanzania Daima*, alleging that it had repeatedly flouted national laws and journalism ethics in its reportage.

The managing editor of yet another media outlet, who preferred anonymity, said that there seems to be some kind of understanding between owners of media outlets and the government on the way journalists would cover issues concerning the state. "To me, this is the most pressing challenge because unlike previous years, the owner is demanding to know the main headline before going to press. The kind of recommendation he made is absolutely making our job a non-starter." He made these remarks to show that there seems to be an alliance between the administration and proprietors of media institutions that seriously erodes the editorial independence of presiding editors.

Officially, Tanzania recorded the first death of a journalist in the line of duty on September 2, 2012, when police deliberately fired a tear-gas canister at TV reporter, Daudi Mwangosi, at close range. His body was blown up into pieces. This incident has been acknowledged as a turning point for the sufferings of journalists while on duty in Tanzania. Since then, many incidents of

> **In fact, it is as if there are types of stories that whenever we publish, for certain we receive a sort of reprimand letter from the registrar of newspapers."**
> **Martine Malera, the acting Managing Editor of Tanzania Daima**

dation and charges in courts of law, in cases that seem to evoke in them a sense of fear, despair and disillusionment with the purpose of jolting them into silence.

Azory Gwanda, a freelance journalist with Mwananchi Communications Limited (MCL), was reported missing on November 21, 2017 in his working area in the Coast Region. Despite the media fraternity's efforts to push for police to investigate this matter, nothing worthy has come from security organs apart from constant intimidation against anyone who tries to probe his whereabouts. This is what happened to two staffers of the Committee to Protect Journalists (CPJ), Angela Quintal and Muthoki Mumo, when they visited Tanzania on November 8, 2018 on a mission to find out what really happened to Azory. The duo were detained by state organs, purporting it to be an immigration matter, but the fact was that state authorities seemed to be determined to silence anyone investigating Azory's whereabouts.

Although MCL tried to put pressure on the authorities by pushing for an investigation into the disappearance of Azory, a source privy to the organization's efforts confided to the media that their campaign faced a lot of hurdles as people close to power covertly kept

torture, harassment, intimidation and arrest have been the order of the day for practising journalists.

The scanty records available show that from 2015 to date, many journalists have experienced some sort of harassment, torture, arrest, intimi-

threatening them. After keeping up the pressure for a while, MCL bowed down and ended the campaign by removing from the front pages of its titles a picture of Azory that had appeared for almost 100 days with no report from the police on his disappearance.

It was even more disturbing when two cabinet ministers issued contradictory statements on the whereabouts of Azory. Addressing parliament in April 2019, the minister for information, Harrison Mwakyembe, castigated those who were probing Azory's whereabouts. He said: "I am surprised by the concerns raised on the whereabouts of Azory." The minister seemed to insinuate that in the crisis that engulfed Rufiji district in the Coast Region, many had disappeared and may be dead, not only Azory, and thus rubbished all campaigns on the fate of Azory as wasteful.

A similar contradictory and unclear statement was uttered by the minister for foreign affairs, Prof Paramagamba Kabudi, in an interview with the BBC's "Focus on Africa" program in London in July 2019, when he said: "Azory disappeared and died." Following a media outcry demanding clarification on his statement, Prof Kabudi eventually retracted his position, alleging that he was quoted out of context, and insisted that Azory had disappeared and it was not known whether he was alive or dead.

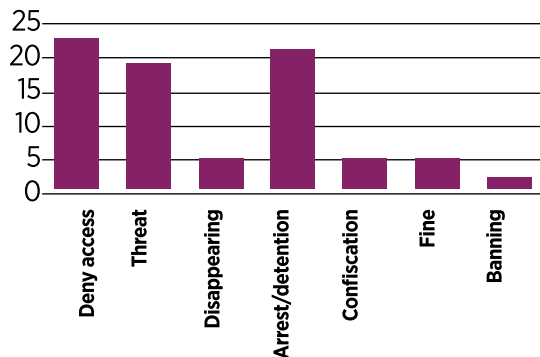Muthoki Mumo, Sub Saharan Africa Representative, Committee to Protect Journalists.

Nearly three years since Azory disappeared, no information is available from the state security machinery about his whereabouts, and public officials who are supposed to give updates on his case are offended when asked about his fate. The tone of the two ministers, Professor Kabudi and Dr. Mwakyembe, and the stand of numer-

ous police officers on this matter, again attest to this.

The number of journalists subjected to arrest, torture and harassment, and who are denied access to information and whose work equipment is confiscated and destroyed, is a great concern, as a recent press freedom violations report by the Media Council of Tanzania (MCT) indicates. The report covers incidents reported directly to MCT in a one-year period. From October 2018 to November 2019, some 74 different types of abuses were recorded and verified.

Chart: Tanzania one-year picture of press freedom violation

Press freedom abuses October 2018-November 2019

The chart shows that denial of access to information was abuse number one in the press freedom violations, contributing 23 incidents, followed closely by arrest and detention with 21, while direct threats were third with 19. In some instances, denial of access also involved confiscation of and damage to equipment. The period between October 2018 and November 2019 seems to have fewer cases of press freedom violations compared to those captured by an MCT report on the state of the media between 2017 and 2018. The report states that 2017 alone constituted about 83 recorded cases, and the period from January to June 2018 had recorded 30 cases of different abuses, ranging from deliberate denial of access to information, mainly by coercive state organs like police and other public officials, to kidnappings, direct threats and intimidation to journalists, arbitrary confiscation and damage of equipment, and arrests.

Tanzania does not fare well in the World Press Freedom Index, as several of its annual reports show. Available reports since 2013 paint a gloomy picture, as the general trend indicates a deteriorating situation year by year. While Tanzania ranked 70th out of 180 countries in the WPFI report on the adherence to press freedom, in 2019 it had fallen to 118th.

Tanzania scores in WPFI 2013-2019
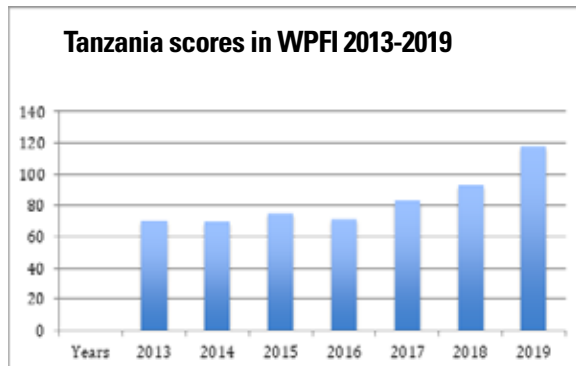
Source: World Press Freedom Index 2020

Divide and rule tactics

It has been observed that major media outlets are feeling the tough grip of the establishment. However, in Tanzania there is a proliferation of gutter publications that are all out to mudsling, defame or even pretend to be government mouthpieces on various issues. Such press has shown a daring audacity to publish with impunity anything from malign to soft pornography just to discredit any dissenting opinion against the administration. There is a clear double standard among law enforcers in dealing with such an openly and deliberate unethical press.

The ministry of information has opted not to act on such unethical media outlets by directing any aggrieved persons to seek court redress, but this stand does not apply to mainstream media, which are portrayed as critical of the establishment. Many of the personalities who seem to hold dissenting opinions on the policies and performance of the government have been victims of the gutter press, but the registrar of newspapers, who also doubles as the regulator, has turned a blind eye to them.

Such experience has also been recorded in Uganda, with a 2010 HRW report saying the authorities use the laws with a political bias by creating obstacles for media proprietors and practicing journalists who dare to speak or publish issues regarded as "politically sensitive or controversial." It further asserted that many government regulatory organs such as the Broadcasting Council, the Media Council, and the Uganda Communications Commission (UCC) "wield broad, ill-defined, and unchecked powers to regulate the media. Many of the sanctions they levy have been determined to be in violation of freedom of expression by international experts." The partisan approaches in dealing with the media create an environment of culpable and inculpable offenders within the same country with the same media laws.

The trend of press freedom violations in Tanzania and Uganda seem to mirror a general picture of the situation in East African countries. There are a number of contributing factors to this predicament, while the media legal frame-

work could be acknowledged as a significant thrust, and the level of resilience of journalists accounts for the suffering. There is polarization within the media fraternity. Some enjoy the culture of impunity, and are covertly favored by states, in terms of advertisement revenues, in return for publicity. There are those branded as defiant and incorrigible, whose business undertaking is dwindling as advertising and circulation revenues are eroded.

Recommendations

Unity seems to be lacking among journalists, with those regarding themselves as pro-establishment going uncensored by harsh laws, while those trying to put the power of the day in check receive hefty punishments. In such a situation, it is impossible for the media to have the common front to demand a favorable working environment that in return would put in check press violations. Some efforts must be taken to sensitize journalists and editors on the need and importance of forging a compact unity to fight for their space by challenging all cases of press freedom violations.

Although all East African countries experience some level of press freedom violations, some are better off while others are in a state of a nightmare. The situation in some countries is so clamorous that it is almost impossible to engage meaningfully with the establishment in improving the media environment. Some efforts must engage regional bodies through networking and at international fora like the East African Community, and the Special Rapporteur on Freedom of Expression and Access to Information at the Commission of Human and Peoples' Rights.

There is a need to empower journalists so they can effectively face media challenges. This needs urgent attention, and thus it is important to foresee more opportunities for training on matters of safety, responsibility and accountability journalism across the region. Sharing experiences through visitation and media attachment across the region can offer a helping hand. The training and retraining of journalists on media laws, and how to navigate in a contemporary hostile environment is a major concern now than ever before.

Despite the difficulties facing the media, it is imperative to devote time and space to informing the public about perpetrators of press freedom violations, as well as actively expose cases which infringe such media rights. Such discussions can be championed by the editors' forum of respective countries.

Bad law can be changed through amendments; editors should try to form a coalition of the willing with media sympathizers and lobby parliaments and governments to amend laws

that restrain the enjoyment of press freedom in their respective countries. The efforts also should engage other stakeholders like civil societies and non-governmental organizations to form a solid front in lobbying for changes to media laws.

Since police have been mentioned as ringleader perpetrators of press freedom violations, media stakeholders should find a way of enlightening them about the need to be professional in exercising their duties. Such engagement could be in the form of seminars, lobbying, advocacy and subtle campaigns through media platforms.

Revenues for media outlets across East Africa are dwindling in both the advertisement and circulation segments, and it is now imperative to carry out research for readership and viewers'

follow-up patterns and market segmentation in order to devise appropriate business models to follow in accordance with the new normal. Such measures would help media outlets survive the financial turbulence that has forced some to take various cost-cutting measures including laying off staff or closing up shop altogether.

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Journalists in protest at Moi Avenue, Mombasa, Kenya at the increased incidents of harassment,threats and assaults on them before they presented their petition to Coast Regional Cordinator Mr.Nelson Marwa in September 2016.

In Eastern Africa, accountability journalism finds challenges in law

The legal framework in which the media must operate in most of Eastern Africa masks strong hints of tyranny, writes **DEODATUS BALILE** as he argues that journalists should take a special interest in negotiating reforms in law to enable free media.

Africa has been and continues to be on the receiving end when it comes to the question of legal system development. African traditional legal systems were and continue to be despised as customary and, in a way, termed barbaric. No wonder, African countries, Eastern Africa inclusive, are so dependent on superimposed Legal Systems, namely, Common Legal System, Civil Legal System and Socialist Legal System. Common legal system originated in the practices of the courts of the English kings and was cemented by the Norman Conquest

Total concentration during the Leading Change and Innovation group exercise at the the Second KEG Annual Editors Convention in Mombasa, Kenya in December 2019. From left: Gilbert Mogire (member), Abebe Kadebe (Executive Director, Consortium for Reproductive Health Associations, Ethiopia), Eric Shimoli (member) and Ochieng Rapuro (KEG Ethics Committee member).

of 1066. It was used across England and later was exported to colonies. Decisions under this system are dependent on precedents of previous cases. Civil legal system are laws coded by experts based on experience and skills. The system was developed in ancient Rome to establish rights and duties of Roman citizens by coding their norms and traditions to govern disputes between individuals in such areas as contracts, property, and family disputes; it is distinct from criminal or public law. It was later adopted by European states and nations, including France, which ultimately exported it to its colonies. The Soviet Union (Russia) made huge modifications to the Civil Legal System by incorporating Leninist-Marxist ideologies and patching it with the Common Legal System to formulate the Socialist Legal System, which later was used by USSR and socialist states.

The Common Legal System was imposed by England on Eastern Africa countries, basically Kenya, Tanzania and Uganda, under reception clauses in the 1920s. The imposition of the systems on Africa and other continents, which came hand in hand with colonialism, left a delineable scar of mistrust, lack of confidence and suspicion, which are likely to last for a long time.

Independent states have not lost sight and memory of the colonial state management and the techniques used by colonialists. They are not sure whether the colonial masters have left for good or not. Neocolonialism is a latent epicenter of mistrust. With that concept in the back of the mind, one has to be sensitive enough to understand the fact that very few African states (if any) trust development partners.

Most postcolonial governments have less trust in the former colonial masters. They are of the opinion that former colonial masters have intrinsic interests likely to be executed indirectly through NGOs and the media. They have not lost the memory of how colonial masters used information management to govern. Since the colonialists used a closed management system, most African countries were skeptical of whatever advice they gave. They think the advice is calculated to undermine current regimes.

However, it is a fact that already East African countries – Kenya, Uganda and Tanzania – have an irreversible legal system known as the Common Legal System inherited from the former colonial master, the United Kingdom. Other countries in the region like Ethiopia and South Sudan, have intertwined systems, namely, Civil and Common Legal System. Whether former colonial masters in these countries have a hidden agenda or not, Eastern Africa countries have reached a point of no return. There is no way they can drop the current legal system and opt for the previous one. It is the duty of the

media fraternity to help highlight the shortcomings of the current legal system in Eastern Africa and make it deliver for the public good. The media needs a double-swords legal framework that facilitates accountability in journalism and Eastern Africa society in general, to entrench accountability in the region.

Current media-related laws

Across the Eastern Africa region, the media is faced with similar multiple challenges. The bloc has oppressive laws that vitiate fundamental human rights – freedom of the press, expression and access to information. These rights are fundamental because they facilitate other rights for human beings. There is no country that can achieve economic development, and have a functioning democracy and civilization without realizing these three rights.

The laws that govern the media in the bloc are tyrannical. Public laws like the penal code and sectoral laws - media, cybercrimes, online content regulation and electronic communication - in most African countries are crafted to close the civic space. Technological development had promised green pastures for the media with the invention of the internet in 1984 that came with social media in the early 2000s. Countries had started to repeal defamation laws in the early 2000s (Section 187-194 of Chapter 16 of the Penal Code in Tanzania as revised in 2002), but with the terrorism wind that blew heavily from 2001, most countries started to roll back this success.

Standing examples like Tanzania indicate that the media is in jeopardy. The country had the Newspaper Act No. 3 of 1976, Broadcasting Act of 1993 and Broadcasting Regulations of 1994, which had clauses prohibiting private broadcasters to cover more than 25 percent of the country's geographical area. These laws were repealed in 2010 and 2016, but a new monster came around. With the internet revolution, geographical area had become unlimited. Anyone could reach the whole world with the push of a button on a mobile phone. The internet had revolutionized the media. However, governments in the bloc have decided to counter the internet revolution by coming up with unanimous-looking laws, dubbed cybercrime laws and terrorism acts.

Kenya, Uganda and Ethiopia were not spared in this wave of arbitrary legislation. The laws - the Computer Misuse and Cybercrimes Act, 2018 (Kenya), Computer Misuse Act, 2011 (Uganda), Computer Crime Proclamation July, 2016 (Ethiopia) and many others have been passed, impacting heavily on freedom of expression, access to information and press freedom. Eastern African countries have multiple

laws that encroach on the freedom of the press by criminalizing speech contrary to international standards. Sensationalism and defamation have been used as a hiding hole for most countries to oppress freedom of the press.

The role of the media and antagonistic interests

The media is vested with the role of informing, educating and entertaining the public. The media is the principle source of information for most societies. It also shields the public interest by playing the watchdog role. Journalists work for newspapers and magazines (print), radio and television (electronic) and online publications (websites and social media) by collecting and publishing information. In democratic societies, the media provides information to the public by reporting government operations and whether they are compatible with the laws of the land, ruling party manifestos, the proceedings in legislatures and alternative policies advanced by the opposition, if they exist.

The public enjoys the right of access to information through media reportage. The reporting goes as far as monitoring and evaluation of decision-making processes in all public and private institutions. The media provides the public with an opportunity to be informed and participate in governance by debating, commenting and demanding accountability from those in power. Government and other officials are forced to defend their actions and to prove to the public, beyond reasonable doubt, that everything they do, is legal and in a required manner. It is at this point that the interest friction arises. While the media is zealous and prepared to inform the public, some government officials have an interest in covering up their operations.

It is because of these divergent interests that we have seen governments frequently banning and deregistering newspapers, suspending publications and lambasting media organizations for complaining publicly about the oppression. In the past two years in Tanzania, we have seen temporary bans on newspapers like *Mwananchi, Mtanzania, the Citizen, Mawio, Mwahalisi.* In June 2020, the government deregistered *Daima* simply by withdrawing its publishing license.

The American journalist, Ben Bradlee, former managing editor and executive editor of the *Washington Post* (1965 to 1991), said in one of his writings: "The truth, no matter how bad, is never as dangerous as a lie in the long run." Journalists, through the media, are standing for this cardinal principle of telling the truth. Unfortunately, not all government officials subscribe to this principle. To most officials, deviat-

ing from the norms (laws) for short-term gain is the order of the day. At nobody's mercy, they are more interested in covering up their wrong-doing, whilst the media is there to uncover the truth. It is at this moment that government and public officers find a compelling need to silence the media. The easiest way has been by threatening and intimidating the media. It is due to this uncalled-for misconduct that they criminalize speech.

Defamation as a tool for silencing the media

In Tanzania, Section 35 of the Media Services Act (2016), defines defamation as "Any matter which, if published, is likely to injure the reputation of any person by exposing him to hatred, contempt or ridicule, or likely to damage any person in his profession or trade by an injury to his reputation. This law goes further by declaring that "The matter referred to under subsection (1) shall qualify to be a defamatory matter even when it is published against a deceased person."

Section 195 of Cap. 63 of the Penal Code of Kenya, as revised in 2012, nearly defines defamation *mutatis mutandis* to that of Tanzania: "Defamatory matter is matter likely to injure the reputation of any person by exposing him

to hatred, contempt or ridicule, or likely to damage any person in his profession or trade by an injury to his reputation; and it is immaterial whether at the time of the publication of the defamatory matter the person concerning whom the matter is published is living or dead."

It looks like copy-and-paste defamation law drafting across the region is the norm. In Uganda, Section 180 of the Penal Code Act (Cap. 120), 1950, defines defamation as: "(1) Defamatory matter is matter likely to injure the reputation of any person by exposing that person to hatred, contempt or ridicule, or likely to damage any person in his or her profession or trade by an injury to his or her reputation. (2) It is immaterial whether at the time of the publication of the defamatory matter the person concerning whom such matter is published is living or dead."

Though the wording is different, the gravity of the offense is the same in Ethiopia. The Penal Code Proclamation No. 158 of 1957, under article 580, defines a person liable for defamation as: "(1) Whosoever, addressing a third party or parties, imputes to another an act, a fact or conduct such as to injure his honour or reputation, is punishable for defamation. The offence is completed by direct imputation or charge or by spreading of defamatory allegations."

Journalists are at the mercy of sources of

information who lie with impunity. In Tanzania, the Media Services Act proceeds to further criminalize publications and threatens journalists and the media position by declaring that "36.-(1) A person shall be deemed to make publication of a libel if that person causes the print, writing, painting, effigy or other means by which the defamatory matter is conveyed, to be dealt with, either by exhibition, reading, recitation, description, delivery or otherwise, in a way that the defamatory meaning thereof becomes known or is likely to be known to either the person defamed or any other person.

"(2) It shall not be necessary for defamation that the defamatory meaning is directly or completely expressed. (3) For the purpose of subsection (2), it shall be sufficient that such meaning and its application to the person alleged to be defamed may be collected either from the alleged libel itself or from any extrinsic circumstances or partly from the one and partly from the other means." With this position, the law grants unlimited definition of defamation in Tanzania. The East Africa Court of Justice in March 2019 ruled in favor of media stakeholders by saying MSA "violated the Treaty for the Establishment of the East African Community as it infringed the right to freedom of expression".

The language used in the Tanzania Media Services Act (2016) is no different from the tones used in most media-related laws across Africa that criminalize speech through defamation. The Media Legal Defence Initiative (MLDI), a UK-based non-profit organization, says: "Criminal libel laws date back to the middle ages but are in current use around the world. In many countries, journalists still face prison for doing no more than criticizing someone in power."

Police involvement in arresting and prosecuting journalists and media houses on behalf of government officials is a common phenomenon in Eastern Africa. Kenya had made a step ahead with the promulgation of the 2010 Constitution, which introduced crystal clear articles guaranteeing freedom of expression (Article 33), Freedom of the Media (Article 34) and Freedom of Information (Article 35), but the Computer Misuse and Cybercrimes Act (2018) has pulled the country a step backward.

Article 34 of the Kenya Constitution states: "(1) Freedom and independence of electronic, print and all other types of media is guaranteed, but does not extend to any expression specified in Article 33 (2)." Article 33 (2) prohibits propaganda for war, incitement to violence, hate speech, advocacy of hatred that constitutes ethnic incitement, vilification of others or incitement to cause harm and discrimination. By all standards, this position of the law reflects

Article 19 of the Universal Declaration of Human Rights (1948) and it is acceptable in a responsible way.

Most constitutions in Eastern African countries guarantee freedom of expression, but they are undermined by clawback clauses that make statutes supersede constitutions. It is by using this dubious technique that governments and states undermine freedom of the press. Article 18 of the Constitution of Tanzania (1977), Article 41 of the Constitution of Uganda (1995) and Article 47 of the Constitution of Ethiopia (1987) guarantee freedom of the press. That of Ethiopia states categorically that "Ethiopians are guaranteed freedom of speech, press, assembly, peaceful demonstrations and association. The state shall provide the necessary material and moral support for the exercise of these freedoms." One can ask himself whether what is stated in this Constitution is a reality on the ground. Is the press free? Is the public given material and moral support to demonstrate and associate?

Whilst the Constitution guarantees freedom of expression, peaceful demonstration, assembly and many others, on June 30, 2020, according to the Committee to Protect Journalists (CPJ), the government of Ethiopia shut down the internet across the country and the police raided Oromia Media Network offices as a means to halt demonstrations caused by the killing of Hachalu Hundessa, a popular Oromo-language musician known for his political songs. These two actions answer the above questions on Ethiopia, bringing us to the epicenter of this paper - building a trusted legal system that supports accountability, good governance and the rule of law as descendants of press freedom.

MLDI says criminal libel laws are those that make it a criminal offense to say something that undermines somebody else's reputation. "The police get involved, they arrest a journalist, make a criminal prosecution and the journalist might end up in prison. The journalist will have a criminal record, which can affect their ability to work and to travel in the future. Even if the outcome of a criminal libel case were to be as little as a £1 fine, it is still a criminal conviction and will be on the journalist's record for ever more." Advocates of human rights find defamation to be a private matter, which should be left to civil defamation and the laws of tort. No state apparatus should spend money to prosecute anyone on behalf of the aggrieved.

Building a trusted legal system for accountability

For democracy to thrive, governments need to be accountable. Most developed countries like Germany, the United States of America, Eng-

land, the Scandinavian states and a few developing countries like Zambia and Kenya, have scrapped criminal defamation from their statute books. Some countries voluntarily amended their constitutions to repeal criminal defamation laws, but others had to be forced by court decisions to shelve these laws. In December 2014, the world received a landmark victory at the African Court on Human and Peoples' Rights in Arusha, Tanzania, which has paved the way for new outcomes in criminal defamation cases around the world.

MLDI led a team of lawyers in the case of Konaté v. Burkina Faso, where Konaté won. The court in Arusha cleared Mr Konaté of charges of defamation and public insult. In his two articles, Konaté had accused a prosecutor of corruption. "The ruling makes clear that prison is never an acceptable sanction for libel and that criminal sanctions should be imposed on journalists only in extreme circumstances."

It is a fact that states maintaining criminal defamation laws keep them as shields against their perceived inherent individual superpower. On the other hand, the act of maintaining criminal defamation laws, which curtail press freedom, access to information and freedom of expression, has a fundamental message in itself. It is a clear testimony that the states trust less the media and the media has not engaged enough

or devised a way to boost the level of confidence to governments and remain accountable to the public. The two, the governments and the press, are in a silent war.

Very few countries are in a consensus on how the media should be regulated. There are three schools of thought - statutory regulation, self-regulation and co-regulation. Statutory regulation has been a traditional way of managing the media, where states enact laws prescribing what the media should be doing and what not. Media stakeholders have not been comfortable with this practice, as it propagates the continuation of criminal defamation, which is used as a yardstick to limit freedom of expression, freedom of the press and access to information.

Opponents of statutory regulation have come up with the extreme proposition of squeezing out states in the realm of regulating the media in favor of self-regulation. Whilst a large number of countries practice statutory regulation, countries like the United States, Germany and Sweden have been practicing self-regulation for nearly 100 years ago. In England, which practices a form of self-regulation, the Press Complaints Commission (PCC) was forced to close in 2014. Media owners who funded the PCC were questioned whether they were not exerting undue influence on the press for personal gain. PCC was replaced by the Independent Press

Standards Organisation (IPSO), which unfortunately does not cover 100 percent of the media fraternity in England. As a compromise, some proponents of self-regulation have branched off and now are advocating co-regulation.

In East Africa, we have the three regulatory systems. Uganda has the Media Council of Uganda, established under the Press and Journalist Act of 1995. Under article 10(1) of that Act, the council's role is to regulate the conduct of and promote good ethical standards and discipline among journalists.

Other roles are to arbitrate disputes between the public and the media, and between the State and the media; to exercise disciplinary control over journalists, editors and publishers; to promote generally the flow of information; to censor films, videotapes, plays and other related apparatuses for public consumption; and to exercise any function that may be authorized or required by law. The council is further empowered to accredit foreign journalists who intend to carry out any act of journalism in Uganda.

The mode of funding the Uganda Media Council is similar to that of Kenya. The law establishing the Media Council of Kenya (2013) empowers it to facilitate dispute resolution between the media and the government, between the media and the public, and among media. In Kenya, co-regulation is practiced, where the media and the government are partners in regulating the media. Victor Bwire, the deputy chief executive officer and programs manager at the Media Council of Kenya, says "co-regulation works better, apart from ups and downs – here and there."

Section 7, Sub-Section 11 read together with Section 8(2) (e-g) of the Media Council of Kenya Act (2013) concentrates too much powers in the hands of the Cabinet Secretary by saying: "The Cabinet Secretary may reject any nomination solely on any of the grounds set under Section 8(2) whereafter the Cabinet Secretary shall communicate the decision to the selection panel." The cited grounds for rejection leaves the door wide open and subject to abuse. It includes conviction of 'any' felony, benefit from or facilitation of unlawful or irregular allocation, acquisition or use of land or public property, which is too fluid in Kenya. In Tanzania the media has primarily remained under statutory regulation. In 1995 media stakeholders formed the Media Council of Tanzania (MCT), which is not statutory. The council won the hearts of stakeholders as it started to ease the hassles of court cases. Unfortunately, since the council is voluntary, without the powers to sanction, some stakeholders started to ignore its decisions. Though the compliance rate remained above 90 percent, the government felt it was left out

and hence had no hand in the operation of the council. Due to the suspicion mentioned in the introduction, it started the move to enact new laws that assert statutory regulation. In Kenya and Uganda, the media councils have the powers to sanction journalists, media organizations and anyone complained about before.

Come 2016, the government of Tanzania enacted the Media Services Act, which, among other things, establishes the Independent Media Council of Tanzania. To the surprise of stakeholders, the law does not provide a clear source of funding for the proposed council, and hence the government has failed to establish it. To grip more powers, the government established a parallel organ in the same law called the Board, which has overlapping roles with the council. The new law passed the powers of the minister to suspend, ban and deregister newspapers under the repealed News Paper Act (1976) to the Director for Information Services. In a confusing way, the law establishes three organs: the Director of Information, the Board and the Independent Media Council, all regulating the press. It has concentrated the powers in the hands of the government, where now the government is at liberty to be a complainant, prosecutor and judge of its own case through internal mechanisms.

Criminal defamation has been maintained and in some instances enhanced as penal provisions that previously imposed maximum sentences, to issue minimum sentences. MSA penal sections now read: "…commits an offence and upon conviction, shall be liable to a fine of not less than five million shillings and not exceeding twenty million shillings or to imprisonment for a period not less than three years but not exceeding five years or to both." By imposing strict liability and minimum sentences, the court is left without any option but imposing hefty fines or imprisonment sentences once a journalist is convicted.

What editors and journalists should do

Incompetence is a target for criticism. In May and June, 2020, the Eastern Africa Editors Forum (EAEF) conducted three webinars in the struggle to overcome COVID-19 effects on the media. In the process, it was established that Eastern Africa editors need to speak with a common voice. They agreed that freedom of expression and access to information are fundamental human rights, which are mostly curtailed by draconian laws in the region. They established the unfortunate fact that journalists are a bit ignorant of the laws that guide their operations. Editors are working in diverse environments and hence need to come together psychologically and in terms of know-how. There is

a compelling need for sensitization training for journalists on the laws guiding this profession. Looking at the big picture, it is high time EAEF found a way to harmonize media laws in East Africa, whether by campaign or using goodwill emissaries to contact decision-makers.

Conclusion

The analysis vindicates the disarray in the East African legal system on media-related laws. With the exception of Kenya, other members of the bloc have maintained criminal defamation as a tool for disciplining the media. Governments seem not to buy the idea of self-regulation, not only in Tanzania, but also in Ethiopia, Kenya, South Sudan and Uganda. Other member states like Rwanda and Burundi have main-tained criminal defamation laws. On the other hand, media stakeholders are not willing to continue with statutory regulation, which is vitiating the freedom of expression, freedom of the press and access to information. It is high time the Eastern Africa Editors Forum (EAEF), and development partners like UNESCO, devised a new way of engaging these governments as a bloc and come up with acceptable and working standards by throwing a close eye to the Kenya model. Once the governments and the media, reach a consensus that does not compromise the profession, the region will experience enhanced accountability, growing freedom of the press, freedom of expression and access to information.

A manager or an ideologue? Seeking the winning editor

KWAMCHETSI MAKOKHA argues that editors have ceded leadership of their media, and no saving of journalism will happen unless they reclaim this space and steer the ship to the hearts of audiences, not just profits.

Introduction

Across the Eastern Africa region, journalism is in distress as media companies -- large and small – shut down production, institute huge pay cuts and lay off staff due to declining profitability in the sector. Employers in Kenya have laid off over 300 journalists this year and cut pay as four lo-

cal-language newspapers in Uganda suspend production, and furloughs for freelance journalists in Ethiopia kick in.[1] Similar hardships of varying degrees of severity are expected in Burundi, Rwanda and Tanzania.

The spread of coronavirus disease (Covid-19), which necessitated containment measures to limit the movement of people, has catapulted declining media profitability to the fore of freedom of expression debates in the region. Covid-19 has strangulated fragile economies, dislocated audiences, and eroded purchasing power.

Even before the pandemic, media firms had been on a downward slide. Newspaper circulation in Eastern Africa had been declining by an average 4.5% every quarter,[2] resulting in depressed revenues due to the loss of advertising income as marketers pursued audiences on the Internet.

The revival of media enterprises appears uncertain because of their inability to keep pace with rapid technological changes, which are magnetising younger audiences to the digital sphere. The old is dying, and the new is yet to be born.

Historical background and context

For a long time, governments in Eastern Africa held a chokehold on broadcasting as well as significant interest in newspapers, which competed with motley private investors, until the sweeping political changes of the early 1990s.[3]

The loss of state legitimacy in the 1990s allowed private media with visible distance from governments to establish for profit, thus producing dividends of greater freedom and increased public voice. Rosemary Okello-Orlale, who has managed the public service media grant program at the Ford Foundation's Eastern Africa office, observes that despite running on taxpayer funds, state-owned media were often no more than government mouthpieces because those managing them were perceived as being under the thumb of the authorities.[4]

Recent surveys have established that a majority of media outlets in East Africa are privately owned, and that their content is chosen in or-

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1 https://gijn.org/2020/04/27/coronavirus-may-spell-the-end-for-many-of-africas-print-newspapers/; https://www.aipsmedia.com/index.html?page=artdetail&art=28018&CoronavirusEthiopiaPost-COVID-journalism;

2 Danette Breitenbach, ABC Q4 2019: A lacklustre final quarter for newspapers, https://www.bizcommunity.com/Article/196/90/200639.html

3 Philip Ochieng, 1992, I Accuse the Press, Acts Press, Nairobi

4 Interview with Rosemary Okello-Orlale, July 10, 2020. She founded the African Woman and Child Feature Service in 1994 and was later program officer for the Ford Foundation's advancing public service media program in Eastern Africa. She now heads the Africa Media Hub at Strathmore University Business School.

der to prompt readers to buy newspapers or advertisers to buy space[5] in order for them to stay afloat.

Concerns that media had exchanged state capture for the corporate variety of the same malaise have given rise to the establishment of organizations that attempt to plug gaps vacated by the sector in serving the public interest around questions of gender equality, tax justice, HIV/Aids, human rights, and environment and climate change. These interventions have largely focused on generating content and providing training for journalists, with little or no direct participation of media enterprises.

Public service amid profit pressure

Media firms and their outputs occupy a unique position in the political and cultural life of any nation – they are more than economic entities because they have the ability, and obligation, to impact political and cultural attitudes, opinions and behavior of audiences who consume their products.[6] Although profitability has secured independence for privately owned media, the business model of producing content for distribution to audiences, and aggregating audiences for sale to advertisers, has severely undermined its performance of public service obligations.

"A successful media house will more successfully protect its independence than one that is not," observes Tom Mshindi, who held top editorial and management leadership positions at two media firms in Kenya and Uganda for close to two decades.[7]

The extractive pursuit of profit has increasingly turned media content into a commodity often taken out of the hands of trained, experienced professional journalists and placed in the hands of professional business managers. The pressure to attract audiences and maintain profitability has resulted in the neglect of public service in favor of cheaper, less sophisticated, less

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5 George Nyabuga, 2011, Enhancing equity in the East African regional integration process: Role of the media in Society for International Development, East Africa Integration: Dynamics of equity in trade, education, media and labour, Nairobi

6 Philip M. Napoli, 2006, Issues in Media Management and the Public Interest in Alan B. Albarran, Sylvia M. Chan-Olmsted and Michael O Wirth (eds), Handbook of Media Management and Economics, Routledge

7 Interview with Tom Mshindi, July 10, 2020. He was Managing Editor of the Daily Nation before a 10-year stint at the United Nations in New York and Nigeria. He then served as Managing Director of the Standard Group in Kenya, Monitor Publications in Uganda and Nation Newspapers Division in Kenya before his appointment as Editor-in-Chief at the regional Nation Media Group.

informative and more sensationalistic content.[8]

Beats that do not attract advertisers are often the first to get the axe when money is tight. They have been replaced by fluff in dozens of light-weight inserts designed to appeal to the urban middle class as a distraction, explains Charles Onyango-Obbo,[9] founding editor of Uganda's second-largest newspaper, *The Monitor*, and later executive editor at the Nation Media Group in Kenya.

Although journalists are at the heart of media operations, journalism products in the corporate media have prioritised the needs of shareholders and advertisers without sufficient attention to employees, readers, and the communities they serve.

"It is tragic that commercial imperatives have directly led, or in our case, could lead to a serious dilution of the quality of content offered to the public," says Mshindi. "But the public is discerning enough and will consume whole-some content even if it is not clothed in a well-known brand."

Journalism is constructed as a public good that seeks the truth, explains facts and tells stories credibly because of its commitment to a model of independence. Changes in the media marketplace have spawned conflicts pitting the financial needs of owners and stockholders against public information needs. The corporatization of private media has ushered in a trend where corporate managers erode editorial independence by changing the imperatives of delivery, often reducing numbers in the newsroom to increase those in marketing and corporate affairs.[10]

Severe cash-flow constraints can make the media houses and their editorial objectives susceptible to interference, Mshindi adds. "The more dependent a media house is to a single source of income – be it corporate, government or donations – the more exposed it will be to manipulation by that entity. Big corporate entities are very sensitive to scrutiny and governments are notorious, too."

The pursuit of profit has breached the wall between business and journalism, thus undermining public trust and support. The metaphor-

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8 Philip M. Napoli, 2009, Issues in media management and the public interest in Alan B. Albarran, Sylvia M. Chan-Olmsted and Michael O Wirth (eds), Handbook of Media Management and Economics, Routledge

9 Interview with Charles Onyango-Obbo, July 10, 2020. He co-founded The Monitor in Uganda, which was acquired by the Nation Media Group, and went on to serve as its convergence editor and later executive editor in Nairobi, Kenya. He has also been editor of the South African Mail & Guardian, and founded several online media initiatives.

10 Personal communication

ical Chinese wall between 'church and state' that separates editorial from marketing has severely fractured.[11,12] Additionally, the hollowing out of journalists' unions has driven professional organizing into associations, whose voice and effectiveness in acting as a counterweight to capital are severely constrained.[13]

Profit pressure has had some good and bad results, according to Charles Onyango-Obbo. "Several media got to listen and tune in to the sensitivities of their audiences better. Media profit allowed investment into new media, sophisticated television, and the coverage live of big budget stories like national elections in ways that were previously impossible. But then it also brought pressure to concentrate on stories that attract advertisers, and we started on the road down to reality shows, sponsored live events that drag on forever, while socially significant stories like poverty and health that don't attract advertisers, fell off - and devalued media platforms in the end."

The tension between public service and the pursuit of maximum profits has been exacerbated by declining readership and resultant dwindling revenues in an environment of depressed purchasing power and increasing demand for information.

Joachim Buwembo, former editor at Uganda's *The Monitor* newspaper,[14] reckons that this trend has given advertisers an upper hand over independent editorial decision-making. "The political establishment wields the club over advertisers, so in the end, the political powers have weakened journalists' influence through the pressure for profits, which unfortunately is also pressure for survival of the media companies."

But Mshindi explains that traditional media companies are corporate institutions that must ultimately account to the shareholder. Theoretically, he adds, one can conceive of a situation where poor returns at the end of the year will force a rethink on cost centres. "If the shareholder cannot subsidise the journalism, then it will suffer. Good journalism is risky and expensive. Without resources, a business will be vulnerable and will find it very hard indeed to

11 Dillon Baker, October 7, 2015, Is editorial independence officially dead? Contently, https://contently.com/2015/10/07/is-editorial-independence-officially-dead/

12 Roy Greenslade, July 27, 2009, Controlling interest, The Guardian, https://www.theguardian.com/media/2009/jul/27/newspaper-owners-editorial-control

13 See http://www.pressreference.com/Gu-Ku/Kenya.html#ixzz6Rv6p4Fgs

14 Interview with Joachim Buwembo, July 10, 2020. He has worked as editor at Uganda's New Vision and The Monitor before attending the Knight Journalism Fellowship. He embedded at Tanzania's Guardian Newspapers, where he founded the agriculture newspaper Kilimo Bora.

protect quality in a sustainable manner. This is not peculiar to Eastern Africa at all. It is a global phenomenon."

Competition for audiences resulting from increased channel capacity in digital broadcasting and new content delivery technologies in a drying-up environment has left cost cutting as the only way to maintain profits.[15] Despite adopting coping mechanisms such as convergence, diversification and consolidation, media companies have continued to experience declining revenue, leading to shrinking newsrooms as jobs are lost.

Journalists are soft targets in corporate cost cutting because they have little voice and even less influence. They are therefore the first targets of cost cutting despite evidence showing that the share of labour costs in media enterprises as a percentage of revenues has remained unchanged.[16]

Crisis of credibility

Editorial roles fuse privilege and responsibility because the search for truths and solutions presents political choices of how knowledge is reported and legitimated. Concern over fears that commercial media models have dislodged editors from the management of media enterprises underline the struggle to maintain accountability to multiple stakeholders whose interests are often at variance with holistic aims of journalism.

"Editors and reporters know the no-go areas and talk about them openly, and loudly, in the newsrooms," says Buwembo. "And the no-go areas are big advertisers. Principles and ideals do not apply, for example, where the big telecommunications companies are concerned. Their [public relations] stories are must-runs but their transgressions must not be touched .."

Self-censorship has been identified as one of the factors undermining media credibility and thus contributing to the decline in audiences and loss of the very revenues enterprises seek to protect.

Mshindi argues that editors make editorial decisions and judgments. "The commercial side of the business has not necessarily been led by a journalist - although there have been exceptions. What may be the issue here is whether the editorial leadership is allowed the leeway to make decisions in the best interest of the profession or if there is too much interference from the commercial side for the journalism to be neutral, biased or indifferent. If the editorial leadership is too acquiescing, then it will not

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15 Geneva Overholser, April 6, 2004, Profit pressures over time, Poynter, https://www.poynter.org/archive/2004/profit-pressures-over-time/

16 Jaindi Kisero, July 7, 2020, Lay-offs in media mirror reality of corporate profitability crisis, Daily Nation

be possible to entrench journalism as a pillar of democracy."

The Afrobarometer survey of May 2019 laid bare the credibility crisis in the continent's media, finding that: "Africans are generally dissatisfied with the state of the media. Of those who say freedom is increasing in their country, a majority (54%) support increased government regulations. However, among those who assess freedom as decreasing, a majority (54%) support media freedom over government regulations."[17]

Many people in Eastern Africa feeling alienated from the media have creatively appropriated information communication technology and rumor to create and affirm their own narratives of reality.[18] Onyango-Obbo opines that society has changed in ways media has not yet come to terms with. "Journalism doesn't always succeed or become influential because it is good. It is when it serves the social moment right. The idea that we are in business for the money and are bought is a big part of the reason why there's contempt for media," he adds.

Mission creep

The unbundling of media roles into product creation, its packaging, distribution and promotion have also undermined editorial power and authority,19 and squeezed companies into a corner.

17 Jeffrey Conroy-Krutz and Josephine Appiah-Nyamekye Sanny, May 2019, How free is too free? Across Africa, media freedom is on the defensive, Afrobarometer Policy Paper No. 56, http://afrobarometer.org/sites/default/files/publications/Policy%20papers/ab_r7_policypaperno56_support_for_media_freedom_declines_across_africa_1.pdf

18 Francis B. Nyamnjoh, 2005, Africa's Media: Democracy & the politics of belonging, Zed Books

19 Jo Bardoel & Jan van Cuilenburg, 2008, Strategic media management, in Fourie, Pieter J, Media Studies: Policy, management and media representation Vol 2, Juta

Many media companies have just three ways to monetize content: sell per instance rights-to-use or recurring subscriptions, sell advertisements around the content, or sell data on consumers.

Mainstream media have been weakened by the loss of the traditional monopoly over information before it is broken, and the proliferation of news dissemination via many websites, and organizations running their own dissemination services, says Buwembo. It is start-ups rather than the big players in the sector in the driving seat of digitalization and its disruptive effects.

"In an age where most audiences are seeking a relationship of equality, and have so many digital offerings available on more egalitarian terms, the importance of traditional media as a pillar of democracy is greatly diminished," says Onyango-Obbo. "Today many editors and media owners are unaware of the great purpose for which they exist. Society has changed in ways media has not yet come to terms with."

Furthermore, Okello-Orlale acknowledges that digitization has democratised media distribution so that news stories flow in as they happen, from multiple sources, eyewitnesses, blogs and then filter through a vast network of social connections, being ranked, commented up, and more often than not ignored.

"Digitization has permanently reshaped the global entertainment and media ecosystem. Content has become more immersive and available on demand. Digital platforms have proliferated, creating more direct and personalized distribution," she adds.

Now that technology is giving every citizen the chance to be his or her own broadcast tower or storyteller, has the trust in journalism as a profession gone down?

Journalism is becoming more complex, requiring specialist skills and greater financial investment, the absence of which has only widened the gulf of trust between the media and their audiences. Within the chaotic context of information saturation in the 21st century, citizens need the skills of well-trained journalists to be better consumers of media and responsible creators of content. Ironically, at a time when the journalism skills are required to obtain, process and contextualize the endless stream of information, journalists are losing their jobs.

Media in Africa, especially in the fragmented or globalized reality, face challenges around financing. Mobile devices may have democratised choice and placed a heavy responsibility on providers of good journalism, adds Mshindi, but professionally crafted content, in any genre, is in high demand because the power to choose what to consume, when to consume and how to consume now rests with the consumer.

Although many media firms are shifting their operations online, survival is a high-wire balancing act because digital access and Internet penetration in Eastern Africa is still low at an average of 24.5%.[20] This picture is further complicated by low functional literacy, which can compound cost-related media access challenges.

Internet use & penetration versus literacy in six Eastern Africa nations

Country	Internet users (million)	Internet penetration	Adult literacy
Burundi	1.15	9.9%	68.38%
Ethiopia	21.14	19%	51.77%
Kenya	22.86	43%	78.73%
Rwanda	3.31	26%	73.20%
Uganda	10.67	24%	76.53%
Tanzania	14.72	25%	77.89%

Some of the predictions about digital media trends and predictions seem to get ahead of themselves in light of the data on access.[21] For example, in Burundi, Ethiopia and Rwanda, social media and access to the Internet are turned on and off like a light switch, depending on how volatile the politics is. In Uganda, the government has imposed punitive taxes on social media use. Across the region, audiences are further fragmented by the fact that they speak multiple languages that are still trying to establish themselves in the networked communication environment.

It appears that technology has become the new bogeyman for low media performance and yet, the same sector has transited from manual presses to typewriters and computers, and from telefax and phone-ins to email and instantaneous Internet broadcasting.

Many media firms established digital presence decades back but have invested little to mirror changes in society. Digital distributional economics have collapsed the advertising market but media companies are unable to accept reduced profitability. Yet, few of these changes have challenged journalism *per se*, but rather production processes and distribution plans. Investment decisions in media enterprises have continued to take sides with the business imperatives rather than public interest. Media com-

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20 Data reconstructed from https://datareportal.com/reports/digital-2020

21 Alex Awiti, Njoki Chege & Hesbon Owilla, 2020, Kenya media trends and predictions, https://ecommons.aku.edu/eastafrica_gsmc/25/

panies' decisions to purchase 'state-of-the-art' printing presses in the Internet era are not unlike preaching water and drinking wine.

Restoring journalistic leadership in media

This article has explored diminishing journalistic independence and media credibility among audiences resulting in a crisis of trust and depressed earnings due to the impact of technology. It is evident that journalism has been losing the battle for people's attention and, in some instances, for the public's trust.

The sustainability of advertising-dependent media had been questioned as part of the wider search for a new framework for preserving the independence of media outlets.[22]

As business models that fund media are challenged, professional journalism is increasingly weakened, and institutions are under severe commercial and political pressures. Stiff competition in the face of declining advertising revenues points to the need for media enterprises to develop and adopt business models that will diversify revenue streams.

Greater investment is required to enable the

media to navigate the current phase of its development. Without public trust in journalism, the business proposition for media becomes quite difficult. A major assumption in seeking media sustainability has been the requirement for success in the commercial sense.[23] Okello-Orlale argues that the future will look different if public service media take the reins of its own destiny and draws force to further develop the idea of personalised public service that will allow audiences to operate at new levels with the support of existing public service media institutions.

"For public media to survive, management methods must maintain creativity, inclusion and innovation and further provide the ability to think beyond the existing business models."

Already, private media are receiving philanthropy funding to undertake health and climate change reportage. Other iterations of such a plan would include vigorously seeking public support for journalism through trusts, philanthropy endowments and community stakes. Doing so, however, would mean reframing journalism first and foremost as a public good, with commerce only being incidental to its existence. The

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22 Julia Cage, The Economics of the African Media, in Celestin Monga, and from Thomas Piketty, Oxford Handbook of Africa and Economics, Harvard

23 Matt DeRienzo, Fight for survival will push more for-profit toward philanthropy, http://www.editorandpublisher.com/stories/industry-insight-fight-for-survival-will-push-more-for-profit-toward-philanthropy,84332

fight for the media's survival requires the sector to look into its soul to acknowledge where the repair ought to begin.

Such radical shifts raise questions about the kind of leadership needed at the helm of such media enterprises. Elsewhere, the intellectual leadership of a philosopher-king editor has enabled the *Guardian* newspaper to not only survive but thrive in changed times.[24] Is it something worth modeling?

Two examples from around Africa illustrate why this remains a vexed proposition. First is the case of Tanzania-born William Pike, who established the Ugandan government-owned *The New Vision* newspaper.[25] Pike navigated the choppy waters of critical journalism while running a government-owned newspaper for 21 years before its holding company sold 60% of its stake to private investors. He has since joined other investors in Kenya to establish *The Star* newspaper.

The second example is Hilary B. Ng'weno, whose editorial leadership in establishing *The Weekly Review* in Kenya, as well as a string of other weekly magazines, was widely recognized as an attempt to entrench quality journalism, but significantly frustrated by financial uncertainty because of the stranglehold of government on advertisers.[26]

"Editors really are bad business managers most of the time, and I think it is important to keep this division between business and the newsroom. In other countries, especially outside Africa, and indeed in South Africa, it has worked very well. Of course, in some instances it has been inimical to advancing public affairs journalism, but it is not the universal reality," says Onyango-Obbo.

Where most leaders in the media sector are not journalists or journalists who find themselves to be leaders, Okello-Orlale continues, they are hardly trained on leadership skills.

Mshindi is cautious, and reckons that the problem in Eastern Africa is not necessarily a lack of strong editors in management, but one of a crumbling commercial base dictating priorities. "Even the most powerful editorial chief could find it very hard right now to have their voice heard over the panic and desperation of declining revenues," he says.

Can the media find in their midst morally

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24 Charles Becket, December 10, 2014, The philosopher king of networked journalism stands down, the legacy lives, https://blogs.lse.ac.uk/polis/2014/12/10/the-philosopher-king-of-networked-journalism-stands-down-the-legacy-lives/

25 William Pike, 2019, Combatants: A memoir of the Bush War and the press in Uganda,

26 Philip Ochieng, 1992, I Accuse the Press, Acts Press, Nairobi

and intellectually able women and men whose love for truth and learning can free them from the greed and lust that tempts others to abuse power? The notion of powerful editors who are visionary, knowledgeable but also connected to their audiences imitates the philosopher-king in Plato's *The Republic*.

Experience, according to Onyango-Obbo, would teach caution with such a path. "The bigger damage has come from an otherwise good thing - when editors (and good journalists) started being paid handsomely, and some became celebrities. We joined expensive clubs, started playing golf with the big men and women ... Too many rich editors became too disconnected from their publics, and the rest is history."

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A newspaper vendor sells to motorists accessing ferry services at the island side of the Likoni Channel in Mombasa.

How to fix the ailing media industry

PETER OPONDO finds that to drive innovation for the future, media managers in Eastern Africa must take their eyes off the stock markets and onto the horizon, and stop obsessing about the near term.

When the two leading media houses in Kenya - Nation Media Group (NMG) and Standard Group (SG) - published their half-year 2020 results, the numbers painted the picture of an industry in deep trouble.

From a profit of KSh403 million ($4 million) in the first of half 2019, NMG posted a loss of KSh375 million ($3.75 million) in 2020 while SG sank from a marginal profit of KSh19 million ($190,000) in the same period in 2019 to a loss of KSh306 million ($3 million) in 2020.

As expected, both firms attributed the negative performance to the adverse effects of the Covid-19 pandemic, which is partly true. A deeper look at the top-line performance suggests that this was a

crisis long in the making.

A review of NMG's performance over the last five years shows why. Profit before tax has been on a downward spiral, dropping by between 13 per cent and 20 per cent every year. In 2019, the profit dropped by 22 per cent from KSh1.63 billion ($16.3 million) in 2018 to KSh1.29 billion ($1.29 million). NMG began the year 2020 with a share price of KSh39.80 but has since lost 65.33 per cent of that valuation to trade at KSh13.80.

Suffice it to say that if this is happening at NMG, one of the best-run companies in the industry with solid governance structures, the rest of the kindred firms must be neck-deep in trouble.

Besides declaring over 300 journalists redundant in the first half of 2020, the Kenyan media industry also executed pay cuts ranging from 10-50 per cent[1]. The situation in Kenya is replicated across the Eastern African region, with commercial media enterprises barely keeping afloat with the onslaught of change in consumer behavior spurred by technological changes.

"Our continued dependence on advertising revenue has put us under pressure as advertis-ers are increasingly shifting budgets elsewhere as they search for value and return on invest-ment," says Johnson Omolo, General Manager, NTV Uganda.

Omolo says most media firms in Uganda implemented pay cuts of 20-30 per cent from April when the Covid-19 pandemic hit.

However, the pandemic is like the burning cigarette butt that was dropped in a forest and ignited a massive fire. To blame the cigarette for causing the fire would be to ignore one major fact; that there had to be conducive conditions in the forest that allowed the fire to spread. The existential crisis for the media in the region began way before the pandemic, and just like Covid-19 has been found to have deadly effects on those with underlying conditions, the local media were already sick before Rona.

Innovate or die

The local media industry has reached an inflection point and firms must innovate or face the inevitable death by a thousand cuts. But for the innovation transformation to happen, stakeholders must be very clear about what type of innovations to pursue and the expected outcomes as well as the payoff timelines.

For the longest time, local media firms have concentrated their efforts on what has come to be known as linear innovations. These are un-

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1 Kenya Editors' Guild says some media houses using Covid-19 pandemic as a pretext to enforce staff layoffs & salary cuts https://www.business-humanrights.org/en/latest-news/kenya-editors-guild-says-some-media-houses-using-covid-19-pandemic-as-a-pretext-to-enforce-staff-layoffs-salary-cuts/

dertakings that combine what innovation guru, the late Harvard Business School Professor Clayton Christensen, described as either sustaining and/or efficiency innovations. Sustaining innovations entail improvements to existing market solutions and are typically targeted at customers who require better performance while efficiency innovations enable the firm to do more with less resources[2].

These types of innovations focus on near-term customer needs and the main objective is to optimize operations for peak efficiency and profitability. An example is when media organizations review internal operational processes to merge roles so that a journalist can produce content for TV, radio, print and online. This inevitably reduces operational costs, and may, at least in the short term, maintain or improve profitability.

Such initiatives are attractive to managers because their impact is easily calculable, the risks are relatively low and the expertise and skills needed are readily available. They are, however, short-term and unsustainable in the long run.

Also, the challenge of focusing mostly on such innovations is that you tend to focus on the current business needs while ignoring the future imperatives that are necessary for the business to regenerate.

To take care of both the present and future, organizations need to be "ambidextrous"- they need to exploit the present core while at the same time exploring the future. "Long term success is a function of a business being able to compete successfully both in mature businesses and in new business - being able to exploit existing assets and capabilities and apply these in the creation of new ones," argue Charles O'Reilly and Michael Tushman[3]. In other words, firms must also actively explore what is called nonlinear innovations[4].

Nonlinear innovations are about setting big, audacious bets about the future and backing them with small, stage-gate experiments to test inherent assumptions for validity. Because no one knows exactly what the future will look like, continuous experimentation and learning are the key here. Such innovations require strategic foresight, which is all about imagining possible future scenarios in a way that enables a firm to sense, shape and adapt to the new reality as it unfolds. This is where the media in Eastern Af-

2 Clayton M. Christensen et al, "The Prosperity Paradox." (Harper Business 2019) Page 20-23

3 O'Reilly, Charles A., and Michael Tushman. *Lead and Disrupt: How to Solve the Innovator's Dilemma*. Stanford, CA: Stanford Business Books, 2016.

4 ditto

rica has failed. Despite rapid changes and dynamism in the business environment, the industry has remained relatively static in how it operates for nearly 15 years.

This is not to suggest that media firms in the region do not have the capacity or capability to develop strategic foresight, they do. So, what is the challenge?

Tweaking is not enough

First is the possibility that the industry was fooled by the outcomes of the relentless tweaking of efficiency innovations like the occasional relaunch and revamp of products to freshen up and/or extend brand offering, retooling of processes as well as the ruthless cutting of costs, especially through deployment of technology and jobs cuts.

Secondly, and I think more fundamentally, there has been a lack of courage to explore for the future. Lack of courage because while managers and investors know what should be done to prepare for an uncertain future, projects that do not show immediate financial promise are abandoned because payoff time frames are unrealistically short and risk tolerance and patience are in low supply.

As a result, we have a me-too industry that is looking inwards rather than outwards for growth. From a purely business point of view, I

Nation Media Group announced transformation into digital and launched a new brand - www.nation.africa - in August 2020 to take its journalism to Africa on mobile, emphasising on quality content on mobile.

think several things must happen for media to survive, let alone thrive.

First, the human software that runs the organizations must be rebooted. There is too much homophily in the industry - people are all thinking the same, in the same way. The industry is relying on expertise and models that led to past success which are, however, hopelessly inadequate for the present, let alone the future. The industry needs to bring in more mavericks and iconoclasts, people not enamored of the success of the past. They need to be populating their ranks with employees with new in-demand skills like human-centric design (HCD) experts, multi-platform UX designers, creative thinkers, data analysts, and coders, among others. Current employees and managers should be given an opportunity to up-skill, unlearn and re-

Nation Media Grooup Editorial Director Mutuma Mathiu presents during the official launch of digital brand, Nation.Africa. at the Serena Hotel in Nairobi on September 4, 2020

learn. Rather than just focus on the need for demographic diversity (like gender, age, tribe, etc.) which is important, organizations should also pay attention to cognitive diversity, i.e. hiring individuals with unique perspectives, insights, experiences and divergent viewpoints.

Secondly, media firms need to translate the perceived threats of the Internet into opportunities by recasting and reframing their value proposition to the customer.

O'Reilly and Tushman (2016) highlight the case of USA Today, a news organization that reinvented itself in the face of disruptions caused by the Internet. Because US Today was predominantly a newspaper business, the then president and publisher, Tom Curley, in 2005 reframed that value proposition when he restated the vision of the newspaper as "not being in the newspaper business but in the news information space." This compelled Curley to reorganize USA Today into an organization that could sustain the print business yet also pursue innovations in broadcasting and online news as well.

The media can also learn a lot from what

happened to the music industry.

In the late 1990s, the Internet destabilized the music industry when file-sharing technologies like Napster were introduced. In a single week in 2002, one billion files of music were shared online, leading to the plummeting of music CD sales by nearly 80 per cent. Studio profits were in free fall. Some artistes were up in arms on the grounds that their source of livelihood was being siphoned online. Headlines like "the music industry is dead" or "who killed the music industry" were all too common. "But just as the demand for CDs was falling, the ticket prices for live music concerts began to increase... between 1996 and 2012, they rose at three times the rate of inflation," writes Bharat Anand[5]. Music piracy had become the "new radio" that served to popularize music and therefore attracted people to concerts. It turns out CDs and concerts were complementary goods; the cheaper one of them became, the higher the demand for the other became. Before the Internet, concerts and live events were marketing events for CDs, but with the Internet, the coin flipped as more people could access music via the web, leading to higher demand for concerts as prices for CDs fell.

In these days when PDF formats of a newspaper can be copied and shared freely online, should media firms channel resources to fighting piracy or would they be served better by recasting the value proposition to the consumer? What are the complements for newspapers and how can they be enhanced to generate more revenue? What are the complements for TV content that is easily accessed via YouTube and other social media platforms like Twitter, Instagram and Facebook. These are the issues that the industry should be discussing as a matter of urgency.

Thirdly, media companies also need to either incubate or make strategic acquisitions/ partnerships with startups or small companies at the vanguard of exploring projects on new media consumption trends and opportunities. Places like iHub, Nailab and the Aga Khan University Innovation Center in Nairobi, should be good places to start.

In 2015, CNN realized it needed to develop an offering that could compete for the eyeballs of the growing youthful audience (the prized 18-35 millennial demographic) that was increasingly being captured by viral startups like Vice and BuzzFeed. CNN launched an independent subsidiary in the form of the Great Big Story, which was a social video experiment producing microfilms with timeless news value. Although the videos are uploaded on YouTube and can be

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5 Anand, Bharat. The Content Trap: A Strategist's Guide to Digital Change. New York: Random House, 2016.

accessed for free, the company makes money through branded short films and series, with some of the early corporate sponsors being the likes of Hewlett Packard Enterprise and General Electric. In 2018, Nigeria's Dangote Group signed a multimillion-dollar deal to have its brands stories integrated in video series produced by the Great Big Story. By 2019, 15 per cent of CNN International's digital commercial revenue came from Great Big Story[6]. Eastern Africa companies need to be aggressively experimenting with such initiatives as informed by local nuances and market realities.

In a related manner, media companies must redefine and expand the scope of what a media firm can or should do. The current structure of bundling radio and TV broadcasting, print and online as the core of a media enterprise is clearly narrow and limiting given the competition that is currently being exerted by non-traditional media companies, especially tech firms like Safaricom.

Besides, firms keen on growth over time must evolve even if it means losing their old identity. Take the example of a company like Amazon, which was started just 26 years ago by Jeff Bezos as an online store for books and electronics. Amazon has since moved into the ad network business, directly competing with Google. It is also an app store, directly competing with Google and Apple. Amazon is also in the content streaming business with a video on demand (VOD) service that competes with Hulu and Netflix, as well as Amazon Studios that produces video content. Amazon Web Services (AWS) that provides on-demand cloud computing services on a metered pay-as-you-go basis is a direct competitor to IBM and Microsoft. Amazon defies the traditional definition of a company because it expands its scope around customers and not industry or competitors. The firm has learnt how to leverage its core capabilities to serve new customers in new ways[7].

How can local media firms leverage on their core to deliver value to new customers or deliver new value to existing customers? I do not claim to have the answers, but I am sure those in company boardrooms already have ideas; they just need the courage to start experimenting and to have the fortitude to do it for the long haul.

In a bid to turn around its fortunes, NMG says it has "accelerated into digital media..." and "together with the strengthening of the Group's

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6 Great Big Story now accounts for 15% of CNN International's digital revenue https://digiday.com/future-of-tv/great-big-story-now-accounts-for-15-of-cnn-internationals-digital-revenue/

7 Johnson, Mark W., Clayton M. Christensen, and Henning Kagermann. "Reinventing Your Business Model." Harvard Business Review 86, no. 12 (December 2008).

Nation Media Group state-of-the-art printing press located along Mombasa Road in Nairobi.

print and broadcast products are expected to offset the adverse performance…and drive long-term profitability of the business."

I like the fact that the firm is talking about "long-term profitability" because turning around this situation is not going to be an overnight undertaking.

Digital media is currently at its embryonic, exploratory stage and no one knows what will pay off and what will not. This initiative requires time and space as well as "air cover". The way to assess the success or otherwise of digital media is not on how much money it brings in the short run, but on how quickly the company is validating the business model and adapting accordingly. Some initiatives will definitely fail,

but if you are failing and learning and doing it again with the lessons in mind, eventually there will be a breakthrough.

Which leads to my final point. It is crucial that investors and all other stakeholders be prepared for the short-term pain if they hope for long-term gain. Often, it is the pressure from shareholders for quick results - performance for the stock market - that pushes managers to solely focus on the near term at the expense of the long term. All they should do is to demand, monitor and measure whether managers are optimizing existing business models while at the same time building new businesses for the future. The two require different performance measurement metrics.

WRITERS
PROFILES

DANIEL KALINAKI

Daniel Kalinaki is a Ugandan journalist, editor, newspaper columnist and author. He has spent the last two decades causing trouble across the Great Lakes region, mostly in newsrooms. Most of that trouble has been at The EastAfrican, and the Daily Monitor newspaper in Kampala of which he became editor at 28

and which he ran for five eventful years before he was kicked upstairs for a four-year stint at the Nation Media Group HQ in Nairobi.

He managed to find the time to finish his second book, Kizza Besigye and Uganda's Unfinished Revolution. The book washed its face but was not the ticket to financial freedom and early retirement he had hoped for, so he kept apace with the hamster wheel.

NMG discovered him hiding behind a desk at Nation Centre and sent him back to Kampala as general manager for editorial to converge its operations in the country that include the Daily Monitor and NTV, and pivot them to a digital landscape.

Away from work, Mr Kalinaki chairs the board of the Freedom of Expression Hub, and sits on that of the African Centre for Media Excellence. He also became the interim chairman of the Uganda Editors Guild.

Mr Kalinaki has journalism degrees from Makerere and the University of London and is an alumnus of the Advanced Media Program in Media and Entertainment by IESE Business School of the University of Navarra.

PAMELLA MAKOTSI SITTONI,

Pamella Makotsi Sittoni is trustee and chairperson of KEG's Strategy Committee and the Executive Editor at Nation Media Group. A journalist with 19 years' experience, Ms. Sittoni was the Managing Editor of NMG's regional weekly The EastAfrican before her latest appointment.

She began her career at the Nation Media Group as a reporter in 1993 and rose to the position of Chief Sub Editor. In 2003, she moved to the Standard Group as Deputy Managing Editor, and rose to Managing Editor of The Standard in 2005. In 2006, she moved to UNICEF Kenya as a Communication Specialist, before returning to the media in 2012 to edit The EastAfrican. Ms. Sittoni was named the 2017 Laureate of the Women in News Editorial Leadership Award for Sub-Saharan Africa by the World Association of Newspapers (WAN-IFRA). She serves on the board of the World Editors Forum.

OCHIENG RAPURO

Ochieng Rapuro, Raps to his friends and peers, is the Editor-in-Chief of the Standard Group. Rapuro was a pioneer in developing and nurturing modern-day business journalism in Kenya. Soft-spoken and meticulous in his approach to issues, Rapuro is leading the editorial team at The Standard, Kenya's second largest daily newspaper by circulation, and the Standard Group's editorial team, into becoming a 21st century digital media house. Prior to joining The Standard earlier this year, Rapuro headed the Nation Media Group's regional newspaper, The EastAfrican, after being moved there from Business Daily, another NMG production, where he had been Managing Editor.

Rapuro has over 20 years' experience in business journalism having worked as a reporter, copy editor and business editor. He has extensive experience in economic and business journalism and has more recently focused on digital media and its impact on the future of journalism. Rapuro holds a Bachelor of Arts degree in English and Government and a Postgraduate Diploma in Journalism from the University of Nairobi, and a master's degree in public policy from the University of Potsdam, Germany. He has published two books, one on the Basic People's Rights, and the second on East Africa's regional integration project. Rapuro works with a wide network of media and economic risk experts and maintains an interest in media law, new media and how economic journalism is shaping Kenya's and East Africa's development.

CATHY ANITE

Catherine Anite is a human rights advocate and freedom of expression expert. She is the founding director of the Freedom of Expression Hub, a not-for-profit organization whose mission is to promote and defend the right to freedom of expression in Uganda and the East African region through research and documentation, advocacy, strategic litigation, strategic collaborations and capacity building initiatives. In July 2019, she was appointed to the international High-Level Panel of Legal Experts on Media Freedom by Lord Neuberger, the former Supreme Court president of the UK, and the deputy chair, UK Special Envoy on Media Freedom, Amal Clooney. The remit of the panel is to provide advice and recommendations to governments to prevent and address abuses of media freedom and its work can be accessed online.

Catherine has previously worked as Senior Program Officer, Media, Safety and Protection at ARTICLE 19 and as Chief Legal Officer at the Human Rights Network for Journalists in Uganda, where she founded the legal department. She has extensively trained journalists, media workers, lawyers and judges on different freedom of expression and media freedom standards in various African countries and beyond, engaged in public interest litigation on free speech issues in national and regional courts, represented journalists, pursued policy analysis, and spearheaded national and regional advocacy campaigns on behalf of journalists and other media practitioners. She has served as a senior judge at the International media law moot court at the University of Oxford and facilitated at the Annenberg-Oxford Media Policy summer school program at the University of Oxford. Catherine is a 2014 Obama Fellow, a 2016 Legal Research Fellow at the Centre for Law and Democracy in Canada and at the International Centre for Not for Profit Law in Washington, D.C. She's also an expert for the Global Freedom of Expression project at Columbia University, New York. Catherine earned an LLM in International Human Rights Law from Notre Dame University, USA, graduating Magna Cum Laude, an LLB with honors from Makerere University, and a Post-Graduate Diploma in Legal Practice from the Law Development Centre, Kampala, Uganda.

ASRAT SEYOUM is a young media practitioner and content editor in the Ethiopian print media industry from a business and economic background. He is the editor-in-chief of the local English newspaper *The Reporter*, which he joined as a junior reporter a decade ago. *The Reporter* is one of the oldest private print media outlets in the country and still among a handful of English-language newspapers that have consistently hit the newsstands for over 20 years. He also has been an integral part of the management team at the Media and Communication Center (MCC), publisher of *The Reporter* and the *Amharic Reporter,* weekly and bi-weekly publications, for the past two years. Asrat is a bilingual writer with extensive experience in media content in both Amharic and English. He has extensive experience with developing, translating and editing technical documents, working with organizations like the World Bank Group and many others.

PROF. GEORGE NYABUGA BIO

Prof. George Nyabuga is an Associate Professor of Journalism and Media at the University of Nairobi's School of Journalism and Mass Communication. Prior to joining the University of Nairobi, he was the Managing Editor in charge of the Weekend Editions, and Media Convergence at The Standard Group. Prof. Nyabuga taught Journalism, and Media and Cultural Studies at the University of Worcester in the United Kingdom between September 2005 and September 2008. He has also taught international media and communication, and comparative politics at Coventry University also in the UK. He has a PhD in Media, Politics and History from Coventry University.

KWAMCHETSI MAKOKHA

Kwamchetsi Makokha has worked as a journalist for over two decades in Kenya with writing, editing, training and management roles. He contributed the chapter, 'Dynamics and Politics of the Media in Kenya's 2007 Election', in Tensions and Reversals in Democratic Transitions (eds. Karuti Kanyinga & Duncan Okello, 2010), and wrote various iterations of a weekly political column in two of Kenya's leading newspapers for nearly 20 years. He has served as communication advisor to the office of the Chief Justice in Kenya (2011 – 2015) responsible for public policy dialogue and engagement, and also supported media grantees across East Africa to describe the qualitative results of their work. He is currently engaged in establishing and sustaining online community platforms for victims of atrocity crimes in Kenya, Burundi and The Gambia as forums for claiming agency to demand justice.

DEODATUS BALILE

Deodatus Balile is a career journalist determined to transform the journalism profession in Tanzania and beyond. For over 28 years, he has held multiple posts, from cub reporter to Managing Editor. He is the Managing Editor for the investigative weekly newspaper *JAMHURI*, and has worked in a similar capacity with various companies including New Habari Limited and Free Media Limited. He is the Tanzania Editors Forum (TEF) acting chairperson. TEF champions freedom of expression and access to information.

Balile believes access to information is a fundamental right that enables access to other rights. He has played a fundamental role in reviewing the Newspaper Act of 1976 in Tanzania, which was curtailing freedom of expression. He led the campaign from 2008 to 2016, when the law was reviewed and the minister's power to ban newspapers was extinguished. Balile has embarked on the new project of uniting the East Africa media fraternity as a way of fostering the integration of editors in the bloc with a view to advancing access to information and freedom of expression. In June 2019, Balile attended the IPI World Congress in Geneva, Switzerland, where the International Press Institute (IPI), based on Balile's presentation, formed IPI Tanzania National Committee. The committee seeks to advance freedom of expression, access to information and professional training for journalists in the country and beyond. It is an entry point to unite East Africa, Africa and the world at large to fight injustice against the press by training journalists and guaranteeing freedom of expression and access to information.

ZEKARIAS SINTAYEHU is a Deputy General Manager at the Media and Communications Center (MCC), publisher of the weekly English newspaper *The Reporter* and the biweekly Amharic newspaper *Reporter*. He is also the Editor-in-Chief of the *Reporter* newspaper, which was in business for a quarter of a century. Before assuming his current position in January 2013, he worked as a Deputy Editor-in-Chief of the *Reporter* newspaper for three years. Prior to joining MCC, he worked at the Horn of Africa Press Institute (HAPI), a media research institute, as a Program Coordinator. He began his professional career as a Program Officer at the National Coalition for Women against HIV/AIDS (NCWH). The coalition was founded by the former First Lady of Ethiopia, Azeb Mesfin, and working at the organization gave him an excellent opportunity to travel to various parts of the country. He also organized two international meetings that hosted African First Ladies to discuss HIV/AIDS. He holds a Master of Arts degree in Global Studies from Leipzig University and Addis Ababa University.

PETER OPONDO

Peter Opondo is currently an independent media strategy, innovation and digital transformation consultant. He is a former editor in chief at Mediamax Network Limited, Group Editorial Consultant at Royal Media Services (RMS), Managing Editor Citizen TV, and News Manager NTV Uganda; among other senior management roles in media houses in the region. He holds an MBA from Strathmore Business School (SBS) and IESE Business School in Barcelona and a Bachelors of Education Degree from Moi University, Eldoret. Opondo is also a graduate of the Senior Management Leadership Program (SMLP) from Strathmore Business School and Nanyang Technical University in Singapore. He currently researches and writes on areas business model innovations and new customer value propositions for enterprises in a digitally disrupted environment.

JOE AGEYO is the Editorial Director at Royal Media Services where he oversees news and current affairs across two TV channels and 14 radio stations. Joe has a wide experience in television journalism spanning a period of 20 years. During this period, he has also held various positions at the Kenya Kenya Broadcasting Corporation, the Nation Media Group as well as the Standard Group Ltd, where he was the founding Managing Editor of KTN News, the only 24-hour news channel in Eastern Africa.

Joe has co-moderated two presidential debates in Kenya; the inaugural one in 2013 as well as the second one in 2017. He has also served in the Steering Committee of the Presidential Debates in Kenya and as a trustee of the Kenya Editor's Guild.

As an editor, he has presided over the coverage of three General Elections and two national referenda in Kenya. Joe, who is a well-rounded journalist, has excelled both in general news reporting as well in specialised areas such as science and environmental journalism.

Joe is a fellow at the Center for Governance and Sustainability at the McCormack Graduate School of Policy and Global Studies (MGS), University of Massachusetts and a Catto Fellow at the Aspen Institute.

He holds an MSc in Environmental Governance from the University of Manchester, a Bachelor of Agribusiness Management from Egerton University, a Post-Graduate Diploma in Mass Communication from the University of Nairobi, and an Advanced Certificate in Environmental Diplomacy from the University of Geneva, Switzerland.

JESSE KWAYU is managing partner of Media Brains Inc. He is a media guru, trainer, lobbyist and political analyst who has performed wonders on a range of assignments. He has performed remarkably in media management, thanks to the mentoring skills he has acquired over the decades by conducting media-related training and covering highly demanding assignments.

Kwayu has served as an editor for various media outlets in Tanzania, including Habari Corporation, Business Times Limited, Mwananchi Communications Limited and The Guardian Limited, where his very last position before he pursued other endeavours was Executive Editor. He once worked as Corporate Affairs Director for ZEK Group in Tanzania.

For years on end, Kwayu has played an instrumental role in the implementation of a rich array of major media projects in Tanzania. They include the training of journalists on the reporting of issues concerning children's rights – in collaboration with the Tanzania Editors Forum; reporting of elections; and reporting of issues relating to minority indigenous peoples (MIPs).

He has co-developed a manual to help journalists report on MIPs, this with support from the Women Pastoralist Council as well as a journalists training manual on civic space, an assignment commissioned by Tanzania's Legal and Human Rights Centre (LHRC)

Other major projects he has successfully undertaken include leading a committee comprising Tanzanian editors in consultation with a government-appointed team in efforts to influence MPs into coming up with media-friendly laws in Tanzania. He also sat on the executive committee of media stakeholders in following up and overseeing the monitoring Tanzania's multiparty general elections of 1995 and 2005. Currently, he is a board member of the Tanzania Editors Forum.

CHURCHILL OTIENO

As a young journalist, Churchill was among pioneers of online and digital journalism in Kenya and the wider East Africa. He is Head of Development & Learning at Nation Media Group. Besides being a hands-on editor in his day job, Churchill has scholarly interests in digital media and has published several peer-reviewed articles in journals and professional publications. In May 2017, Churchill was named by the International Centre for Journalists (ICFJ) to a global panel seeking effective ways to counter fake news. He is also an international speaker on sustainability of independent journalism and an authority in newsroom adaptation to new media. A career journalist, Churchill has risen up the ranks from a correspondent to a senior editor. Churchill Otieno is of the Kenya Editors Guild is the President of the Kenya Editors' Guild.

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