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# Governance and the Media

## Irum Shehreen Ali

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# Governance and the Media

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Abstract: Using both secondary literature on the media and primary data collected via in-depth interviews with a diverse range of government officials, journalists, academics, researchers, law makers, NGO representatives, social activists and political actors, this paper examines the role and impact of a diverse range of media outlets on various aspects of governance in Bangladesh. It looks at an interlinked set of issues encompassing the national media's role as a state watchdog and shaper of public opinion, and how this is enhanced or hindered by its lack of capacity, ownership structure and internal governance.

Table of Contents

**Introduction**

Current development discourse strongly identifies an independent media as one of the main components of ensuring good governance and strengthening democracy. A free, accountable and vibrant mass media disseminates information, informs the public and policy makers alike, creates space for diverse views regarding socio-economic and political processes, and increases people's scope for democratic participation (Hudock 2003; Besley *et al* 2002). In Bangladesh, a country where democracy and state institutions are in their nascence, the mass media's relatively free operation is the prime means of examining governance and demanding accountability from state machineries. It is often the people's only source of information regarding the functioning of the state and political processes (Anam 2002; Kabir 2003). While the mass media in Bangladesh enjoys a long history that pre-dates independence in 1971, the advent of democratization in 1990 saw the growth in the number and range of both print and electronic media outlets (Chowdhury 2005). The recent boom in the industry, while not unproblematic in and of itself, has created and maintained a vital sphere for discussion regarding the governance successes and failures of governments, as well as other socio-political and economic issues.

Using both secondary literature on the media and primary data collected via in-depth interviews with a diverse range of government officials, journalists, academics, researchers, law makers, NGO representatives, social activists and political actors, this paper examines the role and impact of a diverse range of media outlets on various aspects of governance in Bangladesh. It looks at an interlinked set of issues encompassing the national media's role as a state watchdog and shaper of public opinion, and how this is enhanced or hindered by its lack of capacity, ownership structure and internal governance.

The mass media in Bangladesh, especially the print media, plays a role in informing the public of governance-related concerns such as the government and opposition's political performance and internal governance, electoral process issues and public corruption. The electronic media provides a discursive space for debate and expression of views to the polity for political actors that is not available within mainstream political institutions. However, the media is largely characterised by the predominance of superficial political news that reflects and reinforces the nation's existing bi-polar political culture; as opposed to issue, policy and implementation based investigative and analytical journalism that brings the causes and consequences of governance failures to light. The absence of adequate coverage of local issues in the national media is an on-going concern. Corruption reportage, an increasing phenomenon, is mainly limited to mid-level public administration, specific government procurement and banking/financial mismanagement stories. However, the majority of this coverage fails to analyse the systemic causes of institutionalised corruption nor does it pinpoint the involvement of top level bureaucrats, politicians and their associates in it. While direct policy action as a result of media attention has been rare, the media can be credited with creating public awareness regarding corruption and a demand for successive governments to recognise and address this core governance problem.

The failure of the media to adequately address governance failures can be attributed to an interrelated set of factors. Firstly, the lack of a right to information law that obligates the government and its functionaries to reveal information to the public, including the media, creates an environment that is neither transparent nor accountable, and counter-conducive to the reporting of governance related issues. Secondly, the media's limited professional capacity and resources severely constrains the industry's ability to professionalize, to attract

talented young entrants, to maintain high ethical standards, to undertake in-depth investigative reporting and to innovate. The poor remuneration structures and pervasive nature of corruption within society often lead to media involvement in political and business dealings and the abuse of professional integrity. Thirdly, the media's credibility is undermined by its lack of effective internal regulation and the partisan politicisation of their professional associations. Finally, the media itself suffers from a governance crisis in that the majority of media outlet owners are members of the political and corporate elite who have vested interests in using the media as a political and business tool and in not bringing governance failures, especially instances of corruption, to light. These findings are in keeping with the World Bank's (2002, 2006) arguments that if the media does not operate in an independent and accountable manner, with quality programming, high internal capacity and wide reach within the population it cannot be a strong positive influence on governance. The media in Bangladesh, with its own governance issues regarding operation and ownership, and its embroilment in an overall culture of partisanship and corruption undermines its institutional credibility, and often leads to media cynicism on the part of the public or media capture by political-corporate forces.

This paper is divided into five sections. The first summarises a brief history of the media's development in Bangladesh, including new trends in media deregulation and expansion, as well as the current regulatory framework the media operates under. The second section explores the theoretical and empirical links between media and governance and elaborates on the specific media-governance issues on which this paper focuses. The third section captures the research findings of the primary data on the following: a) the nature and consequences of media coverage on political governance as exemplified by the government, opposition and the electoral process and b) the role the media plays in exposing and tackling corruption, emphasizing the enabling factors and constraints to effective performance of this function, and highlighting cases where media attention has effectively led to anti-corruption policies and outcomes. The fourth analyses the findings presented in the previous section; emphasising the role of internal governance within the media in the media's efficacy as a governance watchdog. Finally, the paper assesses the current relationship between media and governance in Bangladesh, and provides an overview of our state of knowledge in this sector.

## SECTION I: THE MEDIA IN BANGLADESH – AN OVERVIEW

This section examines the media's historical growth in Bangladesh, encompassing recent developments and trends, regulatory frameworks and ongoing debates within the industry regarding the media's current operation, autonomy and success.

### Historical Development of the Media

From its beginnings as an arm of the nationalist movement in the 1960s to its uneasy existence during the military dictatorships of the 1970s and 80s to its post-1990 liberalization, expansion and deregulation, the Bangladeshi media has come a long way. During its time, the media has undertaken a variety of functions: as a tool of political protest against repressive governments, a discursive space for battling political parties and coalitions, an extension of owners' personal ideological beliefs, a conduit for social education and as a means of cultural self-expression for the people, albeit predominantly the elite, and subsequently, the middle classes. Over time, the media has undergone a succession of repressive regulatory regimes, and is currently regulated by the relevant Constitutional laws and the Press Council of Bangladesh. The changing face of the media has reflected the increasing literacy (41.1%

[UNDP 2005]), purchasing power and sophistication of the Bangladeshi polity. However, media penetration in Bangladesh continues to be extremely low, as can be deduced from the overall low levels of telephone and cellular access, as well as extremely low Internet use (UNDP 2005). Despite its continuing trials and tribulations, the industry's continuing growth and professionalisation look set to continue. However, this expansion and taking on of new roles has brought with it a range of problems that are fully discussed in section five. The study of the media is severely handicapped by the lack of available academic resources on its history, role and governance.

The pre-Independence media is marked by a pro-nationalist and anti-establishment politicisation (Chowdhury 2005). During that time the weekly Holiday and the Dainik Ittefaq both functioned as opposition to the day's political regime, the former as a leftist anti-establishment publication and the latter as a mouthpiece for the nationalist movement (Chowdhury 1999; Khan 2006). Due to its limited experience within an extremely politicised context, the post-1971 media continued to function as a political tool. During this time, the Dainik Ittefaq asserted itself as the market leader in news coverage, while Holiday continued to be daring in its unique willingness to confront the new nation with unpleasant truths (Chowdhury 1999). Political crises within the ruling Awami League lead to the establishment of one party rule and the imposition of state ideology adverse to dissenting views (Bagchi 2002). The subsequent closure of independent media outlets and presence of four state approved newspapers – two English and two Bangla dailies – was consistent with this political strategy (Chowdhury 2005; Kabir 2003). The imposition of the first martial law regime of General Zia in late 1975 began a period of unconstitutionality and state control of the media that carried through until the end of H. M. Ershad's dictatorship through a mass urban upsurge of the people (Holiday 1990).

In the media, this period was marked by the "lack of due process, low accountability and connection capitalism" (Chowdhury 2005). However, media owners and practitioners despite being under coercive regimes created strong and innovative news products that served people's need for information to the best of its ability. During the 1970s and 80s, the weekly news and current affairs magazine Bichitra began to represent the emerging aspirations and ideology of a burgeoning urban middle class (Chowdhury 2005). The weekly Jai Jai Din was the first to introduce newsprint based magazine publishing that increased people's access to publishing. The 80s saw the proliferation of several small underground publications, but this trend did not last and the media became a "collaboration of wealthy investors and professional middle class workers' (Chowdhury 2005). The daily Inquilab was the newspaper of the conservative, rightist and pro-Islamic segment of the society, a role that it carries out to this day. Other notable publications during this time were the weekly Bichinta, an anarchic alternative to the mainstream Khoborer Kagoj, which itself offered an alternative to the by then establishment Ittefaq and was a precursor to today's existing mainstream dailies.

**Recent Trends and Current Status of the Media**

The 1990s saw a media boom in the entrance of many new players into the media market. The Daily Star's entry and consolidation of its readership saw it eventually overtake the Bangladesh Observer as the highest-circulated English language newspaper in the nation, although the latter still generates strong government advertising revenue. The Daily Star has established itself as not only the market leader, but also as the "prime elite media outlet" (Chowdhury 2005). Currently, the second highest circulated English daily is New Age, which is a relatively new entrant to the milieu, while other English dailies trail significantly behind

in circulation. According to compiled data from field reports by the Dhaka Hawkers Union, the total national readership for English newspapers is less than 65,000 (2006). The leading English newspapers, while small in readership compared to the vernacular dailies, have a strong impact within policy circles as they are read by the bureaucratic and business elite and, most importantly, by diplomats, lending agencies and development partners (Khan 2006).

Bangla dailies like Ajker Kagoj, Janakantha, Jugantor, Amar Desh, Naya Diganta, Samakal and Prothom Alo have also entered the media fray during the past 15 years. While the media at large is finally beginning to cater to the non-political demands of their readership, Prothom Alo pioneered a brand of journalism that combined information provision, entertainment and social action that has proven extremely popular with readers and advertisers alike (Chowdhury 2005). According to field reports compiled by the Dhaka Hawkers' Union, within a total national circulation of approximately 550,000, the most highly circulated Bangla daily is Prothom Alo, followed by Jugantor, Ittefaq, Amar Desh and Naya Diganta (2006).

Reports of the numbers of registered news publications vary greatly and many of these are published irregularly, both in and outside the capital (Amader Shomoi 2006). As seen in the table below, according to the Ministry of Information (MOI), there are currently a total of 743 registered news publications with an official total circulation of 6,107,616 (2006). In terms of circulation, figures provided by the government in regards to both English and Bangla newspapers are widely contested by the industry, and the newspapers hawkers' union is often consulted for correct information, as above. Daily newspapers are published in sixty districts out of sixty-four and 45 districts have regularly published weeklies (MOI 2006). Reports state that only a total of 20-22 daily newspapers are regularly published (Bagchi 2002). However, media practitioners and observers at all levels expressed concern over both the print and electronic media licensing system and the poor implementation of a flawed regulatory framework (Hye 2006; Prothom Alo 2006)

| Type | Dhaka based | Regional |
|------|-------------|----------|
| Daily | 183 | 225 |
| Weekly | 130 | 104 |
| Fortnightly | 34 | 3 |
| Monthly | 53 | 5 |
| Quarterly | 5 | 1 |
| Total | 405 | 338 |

(Source: MOI 2006)

Until 1990, the electronic media was limited to the state-run terrestrially beamed Bangladesh Television, and Bangladesh Betar (Radio), often the only source of news and information for the rural population. Bagchi reports over a million licensed and unlicensed radios and over half a million licensed TV sets in the nation (2002). After the advent of democracy in 1990, the need for a private electronic media sector was obvious. The private radio channel Radio Metrowave began limited broadcasts in 1999 with the permission of Bangladesh Betar and the National Broadcasting Authority (NBA) but has since closed down (Daily Star 2006a). However, entertainment radio channel Radio Today has started broadcasting in June 2006, with news of other FM radio channels in the offing (New Age 2006b).

The mid-1990s saw the birth of ATN Bangla, Channel "i" and Ekushey TV (Chowdhury, 2006). These channels presented a new mode of programming to its viewers that emphasized

a wide-range of programmes and attractive packaging. However, due to problems with its licence, Ekushey TV was closed down in 2002 (Holiday 2002b). [See page 20 on ETV's recent resumption of broadcasting.] The boom in satellite broadcasting continues with a total of 8 satellite TV channels currently operating. Currently, BTV World, Channel I, ATN Bangla, RTV, NTV, Channel 1, Bangla Vision, Baishakhi and Falguni TV (a music channel) are in operation (MOI 2006). In addition, Channel S (UK based) and STV (US based) are two foreign-owned Bangla satellite channels operating in Bangladesh. These relatively new TV channels competitively combines newscasts, entertainment, politically based talk shows and discussion programmes in a manner that offers viewers with a wide range of viewing options, and provides an alternative space for political governance related debate that is not available in institutional political forums. A recent survey carried out by the market research company AC Nielson shows a dramatic rise in both TV ownership and viewing over the last decade in Bangladesh, finding that 41% of households own a TV in 2006, as compared to 8% in 1995 (Daily Star 2006b). The survey also states that over 65% of Bangladeshis aged 15 or over watch TV at least once a week, indicating a substantial and growing market for satellite TV channels.

**Current Debates**

In the current milieu, the media is at a transitional stage where it is experiencing an expanded social role, a wider framework of operation, greater competition and increasing professionalisation. Given the weak accountability relationship between the state and its polity and the dysfunctional intermediary democratic institutions, the media provides a discursive space for governance issues and people's democratic demands (Alam 2005). The current issues in relation to the media concern the industry's expansion and the threat of market saturation; the heavily partisan and politicised coverage culture prevalent in the industry; the structural impediments to effective functioning and weak regulation of the media and finally, the lack of resources and capacity within the industry.

Leading editors claim that post-1990 the media has taken on the role of governance watchdog and helped to shape the public's political perceptions. However, this role has been heavily impeded by the media's often-unquestioning subjugation to and reinforcement of the partisan political culture (Alam 2005; Hye 2006). This reduces the media's credibility, offers it little protection against being maligned by governments and oppositions alike and reduces the scope for impartial analysis of social, economic and political issues (New Age 2005b). This is especially true of the print media, as the electronic media's superficial news coverage and lack of analytically based programming gives it the veneer of impartiality.

The high production costs of print and electronic media outlets and the highly competitive market for media readership and audience mean that market saturation and unprofitability are constant threats. The tax on imported newsprint that officially stands at 25% but amounts to approximately 57% upon the payment of all other taxes and surcharges is considered a huge impediment to the profitability and growth of the print media (Daily Star 2005). As Bangladesh has to import over 75% of its newsprint due to low local production capacity and poor quality, this is a source of constant financial strain for media houses.

The lack of a right to information law is widely discussed in media circles as a hindrance to more effective, accountable and widespread reporting of governance issues. Another area of concern is the continued presence, if not application, of a regressive system of laws that can be used to effectively muzzle the media should the government so choose (Kabir 2003). In

addition, TV channel operators are apprehensive of new legislation under consideration that will require previously licensed operators to acquire new licenses and apply stringent controls over the broadcast content, fining operators for programming deemed to be contrary to the nation's interests (Daily Star 2004, Prothom Alo 2006). The media are still impeded by issues of state control and involvement in its business activities, as many newspapers are reliant on government advertisements due to the limited market for commercial advertisements (Anam 2002).

Poor internal governance and lack of capacity of the media is another area that directly links to the media's usefulness as a governance watchdog and compromises its independence. Observers note that the media's autonomy and efficacy in functioning is severely compromised by the media's ownership and direct linkages with business houses and political actors (Chowdhury 2005). The dysfunctional, partisan and anti-freedom stance of the Press Council of Bangladesh and its lack of credibility continue to alarm media practitioners and observers alike (New Age 2005a).  Media practitioners report that the various journalists associations' partisanship and inability to impose standards of conduct among media outlets endangers the integrity of the media. One of largest constraints to improved media coverage on governance related issues, both in the print and electronic media, other than a paucity of funds, is the limited financial, managerial and professional capabilities of its members (New Nation 2006).

The above developments, frameworks and current debates frame the following examination of the role played by the media on governance in Bangladesh, especially related to corruption. This is analysed in light of the media's ongoing internal governance dilemmas and performance constraints.

## SECTION II: MEDIA & GOVERNANCE – THEORETICAL LINKS AND METHODOLOGY

There have long been causal connections drawn between the presence of a strong, independent media and the likelihood of good governance and strengthened democracy (Kaufman 2006; Haq 2003). This section explores these links, and identifies the central issues that are relevant to studying the impact of media on good governance in Bangladesh.

**The Media - Good Governance Connection**

The role of good governance in developing countries has been greatly debated over the past decade (Kuper and Kuper 2001). The current concern with promoting good governance in nascent democracies is focused on identifying and utilising tools that enhance good governance (World Bank 2002).  Good governance is the transparent and accountable exercise of power and utilization of resources in a country's social, economic and political institutions (World Bank 2006). Inherent within this conception is the presence of a system of checks and balances based on the rule of law, transparent transactions and exchanges of information. The mass media is a system by which information is provided to large numbers of people using mainly two modes of transmission – print (English, vernacular) and electronic (television, radio, internet). The provision of information to the public is considered to be beneficial for good governance outcomes for a variety of reasons.

Primarily, a free media creates an informed polity that is more prepared to hold their elected representatives accountable – a prerequisite for effective democracy. Hudock argues that a

robust media provides people with the political and economic information they require to effectively participate in democratic decision making (2003). This information is vital for the public to be aware of the government's actions and make political decisions accordingly. Stiglitz argues the presence of a "natural asymmetry of information", where the public is separated from the government by the latter's possession of greater information (2002). As the incentives for the government may be very strong to keep information from the people, the mass media can enable citizens to monitor the actions of their government (Besley *et al* 2002; Stiglitz 2002). Without this information, people cannot demand change or accountability from their government and social institutions. According to Kim *et al* (2003), the media creates "opinion climates" which influence the public's perception of political actors and events, and their desire to voice opposition and demand change. Thus, the media acts as a catalyst for creating positive governance outcomes as people, and in turn governments, are motivated to enact changes in the institutional structure that enhance democracy. In addition, an effective media also provides policy makers and governments with information vital to addressing a nation's policy and development needs (Hudock 2003; Temin and Smith 2002). So, the type and validity of the information provided by the media regarding governance and the political process can shape people's perceptions and generate impetus for change.

An extremely important area where the provision of critical information by the media can change governance outcomes is in the area of corruption (Kaufman 2006). This is a pervasive problem in many developing counties where state and economic institutions are not yet sufficiently developed and differentiated, or dysfunctional. The media, by raising corruption as an important governance issue creates a space for discussion about it and also a public consensus to fight it (World Bank 2002). So theoretically, an effective press works to curtail corruption by increasing the risk of exposing corruption and by extension, the penalties for corruption for institutional actors. Kaufman argues that nations with greater press freedom have less corruption (2006). Evidence form Peru and Mozambique suggests that exposure of bribery and other forms of corruption in the media can spur governments to undertake either legislative and institutional reforms or new drives to eradicate corruption (World Bank 2002; Seleti 2000).

The positive correlation between media and governance can only be created if the media itself functions independently, provides news and information of a high quality and is able to reach large sections of the population (Islam 2002; World Bank 2002). If the media is free from undue pressure from the state or commercial interests, and can function under a liberal framework, they are more likely to tackle governance issues successfully. In order to provide useful information to the public, the media needs to have access to information, and also the capacity to utilise it (Krug and Price 2002). Lastly, the media must be able to reach a large percentage of the population in order to educate them regarding governance failures, and to motivate them to demand change. This reach is not possible without technological capacity or within a restrictive environment (Owen 2002).

## … Or Lack Thereof?

However, there remains debate among scholars whether there is enough empirical evidence that strongly links media with actual voting outcomes or institutional change, and whether the media actually does act as a democracy-boosting force. International financial institutions emphasize that a strong media is one of the cornerstones of economic development and democracy (Kaufman 2006; World Bank 2002). However, the evidence from research is

limited at best and suggests that whether the media has a positive influence on people's political perceptions and governance is strongly dependent on the type of media that exists and what strata of people have access to them. Studies in Ghana, Canada and South Africa question the role and impact of the media in voting patterns of the public and in enhancing government performance. The former concludes that despite the continued "romanticising of the role of the media" in reaching poor, rural populations, the media had the strongest impact on urban, educated elites who were more likely to follow campaign coverage and electoral analysis (Temin and Smith 2002:603-04). The Canadian study concludes that while the media temporarily moved voting intentions over the course of an election campaign, it did not appear to have a direct impact on the final vote (Dobrzynska *et al* 2003). In South Africa, the media is seen to be effective in strengthening democracy only when it is constructively engaged in a nuanced and helpful manner with the state, rather than merely being critical (Kuper and Kuper 2001). Kim et al. (2003), a study of North Korea, finds that people are only willing to speak out and demand better governance when the media is able to create an atmosphere that seems to support dissenting opinions. As Gitlin (1983: 3) claims, while people look to the media for "concepts … and guiding information", the presence of a media that cannot adequately provide these will result in maintenance of the status quo.

In fact, there are strong arguments that portray media as an anti-democracy force. Putzel and van der Zwan (2005) claim that in fragile states, the media can do more hard than good if it is not prepared to undertake the burden of responsible information dissemination. They state that if the media does not possess a strong professional ethos and is not regulated by an implementable system of laws, it may utilise its power negatively. Scholars also claim that the media can create a cycle of "bad governance" by focusing on the negative aspects of politics by using an overly interpretive style of journalism (Patterson 1996). Cappella and Jamieson (1996) argue that the media's framing of political news can create cynicism about policy and governance. An unfortunate outcome of this is "media cynicism", whereby the public distrust the media in additions to the politicians and bureaucrats the media reports on. Needless to say, the outcomes for democracy – a suspicious and disinterested polity - are negative. McChesney (1999) contends that as the media becomes more corporate and concentrated the prospects for participatory democracy lessen. The media's interests shift away from providing readers and viewers politically discursive material and to appeasing commercial interests. The media thus runs the risk of "capture" by political-economic system (Besley *et al* 2002).

**The Rationale for the Current Research in Bangladesh**

The evidence is far from conclusive that media has universally positive effects on the development of democracy and good governance. In Bangladesh, there is a dearth of empirical data regarding the media, its role and impact in society. However, the intuitive connection between the proliferation of information and a more politically engaged polity and responsive governance structure is worth careful exploration in a nation where the media has expanded and liberalised over the past 15 years. Primarily, it is necessary to look at the nature and consequences of the media's coverage on governance related issues vis-à-vis the major actors in the institutionalised political process: the government, opposition and bureaucracy. Also requiring examination are the effects of the media's creation and manipulation of a discursive space for interlocution between state institutions and the people. Most importantly, it is essential to identify the enabling and constraining factors that influence the ability of the media to highlight and have impact on governance issues in the socio-political context of Bangladesh.

Theoretically, the media has scope to play a meaningful role in creating awareness of and eventually reducing corruption, one of the major governance failures in Bangladesh. We need to identify the nature of coverage on corruption and whether this yields institutional or policy change. Understanding the nature of the relationship between media and corruption can help to identify possible ways to enhance this role, and to gauge the impact of the media on other governance issues.

The literature emphasizes the link between the media's independence, reach and quality and its performance as a governance watchdog and impact on democratic development. Thus, the functioning of the media itself is an object of inquiry and concern. Scholars suggest that only particular types of media under a well-implemented and liberal regulatory framework have positive impacts on governance. The questions remain as to whether the media in Bangladesh is currently functioning within an enabling environment, achieving the credibility it requires and if it possesses the required professional capacity.

Thus, these three issues provide a framework for primary inquiry into whether the media in Bangladesh performs governance related functions, has impacts on corruption and if the media itself is capable and well governed enough to undertake various roles. These roles encompass the most basic functions of information provision to the public, as a civic forum for debate on governance related issues, and perhaps most importantly, as a watchdog for governance, both in the public and private sector.

**Methodology**

In order to be able to analyse the current state of the media and its impact on government and given the paucity of available academic research and data on the subject in Bangladesh, the findings presented in this paper are based on primary data collection. The data collection methodology was 25 semi-structured, 1-2 hour interviews and consultations with three groups of subjects. The media professional interview subjects and groups were chosen according to their experience in working in the media at various levels, in both the print (both English and Bangla) and broadcast (TV and radio) media. They are also able to offer valuable insight into the internal governance and functioning of the media itself. The first group of subjects comprised of 8 senior media professionals engaged at the policy and management level of various print and broadcast media. The second group of 8 interviewees were low- to mid-level media professionals, ranging from staff correspondents to senior correspondents. The last group of 8 interviewees comprised of academicians, politicians, political press representatives, media commentators, NGO representatives and media activists. This group was also able to provide a variety of perspectives on media and governance, as it comprises commentators and researchers on the media, civil society representatives and politicians who work closely with the media. For reasons of time and expediency, this study is based on national print and electronic media, and does not include regional sources.

### SECTION III: FINDINGS - MEDIA COVERAGE OF GOVERNANCE ISSUES

While the media in Bangladesh is subject to a range of laws that can be restrictive, the majority of these laws are rarely applied and all subjects interviewed were of the opinion that the press enjoys a great deal of freedom in practice. The media as a whole has historically developed as a vehicle for political debate and expression, is increasingly becoming aware of its role as a producer of information and analysis on governance related issues in the country.

There is universal agreement among those consulted that while the media is still largely limited to a political news provision role, it is widening its coverage of socio-economic issues. The nature of the media in Bangladesh is inherently partisan, although recently this partisanship is greatly influenced by the protection of media owner's business interests. The findings reveal that in areas of governance as related to the government and opposition party's policies, parliamentary performance, activities, failures and achievements, the media in general is critical of whichever government that is currently in power. The exception to this rule is the fiercely partisan "party mouthpiece" papers that are run for political and ideological reasons. There is an overall feeling that internal governance issues within the government and opposition camps do not get enough coverage in a manner that would allow the public to make informed choices in regards to voting, especially regarding regional candidates. All subjects noted the Dhaka centric nature of media operation. In regards to corruption, all respondents felt that while corruption reporting was not as frequent, as rigorous or as unbiased as they would hope for, over the past 15 years, the media has succeeded in bringing the issue to public notice and debate. Respondents noted that there was a greater focus on public corruption in media coverage as related to procurement and financial mismanagement; rather that private and corporate business dealings. All respondents, both within and outside the media noted that the internal governance and capacity of the media was weak, and identified this as one of the main causes of the media's poor performance of its role as a governance watchdog. The rationale expressed notes that a poorly governed institution did not have the requisite moral or structural capacity to effectively examine governance in other sectors. When referring to the electronic media, the findings refer to the private TV channels, not state run TV or radio. As these have long established roles as government propaganda machines, they are not within the sphere of our analysis. The following sections will elaborate on findings in relation to specific governance issues, functions and failures.

**The Media: Overarching Findings**

Four general findings on the media are precursors to any discussion of the state of the media's reportage and its impact on governance. These are: the relative freedom of media operation; the general role of the media; the media's pervasive partisanship and domination by business interests and poor internal governance; and the recent creation of public discursive space by the media.

Many media practitioners point out that many of the laws under which the media currently operate are archaic remnants of the colonial or Pakistani period. In addition, the state holds the right to curtail media freedom should it so choose and is under no obligation to provide information regarding its functioning to the public at large, or the media. However, despite the existence of these laws, their weak implementation ensures that the general consensus among media activists and practitioners is that the media is relatively free in Bangladesh. Generally, due to the lack of execution of libel laws, the media can "print anything about anyone" without accountability and "get away with it". An editor of leading daily commented that in the absence of accurate information from the government or other actors in the political process, the press is often reduced to playing a speculative role that ultimately damages the credibility of the media outlet, as well as politicians and government functionaries. Many of NGO representatives, think tank members and academicians consulted emphasized the importance of changing the framework of laws under which the media operates as a first step towards greater media freedom and performance. However, media professionals, especially news editors and reporters of both vernacular and English

dailies and electronic media outlets deem that public servants and publicly elected officials need to feel that are bound by duty to be accountable to the public and to see the media as means of ensuring this. These respondents commented on the greater importance of creating a pro-media normative culture among public actors. Thus, despite the general feeling that the media is allowed free reign in Bangladesh; there is a consensus on the lifting of legal restrictions on the media, reformation of media laws and the changing of anti-media bias within governmental and political circles.

The role the media plays in this country is generally perceived to be as a provider of day-to-day political information. It is important to note the historical evolution of the media, especially the print media, has been as a means of conveying political news and creating political consciousness. Media establishments have also been traditionally created to fulfil political motives. In addition, the past monopoly of the state over the electronic media ascertained its role as a conduit for the state's political propaganda. Today, both media observers and media practitioners at all levels feel that political news coverage has remained the primary role of the media in Bangladesh. However, other than mainstream and well-publicised political events, journalists must depend heavily on sources for access to sensitive political information. The media mainly focuses on making the public aware of the important political current events, such as new initiatives undertaken by the governments and contrary action taken by the opposition. The provision of this news, while informative, rarely strays into being analytical, especially in the electronic media, which concentrates on "spot reporting" of events as they occur. A leading media commentator elaborated that the media's job was to make their readers aware of events and issues on all facets of society, not only the prominent national and international political events. Many reporters felt that political news stories were what was expected of them, as that was what interested the readership.

Both media observers and media practitioners across the board noted the severe lack of investigative and analytical news stories, on political and policy issues, bureaucratic mishandling, successful initiatives, social and cultural issues and so on. This was seen to be a primary failing of the media, both electronic and print. In light of this, a young correspondent with a leading daily commented there is an absence of a clear vision of the role that the media is to play within the society on the part of media owners and management. This view was endorsed by leading media academicians and politicians. However, the academics, politicians and NGO representatives feel that the profusion of private media outlets in the past 15 years has increased the range of news being provided, as well as the quality and that there are growing instances of informative and analytical reporting on issues outside the political spectrum. Media practitioners themselves report their attempts to introduce a more broader, more "thinking" style of journalism into their products, though report that it is only the leading media outlets that are sincere in this endeavour to improve their products.

In Bangladesh, an unavoidable outcome of the political nature of news coverage has been the partisan and consequently sensationalised nature of the media. While all respondents in all three groups were unanimous in their observation that the media in Bangladesh is highly partisan, there were differing opinions as to the impact on the public and industry of this partisanship. While many senior journalists were adamant that the media industry as a whole was risking its credibility by being partisan, they were loathe to admit that their own media outlets were themselves engaging in partisan reportage. Reporters were more forthcoming in their opinions and many noted that they felt limited by the political connections of their owners. This pressure to conform was at times clearly spelt out and at others merely hinted at. Correspondents at Bangla dailies reported more political pressure than those at English ones.

11

Media observers from the political, NGO and academic fields felt that there were sections of the media that leant very clearly towards one political party or the other, often acting as "political mouthpieces" and that this was common knowledge for both the outlets and the readers. Some media practitioners observed that the media was merely a reflection of society at large, as Bangladeshi society is politically partisan, so is the media. Others however, felt that this was not an adequate explanation for the phenomenon commenting that the media was not playing its public service and social service role by being politically motivated. There is also a pervasive feeling, especially among reporters and media observers, that while the majority of newspapers are politically biased, as the media industry grows in scope and operation costs rise, the industry is being increasingly dominated by business, entrepreneurial and trade interests. This is because many print and electronic outlets are owned by business conglomerates and industrial coalitions. Human rights activists and academics accuse the media of co-option by the interests of the political and economic elite and failing to represent the people of the nation, a charge that is refuted unanimously by senior media practitioners.

Media observers felt that the past 15 years had seen a definitive change in the way that media outlets, both print and electronic, were established and managed. This period was characterised by the rise of commercially motivated and competitive media outlets attempting to espouse a brand of accountable, if not completely unbiased, journalism. This trend was most visible in the electronic television media. A senior correspondent at a private satellite channel sums up the opinion shared by many that because the boom in private satellite TV channels has been politically sponsored, these channels, while not being overtly partisan, play it safe in their reporting as to not alienate their political benefactors. The lack of overt political bias can be attributed to the fact that in an increasingly competitive market, electronic media providers cannot afford to be seen as biased for fear of alienating viewers who now have a plethora of options.

Although Section IV contains a detailed exploration of internal governance issues of the media in relation to its impact on governance, it is worthwhile briefly raising the issue here. The poor internal governance within the media and its lack of accountability is an issue commented on by media practitioners and observers alike. Those in the media themselves note that there is corruption, influence mongering, lack of professionalism and poor capacity. Politicians interviewed accuse the media of being guilty of all the same ills that it holds the political parties accountable for, and demand that the media itself "cleans up its act". A senior journalist and correspondent for an international news agency notes that the media is not accountable to either the public nor to political actors and operates on it own set of rules. A human rights organization member, research think tank member and media academic echo this view and state that the media is plagued by the same indiscipline and lack of due process that typifies the political institutions that it reports on.

One of the great successes of the media over the recent past that has been noted by senior journalists, correspondents, human rights activists, media commentators and politicians alike. The media has created for the public, civil society and especially for politicians, a space for debate and discussion on issues and airing of political views that was not previously there, and still does not exist within institutionalised political forms. This space is particularly present in the electronic media in the form of political debates and chat shows that pit members of opposing political camps against each other and/or engage them in debate with civil society representatives, activists, academicians and members of the media. These shows, as well as the opinion pieces, columns and post editorials in news papers have become primary means for politicians to broadcast their ideas to the people. A senior politician from

the opposition commented that while it is regrettable that politicians are more likely to be found engaged in talk shows rather that in parliament, that to see their leaders thus engaged was still beneficial for the people when they make their political choices. Both print and electronic media reporters, however, complain that the political establishment, i.e., prominent politicians, leaders and bureaucrats across the political spectrum, is very inconsistent in its attitude to the media. While political figures of various shades are perfectly willing to appear on televised debates and talk shows, they do not feel obligated to make meaningful comments and analytical statements when regularly approached by the press.

The relationship between the media and civil society was also a point of comment for all respondents interviewed. The print media has also created a space for civil society representatives, mainly think tanks, research organizations and NGOs to raise public awareness about their chosen issues and areas of work, as well as to engage in debate regarding socio-political concerns. They have utilised the media as a strategic partner, and as elaborated by a leading think tank member, intend to continue using the media as a means of reaching the people. The media, especially a few leading dailies, have also partnered with various NGOs to run awareness campaigns and activities regarding issues such as acid violence, help for the blind, improving education and legal aid. This has meant taking on a new social activism role for the media, one that an editor of a leading daily says is consonant with the task of the media worldwide – to not merely be a means of information, but to be a means of transformation. However, media observers comment that while these goals are admirable and lofty, they find the majority of media outlets, save one or two, failing to perform their public service function as spaces for debate or activism, and instead becoming mouthpieces for specific NGOs or think tanks. Interestingly, the majority of correspondents also remarked that they felt that some sections of the media behaved as mouthpieces for the "so-called civil society movement", uncritically praising and being co-opted by NGOs without looking into the corruption that exists within them or questioning the motives of the donors who fund them. They felt that NGOs should be subject to the same scrutiny that as the political actors, as they are delivering services to the people and claiming to speak for the public. Understandably, this view was not championed by NGO management and representatives interviewed, or by senior media practitioners such as editors who felt that the media's role in highlighting NGOs activities has been deserved.

**Governments, Oppositions and the Electoral Process: Governance – Process, Policy, Impacts**

Within the backdrop of these general findings on the nature of the media, we can now examine the views of those interviewed regarding the media's role in and impact on governance, specifically as regards the government, the bureaucracy, the opposition and the electoral process. This is followed by a specific focus on media coverage of corruption and its impact.

The general response was that the media does not play a strong enough role in bringing governance failures to light, as their coverage was episodic, politically-motivated and not adequately followed-up. Observers note that there is also a certain amount of distrust regarding the media's coverage, given its apparent tendency towards speculative and politically motivated news coverage and its own governance problems. A leading academic commented on it being a case of the blind leading the blind, painting a picture of an information deprived public being lead by an equally ill-informed media with ulterior motives. While news practitioners note that despite limited resources and capacity, they

attempt to cover governance issues such as the electoral process, bureaucratic undertakings, both public and private financial mismanagement and political activities. In spite of this, findings reveal that one of the main failures of the national media has been to adequately address local issues unless they are of immediate or sensational news value. The Dhaka-centric nature of politics and public institutions has meant the media's evolution as a Dhaka-centric medium. Local level policy implications are rarely discussed and if they are, are relegated to the "Regional" page where they are less likely to be read and acted upon.

- **Policy Discussions Almost Absent**

All respondents interviewed said that whether in regard to successive government's enactment of policy or promulgation of laws, detailed, researched and educated analysis was missing in the Bangladeshi media. Many media observers and academicians remark that there is almost a complete absence of timely discussion in the media of the intended policies of the government, their potential implications and implementation issues. They cite rare cases, especially in regard to financial agreements and environmental hazards, where the media has striven to undertake debate in a timely and comprehensive manner. [see below, pp. 18-19] Correspondents at various print media outlets all noted that their prime function lay in reporting that policies had been undertaken and information about what they intended to achieve. However, this was made difficult because detailed information regarding policies was not available from the government, and thus media practitioners often have to be content merely writing on the passage of laws, amendments and policies rather than what they will entail. A long-time media analyst points out that policy discussions are difficult in Bangladesh as policies themselves are rarely made on well thought out, constitutional grounds. A leading human rights activist notes that the current level of policy debate is not enough; that the media must engage social activists and leaders in policy debates, as well as invest investigative resources in analysing the potential public interest implications.

Media practitioners at the policy level claim that there is policy analysis and that certain policy areas get wider coverage than others. They note that economic and agricultural policies are adequately addressed, as are crime and business related initiatives. However, many reporters commented that real reform is not addressed or fought for by the majority of the media. The policy debates are only present if a certain policy is being mooted, not in regards to policy reform or discussions that should happen. Correspondents report a recent further penetration of the government apparatus by the media, and as a result more and more policies are being scrutinised by the media beforehand. A good example is the recently proposed Uni-track education system policy, which gathered tremendous attention from the media, the provision of a lot information to the public and the eventual abandonment of the policy.

- **Coverage of Government and Opposition's Achievements and Failings**

There was a general agreement among all interviewed that the media does provide informative coverage on the achievements and failings of governments on law and order, economic indicators such as agricultural production, rising prices and inflation and recently on energy, corruption and local government malfunctioning. However, this coverage was irregular, inconsistent and "seasonal" in that certain topics were given more attention at certain times than others. For example, achievements and failures regarding the economy are more common around budget time, failures to keep to previously-made political promises at election time and so on. This was not seen by some media observers as harmless and merely

part of the "news cycle", while an editor of a leading English daily pointed out that in many cases, there was political intent behind the timing of these stories and the expectation on the part of the media outlet to get political mileage out of it. The nature of the government's achievements and failures are also superficial, with little analysis of the causal relationships between policy and socio-political outcomes. In addition, these stories are not regularly followed up as other events jostle for front page space. Nonetheless senior media practitioners report that they are improving their coverage in this regard as a means of helping their readers to possess adequate information to make political choices, especially in light of the upcoming elections.

The media coverage of the opposition in the Bangladeshi media during successive regimes has been limited to their day-to-day political deeds and confrontational practices against the government. A senior opposition politician, and an official at the Prime Minister's Office both state that the media coverage of the opposition is thus because historically the opposition itself does not perform its parliamentary and shadow role appropriately, preferring to focus on political agitation. Media practitioners note that it is difficult to report opposition shadow policies and legislation simply because this practice does not exist. Media observers feel that it is the media's role to condemn the lack of accountability that the opposition traditionally enjoys in Bangladesh, and to exhort them to fulfil their governance related commitment to their electorates. An editor at a leading English daily notes that they have always written against *hartals* and other non-institutional means of opposition activity as part of this initiative.

Politicians interviewed felt that it was also the job of an accountable and objective media to make the public demand answerability from their elected politicians. They felt that the media was in a uniquely powerful place where it could motivate people to demand better democratic outcomes. They commented that while politicians were ultimately held responsible by their voters at election time, the bureaucracy and business interests were not accountable to anyone at all, and it was the media's job to highlight their failings and achievements as well.

Specific comments made concerning the electronic media in this regard are that given the time bound nature of electronic news broadcasts, the above subjects are treated superficially and that a culture of "time allocation" between the opposition and government has emerged that provides seemingly equal coverage to both. In addition, almost all respondents noted the rise in reporting and coverage of human rights violations in both print and electronic media of all persuasions. While respondents in all categories felt that some reporting of human rights offences and extra-judicial killings could be politically motivated, they commented that overall this was a positive development.

- **Parliamentary Proceedings: Limited Access and Uninformed Reporting**

Political correspondents and news editors in both the print and electronic media note that Bangladesh has a history of opposition boycott of parliament, unconstitutionality and misuse of the parliament as an institution. A long time political reporter at a Bangla daily and a media academician both note that whoever is in opposition views the parliament as a "house of the government" not as a "house of the people". Nor does the opposition view itself as part of the government of a nation, and under the burden of the responsibility to represent their constituents in parliament. Thus, the nature of parliamentary debate itself is superficial and not issue based. Electronic media representatives complain that as private TV channels are

not allowed inside parliament, they are not able to provide their viewers with footage that may provide additional insights to the state TV approved footage.

One glaring example of where the media is unable to play its watchdog role is in its lack of access to the Parliamentary Standing Committees comprised of both ruling party and opposition members. Many legislative and procedural issues are addressed and issues critical to public interest are decided in these forums. Representatives of the media feel that by restricting information and access to these bodies, there is scope to hide governance failures in regard to due process that harm public interest. The only means of gathering information about these proceedings is through comments and leaks from disgruntled opposition members, which may not be reliable or accurate.

- **Electoral Process Coverage: National Focused and Uninformative**

The electoral process, i.e., electoral reform, issues concerning the caretaker government and nomination process, is covered by the media, especially in the lead up to elections. Respondents felt that while on-going controversies regarding electoral reform and the caretaker government received adequate, though shallow coverage, news coverage of the nominations process was weak. It was felt that the media should provide a space for and actively promote unpartisan debate about reform and inconsistencies in the electoral process in a simple and accessible manner for the public. Media observers commented that the irregularities and lack of transparency that plague the nomination process, especially at local levels, was not addressed by the media. They believed that the media could do more to investigate this issue and spend less time on covering cosmetic political events such as rallies. While many felt that at the national level party manifestos, electoral promises and delivered outcomes were somewhat reported on, this was not widespread, comprehensive or regular enough.

- **Internal Governance of Political Parties**

According to both media observers and those in the media industry, there has been a definite realization that the lack of internal governance within the mainstream political parties is a governance issue. To this end, there has been a recent trend of reporting whether intra-party rules and procedures are followed and instances of internal corruption. Media practitioners report that there is a deeply ingrained acceptance of the dynastic style of politics within Bangladeshi society and that internal governance issues pertaining political parties are more likely to depend on whether an internal mis-governance issue is currently making news. A senior opposition politician notes that pro-government or politically motivated newspapers publish stories regarding weak internal governance when it is politically expedient to discredit the opposition. Reporters themselves agreed that due to the partisan nature of the media, the reporting on internal governance of political parties was also partisan. Both political leaders and a leading news editor said that the timing of this type of reporting was critical, and that the media had to take on the responsibility of accurate reporting in this regard.

- **Media Reach**

All media observers and practitioners interviewed unanimously felt that the media was most widely reached by the urban educated middle class. This group has the highest level of access both to newspapers and also to electronic media. Rural populations are by and large media-

deprived, as media penetration is still poor. However, the majority of the rural population who do have access are limited to the state run broadcast media and newspapers. Due to the Internet, there has been a recent trend of non-resident Bangladeshis (NRBs) accessing websites of Bangladeshi newspapers and watching broadcasts of local satellite TV channels. This has increased their contact with local political events, as evidenced by the large volume of letters in newspapers from NRBs. It has also resulted in an expanded advertising market for satellite TV channels as they get advertisements from businesses located within diasporic communities in addition to local ads. An interesting point made by an NGO representative, two print and TV correspondents and a politician is that the media is still a representative for elite interests and has not been able to provide a voice for the masses in Bangladesh.

**Coverage of Corruption: Governance Impacts?**

Corruption is a pervasive problem in Bangladesh, and has become an almost daily issue in the media. The general feeling is that while there has been limited impact of the media on corruption itself, the media has made a huge contribution in bringing the issue to the public eye. A senior official at a corruption watchdog organization credits the media for its role in constantly reporting on different types of corruption, especially previously undiscussed areas, such as food adulteration. Senior journalists and editors themselves feel that they have improved in their coverage of corruption, and see that there is a growing public consensus to see it tackled. However, reporters are more cynical, noting that corruption reporting is almost entertainment, as neither readers nor the guilty parties expect any punitive sanctions to result from the media attention. Almost all those interviewed raised concerns about the accuracy and motivation of corruption reporting and felt that a large section of press coverage of corruption was unverifiable and politically motivated. An academic noted his concern with the media's tendency to report and publicise the findings of corruption watchdogs, noting concerns with the methodology of their research and the veracity of their claims. He warned that the majority of corruption reporting is of accusations of corruptions, not of verified cases of corruption, and thus should be treated accordingly.

- **Public Corruption**

Although state expenditure accounts for less than one-sixth of GDP, the government has a persuasive role in licensing and regulation. It is also the single largest contractor in terms of procurement, construction and implementation contracts to private companies. Thus, the majority of corruption is linked to the public sector, even if it occurs within the private business realm. The majority of the corruption reported in the media is in relation to public financial mismanagement and lack of due process, especially in the awarding of licenses and contracts to private organizations. Media observers note that except in rare cases, it is mid-level corruption that gets reported on, not that of the upper echelons of the bureaucracy or political power. In a system that is almost entirely corrupt, a few who are identified by the press are used as scapegoats while those higher in the chain of command go free. There is a general opinion that given the pervasive corruption that exists at the top of the political and bureaucratic ladder, only a very small percentage of corruption stories see light of day. The government's usage of constitutional or parliamentary apparatus for political purposes is not generally reported by the media. Corruption reporting as a whole is rarely substantive and verifiable, but rather source based, speculative, not thoroughly investigated and rarely followed up. As corruption is so difficult to conclusively prove, many corruption stories do not have adequate impact. The print media is the leader in corruption reporting, as this is largely unaddressed by the electronic news media. The latter only reports corruption when

direct actions have been taken in regard to it, or public accusations have been made. However, televised talk shows are a forum where this topic is regularly discussed with a range of commentators and political actors.

- **Private Corruption**

Private corruption, while still not widely reported is increasingly coming into public view. Observers note the proclivity of certain newspapers to report on the alleged corruption carried out by business houses that own other newspapers. Again, this type of reporting lacks credibility and is motivated by business interests. The same can be said of reports of corruption in newspapers that are branded as "party mouthpieces", as these are seen as politically motivated and lacking in complete authenticity. One exception to the general reluctance of media outlets to address private sector corruption has been in the banking sector, where a wide range of newspapers have reported on financial irregularities within both public and privately owned banks. Many of those interviewed note that the internal corruption that exists within the media is also not highlighted. The common perception, shared by observers and practitioners alike is that large sections of the media are corrupt, and that this is just "part of the media business". However, the media's own credibility is damaged as a result of this.

- **Tertiary Sector Corruption**

It was felt by a substantial number of reporters and academicians interviewed that the media ignores corruption within the tertiary sector, especially within NGOs. The few cases where the media has reported on NGO mismanagement and internal governance issues have been when the NGO in question was accused of carrying out political activities in the name of development. In general, observers note that the media seems to regard NGOs as "untouchable" due to the fact that they have undertaken to provide services to the populace that the government is failing to do. Many media observers feel that there is a tendency within the media to not question the business activities carried out by NGOs alongside their social development roles, or the efficacy of the development activities that are undertaken. Respondents also commented on the large numbers of NGO leaders who have close links to the media industry or large influence over it.

- **Corruption Reporting: Sporadic Successes**

The print media has spearheaded the drive to expose corruption in Bangladesh. Following the restoration of parliamentary democracy, the 1990s saw a gradual yet groundbreaking liberation of the print media industry. New newspapers came out with the promise of creating a new benchmark in reporting, especially exposing corruption.

One of the first issues that Bangladesh's new media tackled head on was the burgeoning 'bad debt' that our state-owned banks had accumulated over the years. Over the span of several years, both major Bengali and English dailies drew attention to the web of vested interests between specific business establishments, banks, and in some cases, individuals, involved in the systemic corruption in the banking sector. During this time, the media published lists of many notorious bank loan defaulters, exposing them to the public's ire and in many cases forcing the financial regulatory establishment to take action against them. Though media observers have pointed out that some of the reporting was slanted due to vested political interests and business rivalries within the media, the overall stance taken by the media

resulted in stringent loan rescheduling conditions and much-required reforms in the financial sectors.

Through grassroots reporting of corruption, especially in public works and utilities, police and other government departments has slowly increased over the years, few cases of media coverage have actually seen a response in action from the authorities concerned. However, there are exceptions. The year 2002 saw the exposure of corruption at the Bangladesh Telecom and Telegraph Board (BTTB) in trying to give the crucial, lucrative and long-awaited submarine cable deal to a 'dubious' project. After a major English weekly exposed and consistently kept reporting on the issue, the deal was finally scrapped for a more transparent one. The same year saw another major corruption story followed with action. Again, a major English weekly found 'widespread procedural irregularities' in a project to setup a private container terminal in Patenga, Chittagong that has been approved by the Prime Minister's Office. Following the report, the project was cancelled.

While such private-public corruption exposure by the media was increasing on a daily basis, the first instance of the media taking on the corruption in the judiciary had preceded the above exposés. A major Bengali daily tabloid had exposed that a Justice Latifur Rahman had long telephone conversations with the former President H.M. Ershad, then accused and subsequently convicted in a graft case, of which he was a judge. The erstwhile Chief Justice, finding a *prima facie* case in the media allegation of corruption against the judge, referred the issue to the President for an inquiry by the Supreme Judicial Council, but Justice Rahman escaped the probe by resigning in November, 2000. It was a milestone in media's exposure of corruption.

In 2005, two major Bengali dailies exposed that the then State Minister for Energy, AKM Mosharraf Hossain, had taken an expensive vehicle as a present from Niko Resources, a Canadian energy company blamed for the Tengratila Gas Field Explosion in January of that year. Following the reports, the minister had to step down. It was one of the first instances of a ministerial resignation in light of corruption reporting by the media. However, he remains an MP for his party. In 2006, an infamous case of corruption was exposed by a national English daily regarding corruption in a major government project to give machine-readable passports. Due the reporting, the project eventually did not get approval.

While corruption reporting, and its follow-up action from concerned authorities, has been increasing, the number of corruption cases exposed by the media and the reciprocating action is still quite disproportionate. On the other hand, the reporting in the press itself is still to be as comprehensive and in-depth as seen in developed democracies with a free press. Resource mobilization from part of the media in exposing corruption also lacks, and is mostly done on individual journalistic ambitions, or based on aggrieved party information.

*[Sources: Anam, 2002; Holiday 2002a; Holiday, 2002c; Holiday 2003; Prothom Alo 2005; New Age 2006a]*

## SECTION IV: ANALYSIS – MEDIA IMPACT ON GOVERNANCE – CONTRAINTS AND CONSEQUENCES

The media plays a strong and meaningful role in bringing a variety of governance concerns to public attention. Apart from attempting to regularly report news on political, bureaucratic and state-related governance failures, the media has created public awareness of these issues and

also created a public consensus to demand accountability from their government and other institutions. However, the findings suggest that there is large failure on the part of the media to adequately address, investigate and compel concrete action from those responsible to address these failures. This section analyses why the media in Bangladesh has succeeded in creating awareness, but failed to adequately impact governance outcomes, focusing on internal governance failures within the media itself.

- **Successes: Raising the Governance Spectre**

The media, while not able to influence large-scale redress for governance failures, have been able to raise governance as an issue for national debate (Haque 2005, Haq 2003). They have tried to instil in successive governments that the public deserve to know and to expect action on areas where the state and political processes are malfunctioning. As Hudock (2003) and Kaufman (2006) argue, one of the primary requirements for strengthening democracy and creating good governance is a media that is dedicated to providing the information that people need to make political decisions. One can clearly say that there are encouraging signs given: the increase in corruption news and positive outcomes; the coverage on political events; the growing attempts to engage in policy debates; the spread of national level electoral process coverage; the expansion of reportage on weak internal governance of political parties; across the board coverage of human rights abuses; and proliferation of systematic analysis of governmental failures in economic policy and law and order.

The electronic media's provision of discursive space for political debate and discussion between various political parties, NGO representatives, civil society members, workers' unions spokespersons, academicians, etc. has expanded the diversity of views that the public has access to. In the case of politicians, the media has provided a space for competing political ideas to be openly debated in front of the public, an imperative function given the dysfunctional state of current political institutions, such as the parliament. Seleti (2000) argues that this is critical in increasing accountability of public institutions. If the freedom to make informed political choice is a hallmark of democracy, the media has contributed to its strengthening by raising governance issues to the public eye and making them a talking point. Many respondents commented on how far the advanced sections of the Bangladeshi media have come, against the odds, to play a mostly responsible role in information provision to the public.

It has been widely commented on that the electronic media has heretofore played an apparently 'unbiased' role in the political sphere, providing balanced coverage of political parties and highlighting major socio-political events. In staging debates and political discussions satellite TV channels have provided the opportunity for discussion of many governance-related issues, thereby increasing the public's access to governance debates. However, many media observers and print journalists note that the growth in private satellite TV channels has been politically sponsored. The closure of Ekushey TV (ETV), the first privately-owned, terrestrial TV channel which broke years of state control over the media, by the Supreme Court after 28 months of operation was seen by many as politically motivated (Daily Star, 2003). Given this precedent, there are well-founded fears that the private satellite TV channels, given their political ownership, will begin to play a partisan role. Thus, their impact on good governance will be further limited. [ETV was issued a new licence for satellite transmission in April 2005 and resumed broadcasting 1 December 2006. (Daily Star, 2005b, 2006c)]

- **Lack of Right to Information: A Culture of Secrecy**

One of the greatest impediments to media reporting on governance failures is the government's lack of legal obligation to provide information to the public, including the media. As Besley *et al* argue, this is harmful for public interest in nations where the majority of the population is poor and the government is responsible for providing for their needs, lack of transparency regarding government provision can lead to inefficient and unaccountable action (2002). Although Bangladesh's Constitution guarantees freedom of the press subject to certain conditions, there is no Right to Information law that obligates public official and the various sections of the government to make public their undertakings and financial details. In fact, media practitioners and civil society representatives at all levels comment on how government officials use the very specific Official Secrets Act 1923 and Section 19 of the Government Servants (Conduct) Rules 1979 as protective tools to deny the press information. The latter, especially makes it a duty for bureaucrats to withhold information related to their duties from the press. [See Appendix A for more details on the media's legal and regulatory environment]

Due to the absence of a legal obligation to provide information, the government is pervaded by a culture of secrecy. This results in the concealment of not only dubious bureaucratic and official activities, but often also of positive initiatives undertaken by the government, notes a senior correspondent. This lack of transparency in governmental activities creates a major constraint to reporting on graft and corruption, as it is almost impossible to get concrete information that supports accusations of mismanagement. In this scenario, the media has to rely on 'embedded' journalists who cultivate sources within the state and political apparatus (including opposition parties) over a lengthy period of time. It is widely acknowledged by the media fraternity that these relationships are often personal in nature, and result in only the news that government officials and politicians would like to be publicised reaching the media. Naturally, this raises questions regarding the accuracy, omission and concealment of news due to political influence.

The existence of a normative culture where there is an emphasis placed on withholding information rather than providing information means that even when the government is legally bound to make public information regarding the country's economic performance, legislation, and so forth, the information is typically inaccessible and difficult to track down. The entire state machinery has only the Principal Information Officer at the Ministry of Information as a conduit for official information. Various ministries have Public Relations Officers, but they are not strictly responsible for the provision of information to the press. A case in point is the difficulty encountered when trying to extract official circulation figures and licensing information from the various departments of the bureaucracy responsible for compiling and publishing this information. Stiglitz (2002) argues that governments will always have strong incentives to deny the press and by extension the public, information. Thus, the creation and implementation of a law that compels governments to reveal information is a necessary first step towards strengthening the fourth estate.

However, it must be mentioned that many respondents remind us that the journey towards creation of such a law is a long process in and of itself and that it will require concerted efforts from activists, politicians and academicians. Even after the promulgation of legislation the task remains to change the current secretive and anti-press norms within the bureaucracy and successive governments, which is a long and difficult task.

- **Lack of Capacity and Resource Mobilization: Negative Consequences**

Islam (2002) argues that a critical component of positive media outcomes pertaining to governance is the quality of the media. In Bangladesh, the media's economic and political coverage is severely hampered by the lack of technical expertise and resources in management and investigation. This view is unanimous among respondents, and suggests that the industry faces a critical constraint in producing accountable and high quality journalism that can pressurize governments into responsive action. Senior media personnel note that the exponential growth in the media sector has not been matched by commensurate growth in the human resources required, nor in the creation of a corporate culture that is the hallmark of successful industries. The media's inability to recruit ably qualified candidates is one of the most critical constraining factors in improving governance and corruption reporting. This shortage in human resources means that editors cannot take the decision to dedicate highly skilled correspondents to long-term investigative stories, as their services are needed for day-to-day operations. The lack of any professional media training body also limits the opportunities for journalists to train anywhere but "on the job", a time and resource consuming process. Representatives of the electronic media also recently complained that due to the lack of technical skills and resources they are not able to air the quality of programming that they desire (New Nation, 2006). Media observers also note that due to the tendency of print media outlets being run for political or business gain, very few of them have professional, full time journalists as management. This compromises the quality of journalism and the credibility of the media product.

Conventional neo-liberal wisdom states that a larger the number of media competitors and ease of free entry into the market improve the quality of media products due to the competition for advertising and sales revenue (World Bank 2002). The media is characterized by "enormous economies of scale, which tends to favour large firms" and the tendency of advertisers to advertise in publications and channels with high circulation or viewership (Owen, 2002). Subsequently, as readership and influence of media outlets rise, the more pressure there is on the state to take notice of and respond to the media. In Bangladesh, the high number of competing media outlets, the immense cost in mass produced media products and the ever-present threat of market saturation creates a situation where the resources available to media in terms of investment and advertisement are highly competitive. A senior media analyst notes that there are no more than 5-7 profitable print media outlets in the nation and even fewer who are independently profitable without political support from governments by means of government tenders and advertisements. This view is also expressed by senior journalists. Two editors of leading dailies emphasized the importance of financial independence in relation to efficient and ethical operation of media outlets and note the difficulties in breaking even, let alone being profitable. The high tax imposed on newsprint reported in Section II is another constraint to profitable operation.

So, while there is a core of healthy and profitable media outlets in the industry that produce competitive products and have gained loyal readerships, the existence of the rest of the media outlets are highly dependent on the amount of government advertising revenue received. This does not pose a problem for some media owners as their purposes for establishing newspapers are not competitive and commercial, rather ideological and political. As government advertisement income is often procured through contacts and favouritism as opposed to competition, many newspapers do not have the incentive to improve their products or increase their circulation, as their stated goal of influence mongering and political gain has been achieved with the procurement of the advertisements in the fist place. Thus,

these media outlets drain the pool of government advertisement revenue resource that exists for competitive media outlets and are bad for the industry overall.

Another resource-related problem is the industry's inability to competitively pay employees. The lack of resources within the print media industry has meant that only a handful of outlets (approximately 8 newspapers) pay the government-stipulated minimum salary standard of the 5$^{th}$ Wage Board Award for Newspaper Journalists, 1997. While this minimum level of salary is still not competitive when compared to the private sector fields of banking and advertising, it is still far above what most print media outlets pay in general. The lack of attractive remuneration in the print media for those in low to mid level positions acts an incentive for internal corruption and influence mongering. While the adoption of the 5$^{th}$ Wage Board salary level may not be an effective curb to stop print media corruption, especially for regional correspondents, who are paid by column inches rather than a flat salary, it may go some way towards making the industry less corrupt and more attractive to qualified graduates. Shiller (2002) argues that the media not only provides information, but can also manipulate the public by not reporting all sides of an issue, exaggerating or underplaying it or not printing it at all. Thus, poor remuneration proves to be an inducement for the undertaking and covering-up of illegal activities that may threaten professional integrity. Of course, for those media outlets that are not aiming for professional integrity or commercial solvency through market-based means are not concerned about high-staff turnover or internal corruption, and subsequently do not take measures to either raise their pay levels or implement internal codes of conduct.

Within the electronic media, correspondents report cameramen and reporters are known to extend coverage on air in return for favours such as paybacks. In the print media, the majority of crime reporters are widely acknowledged to be corrupted and paid off by crime syndicates. Political reporters are also often reported to be too close to their sources. The print media faces a serious problem at the local level, where regional correspondents are kept on retainer by major newspapers and are paid by the number of column lines that are published monthly. Both senior journalists and lower correspondents note that the monthly retainer is nominal, as is the rate per line printed. In some cases, the retainer is not paid unless a certain number of column lines are printed per month. Thus, local correspondents compete with each other to provide news that will be printed. This not only gives rise to a culture of sensationalism, but also one where local correspondents are regularly embroiled in local political and business dealings. They are especially involved in cases of land grabbing and local crime; where they are paid off in exchange for squashing stories. This of course damages the integrity of the profession overall.

The last few years have seen a rise in violence against journalists, sometimes resulting in death as has been noted by many media observers. Many of those interviewed both outside and inside the media have expressed concern at this development. The research undertaken for this paper reveals two possible reasons for this. Many media observers, senior-level media practitioners and opposition politicians linked violence against journalists to systemic and increasing levels of repression of the media by government forces, especially within the current regime. They highlighted the oft-expressed derision of the media by government officials, mistreatment of media by the police and current activities to limit media freedom as evidence of this trend. Others interviewed offered opposing explanations. However, other journalists and observers claim that violence against the media carried out by the police is not any different from police brutality vis-à-vis any other type of protesters. They claim that the recent spate of violence against journalists has mostly been concentrated in districts that have

a high rate of organised crime. Mid-level correspondents from both Bengali and English language media have reported in interviews that localised political and criminal disputes and corruption involving the journalists themselves have been linked to these deaths, rather than political repression.

The purview of this research does not allow for a systematic and case-by-case analysis of instances of violence against journalists required to examine these two arguments. However, the divergence of opinions expressed do suggest that we must examine violence towards journalists as a specific, rather than a generalised phenomenon and understand it within the greater context of pervasive criminality and corruption. However, there must be a warning against leaping to the conclusion that journalists in Bangladesh are targeted for systematic political repression before exploring the specificities of the circumstances within which violence has occurred.

- **Media Ownership: Conflicted Interests**

It is widely acknowledged in Bangladesh that the owners of both print and media outlets are members of the political and business elite. Most are in some way directly members of political parties, close to leading members of political parties or leaders in business and industry. All those interviewed generally agreed that there are four different kinds of media outlets: a) those created purely to promote and protect business interests; b) those created to advance political ideologies c) those created as a means of currying political favour by means of financial gains and influence and d) those created for journalistic purposes and to provide information. According to media observers, and even those within the media, those in the last category are very few, while those in the other three make up the majority of the media landscape. There is an impression that the leading media outlets are accountable, but there is a huge "underground media" that is questionably run and funded that is not. These legally licensed but usually unavailable or un-circulated publications act as channels for corruption, money laundering and other illegal activities. Some of these publications are reported to only survive due to government advertisements.

In the industry that is riven by political and corporate interests most media owners face conflicting interests: the benefits from political favour-mongering and fulfilling business obligations are greater than the public interest benefits of coverage of governance issues. Owners, and by extension their media products, are restricted by the need for advertising and government favour. In this scenario, it is often far more profitable and convenient for media owners not to upset the government, political camps and business interests by aggressively reporting on governance failures. In the case of business leaders who are also newspaper owners, there is a major credibility problem as news of corruption related to competing business conglomerates is seen as untrustworthy and an attempt to discredit competitors. Observers claim that the electronic media is far too motivated by profit and willing to ignore its social responsibilities (New Age 2005b) As long as media owners are inextricably linked to the corporate and political worlds, we cannot expect media products that are independent and free from undue influence.

- **Poor Internal Governance: The Achilles' Heel**

It is obvious that the media is beleaguered by internal problems that hinder its role as a governance watchdog and social guardian. Observers note that the media itself is embedded in a wider culture of institutional corruption and mismanagement, and that it is no different.

The major internal governance problems are the overwhelmingly partisan nature of the media and of its professional bodies; the lack of a functional regulatory or standard maintaining body and the lack of a public service ethos.

The media's partisan nature is a direct outcome of the historically political nature of news media in Bangladesh, the politically sponsored expansion of the media and the political links that current media owners have. Given this background, and the partisan nature of the political process and institutions in Bangladesh, it is almost naïve to expect media organisations to be any different. However, some publications and TV channels are leading the way with attempts to create a new brand of journalism that is independent, pro-people and pro-information. The public has reacted positively to these media products, and they enjoy high circulation. Hopefully this trend will continue erode media capture by business and political interests and reduce media cynicism on the public's part (Besley *et al.* 2002; Cappella and Jamieson 1996).

The professional bodies formed by the media fraternity are also characterised by partisanship and political influence mongering. The existence of at least four different associations of journalists split along partisan lines and of two owners organizations is symptomatic of the failure of the media fraternity to speak with one voice and be united in professional pride. Instead of actively pursuing legal reform of restrictive press laws or working to enhance the press' activity space, the associations are involved in underhand activities. Many reporters themselves commented that instead of protecting and promoting the profession, the above journalist unions acted as "go-betweens" linking the media to the political and business interests that attempt to exploit it. The electronic media, being in its infancy is not yet dominated by partisan unions, though interviewees commented that highly-positioned reporters and programme officials are under pressure from political factions for increased and partisan coverage, and that reporters specifically were susceptible to bribery from said quarters. Print journalists interviewed often commented on the relative wealth of their electronic media counterparts and expressed doubts that this was achieved by fair means, even taking into account the pay differentials that exist between the print and electronic media markets.

The Press Council, which was established to be a guardian and promoter of the free press, is rendered dysfunctional by the lack of political will in successive governments to invigorate it, and by the lack of interest shown by the negatively politicised journalist associations. Thus, there is no one to control and impose a set of conduct rules on the media or to fight for it when it is unfairly attacked or victimised. Successive governments have used the Press Council as means to muzzle the press. Refer for Appendix A for more details regarding the Press Council's remit and operations. Recently, steps have been taken by it to increase its authority to warn, admonish and censure the press by amending Section 12 of the Press Council Act, 1974 (Act: XXXIV 1974); further eroding the legal freedoms allowed to the media (New Age, 2005a). The Press Council argues that this move is "very necessary for the sake of strengthening the Press Council to stop the misuse of press freedom". (Daily Star, 2005b) The amendment move now under the ministry's consideration has created heated debate both within the media and among media observers.

Unless the Press Council is made independent and functional, and seriously undertakes its roles to reform and improve the media, it bodes ill for the industry. However, this will take larger political will within the industry and from the governmental and political establishment. As Putzel and van der Zwan (2005) contend, the media can do more harm than

good in weak democracies where they may function in conjunction with overtly commercial, politically partisan and anti-people interests in an unregulated environment. The media thus fails in its role to create more accountable and eventually, more politically stable and responsive states.

Overall, there is a perceived reluctance on the part of the majority of media outlets to play their social development or public service roles. A senior representative of a private TV channel notes that the very objective of electronic media in Bangladesh is to make profit, and that any public service role is incidental. Media representatives comment on the various pressures that they are under to become and stay profitable, and note the huge political and infrastructural problems that they are overwhelmed with. They affirm that while they understand that the ethos of the media should be not only to reflect the society as it is, but also to create awareness and progress towards a society that can be, the greater institutional framework of society does not permit them to play this role. In the course of this research, many media professionals longingly looked towards implementing a professional, objective and accountable ethos in their work, and reported that they struggled to do so against the grain. The current healthy state of leading media products, despite enormous constraints suggests that there is a section of the industry that is attempting to be accountable, independent and to provide its readership and viewership with a quality product and service.

## SECTION V: CONCLUSION

The media in Bangladesh has journeyed far. Having undergone repressive regimes and a recent boom, it is in a unique position to carve out a niche for itself as the leading institution that forces redress of governance failures by bringing them to the public gaze and demanding action. The Bangladeshi media, driven over the past 15 years by the entry of new media outlets into the market, has begun to play this role by its ever-increasing coverage of governance issues and corruption. It has had an impact on governance in that it has raised public awareness regarding these issues, and has also created a discursive space for their debate and proliferation. The media has been handicapped by its inherently partisan nature, its pervasive internal governance, regulation, capacity and ownership issues as well as by the lack of a permissive legal framework that implements the media's right to information. Despite this, the progressive trend in the media has been commendable and encouraging, opening up the way for greater governance impacts.

However, given the current evidence available, it is very difficult to assess the long-term governance impacts of the media. Our state of knowledge regarding this sector is exceptionally weak, given the scarcity of academic or research material on the subject. While NGOs, human rights organizations and corruption and media watchdogs do undertake gathering information on governance related reportage in the media; this is still limited and not industry wide. These organizations generally concentrate on human rights or corruption related reportage, and do not actively extend their research to investigating newspaper stories for veracity or following up on eventual responses and outcomes. The current research on the state of the media and its impact on governance was carried out over a very short period of time and was extremely limited in scope and number of interviewees. There needs to be a thorough content analysis of media coverage of governance issues that is complimented by investigative analysis of report reliability and concrete good governance outcomes. Additional research also needs to be done on the current state of regulation of the media sector, and the effect of such regulation or lack thereof. It is currently difficult to make assessments on the nature of the media in Bangladesh due to the lack of credible knowledge

production in this area. There is a wealth of information available from those who work in the media, as well as those who actively analyse it. However, this information has to be exhaustively gathered and crosschecked with analysis of actual reportage to find causal relationships between people's opinions of the media and actual coverage. Overall, there is huge scope for groundbreaking and significant research in this area in Bangladesh.

## Appendix A: Media Laws, Self-Regulation and Professional Associations

*Laws and Restrictions Governing Freedom of the Press in Bangladesh*

**Freedom of the Press**

**Article 39 of the Constitution**
Article 39 (1) of the Constitution states that the 'Freedom of thought and conscience is guaranteed' for every citizen.
Article 39 (2) states, 'Subject to any ***reasonable restrictions*** imposed by law in the interest of the Society, of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence —
  (a)    The right of every citizen to freedom of speech and expression; and
  (b)    Freedom of the press is guaranteed.'

**'Reasonable Restrictions':** However, this freedom is subject to reasonable restrictions as defined by the Constitution and bound by following laws.

**The Printing Presses and Publication Act (PPPA), 1973**
The Act outlines the system for the operation of printing presses and the printing and publication of newspapers and registration of books. To become a newspaper or magazine owner or publisher, permission, declaration and registration from the government is required. The district magistrate may authenticate or withhold authentication of declaration.

The Act bars any publisher and printer from printing and publishing 'anything that affects interest/s of State and the government of Bangladesh'. Under the Act, the printers and the publishers are required to give separate declarations 'before the District Magistrate within whose local jurisdiction such newspapers shall be printed or published' that they 'will not publish in the proposed newspaper anything which is objectionable for, or offensive against, the interests of the Peoples Republic of Bangladesh or its government'.

**The Penal Code, 1860 (Modified up to December 31, 1983)**
The Penal Code provides that words or writing that incites hatred, contempt, or provokes disaffection towards the government is a publishable offence. Sections 153A and 153B provide punishment for 'promoting or attempting to promote feelings of enmity or hatred between different classes'. Sections 292 and 293 provide punishment for obscene publication. Section 295A provides: 'Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of Bangladesh by words, either spoken or written, or visible representations insults, or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment…'

Section 124A states, 'Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the government established by law be punished with imprisonment for life…' A note of 'explanation' of the law says that 'the expression "disaffection" includes disloyalty and all feelings of enmity'.

**The Code of Criminal Procedure, 1898**
Section 99A of the Code of Criminal Procedure states that the government of Bangladesh reserves legal authority to seize 'every copy' of a particular issue of a newspaper, or a book,

or a document if the publication 'appears to the government to contain ... any matter which is defamatory of the President ..., Prime Minister of the Government, the Speaker of Parliament ..., or any words or visible representations which incite, or which is likely to incite, any person or class of persons to commit any cognisable offence'.

**Article 33 of the Constitution and the Special Powers Act, 1974**
Article 33 empowers the Government to detain anyone, including journalists, in prison, without trial for six months initially. This Article provides immunity to the Government against illegal confinement of a citizen. Under the Special Powers Act of 1974, the Government may detain any journalist for six months without trial in prison.

The Act provides for the detention of individuals who might commit 'prejudicial acts' against the State. Section 2 of the Act defines prejudicial report as 'any report, true or false, which is an incitement to the commission of a prejudicial act which is intended or likely to prejudice the security of Bangladesh or endanger public order; or interfere in the administration of law or maintenance of supplies or service; or to cause fear or alarm; or to prejudice the financial interest of the state'. This act allows detention for 120 days without specific charges.

**No Right to Information**: Not only does Bangladesh not have a Right to Information Law that obligates public officials to release information to the press and public regarding the functioning of the State and bureaucracy, there are legal instruments within the Constitution that actively seek to prevent such information from becoming public, as summarised below.

**Article 78 of the Constitution**
Article 78 describes the privileges and immunities of Parliament and its members. For example, members of the press may enter Parliament, but only with permission. The Speaker alone has the power to authorize the publication of papers, documents and reports placed or submitted in Parliament. No member of the press has a right to take any document out of Parliament without the permission of the Speaker. Members of the press are not allowed to attend any parliamentary committee meetings.

**'Oath (or Affirmation) of Secrecy'**
Article 148(2)(b) of the Constitution stipulates that the Prime Minster, Ministers, Ministers of State and the Deputy Ministers of the Government are constitutionally obliged, under an oath of secrecy, not to disclose any information they come across while discharging their duties. 'I … do solemnly swear (or affirm) that I will not directly or indirectly communicate or reveal to any person any matter which shall be brought under my consideration or shall become known to me ..., except as may be required for the due discharge of my duty…,' reads the constitutional text of the Oath (or Affirmation) of Secrecy.

**The Government Servants (Conduct) Rules, 1979**
Section 19 of the conduct rules for the public servants, which directly stands in the way of dissemination of public information to the media, states, 'A Government servant shall not unless generally or specially empowered by the Government in this behalf, disclose directly or indirectly to Government servants belonging to other Ministries, Divisions or Departments, or to non-official persons or to Press, the contents of any official document or communicate any information which has come into his possession in the course of his official duties, or has been prepared or collected by him in the course of those duties, whether from official sources or otherwise.'

**Official Secrets Act, 1923**
The Official Secrets Act actually applies to matters relating to national security. It bars public servants to hand over to anyone any secret government plan, document, note, sketch, model, signal, information, etc., which are related to 'restricted places', and which, if made public, could pose a threat to the security of the State by its enemies. But in practice, the government offices classify almost every decision, even including orders of transfer of a small officer from one desk to another, as a 'top secret' document and thus conceal trivial information in the name of upholding the law. The Act is thus frequently used, or rather abused, by government officials as a pretext to turn down journalistic requests for documents.

**Self Regulation:** The Bangladeshi press is expected to regulate its own behaviour and codes

**Press Council of Bangladesh**
The Press Council Act, 1974 established the Press Council as a media watchdog that is supposed to enforce media ethics. This includes, among other things, preparing and updating a code of conduct for journalists and disposing of complaints lodged against newspapers by aggrieved citizens. Notably, Section 12(1) of the existing law says the council will have the authority to warn, admonish and censure a newspaper or news agency after investigation if they violate the ethics of journalism or carry news against the public taste, or if an editor or a journalist commits any professional misconduct.

But a lack of political will for the self-regulatory process to be functional, both on the part of the government and the media, makes the council entirely ineffectual. The composition of the press council (which on the surface is similar to that of many other countries in that it comprises both members of the industry as well as members of other professions) is a case in point. The Chairman must be from among the judges of the Supreme Court of Bangladesh and among the fourteen other members, three are working journalists, three are editors and three are newspaper owners, all to be nominated by their respective associations. The council has the authority to nominate its members in the case of the concerned nominating bodies' failure to send names of their nominees to the chairman. Since both the journalists' and owners' associations are divided into factions (along partisan lines), the council almost always gets to appoint its own members, and those appointments invariably are done along partisan lines.

**Journalists' and Owners' Associations**
The Bangladesh Federal Union of Journalists (BFUJ) and the Dhaka Union of Journalists (DUJ) are the two major journalists' unions, but both have split into two factions each, along partisan political lines, meaning that neither has any credibility nor real authority in the industry. The Dhaka Reporters Unity (DRU) is a relatively new organisation that has steered away from factionalism, as yet, but also shows no ambitions of being a major part of the self-regulatory process.

The Bangladesh Sangpadpatra Parishad (BSP) is ostensibly an editors' forum that has represented owners' interests over the years, but it is again infiltrated by partisan politics. The Newspaper Owners' Association of Bangladesh (NOAB) is a rather new organisation that has as yet avoided being tarnished by politics, and is hence more acceptable to the industry. But its interests, quite openly, are more business-oriented than journalistic.

*[Sources: Constitution of Bangladesh, 2000; Bagchi 2002; Kabir 2003; Nazrul 2006]*

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