

State of the Media in Botswana, 2001

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Introduction

The 2000 report on media-government relations in Botswana sounded a relative note of optimism, which has been seriously tempered by events and developments in 2001. Relations between the government and the media have grown tenser, and mutual suspicion between the two has increased remarkably. It would appear that both are fast catching up with the reality of government-media relations elsewhere in Africa, making Botswana's commitment to liberal democracy under increasing scrutiny. What accounts for such change of tone and direction? In what way have the media and the government given each other reason to rethink the importance of tolerance and freedom of expression as the foundation of liberal democracy in Botswana?

Government Relations with the Private Press

In the eyes of the Botswana government, in 2000 the critical private press, through perceived sensational, slanderous, often professionally and unethical coverage and reporting of the government (the President and vice president especially), gave the government reason to tighten the rules of the game of journalism in 2001. The government was not happy with the levity and disrespectful manner in which President Festus Mogae and Vice-President Ian Khama were constantly portrayed by some newspapers. We reported how in 2000 *The Botswana Guardian*

accused the president and his government of callous disregard to the plight of the poor, portrayed him as “shrinking” to the whims and caprices of his vice-president, and of snubbing the Ombudsman’s recommendations which sought to bar the vice President from flying the Botswana Defence Force helicopters and taking public officers with him to political rallies. Other offensive reports included stories about “Fat Cats” in the ruling party and the government enriching themselves with impunity, to the detriment of the toiling and sidestepped masses. *The Midweek Sun*, a paper equally owned by William Jones of *The Botswana Guardian*, was also critical of the government on several issues, and did publish a less than flattering picture of the President in a frontpage reaction to the “government’s tried and tested trick of using public resources to suppress criticism”¹.

Such perceived aggression and provocation are generally believed to have contributed to the Government’s decision on April 30, 2001 not to advertise in the two papers, although the office of the president claimed the ban had been induced by economic considerations. The directive called on all government ministries, departments, parastatals and private companies in which the government was a shareholder to, “with immediate effect ... cease advertising in the *Guardian* newspaper and the Sun Group of papers.” Whatever the motivation, the ban was bound to affect the newspapers seriously, not only because advertising from government and parastatal organisations accounted for 40 per cent of their total advertising revenue, but also because the ban was likely to frighten away from doing business with the stigmatised papers companies keen to maintain healthy relations with the government. Even ordinary readers with a government job or office, were likely to feel uncomfortable buying the papers in question. The Botswana government was simply following in the footsteps of its Lesotho and Namibian counterparts who had taken similar measures against newspapers in their respective countries.

Dissatisfied with the ban and determined to treat the government as no ordinary client with a right to call the tune for the piper it pays, the two newspapers took the government to court, asking for the ban to be overturned. They had the support of MISA Botswana which accused the government of having over-reacted, going “far beyond the offence, if any, that the concerned papers may have committed”, without as much as giving the papers a chance to defend themselves. In a ruling in favour of these two newspapers, presiding Justice Isaac Lesetedi said: “those who hold power should be more tolerant of criticism but where they feel the press has gone beyond bounds of freedom of

¹ See *The Midweek Sun*, May 9, 2001, p.1, for “Who’s fooling who?”

expression, they are entitled, as everyone else, to approach the courts for protection”.² In addition, the government was ordered to pay the legal costs of the papers. A second ruling in a libel case brought by Justice Maruping Dibotelo claiming P5 million against *Mmegi*, the High Court in Lobatse ordered the newspaper to pay Mr Dibotelo a compensation of Pula 250,000. *Mmegi* had published in error an article alleging that Justice Dibotelo had collected and failed to deliver a cheque of P7500 due to a creditor of Tlokweng Sub-land board.

A New Draft Media Bill

Keen to keep the media in check for good, the government went further to elaborate and make public in November 2001 a draft media bill, which the press, MISA Botswana, and other advocates of freedom of expression have all condemned as being too rigid. Some claimed that the bill in question was actually resurrected from a 1997 bill which a protest by MISA had successfully crushed at the time. These proponents of media freedom find particularly repugnant the fact that the bill calls for the registration of publications as well as for the accreditation of local and foreign journalists. These measures, they argue, amount to excessive government influence in the right of journalists to operate freely and the right of newspapers to publish. Such legislation can be used as a means for the government to silence media, when in fact, it should have no right to do that in a democracy. Such a law could only engender or enhance the repression of the free flow of information. They are also critical of the fact that the law seeks to establish a media council, which includes members appointed by the government, and to criminalise the actions of journalists through the imposition of fines for every offence and prosecution. Notwithstanding the fact that journalists have a responsibility to uphold journalistic ethics through their professional codes of conduct, these proponents of free flow of information believe that media practitioners themselves are capable of putting in place structures independent of government interference and control, which to which journalists are accountable for their practices within the context of accepted professional ethics and standards, and which would give the public access to a complaints mechanism. The guiding principle behind such structures should not be to punish, but rather to ensure that journalists and media institutions uphold professional standards and ethics. MISA in particular has pointed out that the timing of the media bill in this regard is rather unfortunate, given

² See *The Midweek Sun*, September 19, 2001, p.1 & 3; For more reports on the suspension and court ruling in favour of the newspapers, see *The Midweek Sun*, July 11, 2001, pp.1&4; *Mmegi*, July 6, 2001, p.4; *The Mirror*, August 22, 2001, p.4; *The Botswana Guardian*, September 21, 2001, p.5

that MISA has worked with the media in Botswana to establish a self-regulatory mechanism for the media for nearly a year, with a unanimously endorsed professional code of ethics and a Media Complaints Commission to show for it as results. These concerns were made known to President Mogae in a letter by MISA, and widely discussed on radio, in newspapers and other public fora. When and if the bill is finally tabled, whatever modifications are made or ignored would not be in ignorance of the legitimate concerns of the media and advocates of freedom of expression in Botswana.

Censorship at Botswana Television

The official media as well witnessed increased control, interference and censorship by the government and management. At Botswana Television (BTV), Chris Bishop resigned in May 2001 because of government interference in the running of the station. In his letter of resignation, Bishop, who was in charge of news and current affairs, stated: “I can no longer run a TV news service with the current level of interference. I feel that it not only renders the running of TV news impractical, but also cheats the taxpayers to which the service belongs.” Such interference, he claimed, contradicted the terms of his contract, which had promised to guarantee his professional independence. He alleged that, “the journalists at BTV and myself have often been harassed by officialdom,” and claimed that on a number of occasions, he had received veiled threats about certain stories handled by the station “We have been criticised for interviewing certain people on the news despite the fact that basic journalistic ethics dictate that we do so. The latest threat is that the office of the president is considering sending an officer to control the news.” Bishop questioned the rationale of having trained journalists only to run BTV merely as a government information service, asserting that BTV could only be credible as a news service if journalists are “given the freedom to do their job without fear of intimidation.” Prior to Bishop’s resignation, BTV management had issued a last minute order banning the broadcasting on BTV of a documentary on executed South African woman, Mariette Bosch. The banning of the documentary, conceived and produced by Bishop, provoked protest among BTV journalists against “government interference”. It is believed that the Bosch documentary was the immediate cause of Bishop’s resignation. Not long after resigning, Bishop picked up another job with SABC, leading some critical voices to doubt the extent to which his resignation had been as selfless, disinterested, uncalculated, and professional as he had portrayed it.

Private Commercial Electronic Media

Elsewhere in Botswana's communications world, there was turmoil as well. The non-government directors of the Botswana Telecommunications resigned in March, in protest against failure by the government to consult them prior to the sacking of the corporation's chief executive and the transfer of the chairperson. In the realm of private broadcasting, the struggles over ownership and control were of another kind. In February 2001, a row reportedly erupted between Botswana and South African shareholders of the Gaborone based Gabz-FM, because of claims by the South African partner that Botswana investors had not met their part of the bargain and had failed to come up with their share of the money to launch and run the station. The Botswana however felt that the South Africans had a hidden agenda to take over the station, and demanded the termination of the contract of the South African station manager in favour of a Botswana. The dispute resulted in the accounts of the station being frozen for a while, and staff receiving their salaries later than normal. At Yarona FM, there were similar disputes. Both situations indicate that private or commercial initiative in the media does not necessarily imply an end to problems of ownership and control as is often thought.

Conclusion

To conclude, it is worth reiterating that whatever accounts for the deterioration of relations between the government and the media in Botswana deserves to be diagnosed and corrected in the interest of democracy, and to do this properly would require honesty and modesty on the part of both institutions. The current situation where both the government and media see in each other as the *exclusive* cause of the tensions and hostilities in their relations, is hardly informed by the fact that social truth is something negotiated, a matter of consensus to which every party involved contributes in one way or another. It is hardly helpful, nor responsible for the media or the government to be critical of the other to the point of neglecting introspection or self-scrutiny.