

Reporting Corruption and Media Ownership

*A comparative study of how government and privately
owned media report on corruption in Uganda*

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Abstract

This thesis discusses the relationship between the efforts of combating corruption and the role of the media. It focuses on the connection between media ownership and combating corruption. The research uses the 2005 Global Fund corruption scandal in Uganda as a case study. This scandal involved about US \$200million from the Global Fund, meant to fight malaria, tuberculosis and HIV/AIDS. The study is based on a comparative analysis of how the two main newspapers in Uganda; *Daily Monitor* (privately owned) and *New Vision* (government-owned) reported on this corruption scandal. Using this case study, the thesis discusses the role and feasibility of using the media to combat corruption.

The research is based on theories of causes and means of combating corruption. Within these theories, the study deals with the relationship between the media and fighting corruption. The theory of media ownership and editorial independence has also been discussed with a view of tracing the relationship between ownership and editorial content. The findings in this study have been based on three research methods that include in-depth interviews with editors and journalists, qualitative and quantitative content analysis and document analysis. The study found out that there is a marginal difference in the way the government and privately owned media report about corruption. The study also found out that the media's ability to combat corruption in Uganda is greatly hampered by unfriendly press laws and the media's failure to mobilize resources and skills to do investigative journalism. As such, most of the reports are based on investigations of other agencies. This research strongly recommends that media owners should invest heavily in investigative journalism. In cases where this may not be possible, journalists should resort to existing charities that support investigative journalism. The media should also continue to lobby for a better legal environment that encourages more freedom and access to information in possession of the state.

Keywords: Corruption, Global Fund, media, editorial independence, investigative journalism, media ownership, *Daily Monitor*, *New Vision*.

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CHAPTER ONE – INTRODUCTION

The media world over have gained prominence as a major tool in fighting corruption. Anderson & Weymounth (2007) have observed:

An important function of the media, and of journalists in particular, has been and remains the exposure of corruption in all its manifold forms and it is one that is crucial to the fair and effective working of democracy (2007:19).

Through the media's role of monitoring centers of power, the media have been able to report incidents of corruption and abuse of public authority. Such media reports have sometimes sparked strong actions against perpetrators of corruption. The reactions have ranged from civil suits, loss of office, impeachment and imprisonment. Several scholars (see for example McQuail, 2000) contend that for the media to be an effective tool in fighting corruption it must be independent. This point constitutes one of the major themes in my thesis. This study analyzes how the private and government-owned media report on corruption in Uganda. The study investigates how ownership supports or discourages the media's ability to report on corruption.

The subject of fighting corruption is important because huge financial resources that should have resulted in substantive development and social transformation have been lost to corruption. During the launch of Stolen Assets Recovery Initiative (STAR)¹ in New York in September 2007, the UN and World Bank estimated the value of criminal businesses mostly accumulated from corruption to be between \$1 to 1.6 trillion. The two organisations which traced these monies to be stolen from developing countries and kept in developed nations also observe that corrupt money associated with bribes received by public officials from developing and transition countries is estimated at \$20 billion to \$40 billion per year—a figure they say is equivalent to 20 – 40 per cent of

¹ STAR is a new initiative by the UN and World Bank to recover money stolen from developing and transition countries

flows of Official Development Assistance (ODA)². In Uganda alone, the World Bank estimates that the country loses about \$300million per year through corruption and procurement malpractices³

Without paying much attention to the figures suggested by the two global agencies and how they were arrived at, what we are sure of is that corruption does exist and it has done a great deal of harm on many economies all over the world. Pope (1998:8) has rightly observed that combating corruption is not an end in itself. Rather it is instrumental to the broader goal of more effective, fair and efficient governments. Anti-corruption activists, he says, are not just concerned singly with corruption, but with its impact on development and society.

This thesis further analyzes how media ownership shapes the nature of news production and how it could impede or encourage the fight against corruption. In this project, we analyze how ownership may affect media output and therefore undermine the free flow of information, a key assumption in a free enterprise economy. The research investigates if there is a relationship between ownership of the media and the ability to report on corruption.

1.1.1 Which case study?

The thesis picks on the 2005 Global Fund corruption scandal in Uganda as a case study for this research project. The Global Fund to fight AIDS, Tuberculosis and Malaria was created by a Group of Seven (G-7) industrialized countries that include United States, Japan, Germany, France, United Kingdom, Italy and Canada in 2002. The 2005 Global Fund corruption scandal in Uganda involved about US \$200million. The money was meant to fight malaria, tuberculosis and HIV/AIDS but much of it ended up in the

² Stolen Assets Recovery Initiative (STAR): Challenges, Opportunities and Action Plan, World Bank and UN, June 2007 (<http://siteresources.worldbank.org/NEWS/Resources/Star-rep-full.pdf>)

³ Olupot, Milton, "Corruption costs sh500b a year," *New Vision*, Monday, 21st January, 2008

pockets of a few individuals. This corruption case was revealed by the Geneva-based Global Fund. The media; the supposed ‘watchdog’ of society were not proactive in reporting this scandal. They only came in to make a follow up on the subsequent issues that arose from the scandal.

It all started when the Global Fund appointed an auditing firm, PricewaterhouseCoopers Limited to make a review of the grant. The audit found massive irregularities (highlighted in section 1.3.4) in the management of the funds. This led to a temporary suspension of the grants from the Global Fund. The suspension was later lifted after the Uganda government appointed a commission of inquiry to investigate the mismanagement of this project. In this thesis I focus on how the two main newspapers in Uganda; *Daily Monitor* (Privately owned), and *New Vision* (government-owned) covered this corruption scandal, from the period it started, up to the time a commission of inquiry concluded its investigation in this matter.

1.1.2 The state of the media in Uganda

Uganda's press has grown in terms of variety and quality over the past two decades. Several private newspapers have opened and substantially improved content. But market challenges mean a high mortality rate for even the best newspapers. For instance, in the last 20 years, 16 newspapers have closed⁴. This leaves only 13 newspapers on the market. The government owns five of the 13 newspapers under one company: The New Vision Printing and Publishing Corporation. Two of them; *New Vision* and *Bukedde* are daily, while others, namely *Orumuri* (published in Runyankole), *Etop* (Iteso language), *Rupiny* (published in Luo language) are weekly. These compete with two private daily newspapers – the *Daily Monitor*, mainly owned by the Nation Media Group, and the *Red Pepper*; a tabloid publication started in June 2001 and owned by five individuals. The *Red*

⁴ Kirumira, Mark & Ajwang, Jan, “Uganda: The Limping Newspaper Industry,” a news feature published in *Daily Monitor* newspaper on 3 May 2007 (accessed at <http://allafrica.com/stories/200705020734.html>)

pepper claims on its website that its sales range from 25,000 to 30,000 copies daily⁵. There are five weekly newspapers; *The Weekly Observer*, started on March 25 2004 by 10 journalists who broke away from *Daily Monitor*. According to Mr. James Tumusiime, the Managing Editor, on average, the paper sells about 15,000 copies.

The other weekly newspaper is *The East African* published by the Nation Media Group. According to Nation Media Group, this newspaper which circulates in the three East African countries of Uganda, Kenya and Tanzania sells an average of 30,000 copies per issue⁶. Other weekly newspapers published in Uganda include *The Sunrise*, *The Weekly Message* and *The Guardian*. The three newspapers are owned by different private individuals and published in English. There are no official figures regarding their circulation. The most recent newspaper to be launched in Uganda is *The Independent*, a bi-weekly newspaper founded in December 2007 by Andrew Mwenda, a journalist who previously worked with *Daily Monitor*.

The newspapers that have closed in the last 20 years include *The Stream*, *The Vanguard*, *The Sun* – an English version of *Bukedde*, a Luganda paper of *New Vision*, *The Crusader* – started up by breakaway journalists from *Daily Monitor* in 1996, *Economic News*, *The Weekly Digest* and *The East African Procurement News*. All of the above publications closed due to poor market performance. Other newspapers that have folded include *Njuba Times* funded by the Buganda kingdom government (the kingdom ran out of funds to continue subsidizing its mouthpiece), *Musizi*, *Ssekanyobya*, *The Voice* (The proprietor has since been appointed a Presidential Press Secretary), *Ngoma* – was a Luganda newspaper started by Monitor Publications limited, *Uganda Confidential* – owned by Ssezi Teddy Cheeye (he has since been appointed Director of Economic Affairs in Uganda's spy agency – Internal Security Organisation), *The People* (was owned by a political party – Uganda People's Congress that lost power in the 1985 coup), and the *Evening Mail* – an evening paper formed by breakaway journalists from *Daily Monitor* in 2004.

⁵ <http://www.redpepper.ug/about.php>

⁶ <http://www.nationaudio.com/kenyapolitics/info/nationmedia.html>

The Voice and *Uganda Confidential* newspapers mentioned above were critical to the government. Due to failure to contend with market challenges these newspapers ran bankrupt and their proprietors resorted to government employment while the rest of the staff scattered looking for alternative employment. The birth of *The Crusader*, *The Weekly Observer*, *The Evening Mail*, and most recently, *The Independent* from *Daily Monitor* reflects conflicts that exist within Uganda's media. The break-away factions accused *Daily Monitor* management of poor remuneration of journalists and lack of editorial independence (the later point particularly applies to *The Independent* newspaper, see chapter four for details.)

There are more than 100 radio stations in Uganda but despite their proliferation, diversity remains a tall order for them as most stations' content remains homogenous. Some of these radio stations are privately owned by government officials or their accomplices, which sometimes limits their ability to critique the government policy view point. There are six television stations, one of which is owned by the government. The government-owned TV covers at least 70 percent of the country while the privately owned TV stations remain confined to urban areas, covering less than 30 percent of the country⁷.

The government uses laws to frustrate journalists' investigations and subject media houses to hefty fines. These fines normally arise as a result of damages awarded by courts to litigants in civil defamation suits. Many people who sue the media for defamation are government officials. The government also uses licences, denial of advertisements and taxation to control the operations of the media. For example, in 1990, the government slapped a four-year advertising ban on *Daily Monitor*. No government department was allowed to advertise with this privately owned daily newspaper. In Uganda, the government is still the biggest advertiser because the private sector is still small. According to *The Weekly Observer* newspaper⁸, by August 2005, the

⁷ Uganda Communication Commission Report 2006

⁸Oluka, Benon H, "When Museveni spat at the media," a news analysis article published in the *Weekly Observer* newspaper on 18 August 2005

current Uganda government had so far closed three media houses between 2000 and 2005. The closed media houses were *Radio Kyoga Veritas FM*, *Daily Monitor* and *K-FM*. *Radio Kyoga Veritas FM* and *Daily Monitor* were closed because the state was not happy with the way they reported on the civil war in northern Uganda. *K-FM* was closed for allegedly breaching the Electronic Media Act by failing to meet minimum broadcasting standards. This followed a talk-show that debated the death of former Southern Sudan President John Garang⁹. All the three media houses have since been re-opened.

Some of the challenges that journalists face stem from lack of formal journalistic training, political interference and poor remuneration. Survival is difficult and so is the maintenance of ethical standards. Most journalists must learn on-the-job and, therefore, get no background in core journalism values, including independence and objectivity or the importance of acting as a watchdog and critic of those holding public authority. Besides risking to be compromised, the poor remuneration of Ugandan journalists mean that media companies can not hire and retain experienced journalists, most of whom have found greener pastures elsewhere especially in the Non Governmental Organisations that pay higher salaries. As the circulation figures of the two main newspapers reveal below, Uganda's press is very limited in terms of reach and access by majority population. Uganda's population is currently estimated at 28 million but daily newspapers, all combined, sell less than 100,000 copies in a day. The low circulation therefore limits the influence of the press as crusaders of justice.

1.1.3 A brief profile of the *New Vision* newspaper

The *New Vision* was set up in 1986 after Yoweri Museveni and the National Resistance Army captured state power in Uganda after a five-year guerilla war. The company is listed on the Uganda Securities Exchange with 80 per cent of the shares owned by the

⁹ "Uganda: Monitor's K-fm closed," APC Africa, ICT Policy Monitor (http://africa.rights.apc.org/index.shtml?apc=he_1&x=851720)

government and the other 20 per cent owned by several private shareholders. The *New Vision* is enjoined by an Act of parliament to remain independent. According to section 18(c) of the 1987 New Vision Printing and Publishing Corporation Statute, the paper has an obligation “to voice public opinion and criticism of a given government policy and objective coverage without becoming an institutional apparatus of government interests.”

New Vision newspaper is Uganda’s most circulating with daily sales of around 35,000 copies. As I have mentioned above, The New Vision company also publishes *Bukedde*, a Luganda daily, and three other weekly vernacular papers, *Orumuri* (published in Runyankole), *Rupiny* (Published in Luo) and *Etop* (in Iteso language). According to *New Vision* website, the average sales of these papers are at 15,918 daily for *Bukedde*; 10,500 weekly for *Orumuri*; 5,400 for *Etop*; and 3,500 for *Rupiny*. The New Vision is a profit making company which receives no government subsidies. (source: www.newvision.co.ug)

1.1.4 About *Daily Monitor* newspaper

The Monitor newspaper was founded in 1992 by five journalists as an independent daily newspaper, and re-launched as *Daily Monitor* in June 2005 (the re-launch was more of a marketing strategy as it focused mainly on the newspaper’s layout.) Due to market challenges, in 2000, the five original owners sold majority shares of the company to the Kenyan based Nation Media Group that now jointly owns Monitor Publications Ltd on a 24 to 76 per cent shares basis respectively, making *Daily Monitor* part of the regional media conglomerate. Nation Media Group also owns *Daily Nation* newspaper, and *Taiifa Leo* in Kenya. The same company owns the *East African* newspaper, a weekly publication covering the three East African states of Uganda, Kenya and Tanzania. Nation Media Group also publishes *The Citizen* newspaper in Tanzania. The company recently opened radio and television stations in Kenya and Uganda.

Daily Monitor claims on its website that the paper's private ownership guarantees the independence of its editors and journalists free from the influence of government, shareholders or any political allegiance. *Daily Monitor* further asserts that it is the only paper that reports on news stories unhindered and conducts serious investigative reporting on issues of public interest. The paper sells around 30.000 copies everyday. (Source: www.monitor.co.ug). To appreciate the journalistic environment in Uganda, let us take a look at the legal framework of the media.

1.2 The legal framework of the media in Uganda

Uganda possesses many media laws. Most of these laws are widely understood to be intended to protect the people in power against the public's need to be informed. Few laws protect journalists and such laws are sometimes in conflict with other existing laws. The Uganda Constitution guarantees the freedom of the media in article 29(1) (a); "Every person shall have the right to freedom of speech and expression, which include freedom of the press and other media."

The other article that supports the media in the Constitution is 41(1) that relates to access to information thus;

Every citizen has a right of access to information in the possession of the state or any other organ or agency of state except where the release of the information is likely to prejudice the security or sovereignty of the state or interfere with the right to privacy of any other person.

This provision has been operationalised by the Access to Information Act that was passed in 2005, 10 years since the Constitution was promulgated.

But as Stapenhurst (2000:14) has observed, the Ugandan legislature has divided information into classes of available and non-available information, with few classes of information being deemed freely accessible. Nyamnjoh (2005:125) has acknowledged that an examination of most legal frameworks in Africa reveals a craving to control that leaves little doubt of law makers perceiving journalists as potential trouble makers who

must be policed. The tendency is for new laws to grant freedom in principle while providing, often by administrative nexus, the curtailment of press freedom in practice. In Uganda, many subsidiary laws have been understood to contradict the media freedom enshrined in the Constitution. Some of such laws are found in the Penal Code Act that lays down a number of penalties if one published legally prohibited information. The Penal Code Act has the following provisions in relation to the media.

Section 39A prohibits the publication of information regarding military operations, strategies and military supplies, likely to endanger the army or assist enemy operations. Any person convicted under this provision is liable to serving a seven-year prison sentence. There is of course nothing wrong with protecting military operations but the danger arises when there is an overwhelming need for the public to know about some of the military transactions. For instance, this section bars publication of information on military supplies, a term that includes matters of logistics, where most fraud and corruption is usually reported. For example, there was a popular scandal in Uganda where a private company purchased junk helicopters for the army yet it was supposed to supply properly functioning military choppers. Using this law, the state can stop publishing information or even debate on such matters.

In cases like the above, the concept of protecting military operations for the sake of public security is over abused. Using this provision, the government closed down *Daily Monitor* for 10 days in October 2002 for reporting that rebels in Northern Ugandan had shot down a government military helicopter. Two years later the paper recorded a victory in court over this case, but it cost them dearly in terms of time and money. While preferring some charges against journalists the government sometimes knows that it may lose the case but will get a victory of sounding out a warning to the media on what should be reported about.

Charles Onyango-Obbo, the then Editor of *The Monitor* newspaper wrote an opinion in the sister publication, *The East African* in 2004 to emphasize the above point.

President Yoweri Museveni rule has seen the widest expansion of press freedom, but also the most extensive persecution of journalists. Journalists have been jailed

or hauled before courts 10 times more than in the 25 years before 1986. The effect has been remarkable. Abdi Hussein was arrested with Alfred Okware for asking former Zambian president Kenneth Kaunda embarrassing questions at a press conference. Hussein was so traumatised, his life took a turn that quickly killed him. Okware went into exile into a reclusive life, and died some years later. Jesse Mashate and Festo Ebongu escaped into exile too. The rapidly critical Hassan Njuki was released only so he might die a few hours later. The dogged Francis Odida's resolve was crushed. He gave his life to God and now has a lucrative ministry. I witnessed the very cerebral George Lugalambi paralysed by fear in court, and become a nervous wreck. Many journalists after a brush with the law gave up journalism altogether. A handful turned into gun-toting security agents.¹⁰

Sedition is probably one of the most controversial provisions in the Penal Code Act. Section 41 of this law has defined sedition to include any act that brings hatred or contempt against the person of the President and the government or any act that raises discontent among people. Acts that could be calculated to promote ill-will and hostility, religious animosity or communal ill-feelings are also deemed seditious according to the Penal Code Act. The law prescribes a five-year jail term if convicted under this provision.

Section 43 of the Penal Code also empowers the government to confiscate printing machines that are involved in producing seditious materials. Kemigisha (1998: 8) has dubbed this law a colonial relic claiming that it protects the image of those in power.

The above law presents a big threat to reporting corruption in Uganda because on many occasions acts of corruption involve government officials whose image it seeks to

¹⁰ Onyango-Obbo, Charles, "Ah, Uganda's Press: So Free, So Terrorised," Opinion article published in *The East African* newspaper on Monday, April 5, 2004

protect. It is important to note that few journalists in Uganda have been convicted under this law. Nevertheless, the government uses it to intimidate media practitioners by dragging journalists and media managers to court, losing a lot of time and money in the process of litigation. I call this law a threat to the media because its resultant intimidation can force journalists into self-censorship to avoid the wrath of government.

Section 51 of the Penal Code criminalizes the publication of information “tending to degrade, revile or expose to hatred or contempt any foreign prince, potentate, ambassador or other foreign dignitary.” In 1990 the Uganda government arrested three journalists for asking the then Zambian President Kenneth Kaunda embarrassing questions. One of the three journalists was immediately deported to his home country, Sudan as the two Ugandans waited for their case to be heard in court. Other legal provisions in regard to media practice in Uganda relate to sections 174-181 of the Penal Code Act that deal with criminal defamation. The difference between civil and criminal defamation is that the offender is expected to serve a punishment (like a prison sentence) in addition to paying damages to the defamed party. Under section 175(2), criminal defamation can be brought against an alleged offender even if the person offended is alive or dead. Kemigisha (1998:10) has argued that this law is inconsistent with article 29 of the Uganda Constitution that guarantees the freedom of the media.

The main argument against criminal defamation is that civil defamation is enough to provide remedy to the plaintiff. Colossal damages awarded to plaintiffs, mainly government officials are known to have pushed some of the media outlets out of business. The government does not seem convinced by this and continues to pursue journalists hurling them to courts on criminal defamation charges.

The Press and Journalists Act is another legislation that infringes on media freedom in two main ways. One, it grants powers to courts to compel journalists to reveal their sources. Section 39 that deals with protection of sources says:

“A journalist shall not be compelled to disclose the source of his information except with the consent of the person who gave him the information or on an order of a court of law.”

This provision is hostile to the media because in most cases, news tips particularly the ones involving corruption scandals sometimes are volunteered by junior staffs in organizations. Identifying news sources (whistleblowers) may endanger their lives and those of their family members in addition to losing employment. Moore (2000:142-144) has correctly observed that:

As every journalist knows, sources are the lifeblood of a good story. On many occasions such sources are willing to be named; indeed it may be vital to produce the individual as a witness to defend a defamation action. There are, however, circumstances when a source will only come forward and provide information on the understanding that their identity will not be disclosed. [...] What is clear is that any legal requirement to disclose the identity of a source acts as a severe blow to investigative journalism, undermining its ability to expose corruption and wrong-doing.

The second way in which the Press and Journalists Act infringes on media freedom is by establishing a statutory Media Council with a duty to regulate the standard of journalism and to arbitrate in disputes with the public. Basing on the Council's membership however, the body is understood to be intended to limit particular individuals from expressing themselves. The Council consists of government appointees who are largely beholden to the minister (of information). The Director of Information or a Senior Officer from the ministry responsible for information holds the portfolio of Secretary to the Council (Section 2(a); two distinguished scholars in Mass Communication also appointed by the minister, and two other members of the public of a proven reputation and integrity. Section 3 confers the authority of appointment of the remaining eight members of the council on the minister. This leaves the independence of the council suspect. As everybody would agree, there is no objection to the regulation of journalists but what appears contentious is the body assigned to do this job.

Under section 28(1) the Council carries out annual registration of journalists and issues practicing certificates. The certificate is stated in the subsequent subsections to be a prerequisite for practicing journalism and punishment for non-compliance have been prescribed in 28 (4). Apart from lack of confidence in the Media Council, there is a

global view that information is too important to be left in the hands of a few individuals. To regulate and limit journalism in terms of the law with renewable annual license seem to contravene the global convention that journalism is an open profession for people who feel that they have the ability and interest in expressing themselves through the media.

It should be observed that since the passing of this law about 10 years ago, most of the provisions have not been applied due to their impracticality or probably the government feels it convenient to leave things the way they are. For instance apart from foreign journalists all local journalists are not accredited/registered as required by the law. Nevertheless the government uses this law as a fall back position in case it wanted to stop some journalists from practicing. For example in 2006, the government through the Media Council, cancelled the practicing licence of Blake Lambert a Canadian journalist based in Uganda, corresponding for *The Economist* news weekly and the *Christian Science Monitor* daily, *The Washington Times* and the Canadian Broadcasting Corporation¹¹. The Uganda government accused him of failing "to provide a more balanced outlook on Uganda."

Section 31 of the same Press and Journalists Act provides for a disciplinary committee, composed of council members. The council has powers to suspend a journalist for at least a month. The journalist may appeal to the High Court but he is not supposed to practice until the appeal has been decided. This means that the journalist is guilty even before being proved so by court, contrary to the conventional understanding of the law. This demonstrates that the council has much powers on the media in Uganda. It is therefore necessary that these powers are exercised without undue interference from the government. Unfortunately, the law vests a lot of power in the minister especially with regard to the composition of the council that the government can arbitrarily interfere with the freedom to impart information.

¹¹ Reporters without Borders, April 3 2006 - www.rsf.org

The other body that the Press and Journalists Act puts in place is the National Institute of Journalists of Uganda (NIJU), with objectives like promoting professional fellowship among journalists, advising journalists on courses of study and promoting journalism research among other functions. Looking at the above stated objectives seem to strongly justify the establishment of NIJU, however controversy emanates from NIJU membership. Full membership to NIJU requires that a journalist has a degree in Mass Communication/journalism or a degree in another discipline plus a postgraduate qualification in journalism. Until recently in Uganda, not many journalists were qualified to the level of a degree and many senior journalists felt betrayed because most of them did not possess the academic requirements.

The other law that relates to the media in Uganda is the 2005 Access to Information Act. This law has been described as a good piece of legislation despite some enjoiners that tend to limit the access of some important documents. Section 10 of the Act requires that there shall be an Information Officer in every public body to whom a formal application for access to information will be made. Section 34 gives the Information Officer powers to disclose information if the public's interest in the disclosure outweighs the danger of withholding information.

Sections 37 and 38 lay down a complaints procedure in case the application to access some records has been denied. The procedure includes filing a case before a magistrate's court and a possibility for appeal in High Court if the applicant is not satisfied with magistrate's ruling. Overall, despite limitations in accessing information related to security, international relations, cabinet minutes and any information that is deemed to infringe on the privacy of another person, this law is a positive step in terms of promoting media freedom in Uganda. After looking at the legal environment under which the media operate in Uganda, let us now focus on the background to our case study

1.3 Background to the Case Study - *About the Global Fund*

The Global Fund to fight AIDS, Tuberculosis and Malaria was created by a Group of Seven (G-7) industrialized countries in 2002. The main objective of this fund is to finance a dramatic turnaround in the world's fight against the three diseases. After more than five years since its inception, the Global Fund has become a leading force in the fight against these diseases. It has committed US\$ 7 billion to more than 450 programs in 136 countries (source: www.theglobalfund.org).

1.3.1 How it works

The Fund is based on a model, which encourages support of local priorities of the receiving country. Local partnerships in countries design and submit proposals for resources needed to fill gaps laid out in national strategies to fight the three diseases. These proposals are then approved on the basis of technical merit. As a result, funding is flexible, supporting the interventions best suited to have an impact on the diseases in each individual country, province, and community. About 40 per cent of all funding supports programs managed by non-governmental organizations, with the rest managed by governments and international partners. The Global Fund is managed by a small staff based only in Geneva, contracting accounting and management firms such as PricewaterhouseCoopers to assess and monitor its grants around the world¹².

1.3.2 Global Fund operations in Uganda

Uganda started receiving financial support from the Global Fund in February 2003, with an initial grant of US\$36.3 million. By 2005, Uganda had produced five successful grant proposals to the Global Fund. The cumulative committed funds to Uganda by the Global Fund for the first two years were US\$ 201 million. (Source: www.theglobalfund.org)

¹² www.theglobalfund.org

1.3.3 How the Fund was managed in Uganda

The Principal recipient of the grant on behalf of the Uganda government was the Ministry of Health. The ministry in turn established the Programme Management Unit to coordinate the implementation of the Programme. The disbursement of the grants was through both public and private sector. The categorization for implementation was split between public which comprises Central and Local Governments as well as other Government bodies. The private sector was also at the forefront of implementation and it covered both the civil society and private sector. The private sector comprised of profit and non profit organizations, faith based organizations, groups of people living with HIV/AIDS and community based organizations¹³.

1.3.4 Discovering the fraud

Following the expiry of Round One of the grant in 2005, the Global Fund appointed PricewaterhouseCoopers Limited to carry out an in-depth review of the grant. The audit firm discovered massive corruption in the management of the project. According to the PricewaterhouseCoopers audit report, the major corruption incidents that were uncovered were the following.

The rates at which the Project Management Unit (this was the body in charge of the implementation of the Global Fund projects in Uganda) translated foreign exchange into Uganda shillings were lower than the market rates communicated to auditors by banks who received the funds resulting in a shortfall of Shs 517,150,000 (about US\$ 310,600). There were numerous expenses that were not allocated to any expenditure category and some expense items posted to the balance sheet accounts. The expenditures as listed in the Sun Systems financial statements could not be agreed to the underlying books of

¹³ PricewaterhouseCoopers draft review report on Global Fund grants to Uganda, August 2005

account. Some of the recipients of the funds had not accounted for the funds received at the time of the review. This amounted to Shs 291,520,150 (about US\$ 175,000). Some of the expenditure was not supported by third party documents like invoices, receipts, and contracts. Relevant examples include funds taken to carry out workshops and courses by the Project Management Unit that had not been accounted for. From the sample taken, the expenditure that was not supported amounted to Shs 12,417,248 (about US\$ 7,458).

Project Management Unit staff received allowances that were not in line with the Government of Uganda standing instructions on allowances. Examples were payment of allowances at rates that were higher than the Government rates, the payment of allowances that are not defined in the instructions, night out allowances were paid to Project Management Unit staff for workshops held in Uganda's capital Kampala (where they reside), some staff received allowances for work undertaken as part of their routine duties. For example, administration staff photocopied tender documents and were paid allowances for work undertaken during their normal course of work. The questioned allowances amounted to Shs 106,947,000 (about US\$ 64,232). Cheques were made in the names of individuals instead of the institutions that they worked for. This was not in line with the laid down procedures of transferring funds to the institutions and the institutions taking responsibility for payments and accounting for the money to the Project Management Unit. There were instances noted where the payments effected appeared unreasonable or not in line with the programme objectives. This amounted to Shs 210,651,550 (about US\$ 126,517).

The criteria that were set out for the vetting of sub-recipient organisations were not followed entirely. An example is that entities that did not have a legal status were given funding. Other organisations that did not have a physical address received funding. The auditors received confirmation that some staff that are part of the Project Management Unit requested for 'kickbacks' from some sub-recipient organisations in order to get funding from the Global Fund. Consequently, some sub-recipient organisations received funds yet they should not have qualified for funding based on the laid down eligibility criteria. Some of such organisations accessed funding on recommendation of high ranking government officials. Many instances of suspect transactions were also noted.

This was evidenced by prices higher than those quoted to the auditors. Some suppliers did not exist at the locations indicated on the supporting documentation, as well as payments to shops that indicated to auditors that they do not supply the goods stated on the receipts.

In some transactions, brand names were specified in the bidding documents, which is in contravention of the Public Procurement and Disposal of Public Assets (PPDA) Act. This curtails competition and favours specific manufacturers. An example was the purchase of computers, other office equipment and cars. There was evidence that the specifications may have been tailored to suit particular manufacturers and in the process deny the Project Management Unit the benefits of competition. The capacity of the Project Management Unit to manage the grant was inadequate. The said capacity is in form of numbers and skills required to manage a multi-million and multi-implementer programme.

Based on the above findings, the Global Fund temporarily suspended the grant to Uganda in August 2005. The grant resumed a couple of months later after the government of Uganda appointed a commission of inquiry into the mismanagement of the grant. The probe commission headed by the Principal Judge, Justice James Ogoola implicated among others, three ministers heading the Ministry of Health, senior civil servants in the ministry and key managers of the Project Management Unit that coordinated the project. Since the release of the commission report in May 2006, no major action has taken place to implement the recommendations of the commission. Only on April 10 2007, the government released a White Paper on the commission's report. The government ordered the police to open investigations against individuals mentioned in the commission's report with a view of prosecuting them.

1.4 Hypothesis

The role of the media in curbing corruption is well documented. In emphasizing the media's function, several scholars have rested their premise on a vibrant free and

independent media. It is this assumption that informs my hypothesis in this study that the private press is more capable of exposing corruption than the government-owned press.

1.4.1 Does it matter as to who owns the media?

Pope¹⁴ has observed that government ownership of the media limits their independence and ability to investigate and publish matters of public interest. Proponents of this view propose that privatizing government media would strengthen their autonomy and capacity to report freely. However, critics of this approach argue that privatization may not be the best solution, especially in view of some public media outlets like the British Broadcasting Corporation (BBC) that have exercised the necessary autonomy in their reports. Critics further argue that some forms of private ownership have not guaranteed independence to their media as it is anticipated. For instance, Croteau and Hoynes (2006) have observed that censorship and broader constraints on the media need not come from government; instead they can come from other powerful sources. They argue that today constraints on the media in democratic societies are more likely to come from corporations for economic purposes rather than from government for purely political purposes.

Despite the foregoing reasoning, I argue in this thesis that government ownership impedes the media's role as a 'watchdog' on the state because of the inherent conflict of interest that government ownership of the media creates.

1.4.2 Private media key to exposing corruption

Against the above background, I argue that privately owned media, despite their constraints, are better placed to expose corruption than the government-owned media. While emphasizing the importance of media freedom and independence, McQuail,

¹⁴ Pope J. (ed) "TI sourcebook 7" Transparency International Berlin, Germany.

(2000:168) has argued that media freedom leads to positive benefits for everyday needs of society institutions – especially a flow of reliable information and diverse points of view. Press independence, he observes, is also a precondition of the exercise of the ‘watchdog’ role exercising public vigilance in relation to those with most power, especially government and big business. Free media, he argues, will be prepared, when necessary, to offend the powerful, express controversial views and deviate from convention and from commonplace.

McQuail’s argument has been supported by other scholars like Djankov et al (2002:159) who contend that information flows may facilitate public oversight of government and increase the accountability of politicians for bad conduct. In this case, they argue, government ownership of the media would increase corruption because it has a negative effect on citizens’ rights. Government ownership of the press, they believe, restricts information flows to the public, thereby diminishing the value of citizens’ rights and the effectiveness of government.

In a study conducted by Djankov et al (ibid) on the impact of government ownership of the media to the political and economic markets, it was discovered that government ownership hurts. They argue that the governments own the press – not to improve the performance of economic and political systems, but to improve their own chances of staying in power. Government ownership of the media, they say, is detrimental to economic, political and most strikingly social outcomes. They sum up their argument by urging that increasing private ownership of the media through privatization or the encouragement of entry can advance a variety of political and economic goals, and especially the social needs of the poor. In this thesis, we shall build on this argument to examine whether a privately owned press is better placed to expose corruption.

1.5 Research Question

How do the private and government media in Uganda report on corruption?

This question seeks to find out how different the government-owned media report on corruption as compared to the privately owned media. Using this question, I explore a

possibility of whether privately owned media are better placed to expose corruption than government-owned media.

1.5.1 Sub-Question

Does ownership influence the way corruption is reported?

In the above sub-question, I find out the relationship between reporting corruption and media ownership. In this way, I investigate how media ownership could support or discourage the use of media as an anti-corruption tool. After digging into the background of this study and stating my hypothesis and research questions, in the next chapter, I turn to a review of relevant literature in form of theories on this topic.

2. CHAPTER TWO – THEORETICAL FRAMEWORK

This chapter has been based on two sets of theories; the first part deals with theories on causes of corruption and how it can be combated. Within this same theory, I deal with the relationship between the media and fighting corruption. In the second part I discuss theories of media ownership and editorial independence.

2.1.1 Defining Corruption

In simple terms, corruption can be defined as the abuse of public power for personal gain or for the benefit of a group to which one owes allegiance. (Stapenhurst, 2000:1). The World Bank defines corruption as:

The misuse of public office for private gain. This includes a public servant accepting, soliciting, or extorting a bribe as well as instances where no bribery occurs but public office is still misused, such as nepotism, patronage, theft of state assets, and diversion of state revenues¹⁵.

In broad terms, therefore, corruption encompasses unilateral abuses of public offices for a private gain. For one to be deemed corrupt, you need not to work in a government department. Corruption could be orchestrated by someone working in a private enterprise. Governance watchdog, Transparency International has also sought to highlight a similar point by arguing that:

Corruption is any act or omission by anyone (be he/she a public official or private individual) that deviates from acceptable norms governing the official duties with the intention of creating gain for personal or group advantage¹⁶.

¹⁵ www.worldbank.org

¹⁶ “Strengthening Integrity in Commonwealth Countries,” A Paper presented by Transparency International at the Commonwealth Law Ministers’ Meeting in Kuala Lumpur, Malaysia, April 15-19 1996

Socio-political and economic differences sometimes make it difficult to come up with a unanimous definition of corruption as the head of the Inspectorate of Government, a corruption watchdog institution in Uganda once put it in a paper on corruption and mismanagement of government resources, presented at a seminar on Uganda's economy held in Kampala (12-16 December 1989) thus:

Corruption is difficult to define but everybody knows and understands what it is, though attitudes for or against it differs from person to person and from society to society. Corruption could be called any practice or act or omission by a public official that is a deviation from the norm and that cannot be openly acknowledged but must be hidden from the public eye. (Ruzindana et al 1998:18)

Ruzindana's difficulty in defining corruption can be compared to the dilemma faced by US Supreme Court Justice Potter Stewart in 1964 when he wanted to define pornography, he argued "I can't define pornography, but I know it when I have seen it." (Lambsdorff, 2007: 16).

Nevertheless key terms of using a "public office for a private gain" have come to be identified with corruption. In many instances, corruption is used as an all inclusive word to refer to acts like nepotism, bribery, favouritism and sometimes sectarianism. (Lambsdorff, 2007: 16-18) understands corruption as "the misuse of public power for private benefit" where the term private benefit relates to receiving money or valuable assets, but may also encompass increase in power or status. Receiving promises for future favours or benefits for relatives and friends may also be considered a private benefit. With regard to favours for relatives and friends, the terms nepotism and favoritism are also used. Lambsdorff emphasises that corruption could refer to acts that deviate from public expectations and public expectation vary from society to society and so is the definition of corruption.

Rønning¹⁷ has categorized corruption into two types; grand and petty corruption. The grand corruption is one that involves large sums of money while petty corruption involves “an institutionalised form of power abuse within the public sector that appears to be centred in law enforcement and the delivery of basic services such as water and electricity and housing.”

Rønning argues that this form of corruption is associated with situations where it is often impossible or difficult to obtain services or results from public organs or government departments without paying for it. In this case, Rønning argues, that:

Nothing will be done unless one offers routinely hierarchically defined bribes or kickbacks for services rendered. It maybe that one by handing over something to an individual official avoids paying a fine or customs duties or VAT. It is this petty corruption that ordinary people encounter in their day-to day life. For instance it takes the form of ‘dashing’ a traffic cop who stops you and insists that your car is not in order, or paying the headmaster of a school for securing that your child is being accepted there, or indeed passes her or his exams, or ‘enter into an agreement’ with a civil servant to have your application for a passport or an ID processed, or having to pay directly to a nurse to receive the medicines you need.

2.1.2 Causes of corruption

The unanimity that corruption is the misuse of public office for private benefit means that people know what corruption is. What remains ambiguous are the reasons why

¹⁷ Helge, Rønning, “The Politics of Corruption and the Media in Africa,” an article to be published in the Journal of African Media Studies No. 2 in 2007/2008.

some societies are more or less corrupt than others. Several theories have been advanced to explain the causes of corruption and these include the following.

Different people may give different reasons why they are corrupt or why they perceive others to be corrupt. Some resort to corruption because their meager earning cannot sustain them through the day-to-day expenditure. Such as a clerk not earning enough to live on or not being sure that he will have a job tomorrow so that he supplements his income with bribes. In this case, poverty can be looked at as a cause of corruption. This reason however, is so general and its proponents risk insinuating that all poor people are corrupt, an assertion that is subject to criticism (Transparency International, 1996).

A 1989/90 Public Service Review and Re-organisation Commission in Uganda acknowledged that income-expenditure gap was partly responsible for corruption in the civil service. The commission found that salaries of civil servants ranged between US \$6 to \$27 and it argued that the extremely low salaries made it impossible for majority of employees to meet their daily basic needs (Ruzindana et al, 1998). This reasoning does not however explain why corruption has persisted in Uganda despite the more than 300 per cent rise in salaries, 17 years since this study was made. For instance although employees of the Uganda Revenue Authority (URA) are some of the well paid civil servants, a survey by the Inspectorate of government revealed that 31 per cent of Ugandans still perceive URA officers to be corrupt, coming only second to the Police among the most corrupt public institutions¹⁸.

The Public Service Review and Re-organisation Commission in Uganda has summed up causes of corruption as; possession of monopoly/discretionary powers, weak administrative controls, complex bureaucracies, insecure tenure of office, personal greed, weak sanctions, hostile environment like high tax rates and non recognition or encouragement of honest employees and lack of protection for whistle blowers (Ruzindana et al, 1998)

¹⁸ Second National Integrity survey report, 2002, accessed at http://www.igg.go.ug/integrity_report.htm

The World Bank has identified three other causes of corruption; first, a clear opportunity, such as the envelope of cash sitting in the parking lot. This kind of opportunity in the government, the Bank argues, could be a government-run mining company with no competitors, or a long list of licenses and fees required for shipping goods into or out of the country. Second, what causes corruption is little chance of getting caught. This lack of accountability comes primarily from: (a) a lack of transparency, for example, when public officials do not inform about or explain what they are doing, including a declaration of their wealth, houses, and cars; and (b) weak enforcement, when law agencies do not impose sanctions on power holders who have violated their public duties. This is the case, for example, when judges are in the pay of the ruling party or there are too few police officers to enforce the law. The third cause of corruption, according to World Bank is attitudes or circumstances that make average people disregard the law. People may try to get around laws of a government they consider illegitimate.¹⁹

Klitgaard (1996) has developed a simple equation to explain the dynamics of causes of corruption. C (Corruption) = M (Monopoly) + (Discretion) – A (Accountability).

In this case, the extent of corruption depends on the amount of monopoly power that an official exercises. Monopoly power is said to be high in highly regulated economies, whereas discretionally power is often large in developing countries and transitional economies where administrative structures are vaguely defined with a poor rule of law. In these economies, accountability may also be weak either, as a result of poorly defined ethical standards of public service, weak administrative and financial systems and ineffective watchdog agencies. (Stapenhurst, 2000:1)

Lambsdorff, (2007: 28-29) has drawn a relationship between culture and corruption. He argues that the link between culture and corruption is strong because some societies are characterized with a high level of trust, which works against corruption. He argues that cultural issues must be addressed in a long-term reform strategy and that reform methods should also vary to suit each society's culture. Talking about culture as a cause

¹⁹ www.worldbank.org

of corruption brings us to the issue of gifts in the African society which has been a major talking point in the debate on corruption. Rønning (ibid) argues that the perceptions of what constitutes corrupt behaviour may involve what in some places are only regarded as traditional gift giving to complicated schemes of transactions between public officials and businessmen.

On Thursday, 2 June, 2005 the BBC made an interesting report that the Nigerian branch of lobby group Transparency International, protested the government's failure to outlaw "gifts" and declare it a form of corruption. Nigerian senators on the other hand argued that accepting gifts was part of their culture and that bribery was already illegal. On my own part, I say that the debate of gifts as a form of bribery has been taken out of context. Since time immemorial gifts have been part of the African culture and corruption was then at an even lower level. The people who give bribes and brand them "gifts" know it very well that they are not giving mere gifts but bribes because they expect something in return. Even if we accepted gifts as a form of corruption, their overall contribution to corruption would be insignificant.

A study cited by Blundo & de Sardan (2006:37) concerning the distribution of gifts during electoral campaigns in Cameroon demonstrates that the logic of indebtedness, which incorporates an obligation of reciprocity, no longer works in certain circumstances. The rural electorate in Cameroon is reported to be increasingly opting to accepting material or financial gifts from all political candidates without necessarily voting for them. The use of gifts as bribes is especially becoming unfashionable in enlightened societies which may not bow to the demands of the corruptors.

The trend of corruption according to Transparency International's corruption perception index seem to suggest that less developed nations are more corrupt than the developed countries. This has prompted thinking in a direction of regionalizing corruption. One of such theories has been provided by Lambsdorff, (2007: 36). He argues that high levels of corruption among one's neighbouring states, abundant natural resources, and a large distance to the world's major trading centers are observed to significantly increase corruption. He argues that neighbouring countries may share similar cultural affinities and norms, and that attitudes towards corruption may spill over

from one country to another owing to strong regional exchange. In regard to long distance from major trade centers, Lambsdorff, (ibid) argues that higher transport costs result in limitations of competition and local monopolies may evolve to protect their position with help of bribes. After looking at the causes of corruption, it is important at this point to focus at possible means of checking corruption.

2.2 Combating corruption: proposals for reform

Despite the known causes of corruption, the solutions for combating it have remained elusive as evidenced in high levels of corruption in different parts of the world. Although there has been little success in combating corruption in some parts of the world, laudable achievements have also been registered in certain parts in line with fighting corruption. There have been attempts by the World Bank and IMF to transfer successful means of fighting corruption registered in developed countries to developing countries that are still grappling with combating corruption. Some of the reform initiatives by the two institutions include privatization and other measures that were embedded in the structural adjustments programmes package. The exported methods have however yielded little success in some parts and on some occasions have provided new forms of corruption²⁰. The multifaceted nature of the causes of corruption has resulted into multi-disciplinary approaches towards combating it. Below are some of the measures proposed for checking corruption.

One of the proposals often mentioned in efforts of combating corruption is to increase salaries for civil servants. The strength of this proposal stems from the fact that low salaries have been cited as a cause of corruption. Lambsdorff (2007:37) argues that high salaries provide office holders with prospects of future income premium, which would be lost in case of being fired if, caught in corruption. He argues that the intrinsic motivation of public servants may also increase with salary. This proposal is, however,

²⁰ For instance privatization was thought to be a means of combating corruption but when government officials began swindling its proceeds and selling the companies to their cronies this initiative registered a backlash

an expensive method of fighting corruption yet its returns are not guaranteed. For instance, Blundo & de Sardan (2006) have cited Tanzania where they say that the creation of Tanzania Revenue authority in 1995, manned by well paid personnel compared to other civil servants, “only momentarily discouraged the corrupt practices of officials: the increase in salaries, which was quickly absorbed by rampant inflation, was far from equivalent to the illicit gains made possible by their position and its only effect was to increase the requests for help made by the official’s families and entourages.” (2006: 63)

Another reform proposal has been to strengthen democracy. The favourable effect of democracy on containing corruption has been largely related to increased competition for political mandates. Lambsdorff (2007) argues that competition for the political positions should enable societies to get rid of those performing particularly poorly. Leaders who care only about their personal income could be voted out of office. The ability of this proposal to combat corruption however depends on some preconditions which include the possibility of countries to hold periodic free and fair elections. Yet even regimes that have been voted in on anti-corruption tickets have turned against their promises (ibid: 38-39). For example Blundo & de Sardan (2006:55) report that despite democratic governance in South Africa, public opinion estimates that corruption has increased since the advent of democratization in 1994. A national survey carried out in 1998 reported that 55 per cent of the people interviewed believed that majority of public servants take bribes. In another instance, Rønning (2007) has cited former Zambian President Frederick Chiluba’s regime which he says forgot the pledges to fight corruption and succumbed to the temptations of holding office and being able to use that to accumulate private wealth.

The political competition that could combat corruption must be healthy in a way that corruption is not used to subvert the selection process. For example, Moe (1984: 762) reports that the power of competition may be over-estimated if corruption is used to impede electoral decisions. He argues that politicians with control over corrupt income may spend these resources (vote buying) to enhance their chances of remaining in power. Buchanan (1993:69) says that honest politicians may not have these resources and may perish and suffer electoral defeats at the hands of corrupt politicians. Rose-

Akerman (2005:4) also points out that the risk of electoral defeat has a potential to increase corruption. Politicians may acquire wealth through corrupt means because they are not sure about their tenure.

Another point related to the above discussion, is that electoral competition has sometimes resulted in wild promises by candidates. Some of such promises have been hard to fulfill without resorting to corruption. Over all, competition whether in politics or business is a principle anti-corruption element. Competition for political positions can be helpful in avoiding a self-seeking leadership. But it requires more than just general elections to effectively reduce levels of corruption. Also, the precise technicalities of voting systems appear to have a rather mixed impact on levels of corruption. Guaranteeing fairness and honesty during an election process is one crucial prerequisite for electoral competition to bring about the desired fruit of combating corruption, Lambsdorff (2007:45).

Another way of fighting corruption that is closely related to democratic reforms is strengthening the judicial system. A high quality of the judiciary acts as a deterrent to corruption. But even in the dismal case where verdicts can be bought and judges be bribed, a judiciary can still reduce corruption. As long as the judiciary is independent, courts endanger the corrupt transactions of a country's elite, (Lambsdorff, 2007). To the contrary, in some countries politics has a strong influence on the judiciary, making it possible for the big fish to escape prosecution. For example, using his political powers, Pakistan President Pervez Musharraf lifted corruption charges against former Prime Minister, the late Benazir Bhutto, in a move that allowed her to return to the country after several years in exile²¹.

In some cases, the Judiciary might even operate in favour of corrupt elites by enforcing their corrupt deals. But it requires more than just changing laws. It is rather the de facto independence of the judiciary that seems to be at the play. Such reform proposals should

²¹ CNN, October 3 2007, "Amnesty deal paves way for Bhutto"

certainly not overlook the fact that freeing the judiciary from corruption is also an important contribution to reform. It is important also to observe that for the judiciary to be effective there must also be a legal framework that can work as a deterrent to corruption. Most countries seem to have such strong anti-corruption laws. What appears to be lacking is the effective implementation of these laws. In some instances, anti-corruption laws have been applied selectively in a manner that has been widely understood to be aiming at suppressing political opposition.

Apart from the judiciary, Parliament is the other arm of government that is frequently mentioned as an anti-corruption tool. Parliament, by power of its independence, can effectively limit the self-seeking behaviour of the ruler. Lambsdorff (2007:40-41) argues that a parliamentary system tends to go along with lower levels of corruption while systems with powerful presidents are perceived to be more corrupt. The ability of Parliament to check the powers of the Executive and to monitor the activities of other government departments highly depend of the independence of parliament and its ability to free itself of corruption. If the parliament is at the mercy of the presidency it is not likely that it will fight corruption.

The size of political opposition in Parliament also matters when it comes to combating corruption. Countries that operate a one-party parliament or where one party is represented by more than three thirds in Parliament are not likely to take advantage of the power of parliament in combating corruption. As I have discussed in chapter four, even when parliament acts independently its decisions may be overlooked by an all-powerful Executive that may seek to incorporate the legislative function within its mandate. I will therefore go with Kunicova's (2005) argument that corruption increases where presidents are more powerful, that is to say, where their range of power expands across both legislative and non-legislative functions.

Lambsdorff (2007) has also found a relationship between gender and corruption. He argues that male-dominated networks could go along with corruption. "They might be set up advance pluralistic interests at the expense of those of the society at large" (2007:34). He suggests that improved women's rights may emanate as a method for lowering corruption. Once Parliamentary debates embrace both genders and

bureaucratic decisions are communicated across gender boundaries, he argues that the resulting increased transparency may decrease corruption.

Despite this argument, the increased participation of women in politics in Uganda has not come with the benefit of combating corruption. Since 1995, women in Uganda were given a quota of at least a third in all elective offices including Parliament. This affirmative action is however far from leading to reduction in levels of corruption. Nevertheless, sensitizing people including women on their rights is an anti-corruption component that raises the level of awareness which could lead to reduction in corruption. This point has been expounded in the section below that deals with the role of the media in combating corruption.

2.3 The media as an Anti-Corruption tool

The media is one of the institutions that are increasingly viewed with hope in regard to combating corruption. In this perspective much of the debate has focused on whether a free and independent media is more likely to report on corruption than the state-controlled media. Corruption thrives in the 'dark' where the public has no information about what is going on. Corrupt officials normally avoid giving information regarding their performance, which could lead to public scrutiny into their actions. The media therefore has a central role in fighting corruption. In this context, the media could perform the following functions.

The media's role in fighting corruption may be categorized as three-fold. The most obvious way in which the media contribute to fighting corruption is by exposing the corrupt officials. Such media reportages may result in resignation or prosecution of the corrupt officials. In this instance, the media provides information that can be used as leads by other agencies to launch deep investigations. Lambsdorff (2007) has observed that a successful media is a strong impediment to corrupt politics by making it difficult for elites to get away with corrupt behavior. One basic pre-condition for a press to contain corruption is its freedom and independence. Reform aimed at improving the

quality, freedom and independence of the media is influential in reducing corruption. (ibid: 45).

Even in situations where the media has freedom and independence it has sometimes failed to combat corruption. For example Rønning (2007) reports that Nigeria has even through long periods of military dictatorships had one of Africa's freest, bravest and most vibrant media. The Nigerian press has over the years revealed grand corruption schemes. But still the country is both in reality and in perception one of the most corrupt places in the world. For the media to combat corruption, transparency and publicity must be supported by a culture of following up media reports with a view of punishing perpetrators of corruption.

The second way in which the media can combat corruption is by legitimizing other anti-corruption agencies. For instance, if the media disseminate reports by an anti-corruption organization, the publicity generated gives findings and actions of the organization legitimacy and increases public trust in this organization. The media and anti-corruption agencies therefore have a symbiotic relationship. The media's interests are served by anti-corruption agencies when they provide reporters with strong dramatic stories to pursue. The interests of anti-corruption agencies are served because reporting on their activities builds public trust and support hence enhancing their legitimacy. This leads to a win-win situation between the media and anti-corruption agencies. Even in this kind of situation, the media must keep a watchful eye on anti-corruption agencies, as cases of corruption have been reported in the very institutions supposed to combat sleaze. A case in point is the act by the former World Bank President, Paul Wolfowitz who corruptly authorized a pay rise for his girlfriend Shaha Riza who worked in the same institution. The public pressure generated by the media reports prompted Wolfowitz to resign in an attempt to cleanse the Bank's image²².

²² CNN, May 18 2007, "Wolfowitz to resign as World Bank chief?"

Conversely, when journalism exposes flaws and corruption within other bodies (for example, the courts, police, parliament and anti-corruption task forces) corruption is put on check. If the resulting public pressure leads to a reform of those bodies, the long term effectiveness and potential of the media to act as counterweight against corruption is strengthened (Sapenhurst, 2000:3). Even in cases where media exposure may not result in direct effect on corruption, sometimes it may cause public uproar and the leaders who were politically responsible for the reported acts of corruption may suffer electoral defeats.

2.3.1 Investigative journalism

The third way in which media fights corruption is by conducting its own investigations into corrupt practices. This form of reporting has come to be popularly known as investigative reporting. The US Center for Investigative Reporting defines Investigative reports as;

“Hard stories, hard to assemble and hard to tell. It involves numerous interviews to sort through leads, establish connections and collaborate sources, followed by writing and re-writing to bring clarity to complex issues.”²³

de Burgh (2000:9) argues that investigative journalism is an act by a professional journalist of discovering the truth and identifying lapses in a given matter of public interest. From an ethical point of view de Burgh (2000) says that the act of doing investigative journalism is distinct from apparently similar work done by police, lawyers, auditors and regulatory bodies in that it is not limited as to target, not legally founded and closely connected to publicity.

Macdonell (2003) argues that investigative journalism informs the public about a hidden yet important issue. It is a work of an enterprising reporter who pieces together a remarkable story from a variety of sources. Not only is it published on the front page of

²³ The media and curbing corruption, March 18 to May 27 2003 workshop Module for journalists in developing countries organized by the World Bank Institute

the newspaper or broadcast on radio and TV but, more important, this story contradicts and corrects the government's official version of reality. However in order to produce an investigative report, one must obtain public records and other forms of public information. Access to this knowledge base is critical to prove and convincingly demonstrate that the contentions and allegations in the report are supported by facts and reasonable inferences gleaned from concrete evidence, usually documents.

Investigative expert William Gaines in his book *Investigative Reporting for print and broadcast* (cited in Macdonell, 2003) says documents are like the bricks needed to build a wall and interviews are the mortar that holds the bricks together and keeps the wall intact. If there are no bricks, there is no story – nothing for the cement to join. By launching painstaking investigations into acts of corruption, the media takes a pro-active method to combat corruption. This form of reporting is preferred if compared to reactive reporting because it gives other anti-corruption agencies leads that can be pursued to make deep investigations into acts of corruption.

Going by the definition of the US Center for Investigative Reporting, we understand that investigative journalism requires hard work and high ethical standards on the part of the journalist. These two aspects are sometimes lacking in many stories perceived to be investigative by most African journalists. Rønning (2007) argues that investigative journalism is not based on gossip and rumours. He says that many stories considered to belong to investigative journalism in Africa do not adhere to proper standards.

Much of what is presented as investigative journalism in Africa is based on poorly sourced material, often only one source, which has not been properly checked. Good and thorough research is frequently lacking. Questions such as why was this story leaked to me are not being asked, nor in whose interest is it that this story is being published. [...] Journalism about corruption should not have as its main and only focus to expose the personal lives of individuals. It should focus on the wider issues of systematic abuse of power and on how corrupt practices prevent development. Rønning (2007:15).

In regard to ethics, there is often conflict of interest that relate to media bureaucracies and the social structure. Sometimes, media owners are accused of being involved in some forms of corruption especially in their other businesses or their relationship with the state. For the media to successfully combat corruption, they need to overcome the institutional constraints that often result into corruption within the media itself. A key component of this conflict of interest is the relationship between journalists and sources. The close association between the reporters and the ones reported about sometimes compromises the media and encourages corruption to breed within the very institution that is supposed to be combating it.

Officials, politicians and journalists, not only in Africa, but also elsewhere, often belong to the same circles, meet at receptions and drink at the same clubs. Corruption is not only a phenomenon to be covered by the press, and something that exists merely in the world outside the newsroom, it is also to be found inside the media, both in the way that media organisations are structured and in how journalists behave. In many media systems there exist a grace-and favour mentality that while not necessarily in it self corrupt, contributes to a view of the media as not being objective and above undue influence. (Rønning, 2007: 16)

In Uganda, like elsewhere in Africa, journalists are poorly paid. This puts them at a risk of being compromised. I am not particularly suggesting that poorly paid people are necessarily corrupt. The main problem is that entrusting a poorly paid journalist to report on officials who have huge sums of money accumulated from corruption is not a wise idea. Many of these individuals may bribe the journalists with “brown envelopes²⁴” in exchange for covering up damaging stories, writing positive stories about some individuals or organizations or extorting money by otherwise threatening blackmail.

²⁴ These are envelopes given to journalists and editors containing money for positive coverage or killing stories

2.3.2 Media ownership: government versus private

In this section I discuss the rationale of supporting private media ownership against government ownership. I have also highlighted issues of editorial independence and access to information which are closely linked to ownership and equally critical in reporting on corruption.

In the context of this study, the question of whether privately owned media are more likely to expose corruption than the government-owned media is central. Frank Vogl²⁵ says that private ownership of the media raises big questions, but public ownership raises still larger ones. A free press, he says should be utterly free of governmental control. He argues that this requires ending the excuses for supporting state-owned media, as if they alone can best serve the public interest. As I mentioned in the first chapter, in Uganda, the government owns a share of the media. One of the often mentioned reasons for opposing government ownership of the media is that the state may monopolize it and deny access to people holding views divergent to the ones of the government. For this reason, Nyamnjoh (2004:125) notes that forces critical of government in Africa have had to wait for private dailies or weekly/monthly publications to express their views, no matter how urgent.

Despite the neo-liberal policies of privatization and liberalization that swept through the African continent in the eighties and nineties, many governments still own key print and electronic media outlets. The main reason states give for holding on to the media ownership is that they want to protect national interests. Proponents of government ownership of the media also argue that private ownership of the media leads to

²⁵ Frank Vogl, "Journalism And Power: Why Ownership Matters," a paper presented for the [World Bank consultative meeting](http://www.worldbank.org/consultative_meeting) on the role of media in development on May 9 2001 available at <http://www.mediachannel.org/views/oped/vogl.shtml>

representation of views of only a narrow group in society, necessitating state media to expose the public to desirable cultural and educational themes and values. Other reasons given in favour of state-ownership of the media relate to information – often regarded as a public good that can not be left in the hands of private owners who are solely thought to be looking for business interests (Islam, 2002:5).

In terms of combating corruption, government ownership of the media is considered to be detrimental because the media may not be willing to ‘watchdog’ the very people who own them. Government ownership impedes the media’s role because of the inherent conflict of interest that government ownership of the media creates. Djankov et al (2002:159) argue that government ownership of the media increases corruption because it has a negative effect on citizens’ rights. Government ownership of the press, they believe, restricts information flows to the public, thereby diminishing the value of citizens’ rights and the effectiveness of government.

The point that mainly undermines the governments’ bid to own the media is the risk of undermining editorial independence, which is the pillar of a vibrant and successful media. Editorial interferences may be reflected in terms of piling pressure on journalists and editors to include or exclude certain content, firing personnel thought to be against the government line of thinking, and hurling journalists to courts on different charges related to their work. Some new covert ways of undermining editorial independence may also include denial of financial resources to support editorial work. Other than privatisation, the other trend has been a move towards establishing public media as opposed to direct government ownership. Instances of the likes of the BBC have demonstrated that through provisions that safeguard editorial independence, public media can also facilitate democracy, sometimes even better than the privately owned media.

Privately owned media ownership promotes pluralism by encouraging more people to invest in the media. Although media proliferation does not necessarily result into quality journalism, the presence of many owners of the media encourages competition that usually leads to more qualitative journalism (Islam, 2002:5-6). The subsidies from tax revenue given to state-owned media sometimes make it difficult for the private media to

develop because of lack of a level playing ground for government and privately owned media.

Islam, (2002) argues that government ownership of the media can be used to distort information given to the public in the incumbent government's favour. In such instances, the state-owned media is used as a mouth-piece for those in power against the general public interests. Moreover market theory has it that government-owned enterprises are not likely to be responsive to consumer demands. In some instances private media can inspire state-owned media to venture into reporting issues that were never on their agenda. For instance Stapenhurst (2000:10) has cited Yao Dzeikpor, then head of Ghana's government TV network saying that;

Over the last nine months we have seen a new TV station on air. The sorts of things they cover were not the things the government would have allowed us to cover two or three years ago. We have also found the light and are also moving in that direction.

The main risk that has been associated with private media ownership is using the media to pursue business interests that may be in conflict with the public good and the media's role in general. This threat has mainly been associated with media owners who also own other businesses. Some of these media owners are engaged in real estate and construction, as well as other businesses. Many of their dealings involve winning government contracts or securing government permits and licenses. For instance Frank Vogl (2001) has cited the late Robert Maxwell who bought a major newspaper in Kenya and found himself in partnership in all sorts of ventures with President Moi; needless to say his newspaper was not a prominent critic of the government. In this respect Robert Maxwell, is not any different from Karim Al-Hussaini who holds majority shares in Nation Media Group that owns *Daily Monitor* newspaper. As I have shown in chapter four, Karim Al-Hussaini is a close associate of the Ugandan President, Museveni and receives many government tenders and other deals.

All in all, there are problems with both forms of ownership, whether government or private. Like Doyle (2002) has argued, because it is difficult to monitor the intentions of media owners, or to fully regulate their conduct in respect to editorial matters, the single

most effective way of ensuring a healthy diversity of voices in the media is to prevent media power from being monopolised. In this case, a combination of both small and medium-size ownership with public ownership is more likely to result into a vibrant and competitive media that can be used as a tool for combating corruption.

From the above discussion we note that it is important to put in place safeguards for editorial independence and to encourage a legal framework that guarantees access to information. These two issues are discussed below.

2.3.3 Editorial independence key to reporting corruption

Editorial independence can be defined in three different ways; one through having the freedom to choose which stories the editors and journalists want to pursue and ultimately publish; second through freedom to choose which personnel to hire and fire in the editorial department, for example journalists and editors; and the third reflection of editorial independence is through receiving and appropriating economic and other resources to the editorial leadership to support their functions. If this can be achieved, such media institution may be said to have editorial independence.

To promote openness in society and expose corruption, media owners, publishers, editors and journalists must resist pressures to report what is beneficial to political and private interests. They must also overcome obstacles to free reporting, especially in the absence of effective freedom of information legislation. Editorial independence – the media’s right to take editorial decisions according to conscience and codes of conduct – lies at the heart of promoting independent journalism (Peters, 2003). Journalists and media freedom groups need to lobby media owners and management, regardless of whether they are private or state-owned, to recognize principles of editorial independence that allow journalists to pursue stories in public interest, including exposes of corruption

Rose-Ackerman (1999) argues that the media can facilitate public discussion if it is privately owned and free to criticize the government without fear of reprisal. Even

undemocratic rulers, she says, are likely to be sensitive to public opinion if they wish to avoid civil unrest. Thus, free media are essential checks, especially in undemocratic countries that lack other means of constraining politicians and bureaucrats. And if elections are important, the media are also crucial. In this case, Ackerman (*ibid*) views private media ownership as the only source of editorial independence. Nominal press freedom, she argues will be insufficient if most of the media are associated with political parties.

Sometimes, editorial independence can be compromised by other forces outside the media organization ownership including news sources and advertisers. For this reason, Rose-Ackerman (1999) has proposed that when financially possible, editors and media owners should invest in improved coverage and stop relying on companies or tax-payers to meet their journalists' travel costs. In many cases, refusing freebies or outright bribes presents additional financial hardships for the media whose resources are already limited. These media do not even have the resources to allow journalists the time to engage in the extended research or investigations required for professional coverage. If the media are to combat corruption in the public and private sectors, they must be able to rely on access to information and editorial independence.

Rose-Ackerman (1999) has also stressed the importance of private associations and non-profit organisations keen on fighting corruption. She argues that a free media with good access to government information is not likely to be a sufficient check, especially in an autocracy. The media, she says, may focus on lurid scandals and may have no real interest in reforms that would reduce the flow of corruption stories. Individuals and groups must push for change. Information may be available, but no one may have an incentive to look for it. The scandals uncovered by investigative journalists may provoke outrage but no action. In this case the role of other anti-corruption agencies is as important as the one of the media.

2.3.4 Access to information and reporting corruption

Information allows the people to scrutinize activity and is the basis for proper informed debate on that activity. In this context, the contribution made by journalists is clear: by providing the public with timely and accurate information on the affairs of government, business and special interests, the media can shape the climate of democratic debate and help the establishment and maintenance of good governance. That the media must be able to access public information in order to play this role is today widely appreciated. Freedom of the press, including free access to information, is fundamental to an open, democratic society. This view has found its way into international legal norms and, in numerous countries; the media's rights are upheld and guaranteed in freedom of information legislation (Peters, 2003).

In spite of the international recognition of press freedom, journalists and media organizations throughout the world continue to face obstacles in reporting. Obstruction is reflected in presence of active censorship or restrictive regulations on journalistic work, limited or blocked access to official information, a legal landscape that inhibits the ability of journalists to inquire and report freely – such as the application of draconian defamation and sedition laws – and a censorious abuse of essential media services such as broadcasting, printing facilities and distribution systems. In addition, the lack of training, poor professional standards and a dearth of investment into investigative reporting make it difficult and sometimes impossible for journalists to access, impart or disseminate accurate information (Peters, *ibid*).

A difficult relationship between journalism and political power is a hallmark of democratic society. To that extent, a tendency to manipulate news and shape the agenda of public debate exists in all societies. In countries like Uganda where democratic culture is not well established, restrictions on media tend to be more explicit and profoundly damaging to debate or public engagement. Where the affairs of government or powerful groups are protected by secrecy, journalists face considerable obstacles – and physical risk – if they embark upon investigations that could lead to exposing corruption.

Apart from direct physical threats against journalists, the media in many countries face legislation that prevents them from gaining access to and imparting information. Repressive defamation laws that put the burden of proof on journalists and grant special protection to public officials exist across many developing countries including Uganda. Such laws – and the concomitant threat of prison sentences – create a climate of fear that discourages investigative reporting and the exposure of corruption (Peters, 2003:49).

The public can be an important check on the arbitrary exercise of power by government. However this check can operate only if the government provides information on its actions. Citizens must have a convenient means of lodging complaints and be protected against possible reprisals. Of course, government officials must also find it in their interest to respond to complaints. A precondition for either type of complaint is information. Government must tell its people what it is doing by publishing consolidated budgets, revenue collections, statutes and rules and the proceedings of legislative bodies. Former colonies often adopt systems imposed by the colonizer which may deter access to information. Financial data should be audited and published by an independent body like General Accounting Office in the US, Audit Commission in UK (Rose-Ackerman, 1999:163). In Uganda, the office of the Auditor General is understood to be charged with a similar responsibility.

In many countries outside review is hampered because unaudited, secret funds are available to the chief executives and top ministers. These funds are an invitation to corruption. Sometimes, like the case is in Uganda, governments collect a great deal of information on their own operations but do not routinely make it public. In such cases, statutes like access to information laws which give citizens a right to gain access to this information can be an important precondition for effective oversight. These laws permit citizens to obtain government information without demonstrating a need to know. They may request the information as members of the public without showing that their personal situation will be affected. But a Freedom of Information Act has little value if government does not gather and avail much information. Countries must first put information systems in order, provide for the publication of most important documents and ensure public access to other unpublished material.

Even a government that keeps good records and makes them available to the public may operate with impunity if no one bothers to analyse the available information – or if analysts are afraid to raise their voices. For the aim of pressing government to act in public interest, the role of the media and organized groups is paramount. Also if government officials or their unofficial allies intimidate and harass those who speak out, formal structures of accountability will be meaningless (Ackerman, 1999:183).

Overall, none of the above proposals for combating corruption can independently fight corruption. A successful anti-corruption strategy therefore should be based on a multi-disciplinary approach just as the causes of corruption are multi-faceted. In the next chapter I present the methods that I applied to conduct this research.

3. CHAPTER THREE – METHODOLOGY

After setting the stage for this study by contextualizing this research through background information and a theoretical framework, the rest of this thesis will focus on the findings of this study, but beginning with a look at the research methodology that was used. In order to reach conclusions on my research questions I used interviews, content analysis and document analysis.

3.1 Philosophical orientation

As a researcher, one must be aware of one's position and how it influences not only how questions are framed, but also the methods chosen to answer those questions, and ultimately the interpretations of the data. I bring with me my own ideas, attitudes and perceptions. But in being aware of the way in which I might be influenced is one step towards minimizing the effects. My background as a journalist and my longstanding interest in issues of governance played a role in choosing this topic for my thesis. This also means that I come with prior experience and perspectives that may be influential in the research process.

The methodological framework I have used in this study is based on the interpretive approach which favors a more qualitative basis and more receptive to subjectivity and reflexivity. Interpretive or social constructivism allows for a richer understanding of the subjects' or participants' meanings and world views (Cohen & Manion, 1989). The interpretive framework asserts that identities are not static, but rather are fluid and dynamic, changing as cultural norms and individual perceptions evolve. As stated, the interpretive approach typically utilizes qualitative methods.

However, the emphasis on triangulation that has been discussed in this chapter meant that quantitative methods were also employed to supplement findings from the qualitative data in order to yield a more comprehensive view. By employing the

interpretive paradigm, the rich meanings of social interactions can illuminate the way in which individuals actively participate in the production and framing of news. Careful attention was paid not only to what participants said in interviews, but also *how* they said it, their gestures, reactions and emotions. Silence, as a distinct theme running through the study was also revealing. Given the sensitive nature of some of the questions, what was said was not immediately accepted at face value, thus the underlying motivations, causes and perspective that belied comments was considered as well.

3.2 The Fieldwork

The fieldwork was carried out between June 15 and July 20th 2007. It involved conducting interviews and collecting newspaper content written about the Global Fund corruption scandal. The other data I gathered related to laws and policies that pertain to the environment of journalism in Uganda. On average, each interview lasted for about 30 minutes. For the purpose of accuracy, I recorded all interviews. The voices were later transcribed into text. Notes were also taken to record significant observations. The tape recorder did not seem to influence participants or make them feel uncomfortable in any way. All interviewees reported that they felt comfortable to have the interview recorded.

All interviews, except one, were conducted at work place canteens and desks of the respective informants. This is because most interviewees argued that they could not find time outside office hours to give these interviews. The case of one informant whom I interviewed away from a working station was a special one. He was a reporter at the government owned *New Vision* newspaper, but was fired on allegations of blackmail and extortion about two months before this interview could take place. I chose to maintain his name on my interviewees' list even when he was no longer employed at *New Vision* because he was key in reporting on Global Fund.

Due to the busy schedules of journalists and editors, it was not an easy task to fix appointments with them and stick to the dates and time. We kept rescheduling until I finally got them. My biggest disappointment was the failure to meet the Editor-in-chief of both newspapers whom I had initially planned to include among my respondents.

Both editors-in-chief said they were too busy to meet me. Nevertheless, I was convinced that I had acquired some good information from the News Editors who also have editorial powers and are thus involved in day-to-day editorial decisions making.

3.3 The Researcher Impact

Every researcher, given their appearance, personality and demeanor invariably has an impact on the participants in some way. Although I had worked with some of the informants as fellow journalists, I did not know how I would be received as a researcher. To my encouragement, respondents received me positively and were very cooperative in the whole interview process. On my own part, I struggled to restrain my prejudices regarding the inside operations of both newspapers because I had previously worked with them, first with *New Vision* as an internship student and later worked at *Daily Monitor* newspaper as a reporter.

My close association with these organisations sometimes limited respondents from answering some questions in-depth because they thought I already knew what I was asking them about. On the other hand, my rapport with most of the respondents worked in my favour because they spoke to me without any fears as would be the case if they were speaking to a stranger. I used my knowledge about the two newspapers as background information that I continuously used to probe into interview responses.

3.4 The Case Study Approach

The case study approach was decided upon for reasons of time constraints, but also since it is well suited to exposing details of the participants' views through multiple paths and methods to construct a richer, more nuanced picture of their reality. In this study, journalists' viewpoints and experiences form the core of the inquiry, but are also supplemented by views of their news editors. Yin (1989), describes a case study as an empirical inquiry that: (a) investigates a contemporary phenomenon within its real-life

context; when (b) the boundaries between phenomenon and context are not clearly evident; and in which (c) multiple sources of evidence are used. Various types of case studies have been identified, including exploratory, explanatory and descriptive (Yin, 1989).

The boundaries between each type are not rigid; there are significant areas of overlap between them. This study lies within the explanatory and exploratory typologies, seeking not only to record and describe behavior and phenomena surrounding the ethics of reporting on corruption and media ownership but also to explore about the wider processes influencing the phenomena. Further, there can be single-case, or multiple-case applications. The use of a single-case study, such as this one, can be used to confirm or challenge an existing theory or alternatively, to highlight or expose a unique or extreme case (Yin, 1989). Case studies usually help to demarcate a unit of analysis within a wider subject. This study focuses on reporting on the Global Fund corruption scandal and media ownership in *Daily Monitor* and *New Vision* newspapers.

According to Tellis (1997),

Case studies are multi-perspective analyses. This means that the researcher considers not just the voice and perspectives of the actors, but also of the relevant groups of actors and the interaction between them. This one aspect is a salient point in the characteristic that case studies possess. They give a voice to the powerless and voiceless.

Further, in defining the parameters or unit of analysis within a study, internal validity are provided since the theories are developed, with subsequent data collection and analysis testing the theories (Tellis, 1997).

The case study methodology has long been criticized as a “weak sibling among social science methods” (Yin, 1989:10). While it does have disadvantages, rigorous attention and adherence to certain principles make it a sound method for certain types of questions, such as “how” or “why” questions when the researcher has little control over

events, and when the central focus lies on the investigation of a contemporary phenomenon within some real-life context. Yin further points out that,

Case study research is remarkably hard, even though case studies have traditionally been considered to be “soft” research. Paradoxically, the “softer” a research technique, the harder it is to do, since great rigour is necessary to overcome the traditional criticisms of case study research (Yin, 1989:26).

Criticisms of the case study approach are not new and it is often asserted that since case studies are inherently idiographic, results are not widely generalizable and thus the external validity suffers (Tellis, 1997). However, case studies are not representative of an entire population, and do not claim to be. The criticism that has been directed at case studies has been disputed by some researchers who maintain that external validity can also be maximized through the examination of theoretical relationships, and generalizations can be further drawn from this (Yin, 1989). Yin (1989:43) further states that,

This analogy to samples and universes is incorrect when dealing with case studies. This is because survey research relies on *statistical* generalization, whereas case studies (as with experiments) rely on *analytical* generalization.

If the researcher diligently and carefully makes use of protocol designed to maximize reliability and validity in a case study, the tool can be a valuable one in any researchers’ repertoire.

3.5 Triangulation and Validity

To address my research questions, I used multiple research methods to minimize weaknesses associated with a single-method research. For this purpose I employed quantitative and qualitative content analysis, in-depth interviews and document analysis.

Each of these methods has strengths, but each by itself will provide only partial understanding. But many partial understandings assembled together can be used to make a more holistic picture. There are many forms of triangulation—data, investigator, theoretical, methodological—that can be used to measure behaviour change (Singhal, 2003:41).

Case studies invariably employ triangulation as their research strategy, which is one way to enhance the construct validity and external validity.

Construct validity, which refers to the extent to which the constructs being investigated are successfully operationalized, is extremely important in a quality research design (Hoyle, Harris & Judd, 2002). However, in reality variables never exclusively measure the construct of the researcher's interest; other irrelevant characteristics are measured as well, referred to as constructs of disinterest. This is why triangulation, which is essentially examining a situation or construct in a number of ways is so important: it increases the probability that the desired constructs are indeed being measured through the use of a variety of sources of data to corroborate each other (Warwick & Aggleton, 2001). The use of multiple research methods, such as document analysis, quantitative and qualitative content analysis and in-depth interviews allow for a more detailed picture to emerge and thus a deeper understanding. Contradictory responses highlight the advantage of employing a variety of methods to ensure consistency, such as the interview where respondents can clarify their meaning. In this case study, triangulation allowed flexibility and fluidity in pursuing new directions and leads as they arose.

Using the inter-method triangular research that involved interviews, qualitative and quantitative content analysis I was convinced that I got reliable findings. Sarantakos (1998:169) says that triangulation is helpful because it allows the researcher to obtain a variety of information on the same issue; to use the strength of one method to overcome the deficiencies of the other. For example, interviews are said to be a subjective method of research but using content analysis, this weakness can be overcome. Sarantakos (*ibid*) believes that the triangulation method when used can achieve a higher degree of validity and reliability and is critical in overcoming deficiencies of single-method studies.

3.6 Defining Variables

In my study, I measured journalism on corruption by different variables: news articles, commentaries and editorials. Another variable I used was the number of front page stories on this corruption incident. Although one of the newspapers being reviewed is government-owned, both publications (*Daily Monitor* and *New Vision*) rely on day-to-day sales and advertising. Front page stories normally reflect priority in terms of story-ranking and how a given medium prioritises an issue on its agenda. The number of front page stories might thus indicate the commitment each of the two publications has towards highlighting corruption stories.

The other aspect that I looked at in content analysis was the size of stories in terms of word-count. Traditionally, the editors allocate space to stories depending on their importance. In this case, a story perceived to be of greater importance will be longer than a low importance story. The word-count for the corruption stories could point to the level of prominence each of the two newspapers give corruption stories. Due to the large volume of news reports on the Global Fund corruption scandal, it was not possible to carry out a word-count for all the stories. Word-count was restricted to 12 articles that were selected for qualitative analysis, leaving the rest of the content to quantitative analysis consideration.

3.7 Quantitative content analysis

Content analysis, as defined by Berelson (1952:18) is a research technique for the objective, systematic and quantitative description of the manifest content of communication. From this definition, content analysis is assumed to be a reliable guide to the overall meaning of content. McQuail (2000:234) has discovered the reliability of content analysis in its ability to deploy methods, which can in principle, be replicated by different people, and yield findings open to challenge according to some canons of scientific procedure. He believes that this research method can be used to answer questions about the links between content, creation, social context and receivers. In this

way, McQuail (ibid) argues that content analysis often display a wide range of reliability, because of attempts to include some more subjective indicators of meaning. (2000:327).

In quantitative content analysis I measured the volume of articles on the Global Fund corruption scandal in both *New Vision* and *Daily Monitor* newspapers written between August 25 2005 and June 1 2006. This exercise enabled me to establish which of the two newspapers allocated more space to covering this corruption incident. For the purpose of content analysis, I focused on reportages in *New Vision* and *Daily Monitor* on the Global Fund corruption scandal from 25 August 2005 to 1st June 2006. This is because the above period witnessed the breaking of the story that the Global Fund had suspended its grants to Uganda. The same period also saw a commission of inquiry being appointed to investigate corruption in the management of Global Fund in Uganda. On 31st May 2006 the Commission handed over its report after conducting more than 400 public hearings into the case. Newspaper reports on the Commission's findings were produced the following day 1st June 2006. I photocopied all articles about this subject in the above stated period for the purpose of analyzing them.

3.8 Qualitative content analysis

As mentioned above, due to the large volumes of reports on Global Fund in this period, I decided to concentrate on 12 articles for a qualitative analysis. The selected articles were based on a set of news genres including hard news articles, editorials and opinions/commentaries. I selected articles of the same genre in both newspapers published on the same day or around the same period and compared them. The comparison was based on variables such as the language used, number and type of sources used, and angle/focus (subject/object) of the stories.

The 12 stories selected were based on the important events that happened in the period of analysis. I selected the very first story when the public learnt that Global Fund had suspended its grants to Uganda. I then went for the editorial on the day that followed the breaking of the story. Given the importance of the story on Global Fund, the two

most circulating newspapers in Uganda were certainly bound to say something about this scandal in their editorial. I then selected news reports about the account of the Minister of Health before the commission of inquiry. I chose reports of this witness because he was the top supervisor and political head of the ministry overseeing the Fund. His account was also important not only because of its dramatic nature but also because of the evidence that was brought against him. The minister appeared twice before the commission. I therefore selected all the four stories written about his account in both newspapers.

At around the same time, I selected two commentaries, one from each of the newspapers. This period was very important because the public had received some reasonable information on what went wrong in the Global Fund. It was also a peak time for the commission before it broke off to prepare a final report. News reports on the handing over of the report constituted my final pieces of analysis. The importance of this part was that it revealed the findings of the commission of inquiry into the mismanagement of Global Fund. Therefore, how each newspaper treated the findings of the commission in its news pages was a major interest of my analysis.

3.9 Qualitative Interviews

The qualitative interview method sought the understanding of informants on the ethics that dominate their work and their respective newspapers. In this way, I found out how ownership influenced the media production. This research favoured the interview method because of its flexibility, ability to gather more information, control of the environment and interview process and the possibility to gather information on non-verbal behaviour of interviewees. This method also allows the researcher to identify the data collected with expert sources and creates a possibility of a rapport between the interviewer and the respondent(s), which gives a likelihood of generating more information (Sarantakos, 1998:266).

In-depth interviews with key informants can be used to probe the meanings, identities and contexts under which events takes place. They can uncover people's opinions,

motivations, behavior patterns, justifications and reactions (Warwick & Aggleton, 2001). While not meant to be representative of a population, interviews can shed light on the multiple interpretations and discourses surrounding issues of interest (Warwick & Aggleton, 2001). The main limitation inherent in the interview process is that poorly designed or leading questions may have an effect on the data obtained and how that data is interpreted. Interview subjects may give what they believe to be the desired response, rather than what they believe, think or actually do. In addition, their recall of events might be inaccurate or incomplete.

3.9.1 Selection of respondents

I selected four journalists; two from each newspaper plus two editors; one from each newspaper as my informants. In each newspaper, I selected the News Editor because he/she is one of the few people in a newspaper organisation with editorial powers and inside knowledge of the everyday editorial decisions and their justifications.

With journalists, the two informants selected from each newspaper were the ones who most reported on the Global Fund scandal. These journalists informed us how ownership supports or discourages their work and ethics surrounding reporting corruption. For both interviews of editors and journalists I develop an interview schedule (attached in the appendices) which guided me in the process.

3.10 Limitations of the study

The ability of this study to make generalizable statements is compromised by a number of factors. In this study, the choice of interview participants and the selected sample for content analysis may hinder the use of the findings as generalizable statements. As mentioned earlier, due to time constraints it was not possible to analyse a large sample of content. Nevertheless, overall, I believe that these limitations were overcome through

the selection of expert sources and key content samples. The triangulation method was also important in checking the flaws associated with a single-method research.

3.11 Ethical Challenges

Dealing with sensitive topics like reporting on corruption presents a number of ethical challenges for the researcher to resolve prior and after the commencement of the study. Although it was unexpected that informants would be as open as they were given the short period of the field work, the importance of not overstepping boundaries and soliciting personal stories was guarded against. Deciding how much information to divulge to participants was also a factor that was considered. With this study's focus on reporting corruption and media ownership, it would have been counter-productive to indicate what was being observed and so the project was described in more general terms.

The ethics of undertaking the study at all, given its potential for adverse effects, may be defended in terms of cost-benefit analysis. Given the dangers of corruption on world economies and the importance of building a strong media to combat it, designing successful prevention programmes based on solid research findings is something I conceived to be of utmost importance. Signed evidence of consent from participants was not carried out in this study. The consent of interviewees to have their opinions published in this thesis was a "gentleman's agreement²⁶." Nevertheless, participants were advised on their right to withdraw or decline to answer any given question. All the participants accepted to be named in this study without possibilities of anonymity. After presenting the methodology detailing how the data used in this thesis was obtained, my next step is to present the findings that were obtained using the above tools.

²⁶ An agreement based on trust, not written down, and not enforceable by law

4. CHAPTER FOUR - FINDINGS

This chapter discusses the background of corruption and efforts to combat corruption in Uganda. The section also presents findings from the research and conclusions based on these finding.

4.1 An overview on corruption in Uganda

If Transparency International's Corruption Perception Index is anything to go by, Uganda is one of the countries perceived to be the most corrupt in the world. Although it is difficult to establish how corrupt a given society is, it is clear that Uganda is one of the countries most affected by this vice. With a history of lack of accountable leadership, political instability and a culture of secrecy, corruption has found a conducive atmosphere within the Ugandan society. According to the Transparency International Corruption Perception Index (CPI), Uganda has never scored more than 2.8 out of 10 in the last 10 years that I looked at. CPI score relates to perceptions of the degree of corruption as seen by business people and country analysts, and ranges between 10 (highly clean) and 0 (highly corrupt). As the table below shows, Uganda features among nations perceived to be most corrupt.

Year	No. of countries surveyed	Uganda's position from bottom	CPI Score
1998	85	8 th	2.6
1999	99	12 th	2.2
2000	90	10 th	2.3
2001	91	3 rd	1.9

2002	102	9 th	2.1
2003	133	17 th	2.2
2004	145	18 th	2.6
2005	158	47 th	2.5
2006	163	54 th	2.7
2007	179	68 th	2.8

(This table has been constructed using data from Transparency International website - www.transparency.org)

The table above denotes a stunted fight against corruption. Despite numerous measures to counter corruption, most people perceive the situation to be the same or even worsening. For instance, in a recent World Bank commissioned Enterprise Surveys report, businessmen in Uganda reported that they had to pay more on average in bribes to get things done and to win contracts than they did four years ago. The survey done in 2006 among 103 countries worldwide showed that Ugandan businessmen felt there were more instances of corruption in Uganda than the sub-Saharan average. According to the survey, businessmen were paying 3.29 per cent of sales in bribes in 2006. The survey also showed that 14.53 per cent of the businesses polled reported they had to give visiting tax officials 'gifts'. Businessmen felt they need to pay 5.59 per cent of the contract value to win contracts²⁷.

²⁷ Busharizi, Paul "Bribery high in Uganda – World Bank," a news article published in *Sunday Vision* newspaper on October 04 2007

In the last 20 years, some of the grand corruption deals have been related to privatization, procurement, bribery in civil service and embezzlement in donor-funded projects. Despite the efforts undertaken, starting with privatization, the government's anti-corruption efforts cannot boast concrete results in terms of measurably reduced perception of the levels of corruption. Nonetheless, over the years a number of lessons have been learned and a series of tools have been implemented upon which further action can rely. Uganda's fight against corruption is based on the institutional framework below.

4.1.1 Inspectorate of Government (IG)

In 1987, the Uganda government that had captured power a year before (1986) set up the office of the Inspectorate of Government (IG) with powers to investigate corruption in government departments. This office has indeed written interesting reports on corruption in government. However, the fact that the IG's reports are advisory to the President means that there are sometimes delays in action and frustration on the part of the IG. For example, in September 2004, this office wrote a report to the President accusing the, then Minister of Health, Jim Muhwezi of interfering with the procurement process of the National Medical Stores, a statutory body under his ministry. The IG's investigations established that Muhwezi made telephone calls to Mr. Robert Rutaagi, the National Medical Stores General Manager, and followed them up with written chits, introducing firms interested in doing business with the public body²⁸. At this point, no action was taken against Muhwezi by the appointing authority, contrary to the IG's recommendations.

²⁸ Oluka, Benon H & Semujju, Ibrahim. "Muhwezi sins again, pleads with the IGG," a news article published by the *Weekly Observer* on 7th October 2004.

In another instance, in May 2004 the IG recommended to the President that his senior advisor, Maj. Roland Kakooza Mutale, be sacked for failing to declare his wealth as required by the Leadership Code Act. Mutale took the IG to court claiming unlawful dismissal. In a dramatic turn of this case, the President swore an affidavit in support of Mutale²⁹. The court declared that he had been unlawfully dismissed. This case brought into question the political commitment to combat corruption. Contrary to Mutale's case, in January 2006, on the recommendation of the IG, an opposition politician, Ken Lukyamuzi was dismissed from Parliament for failure to declare his wealth as required by the Leadership Code Act. Although the IG's decision was properly backed by the law, the previous precedent set by Mutale's case meant that this action would be misunderstood as a move intended to suppress political opposition in Parliament.

The other point worth noting in regard to the previous two cases is that annual declaration of wealth in Uganda is not helpful in terms of combating corruption because the declared wealth is not made public. There is therefore no effort to scrutinize and collaborate what leaders have declared against their actual property worth. Whereas it is widely known that many leaders in Uganda have wealth that can not be explained by their salaries they have gone ahead to under-declare their wealth every year without a possibility of the IG crosschecking what is declared against the actual property worth of these leaders. This has also caused cynicism on the use of laws as a tool against corruption.

In a show of support to the IG, in May 2007, the President ordered the arrest and prosecution of three former health ministers; Jim Muhwezi, Alex Kamugisha and Mike Mukula on the recommendation of the IG. The three, who are currently facing trial in Uganda, are accused of misusing US\$ 4.3 million from the Global Alliance for Vaccine and Immunization³⁰. The money was meant for purchase of vaccines and other

²⁹ "Don't destroy IGG's powers," an editorial published by the *Weekly Observer* on 13th May 2004.

³⁰ Osike, Felix & Onyalla, Harriet, "Arrest Mukula, Muhwezi – President orders," a news article published by *New Vision* on 30th April 2007

immunization programmes. The above have characterized the mixed fortunes in terms of success of the IG's office in combating corruption.

By virtue of a small staff, mainly confined in Kampala, with few regional offices means that this office is sometimes unable to regularly monitor and investigate corruption in upcountry areas. The limited funding of this office also thwarts its efforts to investigate and prosecute criminals in court. Even when funds are available there is sometimes a problem of lack of witnesses to testify in court against corruption suspects. This is mainly because whistleblowers lack legal protection. Due to this constraint, many IG's reports are written on the basis of hearsay and rumours, which makes it difficult to come up with hard evidence against the corrupt in court, Ruzindana et al (1998:28).

4.1.2 The Police

The Police is the other agency that deals with combating corruption. The Criminal Investigations Department (CID) is the specific unit responsible for investigating corruption cases. However, this department, like the rest of the police force remain poorly paid, poorly trained and corrupt in itself³¹. For example, court exhibits and case files in police custody of people accused of corruption or other crimes sometimes disappear mysteriously. Consequently, the person who has embezzled public funds goes free, thus making a mockery of the due process of law. The corrupt practices of police have undermined its credibility among the public as a watchdog of the corrupt. In a study conducted in July 2002 by the Uganda Inspectorate of Government, at least 46 per cent of Ugandans perceive the police force to be the most corrupt institution of

³¹ From May 1999 to May 2000 Justice Sebutinde chaired the Judicial Commission of Inquiry into Corruption in the Uganda Police Force. The Commission, charged with the task of investigating allegations of corruption and mismanagement in the Uganda Police Force, and in particular, allegations leveled against Senior Police Officers of the Criminal Investigation Department (CID), made startling revelations of corruption, mismanagement, abuse of human rights and miscarriage of justice by members of the Uganda Police Force. Source: Uganda Courts of Judicature website, <http://www.judicature.go.ug/high.php?id=31>

government³². This means that the police cannot attract complaints and tips from the public against the corrupt because they do not believe in its ability to investigate corruption.

4.1.3 The Judiciary

As I discussed in chapter two, the role of the Judiciary in the fight against corruption is quite important but complex. By its very nature, the Judiciary cannot perform its role in isolation of the contribution of other arms of government. That is to say that the Judiciary requires relevant laws passed by Parliament to fight corruption. The success of their contribution in the fight against corruption also depends on the input of state litigation agencies like the Attorney General, the Directorate of Public Prosecution and the Police. In a May 1997 workshop paper, Uganda Chief Justice Benjamin Odoki says that investigations into acts of corruption is the weakest point in the fight against corruption. Odoki says that the main weapon employed by court to fight corruption is the law. But in fighting corruption through the law, the courts need the assistance and cooperation of all institutions involved in the war against corruption.

Odoki further observes that; these institutions must carry out thorough investigations into allegations of corruption to provide court with the necessary evidence on which to base their decisions³³. Even then, some internal problems constrain the Judiciary in dispensing justice on corruption related matters. Currently, the Judiciary is understaffed with few judges and magistrates, a situation that has created a backlog of cases including the ones on corruption. The other danger facing the Judiciary in relation to fighting

³² Uganda Inspectorate of government website http://www.igg.go.ug/integrity_report.htm

³³ Benjamin Odoki, 1997, "The Role of the Judiciary in fighting corruption," a workshop paper in Third National Integrity workshop in Uganda, Edited by Sahr J. Kpundeh and Petter Langseth, Organised by IGG, TI-Uganda, Facilitated by World Bank and UNDP

corruption relates to the poor pay especially of magistrates. This has put them in a very compromising situation. For example, according to a research conducted by the Inspectorate of Government in July 2002, 29 per cent of Ugandans believed that magistrates' courts are the third most corrupt government institution³⁴. The above problems are aggravated by prosecutors in the Attorney General's chambers who reportedly connive with corruption suspects to present a weak case which makes the government lose in court. In a paper presented at the third National Integrity workshop in May 1997, the Uganda's Chief Justice Benjamin Odoki acknowledged, in reference to fighting corruption within the Judiciary, that;

No institution can fight corruption unless it has integrity or is corruption free. To be successful the institution or person must have the moral authority to combat corruption. [...] It must be recognized that the judiciary has not been spared from allegation of corruption. There are complaints of judicial officers taking bribes in order to give bail or judgment in favor of the offender, hiding court files; asking parties or witnesses for transportation to court or to visit the scene of crime or land in dispute, failing to refund bail money, granting unnecessary adjournments to confuse or frustrate parties or witnesses, paying for services not requiring payment; coming late or irregularly; or delaying judgments.³⁵

Although Odoki says that these acts have been most reported in the lower courts, they seem to damage the reputation of the judiciary generally. The failure of courts to expedite prosecuting suspects has prompted the Inspectorate of Government to demand for special courts to try corruption suspects, a demand that has been provided for in the 2006 Constitution amendment exercise.

³⁴ Uganda Inspectorate of government website http://www.igg.go.ug/integrity_report.htm

³⁵ Benjamin Odoki, 1997, "The Role of the Judiciary in fighting corruption," a workshop paper in Third National Integrity workshop in Uganda, Edited by Sahr J. Kpundeh and Petter Langseth, Organised by IGG, TI-Uganda, Facilitated by World Bank and UNDP

4.1.4 The Auditor General and Parliament

The role of the Auditor General in fighting corruption is to audit government accounts to ensure compliance with accounting regulations. As a constitutional obligation, the Auditor General writes reports on government income and expenditure every year and forwards them to Parliament to recommend action on them. These reports are handled by the Parliament's Public Accounts Committee which scrutinizes them and makes recommendations to government. To avoid bias this committee is led by opposition members. The main problem that usually arises is that opposition members of parliament on this committee normally want to make political capital from the Auditor General's reports. Instead of giving constructive criticism and advice to government they instead want to use the report to discredit the Executive³⁶.

In Uganda's case the situation is even worse because of a weak opposition in the new multi-party setting. More than two thirds of the members of parliament belong to the ruling political party. This means that parliament cannot provide the necessary checks on the Executive. Although in some countries pro-government members of parliament can publicly criticize government, it is not the case in Uganda. This means that parliament cannot take a strong stance on the government on account of failure to explain some transactions as cited by the Auditor General. A parliament divided along the line of political parties has not been able to check the Executive, especially because of a weak opposition side and the desire to safeguard political interests among the members of parliament of the ruling party.

Prior to 2006, Uganda was ruled under a "no-party" political system (this system is sometimes referred to as a one-party political system, where opposition political parties are not allowed to actively engage in political activities). Despite its weaknesses, this system united members of parliament regardless of their political inclinations. For

³⁶ James Kahoza, "The role of Auditor General in fighting corruption," a workshop paper presented at the Third National Integrity Workshop in Uganda held between 28-29 May 1997

example, in 1996, using its powers enshrined in the Constitution the one-party Parliament in Uganda investigated Ministers Sam Kutesa and Jim Muhwezi on allegations of corruption and corrupt practices (i.e. abuse of office and mismanagement.) This resulted in the censure of Jim Muhwezi, then minister of state for education and sports (in charge of primary education) on 4 March 1998. One year later, Sam Kutesa, minister of state for finance, planning and economic development in charge of investment and planning was censured generally for conflict of interest on 4 March 1999, while another minister in charge of privatization resigned amidst a plot by parliament to censure him on charges of corruption. However, after the 2001 parliamentary elections, Muhwezi and Kutesa stood and were re-elected as members of parliament.

The President reappointed them as ministers and Parliament did not use its powers to block or reject their nomination. Muhwezi was appointed Minister of Health while Kutesa was reappointed to the same position as before³⁷. Seven years later in 2005, Jim Muhwezi was in hot soup again, this time accused of mismanaging the Global Fund cash. The same former minister and his two deputy ministers were also in May 2007 charged and are currently facing trial over fraud and abuse of the children's vaccine funds, which were part of a \$4.3million donation to Uganda by the Global Alliance for Vaccines and Immunisation (Gavi)³⁸. This evidence demonstrates that the huge powers vested in the presidency cannot allow other arms of government to exercise their oversight function, especially in countries with weak political opposition. This reduces the role of other government arms to only playing a lip service. Like Lambsdorff (2007:40-41) says, the ability of parliament to combat corruption highly depend on its level of independence from the Executive.

³⁷ National Integrity Systems, Transparency International Country Study Report, Uganda, 2004

³⁸ Jaramogi, Patrick & Candia, Steven, "Muhwezi escapes arrest, Mukula in Jail," a news article published by *New Vision*, on Tuesday, 22nd May, 200

4.2 How corruption is reported in Uganda

This section presents views of journalists and editors on how corruption is reported in Uganda. The journalists and editors interviewed were the following: Solomon Muyita, Jude Lugya (reporters – *Daily Monitor*), Robert Mukasa (News Editor, *Daily Monitor*) Jude Etyang and John Odyek (reporters - *New Vision*), John Kakande (News Editor, *New Vision*)

The news value of corruption stories varies relative to the power of the individual involved in corruption. The nature of the Ugandan society in relation to corruption also means that if you are to make news out corruption, you need to anchor it on prominent personalities. John Kakande, the News Editor of *New Vision* newspaper explains;

Corruption has become an endemic problem to the extent that if you are to make news out of it you have to find a more creative way to do it. This is especially so if it does not involve big personalities. If it involves big personalities it becomes interesting because of the personalities involved. There are cases where some people have stolen billions but society has not taken note or interest but corruption is corruption whether it is done by a minister or accounts assistant.

The situation is not any different at the competing privately-owned daily newspaper where Solomon Muyita (reporter) believes that *Daily Monitor* simply gets excited when top officials are implicated. Not corruption per se but the people implicated in the alleged corruption is what they tend to follow. The type of public figures often targeted include top politicians like ministers, Members of Parliament, and members of the first family. “It’s not a good trend,” Muyita argues, “because in a way the media appear as if they are fighting people within government.” He says that there is a perception that corruption is just with in the people in power because they are the people driving big cars and have posh houses so whenever there is an attempt to investigate the media tend to target them and not corruption as an issue.

Investigating corruption using the media requires a systematic tracking of records like financial transactions and other documents relating to ownership of different entities. This means that the media need to assign specialized reporters to investigate matters of public importance. Ironically, the Investigative desk at the government owned newspaper was described to be more equipped in terms of man power and resources compared to the one at *Daily Monitor* newspaper. Although there was no immediate audit to prove that the above translated into greater journalistic output, opinions from people interviewed suggested that the *New Vision* had committed more resources to support the investigative desk.

Solomon Muyita, who reported for *New Vision* before joining *Daily Monitor*, explains that the investigative desk in his organization has one person with a title of Investigative Editor and he is the very person writing the “so called investigative stories.” The other people writing such stories get them by chance. He explains that once in a while people are facilitated to do investigative stories. Especially for senior journalists who can move from one editor to another to convince them that they are pursuing an important story. Even then, Muyita says, the accounts section sometimes frustrates their efforts to get funding. He has been supported by his News Editor at *Daily Monitor*, Mr. Robert Mukasa who argues that his investigative desk is not as empowered as the case is in other developed newsrooms.

The few people on this desk do not get enough time because the people on the investigative desk are at the same people working as regular writers on the general news desk and sometimes they are the same people doing special projects. So they do not have time like in advanced newsrooms where you can commit a reporter to a one month investigation; we cannot afford that kind of thing. So you find that someone is jack of all trades; he is here and there and nowhere.

4.3 Accessing information on corruption

Respondents acknowledged that access to information was one of the biggest obstacles in reporting corruption. With no laws in place to protect whistleblowers, the media in

Uganda normally depends on tips from insiders in organizations. Such tips usually emerge after some grumbling among officials probably because they have failed to agree on how to share a corruption loot. So people volunteer information not because they feel it is their duty as citizens to do so but because they want to sabotage the person who has taken a big share of the corruption gain. Such information requires a lot of scrutiny because some of it may be malicious. This has made it difficult for the media to make independent investigations on matters of public interest.

In response to why the media was not able to detect that the Global Fund in Uganda was being abused until the intervention of the Fund secretariat, most respondents pointed to the secretive nature of the government and the donating nation/ agencies. Kakande says that investigating corruption from a media perspective is not easy because it is legally troubling; as you need documents to back up your story. He argues that even if someone came up and said this person has stolen money, if you do not have documentary proof to back up that kind of allegation, you cannot publish that information.

Kakande reported that there are cases when the media come up with their own investigations but in many cases, stories about corruption are reporting investigations done by other agencies, like the Inspectorate of Government, Police, commissions, because those are safe legally. He says that some insiders in organisations would be willing to volunteer information but they are not sure that their identity will not be revealed. Kakande notes that the big court fines awarded against the media present a big threat to press freedom, especially in regard to exposing the corrupt. He says that there is a feeling that judges are a bit hostile to media houses than the other litigants and they are awarding a lot of money on libel suits. He says the media fraternity has raised this matter with the Chief Justice that the Judiciary presents a threat to the media. He further observes that investigating corruption involves accessing information to do with financial accounts of institutions yet that is not the type of information you would ordinarily get.

You cannot go to an institution and ask for vouchers or invoices because you are investigating something. If there is no insider cooperating with you to get the

right documents, even if there are a lot of rumours, you may never get the right documentary evidence for you to publish that story.

Muyita says that access to information is extremely difficult because at times this information implicates the people who keep it. So they will make it a point that it is not accessed by many people. Jude Luggya also a reporter at *Daily Monitor* is convinced that corruption in Uganda is so hard to detect unless you are an insider or if an insider came out to say that this is what is happening. On the surface, he says, you could think that the project is successful yet in reality people are stealing money left, right and center.

Another problem related to accessing information in Uganda is that journalists sometimes are lazy and do not take interest in studying basic information regarding operations and procedures of some institutions. For instance, before its suspension, the Global Fund had been in Uganda for at least three years but most of the respondents told me that they did not know how it was operating. Mukasa says that people, including the media never got to know what the Global Fund was all about. He noted that they thought these were like any other grants which are normally announced that 'we have gotten these grants' and the media carries pictures of people shaking hands and that becomes a closed chapter.

Mukasa acknowledges that the media did not know what the Fund was all about and they never thought that they should hold some people accountable. He noted that because donors deal with top level government people the beneficiary do not know that they are supposed to benefit from a given project and whether it is their right to know how this fund is being used. He says that the media comes in as a savior not because it is doing a duty to the civil society but because of its interest viewing this topic as a seller. Mukasa's revelation brings us to the issue of following up stories. In many cases in Uganda the media break important stories but never follow them until a conclusive solution or explanation is made. This renders the whole process null and void because of lack of pressure from the media to have some actions taken.

Following the passing of the Access to Information Act in 2005, Mukasa reports that *Daily Monitor* is planning to petition High Court over government refusal to release

information. Mukasa says that the people who work in government departments are not only uncooperative when it comes to giving information but they are also not aware that they are duty-bound to do so under the law. For Kakande, it is a question of time before the media makes use of this law. He says that because the law prescribes a bureaucratic system of accessing information, most people and organizations have not yet internalized it.

4.4 Corruption within the media

Other threats the media face in regard to reporting corruption relate to the poor remuneration of journalists, lack of ethical values and the culture of bribery among the public. In Uganda, most freelance journalists earn about \$100 per month. Most media houses have less staff reporters compared to freelance journalists because of the costs involved. Even then, staff reporters are also still poorly paid taking a salary ranging from \$200-700 per month. For freelancers, the situation is more complex because they cannot afford to spend a lot of time investigating a complex story because their pay is based on how many stories they publish. Given that background, it is indeed a temptation to entrust a poorly paid journalist to watch-over people who have millions of dollars at their disposal.

Mukasa decries the high level of bribery within the public. He says the corrupt are very corrupt and they always believe that they can buy their way out. For this reason, he says he cannot vouch for a single reporter that he did not take a bribe for the story he/she is writing. Lugya argues that the poverty stricken nature of the Ugandan society means that there is a high possibility of being compromised. He cites an instance where a reporter could be chasing a story where someone swindled billions of shillings and then he/she is enticed with some millions, which he compares with what he may earn when the story gets published. He says one would easily be tempted to accept the bribe.

All the journalists interviewed reported that they never received any physical threat to their lives but all they got were financial promises. Muyita, a self-confessed beneficiary of bribery says:

I have ever (*sic*) taken money from a source but the money I took, to me, was not meant to compromise me there are stories you cannot change whether you have taken money or not because there are so many media houses and you do not know what they are going to publish. Once in a while you may be broke and someone has a lot of money to offer so you just take it and go because you are sure there is nothing they will do. There are people who do not know who you are, where you work or where you stay. They just rush to compromise anybody who crosses their path.

In his capacity as a News Editor, Mukasa reported that some of the people summoned to appear before the commission of inquiry into Global Fund tried to kill the publication in their testimonies. He says some tried to call people they knew at the newspaper like the Managing Editor, the News Editor trying to talk them into dropping their stories. He says some tried to bribe reporters but they did not succeed because the media in Uganda has proliferated. If you kill a story at one media house, it will appear in another publication.

Mukasa revealed another form of bribery used by some government officials and top businessmen.

What normally happens is that journalists are being paid to spy. They are given instructions that if you hear anything there [in your publication] about me, try and alert me. And these things have happened in the newsroom that someone may be writing a story but as soon as he submits it to the editor, you [the editor] receive a call from someone being written about saying ‘I hear you are writing this and this about me... those things are not true...’

Despite all cries of poor pay among Ugandan journalists, I see a deliberate attempt by some unscrupulous journalists to tarnish the image of this honorable profession. These quack journalists extort money from the public with threats of blackmail. For example,

on March 27 2008, Charles Etukuri, a former reporter of *The Independent* (fired on allegations of blackmail) newspaper connived with Ugandan state security operatives in an attempt to arrest an army deserter who had come to give an interview to the newspaper. The interview from this Ugandan army deserter currently on the run detailed how the government forces committed human rights atrocities in a civil war that has lasted more than 20 years in northern Uganda. In the interview, the soldier claimed that government forces, disguising themselves as Lords Resistance Army rebels mutilated people's limbs and killed innocent civilians. On the day of the planned arrest, Etukuri, who also worked for both *Daily Monitor* and *New Vision* offered to be a contact person at the newspaper where he was monitoring the movements of the source who had come to give an interview. Luckily, the security operatives instead arrested a private guard keeping the newspaper's main gate because they did not know the wanted suspect³⁹. Security agents like Etukuri pose a big threat to the lives of journalists particularly those investigating corruption and other forms of criminal activities.

Etyang says that there were several ways some people would try to intimidate journalists in an indirect manner. For instance, he says people would call and tell him that 'I have a family; you are just spoiling my name in newspapers.' He says that sources would try to tell you that whatever you have heard is not true. He notes that because the President wanted people to be sacked over the Global Fund issue, those involved were under pressure and they would sometimes also put pressure on journalists to compromise on stories although there was nothing journalists could do to help them because all media houses were represented.

Kakande has categorized threats of reporting on corruption depending on who is involved. He says that corruption stories that involve private business people are a more threat to the lives of journalists compared to corruption stories within government.

Reporters who write about business are faced with bigger threats because they are writing about deals of money, big financial deals. If your story of three or four

³⁹ Failed CMI swoop at *Independent* offices
http://www.independent.co.ug/index.php?option=com_content&task=view&id=317&Itemid=2327

paragraphs is going to destroy a man's deal he may even bump you off because it is a do or die. Corruption stories that involve government may not be serious but corruption stories that involve private individuals are the ones which are more dangerous. At times we do not even give by-lines for those kinds of articles to safeguard the identity reporters.

Having heard from interviewees we shall now turn the attention to content analysis to find out what else was discovered in regard to reporting corruption.

4.5 Content Analysis

In this section I present findings from the text analysis that I carried out. These findings are based on news reports and opinions in *Daily Monitor* and *New Vision* between the period, August 25 2005 to June 01 2006.

4.5.1 Quantitative content analysis

The quantitative content analysis was based on the number of stories published on the front page and other pages of both newspapers. The analysis also considered the number of commentaries and editorials on the same subject. Generally the quantitative analysis was intended to establish how both newspapers used their space to cover the Global Fund corruption scandal. The table below has summarized the findings from quantitative analysis as follows

Table showing the number and type of stories *Daily Monitor* and *New Vision* newspapers reported on the Global Fund corruption scandal

Newspaper	No. of front page stories	No. of stories in other news pages	No of editorial articles	No. of pages covered by verbatim reports	No of opinion articles
<i>Daily Monitor</i>	19	58	4	46	6

<i>New Vision</i>	24	104	5	12	9
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As the table above shows, in addition to news stories published about the proceedings on the Global Fund probe commission, *Daily Monitor* published up to 46 pages (tabloid size) of the verbatim. That is to say that whenever key witnesses were appearing the paper would publish in its next day edition a word-to-word transcript between the commission and witnesses. *New Vision* on the other hand committed 12 pages of verbatim reports.

As showed in the above table, *New Vision* published more stories, editorials and commentaries about the scandal but *Daily Monitor* reported more verbatim reports. Although *New Vision* published more stories than *Daily Monitor*, I can not conclude that the *New Vision* gave this scandal more coverage and prominence than *Daily Monitor*. My conclusion is that both newspapers demonstrated that they gave a high prominence and commitment to reporting on this corruption scandal. The difference in the number of stories published by the two newspapers can be explained in terms of difference in the way the two newspapers chose to report on this incident. That is to say that whereas *New Vision* preferred to publish more stories, *Daily Monitor* chose to concentrate on verbatim reports.

4.5.2 Qualitative content analysis

As explained in chapter three, in qualitative content analysis I selected 12 articles and analysed them on the basis of the sources, angle and language used by the two newspapers. Below is the table showing a summary of the titles of articles analysed, the page number on which they were published, the date of publication, size (word count) of the articles and their genre. The items summarized in the table below have been analysed and discussed in the proceeding sections.

Newspaper	Title of the article	Page no.	Date	Word count	Genre
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<i>Daily Monitor</i>	Global Fund Suspends Shs280b Uganda aid	1	25.08.05	873	News
<i>New Vision</i>	Global Fund to Uganda suspended	1	25.08.05	579	News
<i>Daily Monitor</i>	Sloppiness costs us dearly	10	26.08.05	396	Editorial
<i>New Vision</i>	Bear down on corruption	10	26.08.05	322	Editorial
<i>Daily Monitor</i>	GF: Muhwezi has no regrets	3	22.03.06	579	News
<i>New Vision</i>	Global Fund pins Jim Muhwezi	1	22.03.06	590	News
<i>Daily Monitor</i>	Muhwezi clashes with Ogoola	3	23.03.06	848	News
<i>New Vision</i>	Muhwezi, Ogoola clash	1	23.03.06	988	News
<i>Daily Monitor</i>	Fate of Global Fund thieves is a critical test for Museveni	10	28.03.06	835	Opinion
<i>New Vision</i>	NRM historicals holding us hostage	10	30.03.06	1300	Opinion
<i>Daily Monitor</i>	Global Fund report pins Jim Muhwezi	1	01.06.06	858	News
<i>New Vision</i>	Muhwezi faces prosecution in Global Fund	1	01.06.06	1,894	News

4.5.3 Sources

Most of the stories were based on hearings before the commission of inquiry. The stories therefore quoted the Commission Chairperson or other members and the witnesses appearing on a given day.

In general terms, both newspapers used more or less the same sources. This is because most of the stories were about the Commission of Inquiry hearings. When the story was first reported in Uganda that the Global Fund had suspended aid to Uganda, *New Vision* led with the headline: “Global AIDS funding to Uganda suspended” (published on 25 08 2005, page one). The paper quoted London’s *Financial Times* and a Deputy Minister of Health in Uganda as its sources. *Daily Monitor* on the other hand reported in the headline “Global Fund Suspends Shs280b Uganda aid” (on page one). *Daily Monitor* quoted *Financial Times*, Global Fund secretariat, a government official and two civil society representatives. In the editorials published on 26 August 2005, both papers used news reports carried the previous day (25 August 2005) as their sources. (See on table above: Bear down on Corruption: *New Vision*, page 10, Sloppiness cost us dearly – *Daily Monitor*, page 10) Both papers based their opinion on Global Fund’s decision to suspend aid to Uganda.

The next story concerned a testimony of a witness to the commission of inquiry (see on table above; GF: Muhwezi has no regrets – *Daily Monitor*, published on page 3, Global Fund pins Jim Muhwezi – *New Vision*, reported on page 1). The, then Minister of Health Jim Muhwezi was appearing before the Commission. His account to the Commission was published in both newspapers on 22 March 2006. Both newspapers used the Commission Chairman and the Minister as sources. News reports on the same witness were also carried on the next day (23 March 2006) concerning his re-appearance before the Commission. (Muhwezi, Ogoola clash – *New Vision* page 1, Muhwezi clashes with Ogoola, *Daily Monitor*, page 3). Both newspapers sourced the story from Muhwezi and the Commission Chairperson. To this extent, it is evident that both newspapers used the same sources. They all depended on the Commission Chairperson and the witness as their sources.

In regard to the two opinion articles that I selected, both authors relied on reports in both *Daily Monitor* and *New Vision* newspapers on the Global Fund Commission as their sources of information. Both commentaries combined information from *New Vision* and *Daily Monitor*. This information served as background to the authors’ opinions (Fate of Global Fund thieves is a critical test for Museveni, by Vukoni Lupa Lasaga, in *Daily*

Monitor on 28 March 2006 page 10, NRM historicals holding us hostage, by Charles Etukuri in *New Vision* 30 March 2006, page 10).

As I noted at the beginning of this section (on sources) both newspapers were limited in terms of the sources they used in their reports. The two newspapers mainly relied upon the Commission hearings as the main and mostly the sole source of the news reports.

4.5.4 Language used

Most stories in both *New Vision* and *Daily Monitor* were comparable in terms of using a neutral language. For the purpose of this study, I have used the term neutral language to mean a form of reporting which is based on facts as they happened without critiquing them. In some cases, both papers were critical in their reports. In the first story about this scandal, both papers reported in their headline on 25 August 2005 that Global Fund had suspended aid to Uganda. *Daily Monitor* wrote in its first paragraph on the story:

“In what may be a blow to the fight against HIV/Aids in Uganda, the Global Fund to fight Aids, Tuberculosis and Malaria has temporarily suspended all of its five grants citing ‘serious mismanagement’ of the funds”

Daily Monitor also used an active headline, “Global Fund Suspends Shs280b Uganda aid” that also demonstrated what Ugandans had lost.

New Vision on the other hand wrote in its first paragraph:

“The Geneva-based Global Fund to fight Aids, tuberculosis and Malaria has suspended its grants to Uganda after an investigation uncovered evidence of ‘serious mismanagement’ of funds.”

The paper also opted for a passive headline, “Global Fund to Uganda suspended.”

Based on the above text, *Daily Monitor*’s introduction and headline were more analytical in terms of the consequence of the story, compared to *New Vision*. This was the only point of difference in regard to this story. The rest of the story in both newspapers was rendered in an informative language based on facts about the suspension of the Fund.

In the editorials published on 26 August 2005, both papers demanded that the government should make serious efforts to combat corruption (Sloppiness cost us dearly – *Daily Monitor*, Bear down on corruption – *New Vision*). *Daily Monitor* wrote:

[...] Our appeal this time to the Uganda government is to address issues being raised rather than to defensively attack those raising them. Let us examine what went wrong in our anti-AIDS struggle which was once the world's showcase, now being reduced to a mere scandal [...] It would serve everybody well if we reflected on the days before big money came into our AIDS sector, yet the campaigns were working well. One problem with big money programmes is their staff being more concerned with their benefits than the core activity.

New Vision on the other hand wrote:

[...] We should care [about the Fund's suspension] because this perception will be referred to by the much sought after investors who may think twice about doing business in a country where the members of its government are willing to risk children's lives for self-enrichment. In our Global village more than ever before facts do not stand a chance against perceptions. This government needs to get tougher on corruption if Uganda is to be taken seriously as an investment destination.

Although both of the above articles demand action from government to combat corruption, *Daily Monitor's* language is more critical and direct in terms of what they want the government to do in combating corruption compared to *New Vision*. One statement that I find particularly interesting in *New Vision's* editorial is “facts do not stand a chance against perceptions.” This statement was used in a way that suggests that the newspaper was not convinced that there is corruption in Uganda. Although efforts of measuring corruption are based on mere perceptions, I believe that *New Vision* has seen more concrete evidence that confirms that there is corruption in Uganda.

In another instance, when the Minister of Health appeared before the commission, both newspapers reported the story in a language that was critical of the minister. Each newspaper used a different angle but the two papers were quite personal in referring to

the minister. *New Vision* reported in the headline: “Global Fund probe pins Jim Muhwezi” (22 March 2006). This was followed by the introduction: “Health Minister Maj. General Jim Muhwezi was yesterday accused of interfering with the operations of the Global Fund on AIDS, Tuberculosis and Malaria.” The paper went on to present other accusations by the Commission Chairperson against the minister mixed with the minister’s responses to the Commission.

Daily Monitor opted for an ironic headline: “GF: Muhwezi has no regrets.” This was followed by an introduction; “Health Minister Jim Muhwezi yesterday refused to take political responsibility for the alleged mismanagement of the \$201 million Global Fund against AIDS, Malaria and TB.” This story was critical of the minister because it portrayed him as an a non-apologetic person, who lacked courtesy to take blame for doing wrong. The main difference between the two stories is that *Daily Monitor* used the minister as the subject whereas *New Vision* used the minister as an object.

In another story about the same minister published on 23 March 2006, both papers used almost the same headline (Muhwezi, Ogoola clash – *New Vision*, Muhwezi clashes with Ogoola – *Daily Monitor*). There is one main difference in the language used to write the two stories. *New Vision* wrote the story in a more dramatic language while *Daily Monitor* wrote in a language critical of the minister. *New Vision* wrote:

Health Minister Maj. Gen. Jim Muhwezi yesterday lost his temper at the Global Fund probe, and wondered where Chairman, Justice James Ogoola was when he fought for peace. Ogoola had made a strongly-worded call for him to take responsibility for the Global Fund mess. Ogoola said to Muhwezi, ‘You have the opportunity to look into the camera for a second and with a straight face tell the President who appointed you and Uganda that you are sorry!’ Infuriated, Muhwezi shot back: ‘When there has been a call for patriotism and statesmanship, I have been there I do not know my lord where you were at that time but the peace and tranquility that prevails, I was part of.’ Muhwezi was among the guerrilla fighters that captured power in Uganda in 1986 after a five-year bush war.

Daily Monitor on the other hand wrote:

“Justice James Ogoola yesterday described as ‘stinking’ the decision to pay shs40 million for a former minister’s malaria treatment on the instructions of President Museveni.” The paper continued to convey the criticisms that were directed to the minister by the Commission Chairperson, for alleging that the President directed him to draw shs40 million (about \$24,000) from the Global Fund for the treatment of a former minister in a Nairobi hospital. *Daily Monitor* further reported:

“The affairs of the State have gone singularly wrong under your stewardship. The body politic has been deeply wounded. The wound has festered under your very nose. The filth has accumulated under your leadership.”

The paper went on to present other dramatic exchanges on which *New Vision* had based their story. As the above quotations indicate, when compared to *New Vision*, *Daily Monitor* used many strong and heavily loaded negative metaphors that I have interpreted to be a main sign of critical reporting. The language used in the above article portrayed the minister as an incompetent leader who failed to use his powers responsibly while leading the Ministry of Health.

In the two opinion articles that were selected, both authors used a language critical of the Minister of Health and the entire government. This could have been caused by the fact that these articles were published on 30th March 2006 (in *New Vision*) and 28 March 2006 (in *Daily Monitor*) barely a week after the minister had attacked the Commission for accusing him of presiding over the mismanagement of the Global Fund. Charles Etukuri, writing in *New Vision* criticized the minister for abusing the very principles of democracy and accountability the he purported to have fought for. Etukuri wrote:

Definitely the ‘NRM Historicals’ played a very vital role in this country’s transformation. But it is one thing to fight for liberties and another to protect those ideals that one fought for. [...] For long we have come to accept this insulting attitude not only from the minister but many others within the government who think they can hold us hostage by boasting about their role in the liberation struggle. They are fast losing sense of direction and feel that they

have the liberty to do whatever they want, whenever they want and nobody should question it. The democracy that the NRM historials fought for 20 years ago was not meant to allow them to undermine the people's aspirations, preside over looting or be accorded special status before the law.

This was a strongly worded opinion that was critical of the Minister of Health and the entire government establishment. The author used a language that portrayed the entire government as a dictatorial and self-serving regime that does not care about its citizens. The language used in this opinion amounted to a direct attack on the government that it had abandoned the democratic path. For the *New Vision* to accept to publish this kind of commentary is something I interpreted to mean that they were unhindered in reporting on this scandal by the government which owns this newspaper.

In an equally combative language, Vukoni Lupa Lasaga wrote in *Daily Monitor* with a headline: "Fate of Global Fund thieves a critical test for Museveni," arguing that the President was faced with a critical decision of firing the ministers tainted with accusations of corruption from his cabinet. Lasaga wrote:

The nepotism and patronage that are so much part of this sordid affair typify the NRM's DNA, and it will be a miracle if Museveni's fifth term turned out to be different.[...] Firing Muhwezi or leaning on him is not going to be an easy decision for Museveni. It is not Museveni's style to be seen to cave in to public pressure. But this is one case where he may have little choice but to tell the old soldier to fall on his sword.

The NRM (National Resistance Movement) is the political party which is in power in Uganda. The author of the above commentary used a classical language in reference to the Ugandan President and his government. Words like "to tell the old soldier to fall on his sword" are reminiscent of the old Roman Empire when rulers would order their soldiers to commit suicide. This language portrayed the President as a dictator equivalent to the Roman Empire rulers. The other reason why this article reflected the president as a dictator is that the author referred to the President's third elective term in office as his fifth term. The author therefore counted President Museveni's first ten years in power as

a military ruler to be part of the terms he has served. Mr. Museveni came to power in 1986. He ruled for 10 years after which he organized a first presidential election where he stood and won to become an elected President in 1996.

The other critical elements in the above story come from the headline itself. The author called the Global Fund corruption suspects as “thieves” even before the Commission of inquiry or a competent court of law could pronounce itself on this case. The author also is critical of the government as a nepotistic and patronizing regime, which I find to be quite a strong language used to refer to the incumbent government.

The final stories that were published after the Commission had produced its report were critical of the ministers of health and other leaders of the Global Fund project as was the Commission report itself. The two newspapers were quite personal in addressing the Minister of Health who had been accused together with his deputies in the report. Leading with a title: “Muhwezi faces prosecution in Global Fund,” *New Vision* reported that:

The Global Fund probe has recommended that the three former health ministers, Maj. Gen. Jim Muhwezi, Capt. Mike Mukula and Dr. Alex Kamugisha should be probed further with a view to prosecute them for, among others, perjury, causing financial loss and uttering false documents.

Daily Monitor was also personal on Muhwezi in the article titled: ‘Global Fund pins Jim Muhwezi.’ The paper wrote in the introduction to the story:

“Justice James Ogoola yesterday unveiled his much awaited commission report into the mismanagement of Global Fund – roundly pinning former health ministers Jim Muhwezi and Dr. Alex Kamugisha.”

Both papers continued to list the different personalities that had been blamed in the report and the kind of actions that the Commission had recommended to be taken against them.

The key conclusion that I make from the above analysis is that both newspapers were not hindered in terms of the choice of language they used in their stories. *Daily Monitor*

was more critical particularly in its choice of using strong, heavily loaded negative metaphors. *New Vision* was also critical in several of the above reports. Being government-owned, the conventional theory would hold that this paper would not report critically about a government minister. But the paper went out of its way to carry critical reports about the ministers whenever it deemed it necessary. Based on this fact, I conclude that the choice of language used was largely an affair that was decided by the authors of the stories and their editors. There is no evidence to the effect that there was an institutional arrangement to censure or promote a certain language of reporting. Both newspapers seem to have used a language that they thought would attract more readers.

4.5.5 Angle/focus of stories

The other point of comparison between the two newspapers was the way they angled or focused their stories. The angles varied depending on who is appearing before the commission. Whenever a prominent person was appearing, the witness would be the subject while the Commission remains an object. In many instances, both newspapers chose similar angles. In the first story of the scandal published on 25 August 2005, both newspapers focused on the suspension of Global Fund to Uganda. (Global Fund suspends sh280b Uganda aid – *Daily Monitor*, Global Funding to Uganda suspended – *New Vision*). In the editorials published a day after the suspension of the Fund was announced, both newspapers maintained the focus on the suspension in addition to giving their opinions on what should be done to solve this problem. In details of the editorial, *New Vision* focused more on the implication the suspension would have on Uganda's image.

In its editorial, *Daily Monitor* on the other hand sought to advise the government to address the questions being raised by Global Fund rather than defending itself against legitimate issues. The paper advised the government to examine what went wrong. It also cautioned the state to avoid spending more on administration of projects (like procuring expensive cars) instead of spending more on project core services that benefit the ordinary people.

In the stories published on 22 March 2006, the day when the, then Minister of Health appeared before the Commission, *Daily Monitor* angled its story based on the minister's response before the Commission. The privately owned paper wrote in the introduction to the story: "Health Minister Jim Muhwezi yesterday refused to accept political responsibility for the alleged mismanagement of the \$201 million Global Fund against AIDS, malaria and TB." In this story the minister was the main subject. *New Vision* on the other hand focused on how the Commission accused the minister for interfering with the Global Fund project. Leading with a headline: Global Fund pins Jim Muhwezi, the paper reported that: "Health Minister Maj. General Jim Muhwezi was yesterday accused of interfering with the operations of the Global Fund on AIDS, Tuberculosis and Malaria." *New Vision* focused on the questions from the Commission to the minister whereas *Daily Monitor* focused on the minister's responses.

In another set of stories published about the same witness on 23 March 2006, *New Vision* angled its story based on the dramatic exchanges between the Minister of Health and the Chairperson of the Commission. *New Vision* wrote in the headline: "Muhwezi, Ogoola clash." And in the introduction to the story the paper wrote:

"Health Minister Maj. Gen. Jim Muhwezi yesterday lost his temper at the Global Fund probe, and wondered where Chairman Justice James Ogoola was when he fought for peace."

Daily Monitor chose almost the same headline like its competitor, "Muhwezi clashes with Ogoola" but differed when it came to writing the real story. The paper instead focused on the minister's failure to explain why he drew \$ 21,000 from the Global Fund to meet medical bills, a former minister had incurred in a Nairobi-based hospital, an activity that was not in line with Global Fund priorities.

Daily Monitor reported in the opening paragraph:

"Justice James Ogoola yesterday described as "stinking" the decision to pay shs40 million (about \$24,000) for a former minister's malaria treatment on the instructions of President Yoweri Museveni."

In the middle of the story *Daily Monitor* captured the dramatic hot exchanges between the minister and the commission chairperson but also reported in the same story how the minister connived with a local bank to exchange Global Fund dollars at a low rate compared to the market rate, resulting into a financial loss of about \$280,000.

In the opinions published on 28 March 2006 (in *Daily Monitor*) and 30th March 2006 (in *New Vision*, both authors dwelt much on how the minister of health failed to account for the Global Fund money they spent. The opinion in *New Vision* (NRM historicals holding us hostage) focused on criticizing the Minister of Health for boasting before the Commission that he was part of the group that restored democratic rule in the country instead of accepting responsibility for the Global Fund corruption scandal. The opinion in *Daily Monitor* (Fate of Global Fund thieves is a critical test for Museveni) on the other hand focused on the dilemma the President was faced to decide whether he should re-appoint ministers tainted with allegations of corruption in his new Cabinet, following the February 2006 presidential elections.

In the stories that followed the release of the Commission of Inquiry report, both newspapers focused on how the Minister of Health and his deputies had been accused in the final report of the inquiry. (Muhwezi faces prosecution in Global Fund – *New Vision*, Global Fund report pins Jim Muhwezi – *Daily Monitor*). The two papers then elaborated the different actions that the Commission recommended to be taken against the ministers and other people implicated by the Commission.

The main conclusion that I draw from the above analysis is that both newspapers wrote about this corruption scandal in a manner that could attract more readers. Whether in terms of sources, language used or angle of the story each of the two papers seems to have had an overriding motive of outbidding its competitor in the market. From the above analysis, I have found out that both newspapers were not hindered in the way they reported about this scandal.

4.6 Media ownership and editorial independence in Uganda

The issue of ownership was the most controversial of all matters I sought to investigate. Interview respondents gave varying opinions on whether and how ownership affects the media's ability to report on corruption. But one issue that came up was that private media ownership is never a guarantee for editorial independence.

Kakande, one of the few editors who have worked in the media for at least 15 years⁴⁰ reckons that laws that guarantee media freedom and editorial independence are more important than the entire debate of who should own the media.

Whether a media house is owned by government or not, it makes very little difference. I mean, you operate under a legal frame work crafted and enforced by the government. They closed *Daily Monitor*⁴¹ they switched off Nation TV not because they are owned by the government. In fact they are owned by a powerful media group (Nation Media Group). For *New Vision*, they can change the leadership team. But how does that differ with a case where they switch off a TV or radio station? At the end of the day, if the government is keen on something it will enforce it. The key point for people who want to promote freedom of the media is to look at the legal framework rather than ownership.

Although Kankande says that in a government-owned media, the state can change the leadership team, it was established that the government can also influence appointment of personnel in privately owned media in Uganda.

⁴⁰ Like I said of journalists, editors rarely work in the media for more than 10 years. They usually move for greener pastures in the Non-Governmental Organisations, the public service and other international jobs.

⁴¹ On October 10 2002, police raided *Daily Monitor*, manhandled staff, seized computers and cell phones of staff, and then closed the publication for one week. The raid was prompted by a story that reported that the rebels in northern Uganda had shot down a government army helicopter: Center to Protect Journalists website (<http://www.cpj.org/attacks02/africa02/uganda.html>)

According to Uganda's *Weekly Observer* newspaper of August 23, 2007, the government influenced the sacking of *Daily Monitor's* Managing Director Mr. Conrad Nkutu. The President accused him of tilting the editorial in favour of the political opposition. Nkutu's sacking was first announced by the Presidential Advisor on Media, John Nagenda in his Saturday column in the government owned *New Vision*. Nagenda wrote:

Newspaper ship did not love Nkutu, I gave fatherly advice, mostly recently to say that his predecessors, [Wafula] Oguttu and [Charles Ongango] Obbo attacked the government full face and perished. He took up the Kayiira case, like the proverbial bull in a China shop, scattering everything in his wake. The rumour is that he has been let go at (*Daily*) *Monitor*.⁴²

The Kayiira case was a popular story that alleged that the government conspired to kill Andrew Kayiira who was a former minister in the current government.

Although the Presidential advisor's rumour was initially taken lightly, it later emerged that he had his facts right. After one month Nkutu was transferred to Kenya to work in another publication of Nation Media Group. It later emerged that Nagenda's information was based on a series of meetings the government held with the leadership of Nation Media group in which both parties agreed to sack Nkutu from *Daily Monitor* and relocate him to Kenya. Other mentor staffs Like Charles Onyango-Obbo referred to above by the presidential advisor have also been transferred to Kenya on directives or pressure of government.

Although Kakande knows that the government can influence the newspaper leadership, he believes that this can only happen if the newspaper reported on matters where the state has a high interest. Kakande contends that issues of corruption do not bother the state so much compared to other matters like security, political campaigns, the first family and the army.

⁴² "The Price NTV Paid To Be On Air," East African Press.com (<http://eastafripress.net/f.php?sp=85>)

The government has indirectly demarcated spheres to be reported about. Matters like security and the army are ‘no go areas’ but for corruption you may report as you wish. If you are to write about the army you have to be very careful and factual because the government takes it as a sensitive area. If you are going to write about the president and his family you have to be extremely careful. There are specific areas where you can report freely but also there are areas where the media must exercise a lot of restraint and care otherwise you can burn your fingers. But also it depends on the political timing. If it is campaign period the government is fighting for its own survival. If they interpret anything to be negative or critical to the extent that it aids the opponent, they become less tolerant and the pressure builds up.

Kakande has been backed by a Jude Etyang a former reporter at the same newspaper. He argues that *New Vision* as a government paper cannot do so much in influencing the political agenda but in corruption, they have a free will. He says that as long as they have their facts, it does not matter who is involved. In terms of reporting on corruption, he says, the ownership factor does not arise because *New Vision* has tried to maintain editorial independence, although on political issues it has been a bit hard. Etyang acknowledges that corruption is about facts whereas politics is about perceptions and opinions. Although Kakande and Etyang say that the government does not gag the *New Vision* from reporting on corruption, I still see an opportunity of abuse as long as the paper has no freedom to report on some areas. For instance, if there is corruption in the army or the first family it means that it cannot be exposed because the government treats those domains as “sensitive areas”

John Odyek, also a reporter at *New Vision* says that government ownership has actually worked in favour of editorial independence by giving the newspaper mandate and courage to investigate issues without fear. He argues that some sections of the private media fear to be closed down or to be denied operating licence so they choose not report on some issues in which the state has an interest. Odyek also argues that the high resource base of *New Vision* newspaper enables it to carry out investigations in matters of public interest. He says, and rightly so, that sometimes a narrow resource base can influence editorial independence.

Robert Mukasa observes that privately owned media can maintain editorial independence only if they remain in the hands of local owners. He says that if private media are taken over by a foreign entity editorial independence may be affected because the new owners may have different interests. He cites the example of *Daily Monitor* newspaper that was taken over in 2000 by the Nation media Group.

In many cases *Daily Monitor* has fallen short of its obligation to Ugandans because there are many issues we would have tackled but the Nation [Media Group] people tell us ‘go slow, don’t touch there, don’t go there.’ One, because they have a principal shareholder who is a businessman who has to take care of his interests, then we have the Nation Group that has interests in covering some topics and think some other topics are irrelevant because for them they are so reluctant to go into political scandals.

Mukasa believes that *Daily Monitor* was independent when it was still owned by its founders. He says that the current editorial independence and freedom is simply cosmetic.

Someone will come up and say that as long as you are doing what you are doing in a professional manner, then we are going to let you have all the freedom you want. But you know very well that however much you are professional but there is a story infringing on the interests of the principal shareholder, there will always be checks. You will definitely be reined in and they say ‘No, stop there.’

Mukasa says before the merger, the paper was absolutely independent. *Daily Monitor* was bold and that the journalists knew it. He recalls that there was no self-censorship whatsoever and all content was freely debated and no single editor/reporter would try to shelve a story without a justifiable reason; there were no marked no-go areas.

After the merger, you trade carefully, lest you hurt the feelings of the principal shareholder, Mr. Karim Al-Hussaini (commonly known as the Aga Khan). Content wise there is a small problem. The paper cannot afford to be its old self again – the crusading, passionate paper speaking for the voiceless and venturing

to report about issues others fear to touch. There are reins now. The paper is struggling to toe the middle line.

Other evidence of the declining independence of *Daily Monitor* has been found in the resignation letter of Andrew Mujuni Mwenda, one of the longest serving journalists at *Daily Monitor* newspaper. Mwenda accused the majority shareholder Mr. Karim Al-Hussaini of trading the editorial independence of the newspaper in exchange for government tenders. Mwenda wrote in the August 2007 resignation letter:

The interference of the major shareholder in the editorial details of the newspaper is a tragic development. This is especially so because of his other business interests in the country. He has increasingly undermined the paper's editorial independence and its contribution to democracy and accountability in our country. I have been informed by journalists and editors that they are not allowed to write stories critical of the president and his family. The air in the editorial rooms is suffocating. I hold the values of independence from the state so dearly that I cannot work in such an environment. (Published in the *Weekly Observer* of August 23, 2007)

Mwenda's resignation followed instructions from The Aga Khan, a Paris-based business mogul to suspend articles of two journalists; Mwenda and Timothy Kalyegira from being published in *Daily Monitor*⁴³. The board of Directors at *Daily Monitor* reversed this decision but Mwenda opted to resign in protest of the principal shareholder's arbitrary actions.

Aga Khan, the majority shareholder in Nation Media group that owns *Daily Monitor* has a chain of other businesses like hotels, and schools. He is a close associate to the Ugandan President and often gets tenders to provide services to the government. Recently, he was awarded 250 Megawatt hydro-power plant construction deal worth \$770 millions⁴⁴.

⁴³ Ssemujju, Ibrahim Nganda "Why [*Daily*] *Monitor* axed Mwenda, Kalyegira," *The Weekly Observer* newspaper published on 24 May 2007

⁴⁴ *New Vision* 21 August 2007

4.7 Interpretation of findings

In this section of this chapter I make conclusions basing on the above findings. While making this analysis, I will compare opinions from the people I interviewed with findings from text analysis.

From the onset, the first impression I got on hearing from interviewees and making text analysis was that reporting corruption in Uganda was a very challenging task. The challenge mainly stems from inadequate resources, lack of enabling laws and institutional constraints embedded within and out of the media organizations. Both newspapers made an effort to demonstrate that they hold exposing corruption as part of their mandate. But the fact that a UK newspaper in *Financial Times* reported corruption in Uganda faster than the local newspapers is evidence of low investigative capacity among the Uganda media and the poor news reporting environment. Because of this same environment, not even the correspondents of the foreign media can help to fill in the gap left by the local media. For example, Joshua Mmali, a BBC correspondent in Kampala told me in a separate interview that most of their reports are based on what is reported in the local media. He says that they are more afraid to report on sensitive issues or stories which do not originate from official sources like the government because litigants prefer to sue rich media like BBC, even if the same story was carried by a local media.

The Global Fund corruption scandal is probably one of the few subjects to ever receive such publicity in both government and privately owned media. Despite the differences in the number of stories, I observed that both papers gave this topic a lot of prominence. As the news editor of *Daily Monitor* explained, the prominence was mainly pushed by the commercial considerations this story offered. The media in Uganda, like elsewhere in the world is currently market-driven. This means that whereas the Global Fund corruption scandal story was widely reported as a matter of civic importance, it was also extensively

reported because of the high sales it brought as a result of an overwhelming public interest.

Based on the way this story was initialized, the media in Uganda lack capacity to conduct their own investigation in matters of public importance. This means that the Ugandan media is less proactive. Although journalists and editors at the government newspaper reported that they receive enough facilitation to investigate stories, such support is bound to yield little results due to the bureaucratic system of accessing information in Uganda and limited training and experience among journalists. As I mentioned in the introduction, media houses are faced with a challenge of maintaining experienced journalists because they cannot offer market labour prices at times. Like I explained in the state of the media in Uganda today, a total of four groups of experienced journalists have broken away from *Daily Monitor* to form their own newspapers in the last 12 years. Two publications are still functioning while the remaining two have closed. This means that journalism has lost the contribution of journalists whose publications did not succeed on the market. Most of such journalists have become government employees or joined non-governmental organizations.

The other problem I noticed was lack of follow-up on some developing stories. Follow-ups are important because they help the media to keep tabs on an issue something that can create pressure on wrong doers. For instance a couple of days before the Global Fund officially announced that it had suspended aid to Uganda, *Daily Monitor* had reported that Uganda had lost \$28 million worth of malaria drugs due to ineptitude in the ministry of health procurement process. This story was closely related to the Global Fund story because malaria is part of the components supported by Global fund. If the paper followed up on this story, they should have broken the Global Fund scandal before the official announcement.

In terms of ownership, I found that the most important issue is to ensure editorial independence regardless of whether the owner is government or private. As long as the

owner has an opportunity to interfere with editorial content, the media's performance as a society watchdog will be stifled. One proposal I want to support is the encouragement of small and medium-sized media organizations competing in the market place. Proliferated and pluralistic media will provide the necessary checks against unscrupulous owners who may want to interfere with content. In terms of regulation, there should be encouragement of more media owners and limitation of conglomeration in Uganda's media ownership structures.

There is a strong need to come up with a legal framework that is aimed at safeguarding editorial independence in Uganda. Laws that ensure that editors and journalists exercise their rights without interference from the ownership will go a long way in promoting editorial independence. Another proposal for promoting editorial independence relates to developing a common code of conduct between media owners and journalists. This code of conduct should clearly state the roles and responsibilities of both journalists and media owners. In this code, indirect methods of stifling editorial independence like allocating a small budget to the editorial and interfering with appointment of personnel in the editorial department should be resisted.

In regard to ethics for reporting on corruption, journalists in Uganda need to improve on the level of commitment towards their job, especially in respect with reporting on corruption. The media cannot afford to fight corruption when it is corrupt in itself. The reported taking of bribes and patronage within the media is likely to discredit the media as a tool of combating corruption. Media owners need to support their journalists by paying them a fair but sustainable salary in order to minimize chances of being compromised.

In summary, the way government and private media in Uganda report on corruption can be described as reactive. Due to lack of financial resources, manpower with investigative skills and the poor legal framework in addition to the uncooperative members of the public, the media in Uganda cannot afford to conduct its own investigations into matters of public interest. In terms of ownership, evidence from both interviews and content

analysis have showed that like privately owned media, government media can also report about corruption independently if given the necessary editorial safeguards.

4.7.1 Post script to the Global Fund corruption scandal

Following the lifting of the suspension the Global Fund had put on Uganda's grants, the Global Fund appointed a caretaker management firm, Ernst & Young to evaluate the quality and efficacy of all sub-recipients of grants; and a restructuring process of the grants to streamline implementation, clarify responsibilities, and simplify grant oversight. Ernst & Young replaced the Project Management Unit that supervised the implementation of Global Fund activities prior to the suspension. The former Coordinator of the Project Management Unit Dr. Tiberius Muhebwa and other top managers together with the three former Ministers of Health are awaiting prosecution on the recommendations of the commission of inquiry into the mismanagement of the Global Fund. The three ministers were also dropped from the Cabinet after the February 2006 Presidential elections.

The public is however running out of patience in regard to the fate of the above suspects. Since 2005, the government has been reluctant to prosecute these suspects. In April 2007, the government produced a White Paper on the Global Fund commission of inquiry report recommending that the three former ministers and other managers implicated in the scandal to be further investigated by the Police. Since then, no further action has been taken. According to *Daily Monitor*, in December 2007, the Director of Public Prosecution was reported saying that they could not prosecute Global Fund suspects due to lack of funds. Meanwhile, several individuals and organizations have been paying back some of the money they had stolen from the Global Fund projects in Uganda. *New Vision* of October 13 2007 reported that about \$400,000 had so far been recovered. The recovery of the money is in accordance with the commission of inquiry recommendation that at least 300 agencies should refund the Global Fund money they mismanaged.

5. Conclusions and Recommendations

Based on the findings I gathered on this matter, there is little evidence to suggest that there is a difference between the way the government-owned *New Vision* newspaper reports on corruption compared to the privately owned *Daily Monitor*. As I have discussed in chapter four, both newspapers did not initialize reporting on the Global Fund scandal. The role of both newspapers was to follow-up the story highlighting possible effects of this scandal. Evidence from content analysis also suggests that both newspapers gave prominence to this scandal, reporting it in their prime pages. Contrary to my hypothesis, government-owned media can also expose corruption given the necessary editorial independence. Findings from the study have proved that my hypothesis that the privately owned media is more likely to expose corruption is just a perception. This study shows that both the government and privately owned media can expose corruption if they have the necessary editorial independence.

The slight differences that have been highlighted in the way this scandal was reported can be attributed to the personal interpretation of events by individual journalists and editors. Journalists, particularly have a big role in determining the framing of the story. The fact that they choose what to present to editors is itself indicative of their power to include or exclude certain information from the story. The other factor that seems to have caused the slight difference in the reportages presented by the two newspapers is the “house style/policy⁴⁵” of the two newspapers. Normally, different media organisations have different house styles and rules and these ultimately influence journalistic productions.

The similarities between the way the private and government-owned newspapers reported on the Global Fund scandal can also be explained in terms of operating in a similar journalism environment and are therefore affected by relatively similar

⁴⁵ These are guidelines/policies set by a media organisation determining how particular matters will be treated or reported about

constraints like laws, political orientation and lack of funds. My understanding of the findings of this study is that there is no evidence to suggest that either of the two newspapers was influenced by other players like owners in the way they reported this scandal. Both papers wrote stories that they thought were informative and would fetch more sales. This is however not to suggest that all corruption stories are reported with no-holds barred. As Mukasa and Kakande have said in the interview findings, there are cases when owners, and sometimes advertisers, among other players, influence the way some corruption or other stories are reported. Based on interview findings, there is a difference between the way the Global Fund corruption story was reported compared to other corruption stories. Unlike other stories that may not be in the public domain, the Global Fund story, once it was broken, became a public affair, monitored by many media houses, making it difficult to censor information.

The media's ability to combat corruption in Uganda is greatly constrained by its inability to do investigative journalism. Most of the media reportages on corruption are based on reports of other anti-corruption agencies and are sometimes not double-checked or occasionally based on hearsay. As one interviewee (Kakande) put it, this kind of reporting is dangerous because it not only discredits the media but it also gives a chance to the corrupt to initiate litigation against the media for accusing them of corruption or other crimes in an unsubstantiated reports. The over reliance on reports by other investigative agencies has hindered the potential of the media to take a proactive role in fighting corruption through investigative journalism.

There are two ways of encouraging investigative journalism in Uganda that I want recommend in this study. One, media owners should invest more in investigative journalism. This can be done by hiring reporters with the necessary skills and commitment to carry out investigative journalism. Having full-time reporters with sufficient financial resources on the investigative desk will enable journalists to have more time to investigate stories rather than working on daily editorial deadlines. The owners of the media will in turn benefit from investing in investigative journalism if their publications gain popularity for publishing information that was otherwise covered up by the corrupt.

My second proposal relates to encouraging the media to solicit support from organizations willing to support investigative journalism. The World Bank occasionally gives such grants to facilitate investigative journalism. Another example I have learnt about is the Philippine Centre for Investigative Journalism, which funds investigative journalism projects for both print and electronic media in Philippines. The US based Fund for Investigative Journalism also gives grants ranging from \$500 to \$10,000 to reporters working for small publications that have limited resources to carry out investigative journalism⁴⁶. In South Africa, the Kuiper grant for Investigative Journalism offers similar assistance to investigative journalists⁴⁷. Such support can encourage the production of investigative reports that would otherwise not have been possible by the meager budgets of small publications like *New Vision* and *Daily Monitor*.

Availing financial resources to conduct investigative journalism however may not be enough if there is no strict adherence to professionalism. The low level of ethics that has translated into corruption among journalists as evidenced by testimonies of accepting 'brown envelopes' and spying on fellow journalists has greatly betrayed the crusade of using the media to fight corruption. From the interviews I conducted, both news editors of *Daily Monitor* and *New Vision* acknowledged that they cannot rule out a possibility that journalists take bribes to publish stories. Also, the practice of spying on fellow journalists as reported by the News Editor of *Daily Monitor* poses a big threat to the life of journalists who make efforts to expose acts like corruption and other forms of criminal activities. As the Ugandan Chief Justice Benjamin Odoki put it, no single institution can boast of fighting corruption when it is corrupt in itself. It is important that the media weed out corrupt and quack elements within their ranks in order to encourage the use of the media in combating corruption.

The other point that this study found out was lack of follow-up on important developing stories. As I discussed in chapter four, many journalists in Uganda do not make attempts to follow-up on stories they publish. From the newspaper records I

⁴⁶ <http://fij.org/>

⁴⁷ <http://www.journalism.co.za/opportunities/kuiper-grants-support-investigative-reporting-2.html>

tracked in *Daily Monitor* files, if journalists kept their tabs on a story earlier published, they should have been able to break the story of the suspension of the Global Fund. The tendency of abandoning previously published stories and failure to check sources on a regular basis leads important stories to go unnoticed. There is a great need for the media to follow issues up to their conclusive end. This will generate and sustain pressure on perpetrators of corruption and authorities who are required to take action.

In terms of combating corruption, following up stories should not be only an enterprise of the media. Investigative agencies like the police, public prosecutors and other anti-corruption agencies need to take keen interest in what has been published in the media. As Rønning (2007) has observed, if corruption exposures are left in media archives, the media may achieve very little on its own in terms of combating corruption. If media exposures are not followed up by other agencies it may discourage journalists who sacrifice their time to make a painstaking exercise of investigating corruption. This practice can also promote impunity among public official who engage in corrupt practices. Besides, perpetrators of corruption may persecute journalists who investigate corruption without fear of reprisal.

In regard to the Global Fund scandal, there seems to have been no government influence on editorial independence of the two newspapers. All the people interviewed suggested that there was no government inference in the publication of Global Fund corruption scandal stories. However, isolated individual attempts to interfere with editorial decision to favour some of the people accused in the scandal were reported. This collaborates with Kakanda's observation that the government has no interest to interfere in corruption reports. Responses from interviews suggested that the government sometimes interferes with editorial decision on matters of reporting on corruption especially if the reported incident relates to the President's family or the army.

In regard to media ownership, findings from this study have demonstrated that private ownership is not enough to guarantee editorial independence. Responses from the News Editor of *Daily Monitor* particularly render credibility to this point. The plurality of small and medium size media outlets, to me is the most feasible safeguard to editorial

independence. The presence of several media outlets competing against each other can provide the necessary checks and balances that can facilitate the growth of a vibrant media. In Uganda's case, there is still a need for more media outlets to emerge to counter the duopoly of the government and the Nation Media Group.

Related to the above is the need to develop independent media councils to arbitrate conflicts between the media and the public. As I pointed out in the background to this study, Uganda has a statutory media council whose membership is constituted by the government. This has dented its credibility as an ombudsman between the media and the public. As a result, both the media and the public have shunned it. According to Peace Link, a Ugandan civil society organization, the media council has attracted only one complaint from the public since its inception in 1995. The rest of the complaints originate from the government⁴⁸. An independent media council would help to eliminate elements of corruption within the media through fairly arbitrating in complaints that may include blackmail and other forms of malicious publications.

As I discussed in chapter one, the 1995 Press and Journalists Statute that establishes the Media Council, is not the only law that need to be reformed. There is a need to reform laws that inhibit media freedom to be brought in conformity with the Ugandan Constitution that guarantees freedom of the media. Like Rønning (2007) has observed

In contributing to change by uncovering abuses of power and practices of gross self-interest, a press that has the protection of strong freedom of expression legislation and constitutional guarantees for access to information may be an agent for proper democratic practices and transparency also in the area of business and economic administration (2007:19).

My overall conclusion to this study is that there is a very little difference between the way the government and privately owned media in Uganda report on corruption. I have attributed the few differences to the personal interpretation of events by reporters and editors. The similarities in the way this story was reported can be explained in terms of

⁴⁸ <http://ospiti.peacelink.it/anb-bia/nr427/e02.html>

operating in a similar journalistic environment, characterized by similar laws, regulations and journalistic orientation. As I have already noted, the Ugandan media did not initialize reporting on this story. They simply followed it up after it went in the public domain. This leads me to a major challenge of failure to conduct investigative journalism within the Ugandan media. As I have argued in this thesis, for the media to be an effective watchdog, they need the ability to conduct investigations into public affairs if they are to reveal any malfunctions. The other main conclusion that I draw from this study is that ownership may influence the way corruption is reported to the extent that media owners, whether private or government may want to tilt the editorial line in favour of their political or business interests. As I have stated earlier, I have not found a relationship between the way this story was reported and media ownership. What I can say is that for the media to be used effectively to combat corruption, they need guarantees and safeguards of editorial independence.

REFERENCES

- Anderson, Peter J., Ward, Geoff & Weymouth, Anthony (2007), The Changing World of Journalism in Anderson, Peter J. & Geoff, Ward (eds): *The Future of Journalism in the Advanced Democracies*. Ashgate
- Bell, Allan (1991), *The Language of News Media*, Cambridge & Massachusetts: Blackwell Publishers
- Berelson, Bernard (1952) *Content Analysis in Communication Research*, Glencoe, IL: Free Press
- Blundo, Giorgio & de Sardan Jean-Pierre Oliver (2006) Why we should study Everyday Corruption and how we should go about it, in *Everyday Corruption and the State , Citizens and Public Officials in Africa*, London & New York: Zed Books
- Buchanan, James. M (1993), "Public Choice After Socialism," *Public Choice*, Vol. 72:67-74.
- Busharizi, Paul, "Bribery high in Uganda – World Bank," a news article published in *Sunday Vision* newspaper October 04 2007
- CNN, May 18 2007, "Wolfowitz to resign as World Bank chief"
- CNN, October 3, 2007, "Amnesty deal paves way for Bhutto"
- Croteau, David & Hoynes William (2006), *The Business of Media, Corporate Media and Public Interest*, London & New Delhi: Pine Forge Press.
- de Burgh, Hugo (2000), *Investigative Journalism, context and practice*, London & New York: Routledge.
- Djankov, Simeon, McLiesh Caralee, Nenova Tatiana., & Andrei Shleifer A (2002), Media ownership and prosperity, in *The Right To Tell, The role of Mass Media in Economic Development*, Washington D.C: World Bank Institute

Doyle, Gillian (2002), *Media Ownership*, London, Thousand Oaks & New Delhi: Sage Publications

“Failed CMI swoop at *Independent* offices,” a news article published by *The Independent* newspaper, accessed at:

http://www.independent.co.ug/index.php?option=com_content&task=view&id=317&Itemid=2327

The Independent

Gaines, William (1994) *Investigative reporting for print and broadcast*. Chicago: Nelson-Hall Publishers

Hoyle, Rick H, Harris Monica J, Judd Charles M, (2002) *Research methods in social relations*, Fort Worth, Tex. : Wadsworth

<http://www.socstats.soton.ac.uk/cshr/pdf/learning/learningfrommysay.pdf>

International Federation of Journalists. “Media Accountability” Media for Democracy programme in Africa, February 27-28 1997

Islam, Roumeen (2002) Into the Looking Glass: What the Media tell and Why – An Overview in, *The Right To Tell, The role of Mass Media in Economic Development*, Washington D.C: World Bank Institute

Jaramogi, Patrick & Candia, Steven, “Muhwezi escapes arrest, Mukula in Jail,” a news article published by the *New Vision*, on Tuesday, 22nd May, 2007

Kahoza, James, “The role of Auditor General in fighting corruption,” a workshop paper presented at the Third National Integrity Workshop in Uganda held between 28-29 May 1997

Kemigisha, Rosemary (ed) (1998), *A Hand Book on the State of the Media in Uganda*, Kampala, East African Media Institute and Friedrich Ebert Stiftung Foundation

-
- Kirumira, Mark & Ajwang, Jan, "Uganda: The Limping Newspaper Industry," a news feature published in *Daily Monitor* newspaper on 3 May 2007 (accessed at <http://allafrica.com/stories/200705020734.html>)
- Klitgaard, Robert (1996), "Bolivia: Healing Sick Institutions in La Paz" in *Governance and Economy in Africa: Tools for Analysis and Reform of Corruption*, Edited by Patrick Meagher, College Park, MD: University of Maryland (Center for Institutional Reform and Informal sector)
- Kunicova, Jana (2005), "Are Presidential Systems susceptible to Political Corruption?" mimeo, Department of Political Science, Yale University, New Haven: CT
- Lambsdorff, Johann G (2007), *The Institutional Economics of Corruption and Reform. Theory, Evidence, and Policy*: Cambridge (Cambridge University Press).
- Macdonell, Roderick (2003) Public documents, obtaining and using them, in *The media and curbing corruption*, March 18 to May 27 2003 workshop Module for journalists in developing countries organized by the World Bank Institute
- McQuail, Denis (2000), *McQuail's Mass Communication Theory*, London: Sage Publications
- Moe, Terry M (1984), "The New Economics of Organisations," *American Journal of Political Science*, Vol. 28(4): 739-77
- Moore, Gill (2000), The English Legal Framework for Investigative Journalism, in de Burgh, Hugo (2000), *Investigative Journalism, context and practice*, London & New York: Routledge.
- National Integrity Systems, Transparency International Country Study Report, Kampala, Uganda, 2004
- New Vision Printing and Publishing Corporation Statute, 1987
- Nyamnjoh, Francis B (2004) Media Ownership and Control in Africa in the age of Globalization in, Thomas, P.N. and Nain, Z. (eds) *Who Owns the Media, Global trends and local resistances*. London: WACC/ Zed Books

- Odoki, Benjamin (1997), "The Role of the Judiciary in fighting corruption," a workshop paper in Third National Integrity workshop in Uganda held between 28-29 May 1997
- Oluka, Benon H & Semujju, Ibrahim. "Muhwezi sins again, pleads with the IGG," a news article published by the *Weekly Observer* on 7th October 2004.
- Oluka, Benon H, "When Museveni spat at the media," a news analysis article published in *The Weekly Observer* newspaper on 18 August 2005
- Olupot, Milton, "Corruption costs sh500b a year," *New Vision*, Monday, 21st January, 2008
- Onyango-Obbo, Charles, "Ah, Uganda's Press: So Free, So Terrorised," Opinion article published in *The East African* newspaper on Monday, April 5, 2004.
- Osike, Felix & Onyalla, Harriet, "Arrest Mukula, Muhwezi – President orders," a news article published by *New Vision* on 30th April 2007
- Peters, Bettina (2003), The media's role: covering or covering up corruption? *In Global corruption report 2003*, London: Transparency International
- Pope Jeremy (ed) "TI sourcebook 7" Transparency International Berlin, Germany.
- Pope, Jeremy (1998), Elements of a Successful Anti-Corruption Strategy in *Fighting Corruption in Uganda, The process of building a National Integrity System*, Ruzindana A., Langseth P. & Gakwandi A(eds). Kampala: Fountain Publishers
- PricewaterhouseCoopers draft review report on Global Fund grants to Uganda, August 2005
- Rønning, Helge (2007), "The Politics of Corruption and the Media in Africa," an article to be published in the *Journal of African Media Studies* No. 2 in 2007/2008
- Rose-Ackerman, Susan. (1999), *Corruption and Government: Causes consequences and reform*, Cambridge: Cambridge university press

Rose-Akerman, Susan (2005), *From Elections to Democracy: Building Accountable Government in Hungary and Poland*, Cambridge: Cambridge University Press

Ruzindana, Augustine, Langseth, Petter & Gakwandi, Arthur (eds) (1998), *Fighting Corruption in Uganda, The process of building a National Integrity System*, Kampala: Fountain Publishers

Sarantakos, Sotirios. (1998), *Social Research*, London: Macmillan Press Ltd.

Singhal, Arvind (2003). *Challenges in Measuring Behavior Change*. In: BCC Network for HIV/AIDS: First Regional Meeting for East, Central and Southern Africa. www.fhi.org

Ssemujju, Ibrahim Nganda “Why [Daily] Monitor axed Mwenda, Kalyegira,” *The Weekly Observer* newspaper published on 24 May 2007

Stapenhurst, Rick (2000), *The Media’s Role in Curbing Corruption*, World Bank Institute Working Paper: Washington DC

Strengthening Integrity in Commonwealth Countries, A Paper presented by Transparency International at the Commonwealth Law Ministers’ Meeting in Kuala Lumpur, Malaysia, April 15-19 1996

Tellis, Winston. (1997) *Introduction to Case Study, The Qualitative Report*, Volume 3, Number 2, July, 1997
(<http://www.nova.edu/ssss/QR/QR3-2/tellis1.html> accessed on 20 November 2007)

The Constitution of the Republic of Uganda

The media and curbing corruption, March 18 to May 27 2003 workshop Module for journalists in developing countries organized by the World Bank Institute

Uganda: “Monitor’s K-fm closed,” APC Africa, ICT Policy Monitor
(http://africa.rights.apc.org/index.shtml?apc=he_1&x=851720)

Vogl, Frank, "Journalism and Power: Why Ownership Matters," a paper presented for the World Bank consultative meeting on the role of media in development on May 9 2001 available at <http://www.mediachannel.org/views/oped/vogl.shtml>

Warwick, Ian, Aggleton, Peter (2001). Learning from what young people say about sex, relationships and health, Safe Passages to Adulthood.

Weekly Observer, "Don't destroy IGG's powers," an editorial published in the *Weekly Observer* on 13th May 2004.

Yin, Robert K (1989) *Case study research: design and methods*, Newbury Park: Sage

Internet websites cited

www.monitor.co.ug

www.newvision.co.ug

www.ugandaobserver.com

www.redpepper.co.ug

www.theglobalfund.org

www.worldbank.org

www.transparency.org

<http://www.nationaudio.com/kenyapolitics/info/nationmedia.html>

Center to Protect Journalists website

(<http://www.cpj.org/attacks02/africa02/uganda.html>)

<http://fij.org/>

<http://ospiti.peacelink.it/anb-bia/nr427/e02.html>

<http://www.journalism.co.za/opportunities/kuiper-grants-support-investigative-reporting-2.html>

Reporters without Borders, April 3 2006 - www.rsf.org

Stolen Assets Recovery Initiative (STAR): Challenges, Opportunities and Action Plan,
World Bank and UN, June 2007

(<http://siteresources.worldbank.org/NEWS/Resources/Star-rep-full.pdf>)

The Price NTV Paid To Be On Air, East African Press.com

(<http://eastafricapress.net/f.php?sp=85>)

Uganda Communication Commission Report 2006 (<http://www.ucc.co.ug/>)

Uganda Courts of Judicature website, <http://www.judicature.go.ug/high.php?id=31>
(visited 24 Oct 2007)

Uganda Inspectorate of government website

http://www.igg.go.ug/integrity_report.htm (visited on 25 October 2007)

Appendices

Interview guide

Overall assessment on the way each newspaper reported on the Global Fund scandal

- Why do you think the media in Uganda was not able to detect that there was corruption going on in this project until the Global Fund intervened?

Editorial independence – (Editors only)

- What level of freedom does the editorial enjoy from the ownership?
- What are the instruments that guarantee editorial independence?

Corruption stories

- What importance/relevance is attached to corruption stories
- Policy – Do you have any policy you follow while handling corruption related stories?
- How different is it to report on corruption compared to other newsworthy issues?

Investigative journalism

Resource allocation for investigative journalism

- Money
- Time
- Existence of an investigative desk

- Other motivations for investigative journalism

(Self) censorship

- How does ownership of your newspaper constrain your reportages, especially on corruption?
- How different would your reports on corruption be if it were owned by government/private individuals?
- Did you receive any threats for reporting on the Global Fund or any other corruption-related reports?
- If yes, how did you handle these threats?

General

- What do you think are the key limitations to reporting on corruption in Uganda?
- How much does the public appreciate the value of fighting corruption?
- What is your assessment of the work done by other anti-corruption agencies in Uganda?

Ethics in reporting corruption (Editors only)

- What level of ethics and commitment do journalists have when it comes to reporting on corruption?
- Do you have any cases where your journalists have been accused of corruption or extortion?

Quantitative content analysis coding sheet

Newspaper	No. of front page stories	No. of stories in other news pages	No of editorial articles	No. of pages covered by verbatim reports	No of opinion articles
<i>Daily Monitor</i>					
<i>New Vision</i>					