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Master Thesis

**SPEECH FREEDOM AND PRESS FREEDOM IN HUMAN SECURITY IN  
RWANDA**

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## **DEDICATION**

### **To**

My late father, Francois Seruntaga, for his advice and trust in me have always increased my confidence

My mother, Felicité Bazubagira, for your education has been fruitful for me

All my sisters, brothers and friends, for your consideration

I dedicate this thesis

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## **Abstract**

Freedom of speech and press freedom are key foundations of all human rights as stipulated in human rights declaration of 1948. Denying people the right to free speech is keeping them away from what is happening in this world, thus, hindering them from participating in decision making. While speech freedom and press freedom are key tools to measure if a country is democratically or despotically run, the right to freedom of expression in Rwanda is casualty of the horrible history of the 1994 Genocide against Tutsi in which media played a great deal.

Using an explanatory research design and a non probability sampling with various qualitative methods such as interviews, personal observations and discourse analysis, the study confirmed a clear collaboration between the government and hate media in perpetrating the genocide. Research findings from both the field study and literature say the government having purposely manipulated media, and consequently inducing them in fuelling the genocide. Despite that shared responsibility between the government and media, only journalists and ordinary citizens are paying the price.

In an endeavour to protect the society from the recidivism of the genocide, the Government of Rwanda (GoR) instituted a number of laws including the genocide ideology law and media laws, all of which castigate discrimination and sectarianism. Human rights organizations and activists, political opponents, media and some ordinary citizens quickly started to accuse these laws of being tools for the government to silence its critics while masquerading as perpetrators of national security. Field research findings and the rich literature of the study, however, suggest that only open debates, both public and in media, can protect national security and till respect people's rights of free speech and press freedom.



## 0. GENERAL INTRODUCTION

*“It is not what media does to people, but what people do with media,”* (Blumler and Katz 1974:11).

### 0.1. Background to the study

The end of the 20<sup>th</sup> and the beginning of the 21<sup>st</sup> centuries were characterized by incredible hardship events of regional and international conflicts in which millions and millions of people lost their lives while others were left casualties and others displaced from their households and fled to live in refugee camps. The most wicked of those conflicts are the 1994 Tutsi Genocide against Tutsi in Rwanda that winded up lives of approximately a million of innocent people and the United States of America’s war against terrorism in the Middle East which killed approximately 140,000 civilians per year during the last 11 years (M. Reza Pirbhai, 2012). The situation got worse with the development of the communication technology.

The progress of communication technology was also remarkable in print media and broadcast media. The power of information has, during the 20<sup>th</sup> century, changed the mindset of people in both negative and positive ways. In the mid 1990s new considerations emerged about media development that specifically directed attention to the news media’s role in latent or overt conflict and in conflict resolution (Ross Howard: 2009:7). In 1994, Rwanda, a small little known country in Eastern Central Africa, even hard to find on the world map, choked the entire world with the outbreak of mass killings through which more than a million of its population, mostly of Tutsi ethnicity, perished. Many believe that propaganda and inflammatory “hate media” calling

for the extermination of the Tutsi ethnic minority played a significant role in fuelling the violence (BBC, 2003; Thompson, 2007).

Due to the role of media in 1994 Genocide against Tutsi, the post Genocide Rwanda Government intensified media censorship, which did have some repercussions even on individuals' freedom of opinion. In an endeavor to eradicate the genocide ideology and protect the society from awful hate media messages, they took a number of measures including the Law No. 47/2001 of December 18, 2001, instituting punishment for offences of discrimination and sectarianism and Law No. 18/2008 of July 23, which prohibits the incitement of genocide, among other things, ethnic affiliation. The statute is known as the "Genocide Ideology" Law.

Shortly after this Genocide Ideology Law's enactment, alarms went out in international human rights circles, both domestically and abroad, over concerns that the law's vagueness would open it to potential abuse (Dalporto, 2012: 875). According to Rwanda Speaks (2011), since April 2010, a vibrant period for the 2010 presidential elections, six Rwandese journalists have fled; two have been put in jail for a long period while two were shot dead. Critics accused the Rwandan government of having abused the law to quickly silence the opposition (Amnesty International, 2010; Human Rights Watch, 2012).

Without ignoring the particularity of history of Rwanda that justifies the restriction of press freedom and freedom of expression, this thesis deals with the issue of how political leaders might be exploiting genocide related laws to restrict fundamental human rights, particularly freedom of speech and press freedom. Tending to relate them with human security, the study explains the concepts of freedom of expression and press freedom. It also tackles the issue of freedom of expression and press freedom in unity and reconciliation in Rwanda.

Critics on the Genocide Ideology Law will help us to understand to what extent this law afflicts a free speech, particularly critics on the leadership of the country, thus, hindering citizens' participation in political decision making. The thesis concludes recommending on how to protect people and sustain national security without necessarily imposing unnecessary restrictions on free speech.

## **0.2. Relevance of the topic**

Freedom of speech, twin to press freedom, is one of the human rights and the cornerstone of the other human Rights. Therefore, without speech freedom, it would be illusive pretending to have human rights and peace. However, nearly two decades after the Genocide against Tutsi in Rwanda, the country has been repeatedly reported to silence the freedom of expression and press freedom. Media, political oppositions, human rights organizations and academicians view this as an obstacle to peace and reconciliation processes in this war and genocide torn country. This research aims, therefore, at exploring reasons for the Government of Rwanda to over control (censure) the free speech, consequences of that censorship and possible ways the country can be governed without severe restrictions of the free speech.

## **0.3. Personal Justification**

The choice of this topic corresponds to my concern as a Rwandan and to both my former academic and work backgrounds. Being a Rwandan citizen who lived the tragic history the country went through and a Rwandan journalist, in particular, who exercises his career under the consequences of hate media on the whole Rwandan public opinion and on media in particular, has always challenged and affected me in one way or another. In the aftermath of the 1994

bloody tragedy in Rwanda that media toasted, it sounded clear that some restrictions on freedom of speech might be imposed.

However, the question remains that of knowing to what extent and for how long must these restrictions hamper the freedom of press and freedom of opinion from media to individuals and from elderly people to small children? For example, Jean Leonard Rugambage, a journalist and a friend of mine was shot dead shortly before the 2010 presidential elections. Critics say he was killed investigating the attempt to assassinate a high profiled Rwandan military officer exiled in South Africa (Lillian Leposo, 2010:1). In 2006, a number of secondary school students, mainly minors of age, were expelled from schools, accused of genocide ideology (Amnesty International, 2010:11). Facing positively such issues could ease any hindrance to move toward sustainable reconciliation and long lasting peace.

This study also comes as an awareness tool in human rights, especially in freedom of expression and press freedom as a cornerstone of the fundamental human rights. Eliciting the interrelatedness between press freedom and freedom of expression and human security will awake the consciousness of the consumers to stand for their rights. Being aware of possible unintended violations of human rights by some of the oppressors, this study describes the freedom of speech and press freedom in its legal boundaries and discusses different behaviors towards the violation of this vitally precious right.

Many researchers have carried out research on the role of media in 1994 Tutsi Genocide in Rwanda, but few have dared to tackle the issue of the consequences of hate media on restrictions of freedom of expression and press freedom in the post genocide Rwanda. As freedom of expression and freedom of speech is one of the fundamental human rights, this study

will widely open doors to future scholars and researchers to navigate this area for the sake of creating a more viable and enjoyable, not only Rwanda, but the world.

#### **0.4. Scope of the study**

As freedom of speech and press freedom concern everybody in the society, this research engages all social groups in Rwanda. This implies, on the one hand, that children; youth; grownups; educated or uneducated; poor or rich have all experienced and still experience the benefit of enjoying their freedom of speech and freedom of press. On the other hand, they all have also suffered and still suffer from unnecessary restrictions on their free speech especially due to the negative history of Rwanda.

Being consumers of censored information, they have been approached in their different institutions/environments to hear how they enjoy this fundamental human right. Specific questions have helped us to survey the level of enjoyment of this right and the level of its hindrance to people's opinions in their everyday life. Media houses, journalists' associations, human rights and academicians have had a big say along this study. For the sake of the balance of the study, views from government officials in charge of media such as the Rwanda Governance Board (RGB), and the Media High Council (HCM) have been also incorporated in this study.

For media houses, the researcher carried out interviews with Pax Press, a local organization which operates as both an NGO and a News Agency. Pax Press promotes democracy, good governance, and citizens' participation. With eight years operating in Rwanda in collaboration with Syfia International News Agency, and given their editorial line, the researcher assumes that they have built some sort of expertise that can contribute to this research

with credible information. As this organization works with many journalists, the choice of respondents will base on their experience in media. Respondents have been selected from journalists with more than five years in this career.

On the side of journalists' associations, the Network of Journalists for Protection of Human Rights (NJPH) and the Rwanda Media Commission (RMC), an organization that is in charge of media self regulation, will be approached. The researcher's motivation to interview NJPH Rights came from the fact that this is the only journalists' association which has as main objective the protection of human rights including journalists' rights. On the other hand RMC is a newly created institution as the Government of Rwanda wanted to discharge from media regulation and hand the future of media into media practitioners' hands. Linking this research with this media regulatory body's objectives, vision and projects helped us understanding the direction in which Rwanda media could take Rwandans. Instead of interviewing the leader of this one year old institution, the research used his views from the meeting with local government authorities in the Western Province that aimed at disseminating the Access to Information Law. The researcher also used his views in different radio programs and newspaper reports.

### **0.5. Statement of the problem**

The 1994 Genocide against Tutsi has been the most bloodshed and horrific event since the WWII. The size of Rwanda-smaller than the State of Maryland, her divisive history, her mono-linguistic nature and biased hate media made easy the escalation of destructive messages, thus, preparing the ground for the genocide perpetrators. For Ross Howard (2009), one impetus for this new focus was the clearly negative role of the media in major social catastrophes, such as

the incitement and direction played by indigenous media in the genocidal killings in Rwanda in 1994 and in policies and acts of ethnic cleansing in the former Yugoslavia.

In 1993, one year before the 1994 Genocide, some of the members of the Government of Rwanda (GoR) of that time and their partisan businesspeople started RTLM (Radio Television Libre de Milles Collines) with intention to spread the messages of hatred against Tutsi. While newspapers and magazines spread the message in urban areas among the small portion of the population that was highly literate, the perpetrators employed radio broadcasting to sow hatred and distrust among the much larger rural population, as well as the unemployed youth of Kigali (Frank Chalk, 1997).

Chalk says that RTLM whipped up fear and ethnic hatred more effectively than Radio Rwanda-the Government owned radio-ever had, using dynamic, innovative programming which introduced to Rwanda's airways for the first time a unique cocktail of the liveliest African music and informal talk radio, blended with culturally-coded attacks on Tutsi and their defenders. Enormously popular and widely heard, Radio RTLM severely damaged the bonds of solidarity between Hutu and Tutsi, people who lived and farmed together as neighbours on almost each of Rwanda's thousands of hills.

Due to the negative image Rwanda media inherited from hate media and to the legacy of divisive political discourses, numerous measures to limit free speech in Rwanda have been introduced after the genocide for the sake of avoiding further divisionism and mass killings. Some of those measures are genocide related laws and media laws which scholars, opposition parties and human rights organizations criticize to be ambiguous. Therefore, given gaps in those laws, those organizations claim that people do not express freely fearing to be punished under

such laws. Some opposition parties, the civil society and the international community view these laws as being tools for the GoR to shut down any criticism and impede any opposition.

This thesis will, therefore, critically study the role of hate media in 1994 Genocide and their impact on human rights in Rwanda with emphasis on freedom of speech and press freedom. Greater emphasis will be put on RTLM and Kangura to see how the role of these divisionism-motivated media affects media operations in Rwanda today. Knowing whether their editorial lines were due to the excess of press freedom and free speech (libertarianism) or whether they were politically motivated and manipulated (authoritarianism) will help us understanding to what extent the freedom of speech should be limited in a post conflict environment and to what extent should the restriction of media freedom affect the individuals' free speech.

Despite the negative role of media in 1994 Genocide against Tutsi, ignoring possible manipulations by the genocidal government that might have used them as a tool to quickly spread their ideology would induce the country in a fatal error. Howard (2009) articulates that it was realized that states with authoritarian governments and proliferating media could make untrained or irresponsible journalists more liable to participate in manipulating public opinion for gross abuse of human rights and the reversal of democratization.

The correlation between hate media and genocidal leadership will, therefore, be discussed along the study. The study will also discuss the issues of speech freedom and democracy and the impact of freedom of speech and press freedom in unity and reconciliation in Rwanda. Given the double standard role of media in destroying and rebuilding Rwanda, the study will also have a look at the relationship between the current GoR and media. As media freedom involves free



speech, the study will also examine how the GoR deals with individuals' opinions on sensitive issues such as ethnicity related issues, governance and resources redistribution.

## **0.6. Research questions**

This study will be guided by the following questions:

1. What consequences did the role of hate media in the 1994 Genocide against Tutsi have on freedom of speech and press freedom in Rwanda?
2. What was the relationship between the genocidal government and hate media?
3. What lessons did Rwanda media professionals and media practitioners learn from hate media?
4. What did the post genocide GoR learn from the relationship between the genocidal government and hate media?
5. How could the Rwandan Government secure its national security without severely restricting the right to free speech and press freedom?

## **0.7. Objectives of the study**

The main objective of this study is to analyze the consequences of the genocide and hate media on human rights in Rwanda, especially freedom of speech and press freedom. The study will analyze the role of media in 1994 Genocide against Tutsi in Rwanda with emphasis on hate media. It will tend to evaluate different steps undertaken by the post genocide Rwanda media to avoid the recidivism of fatal errors committed by their fellow pioneers. It will also have a look at the relationship between human security and freedom of speech and the relationship between

governance and free speech and press freedom with intent to recommend the GoR on how to regulate media without necessarily imposing restrictions on free speech.

## **0.8. METHODOLOGY**

Given the nature of the problem this study was exploring, it required more qualitative data than quantitative. A qualitative research helped us understanding the consumption of press freedom and freedom of expression in Rwanda and how it affects or has affected consumers in the period prior and post genocide. The study required interviews and discourse analysis of hate media and propaganda messages before and during the genocide. This has led us to understanding reasons behind the status of speech freedom and press freedom in Rwanda.

### **0.8.1. Research design**

This study required an exploratory research because though many studies have been carried out on hate media in Rwanda Genocide against Tutsi, few to none dared to relate this issue to the current situation of Rwanda regarding speech freedom and human security. As this research examines repercussions of war journalism that has been practiced by hate media during the 1994 Genocide, the exploratory research will serve as catalysis to other media, peace and conflict researchers to carry further researches on this particular issue.

For the sampling design, the study has been carried out in Kigali City where we could find a large concentration of media, Human Rights Organizations and easily find other respondents needed for the survey. The study used, however, discussions from the meeting that gathered journalists, local government officials, the Rwanda Governance Board (RGB) and the Rwanda Media Commission to explain and disseminate the Access to Information Law. As the study targets media, human rights organizations, political parties, the civil society, government

officials and individuals, the research tried hard to find qualitative data through interviews, group discussions, meetings and some official documents. This helps us understanding the current situation of speech freedom and press freedom in Rwanda and the consequences of its exercise on people's everyday lives. As a sampling frame, every respondent was either recorded during the interview or handed in an answer sheet. Meetings and radio programs from which the researcher borrowed data for this study have been also recorded.

### **0.8.2. Methods of sampling**

This research required a non-probability sampling method. In different forms of this method of sampling, a purposive sampling was estimated to be more effective. This means that though anybody can provide information to this study, those who can answer well the questions related to the study were given more chance to be interviewed. The choice depended on the experience in one's position. For this reason, respondents were chosen from journalists with more than five years of experience in this career and from Human Rights activists with at least 7 years in this domain.

### **0.8.3. Data collection methods and tools**

For data collection, a range of combined techniques have been used. The study mainly needed semi-structured interviews: individual in-depth interviews and group discussions. However, depending on the availability of respondents and data, it also required questionnaires for the sake of collecting as much data as possible. Secondary sources and personal observations have been also used to enrich the study. Depending on the data collection methods, the appropriate data collection tools for this study were interview schedules, questionnaires, a voice recorder and an observation schedule.

#### **0.8.4. Data analysis and interpretation techniques**

For data analysis and interpretation, all data deemed worth for the study have been taken into consideration and commented one by one. However, in case of similar views the researcher has preferred to use the strongest and mention the percentage of respondents who share that viewpoint. Every answer from various respondents has been carefully read and analyzed compared to both the initial statement of the problem and to the objectives of the study.

#### **0.8.5. Organization of the work**

This thesis is divided into five main parts: the general introduction, four chapters and the conclusions and recommendations.

The general introduction briefly looks at the background of press freedom and freedom of expression. It takes us to look backward in history of media and freedom of expression to give us a clear idea of how press freedom, freedom of expression, human security and human rights interrelate. It also analyses different reports classifying countries according to their fulfillment of free speech as a fundamental human right. It further explores reasons why Rwanda is classified among the last country in respecting human rights, particularly freedom of speech.

Chapter one provides a conceptual and theoretical framework of the study. In this chapter, relevant concepts to the study, such as press freedom, freedom of expression, information, information of the public interest, security, human security, democracy, sovereignty, etc are defined to facilitate readers to understand well and precisely the content of the study. Communication theories concerned with the press freedom and freedom of expression, in this chapter, also help us understanding metaphors of political narratives used to contain the public opinion.

Chapter two looks at specific theories of international relations in order to explain how the position of a country in respecting and fulfilling the freedom of expression and press freedom influences how the country is perceived in international relations. It describes democracy and its bonds with free speech and press freedom and incites us to raise awareness and remind political authorities that violating the right of free speech is violating all human rights as human rights are indivisible, inalienable and universal.

Chapter three provides a brief overview of the history of media in Rwanda from pre to post genocide. It addresses the role of media in 1994 Tutsi Genocide, especially hate media and analyze what could have happened if there were free speech and press freedom in Rwanda before and during the darkness of the genocide. It raises a debate of knowing whether the role of media in 1994 Tutsi Genocide was due to freedom of speech and press freedom or to the lack of this vitally important right. This debate would take us to a critical analysis of the current operation of media in Rwanda, thus leading us to the prediction of where press freedom and freedom of speech are taking Rwanda.

Along this chapter, we look at laws that scholars, political oppositions and human rights criticize to be at the forefront of hindering Rwandans from fully enjoying their basic human rights including right to information and free opinions. Among those laws, the thesis specifically looks at the constitution of Rwanda, media laws and genocide related laws.

Chapter four delimits the field research; analyzes them and present research findings and interpretations of the research findings while the last part deals with the conclusion, recommendations and future lines of research. In this chapter, relevant sources such as media houses, professional journalists, human rights activists and organizations and government

officials and institutions have been approached to share their say about press freedom and speech freedom and how the way these freedoms are exercised may affect or affects individual freedoms.

## **CHAPTER I: CONCEPTUAL AND THEORETICAL FRAMEWORK**

### **I.0. Introduction**

Speech freedom, press freedom and human security are key concepts to this research. To clearly have the image of what this research is about, one needs to understand these concepts, their contextualization and their limitations. Given their complex nature, related concepts, such as freedom of expression, security, human rights, governance and democracy that are used in this research have been explained to help readers to understand this study.

Due to a large number of concepts that need to be defined to facilitate the reader to understand the content of the study, some definitions are brief. As this research also relates to many theories and models, the research does not talk exhaustively about all these theories. Elements of the theories that are very close to the study and captivate the reader's mind were used in this study.

### **I.1. Definition of Key Concepts**

#### **I.1.1. Press Freedom**

Freedom of the press originates from the fundamental right of freedom of information. The resolution 59 (I) of the General Assembly of the United Nations of December 14, 1946, stated that freedom of information is fundamental human rights and is the touchstone of all the freedoms to which the United Nations is consecrated. Freedom of information implies the right to gather, transmit and publish news anywhere and everywhere without fetters. As such, it is an essential factor in any serious effort to promote peace and progress of the world (UN, 1946). Given the definition above, a country that does not guarantee the speech freedom to its people cannot claim to have peace and development.

Article 19 of the Universal Declaration of Human Rights asserts this freedom by stressing that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”. Marina Guseva et al. (2007) views the Press Freedom as an intermediary between individuals and government, informing the latter of people’s needs and acting as a buffer against crises and situations of extreme deprivation. It holds governments accountable and makes their actions more transparent; and, along with other indicators of good governance, it creates a business-enabling environment, a climate conducive to more effective public affairs management, and so forth (Marina Guseva ,et al, 2008:5).

Guseva brings in the importance of the free flow of ideas to societies to promote mutual respect and mutual understanding and to facilitate the sharing of knowledge. As it is through information flow that people share knowledge, hindering information circulation affects the knowledge sharing process and this may cut or delay the learning process. International agreements and institutions such as UNESCO make it possible to uphold such free flow of words and images (Marina Guseva et al, 2007:14). The mandate of UNESCO as set out in its 1945 Constitution specifically calls on the Organization to “promote the free flow of ideas by word and image”.

Ahuja, B. N (2004) defines press freedom as the mass media’s unquestionable right to discuss whatever is not explicitly forbidden by law, including the wisdom of any restrictive statute. Jens Barland (2005) insists on the press’ independence of interference from any external interests. According to the latter, the attention is most of all given to how political authorities give the press space and freedom to play its autonomous role. John Stuart Mill (1859) brings in



the idea of liberalism with emphasis on plurality, including the right to be wrong and make mistakes. While Mill agrees with the fact that there is no absolute truth, he qualifies the right to freedom of expression as one of the most sacred needs.

For Ogundimu, Folu (2002), in terms of democracy, a major point is that press freedom belongs to the public, not to the media corporate. He argues that if information is a public good, a necessity for democratic processes, the purpose for press freedom is that the press should get conditions to serve the public (Folu, 2002:58).

### **I.1.2. Freedom of Expression**

Barland (2007) calls press freedom a twin of freedom of expression, which is a cornerstone in democracy. He states that concepts of press freedom and freedom of expression seem to overlap almost completely. In fact, threatening press freedom implies restricting the public's freedom to information and free speech- one of the most precious human rights as mentioned above. According to Human Rights Education Associates (HREA) (2003), freedom of expression is a cornerstone of democratic rights and freedoms. The Universal Declaration of Human Rights, Article 19, stipulates that everyone has the right to the freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through and media and regardless of frontiers.

HREA reminds that in its very first session in 1946, before any human rights declarations or treaties had been adopted, the UN General Assembly adopted resolution 59(I) stating "Freedom of information is a fundamental human right and [...] the touchstone of all the freedoms to which the United Nations is consecrated." The constitution of Rwanda also recognizes this right as it states in its Article 11 that

All Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.

Freedom of expression and the free flow of information, including free and open debate regarding matters of public interest, even when this involves criticism of individuals, are of crucial importance in a democratic society, for the personal development, dignity and fulfillment of every individual, as well as for the progress and welfare of society, and the enjoyment of other human rights and fundamental freedoms (Global Campaign for Free Press Expression, 2000:3).

As a fundamental right, it should be put on the agenda of the rights to be urgently promoted to give a chance to citizens' participation in shaping their future.

However, though there may be certain extreme forms of expression such as "hate speech" which need to be curtailed for the protection of other human rights, condition under which this censorship is opted for should be clear. Otherwise, it could sound like the "law of the jungle" where the idea of the most powerful comes at the forefront. Michael J. Prince (2005) put it well presenting about Democracy and Social Justice in the British Columbia where he recalls in the Throne Speech the government saying, "We can open up new worlds of possibility if we have access to information and facts needed to make informed decisions,"( Prince, 2005:6). This gives a sign of the will of forming an inclusive society where grassroots communities are given a say in the decision making process unlikely the traditional and oppressive top down process through which only leaders make policies and impose them to their "subjects".

Nonetheless, freedom of speech and freedom of opinion can sometimes be tricky. Chomsky (1998) puts it well that the smart way to keep people passive and obedient is to strictly limit the spectrum of acceptable opinion, but allow very lively debate within that spectrum—even encourage the more critical and dissident views. That gives people the sense that there’s free thinking going on, while all the time the presuppositions of the system are being reinforced by the limits put on the range of the debate, (Chomsky, 1998:3).

### **I.1.3. Information**

“Information” means any original or copy of documentary material irrespective of its physical characteristics, and any other tangible or intangible material, regardless of the form or medium in which it is held. It includes, but is not limited to, records, correspondence, facts, opinion, advice, memoranda, data, statistics, books, drawings, plans, maps, diagrams, photographs, audio or visual records, documents, emails, logbooks, samples, models, and data held in any electronic form (source). “Information of public interest” refers to information that is of concern or benefit to the public, not merely of individual interest and whose disclosure is “in the interest of the public,” for instance, because it is useful for public understanding of government activities.

The word information in the Mathematical Theory of Communication is used in a special way that must not be confused with its ordinary usage. Shannon (1964) argues that information must not be confused with meaning. He claims that two messages, one of which is heavily loaded with meaning and other of which is pure nonsense, can be exactly equivalent from the

present viewpoint, as regards information, (Fannon&Weaver, 1964:8). To Fannon, the semantic aspects of communication are irrelevant to the engineering aspects.

However, he later says the word information in communication theory relates not so much to what you do say, as to what it could say. That is why Weaver, describes information as a measure of one's freedom of choice when one selects a message (Weaver, 1964:9). The latter argues that if one is confronted with a very elementary situation where he has to choose one of the two alternative messages, then it is arbitrarily said the information, associated with this situation, is unity. Weaver assumes that it is misleading, although often convenient, that one or the other message conveys unity information.

He, thus, concludes that the concept of information applies not to the individual message (as the concept of meaning would), but rather to the situation as a whole, the unit information indicating that in this situation one has an amount of freedom of choice in selecting a message, which it is convenient to regard as a standard or unit amount (Weaver, 1964:9).

#### **I.1.4. Information of public interest**

According to global principles on national security and the right to information (2013), information of public interest refers to information that is of concern or benefit to the public, not merely of individual interest and whose disclosure is "in the interest of the public," for instance, because it is useful for public understanding of government activities.

#### **I.1.5. Human security**

To understand the concept of human security we need, first, to understand the traditional concept of security and its twin sisters of national security and state sovereignty. Contextualizing

these concepts will lead us to a debate regarding the significance of human security in the academic field, particularly in peace and security studies.

### **I.1.6. Security**

The concept of security is defined in various ways according to circumstances, but no matter the situation all definitions are centered on freedom from fear and safety. The Oxford Dictionary defines it as the state of feeling safe, stable, and free from fear or anxiety. It also refers to procedures followed or measures taken to ensure the security of a state or organization. Barry Buzan defines security as the management of threat. According to him it is often thought of as the pursuit of freedom from threat, though whether individuals or states would actually want to live in a threat-free environment is an interesting question with no clear or absolute answer as for states, a threat-free environment would threaten the principal *raison d'être* of the state, which is provision of security. States and/or governments, may therefore need, or prefer to have, at least some level of threat.

Security is the key function of the state: because the state is foundational to the provision of order, it has its own claim to a right of survival and self-defense which is different from the sum of the individual rights to security of its citizens (and may up to a point be contradictory with them: e.g. conscription). The key point to note is that when the state is both referent object and principal provider of security, this gives a strong territorial and state-centric framing to both the definition of threats and the provision of security (Barry Buzan, 2007).

### **I.1.7. Human security**

Human Security is a new but emerging concept in today's new world order. According to Human Security Initiative (2011), Human Security focuses primarily on protecting people while promoting peace and assuring sustainable continuous development. With a people-centered approach, Human Security helps individuals to resolve inequalities that affect security. However,

critics accuse it of encompassing and failing to achieve its ambitious goals for improving the human condition. Human Security Initiative argues that security has gone global as it is no longer simply related to the security of nation states. “The security of the individual now directly impacts the security of the state and vice versa”.

Human Rights and Good Governance are the most key concepts of Human Security, and are interdependent. While Human rights are the rights and freedoms to which all humans are entitled, the resolution 2000/64 of the Commission on Human Rights identified the following key attributes of good governance: transparency, responsibility, accountability, participation and responsiveness to the needs of the people (Human Rights Initiative, 2011:1). It insists that Human rights principles set the content of good governance such as a legislative framework and policies and likewise, good governance ensures the rightful implementation of human rights.

According to Werthes and Debiel (2006:8), ‘human security provides a powerful “political leitmotif” for particular states and multilateral actors by fulfilling selected functions in the process of agenda-setting, decision-making and implementation’. With the emergence of human security, there is a mind shift of what is traditionally viewed as security from the national or state level to human beings as the potential victims; beyond physical violence as the only relevant threat/vector; and beyond physical harm as the only relevant damage (Des Gasper, 2008:2).

Gasper discusses ‘Human security’ at different scales and with reference to threats of varying scope. Moving from broad to narrow: it can be, according to him, first, treated as the security of the human species, or second, as the security of human individuals. Third, it may focus on severe priority threats to individuals, as judged perhaps by mortality impacts, or by the

degree of felt disquiet (which must be an important variable in explanatory analysis even if not always so in normative analysis). Fourth, the severe priority threats may be limited to ‘freedom from want’ and ‘freedom from fear’, or fifthly, to only the latter. More narrowly still, sixthly, some authors wish to consider only threats to individuals that are brought through violence, or by organized intentional violence, or, the narrowest conception yet (MacFarlane and Khong 2006: 245-7), only the threats to physical survival brought about through organized intentional violence.

#### The Components and Roles of the Idea and Discourse of Human Security

ISSUE AREAS	GASPER 2005 (& 2007a, 2007b)	WERTHES-BOSOLD 2005-6-7
Roles of an idea /discourse	<ol style="list-style-type: none"> <li>1. To provide a shared language, for shared and mutually supportive investigation</li> <li>2. To guide evaluations</li> <li>3. To guide positive analysis</li> <li>4. To focus attention in policy design</li> <li>5. To motivate</li> </ol>	<p>Multiple roles of an intellectual framework:</p> <p>(Werthes &amp; Debiel: 12)</p> <ol style="list-style-type: none"> <li>1. Explanation and orientation</li> <li>2. Coordination and action-related decision guidance</li> <li>3. Motivation and mobilization</li> </ol>
1 – To provide a shared language	<p>Besides a concept, ‘human security’ is also:</p> <ul style="list-style-type: none"> <li>- A discourse, whose elements are asterisked below</li> <li>- * A striking and evocative label</li> </ul>	<p>Within this shared language people can flexibly respond to their own situation and policy projects, par excellence illustrated in the [Human Security Network]’ (Werthes &amp; Bosold 2006: 23).</p>

2 – Provides a focus for looking at effects; this guides evaluations and analysis (to determine; what is security?)	<p>A normative focus on individuals' lives, viz:</p> <ul style="list-style-type: none"> <li>* Focus on individuals' reasoned freedoms</li> <li>* A concern for stability as well as levels</li> </ul> <p>(italics indicate extensions beyond Human Development Approach)</p>	<p>(a) From state focus to individual focus; this is the first of Werthes &amp; Bosold's four elements of a proposed shared core, 2006:25; also Bosold &amp; Werthes 2005: 99).</p> <p>Such rhetoric provides one instrument for holding its users accountable (Werthes &amp; Bosold 2006)</p>
2* - Human focus	* JUF: 'Joined-up feeling', for all individuals – this is the spirit of human rights (HRs) discourse	(b) ' People should have the opportunity to live decently and without threats to their survival'
[Humanity]	Edson: 'human security is about protecting the common good' (2001: 84)	
Who decides what is security and what is a threat?	<p>Not necessarily only the state (though that is one major actor).</p> <p>Can be individuals, groups, ...</p>	
3 – Provides a principle for considering causes: it guides analysis	* JUT: 'Joined-up thinking'	Greatly expanded scope of analytical attention



4 – Provides a focus for policy response	<p>Prioritizing (which is inherent in the ‘security’ label):</p> <ul style="list-style-type: none"> <li>* A focus on basic needs</li> <li>* Basic rights for all.</li> </ul> <p>At the same time, Joined-up thinking? broad policy response, and:</p> <p>awareness of impossibility of full knowledge of relevant factors ? a deliberative, learning style in policy (Truong 2005).</p>	<p>Policy style:</p> <p>(1) the large normative frame can influence other policy too (Werthes &amp; Bosold 2006: 23); promote coherence;</p> <p>(2) impossibility of unilateral control [their point c; 2006:25] → ‘Safety threats must be addressed through multilateral processes...and by taking into account the patterns of interdependence that characterize the globalized world in which we are living’ [point d; Bosold &amp; Werthes 2005: 89, 99]. Gropas supports the point on basic rights.</p>
Whose responsibility to respond?	Not necessarily only the state, which may lack the capacity	
5 - Motivation	<i>Focus on basic needs and rights, including through an evocative label and concern for stability → stronger motivational basis, mobilizing attention and concern: sustaining Joined-up Feeling</i>	Werthes & Bosold (2006: 32): the focus on individuals appeals to a broader range of actors, not to states alone.
What relation to discourses of development?	Goes further than discourses of human development, in the areas indicated above in italics	
What relation to discourses of need?	Relies on a notion of need, as reasoned fundamental priority	
What relation to discourses of human rights?	Basic rights for all	<p>No attention?</p> <p>(And nearly all the human rights literature does not refer to human security.)</p>

Koffi Annan’s conception of human security briefly sums up what is described in the above table. According to him, human security can no longer be understood in pure military words.

The demands we face also reflect a growing consensus that collective security can no longer be narrowly defined as the absence of armed conflict, be it between or within States. Gross abuses of human rights, the large-scale displacement of civilian populations, international terrorism, the AIDS pandemic, drug and arms trafficking and environmental disasters present a direct threat to human security, forcing us to adopt a much more coordinated approach to a range of issues (Kofi Annan, 2001:1).

### **I.1.8. Human Rights**

The Business Dictionary defines human rights as the fundamental rights that humans have by the fact of being human, and that are neither created nor can be abrogated by any government. As found in several international conventions and treaties such as the United Nation's Universal Declaration of Human rights in 1948, those rights include cultural, economic, and political rights, such as right to life, liberty, education and equality before law, and right of association, belief, free speech, information, religion, movement, and nationality.

According to Australian Development Agency (ADA), 2010, not only are they effectively embodied as the supreme legal norms in the constitutions of all nations in this world, but by adopting – and to a varying extent – ratifying international human rights treaties, all nations have committed themselves under international law to respecting, protecting and fulfilling these fundamental rights of human beings (Australian Development Agency (ADA), 2010). As observed in Human Rights Standards: Learning from Experience (2006), the adoption of the Universal Declaration of Human Rights (UDHR) in 1948 led to the creation of an unprecedented number of standards to protect human dignity. The most significant are the International Covenant on Civil and Political Rights (ICCPR, 1966) and the International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), which provided the foundation of the international legal framework that protects human rights. These two Covenants

together with the UDHR form the International Bill of Human Rights (Human Right Standards: Learning form Experience, 2006:1).

Other major human rights treaties, observed in the above document, include the International Convention on the Elimination of All Forms of Racial Discrimination (CERD, 1965); the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979); the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT, 1984); the Convention on the Rights of the Child (CRC, 1989); the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW, 1990) ; and the International Labor Organization (ILO) also adopted numerous human rights conventions on non-discrimination, forced labor, child labor, freedom of association and collective bargaining, and indigenous and tribal populations.

The universal declaration of human rights, in its preamble, puts the freedom of speech and human security on the same scale claiming it to be the aspiration of the population. It states that whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

### **I.1.9. National security**

The United States (US) Department of Defense (2005) defines national security as a collective term encompassing both national defense and foreign relations of the United States. Specifically, the condition provided by: a) a military or defense advantage over any foreign nation or group of nations; b) a favorable foreign relations position; or c) a defense posture

capable of successfully resisting hostile or destructive action from within or without, overt or covert. Though defined by the US, the definition applies or may apply in the context of any country or any nation state. National security refers to the protection of a nation from attack or other danger by holding adequate armed forces and guarding state secrets (US Legal Definitions, 2001). In this context, national security goes beyond the protection of a nation's "physical security" or protection against armed conflicts and embraces the protection of information coined under state secrets.

The definition points out the area of concern of national security such as economic security, monetary security, energy security, environmental security, military security, political security and security of energy and natural resources. However, in US, the term relates only to those activities which are directly concerned with the nation's safety, as distinguished from the general welfare whereas in some other countries including Rwanda, it goes beyond to affect the everyday peoples' lives (Transparency International, 2008).

Traditionally, according to Buzan (2007), national security has been about the survival of the state against military threats posed by other states and this legacy continues to color the meaning of national security, both in terms of threats being existential, and in a strong emphasis on military threats and responses. Buzan claims that because of this legacy, the rhetorical force of 'national security' can be used to justify exceptional measures such as the use of force, suspension of civil liberties, secrecy, increase of executive powers, extra-legal activity in a way that other types of security (principally social security) cannot. The late 90s invasion of DRC by Rwanda inasmuch as the legitimate defense against Democratic Forces for The Liberation of Rwanda (FDRL) and the law authorizing instituted by the GoR to monitor peoples' private

correspondences including phone calls, new technologies such as emails and website visits (Rising Continent, 2012).

Nonetheless, according to Buzan (2007) national security in this sense should presuppose a strong state where government and society may enjoy a high degree of consensual integration. I agree with Buzan that the concept of national security is difficult to apply to weak states (low integration between government and society and high levels of coercion) because “feuding parts will make their own security claims against each other”.

#### **I.1.10. Legitimate National Security Interest**

The global principles on national security and the right to information refers it to an interest the genuine purpose and primary impact of which is to protect national security, consistent with international and national law.

The global principles on national security and the right to information insist that a national security interest is not legitimate if its real purpose or primary impact is to protect an interest unrelated to national security, such as protection of government or officials from embarrassment or exposure of wrongdoing; concealment of information about human rights violations, any other violation of law, or the functioning of public institutions; strengthening or perpetuating a particular political interest, party, or ideology; or suppression of lawful protests.

#### **I.1.11. Democracy**

Zakaria (1997) argued that democracy, narrowly defined as free and fair elections, without “constitutional liberalism” is “dangerous, bringing with it the erosion of liberty, the abuse of power, ethnic division, and even war.” He defines constitutional liberalism as protections of “the individual’s right to life and property, and freedom of religion and speech”

(Zakaria, 1997:6). I, however, disagree with Zakaria that freedom of speech, particularly when manifested as freedom of the press without democracy, is also dangerous because it provides information and a platform for expressing dissent without any other institutional outlets for dissent, such as political competition, political participation, and executive constraints.

There are two things here that need to be clearly distinguished from freedom of speech and freedom of expression. Freedom of expression as above explained can be understood in the same way as freedom of speech and/or freedom of opinion. This means that everyone has the right to say what he/she thinks without fearing any threat. However, freedom of press relates to the freedom of media and media practitioners to get access to information and publish and/ or broadcast regardless any border and without fear.

On the other hand democracy is different from liberalism and, of course, qualifying it as dangerous because it gives a way through to liberalism sounds awkward as dictators as well violate democracy principles inasmuch as they are avoiding anarchy. Should we revive the “animal farm era” where some people are more people than others? Should we keep the principle that the reason of the most powerful is always the best? How could we incorporate that humanness, imbedded in human rights, if the world is to be run by some, viewing others as valueless creatures and not really human beings? However, democracy, viewed in terms of free speech and press freedom would open a society to constructive debates.

Having clearly understood the concepts related to press freedom, freedom of expression and the concept of human security, the next step is to go a little bit thorough and put them into the theoretical context. Where it applies, I will critically look at the praxis of these key concepts

of human rights in reshaping a sense of life in Rwanda after a sour experience of the 1994 Genocide against Tutsis.

## **I.2. Theoretical Framework and Rationale**

### **I.2.1. Democracy and public opinion**

*“There is not a more mean, stupid, selfish, pitiful, spiteful, envious, ungrateful animal than the Public,”* William Hazlitt, Philosopher

The issue of freedom of opinion has been and still is crucial even in the so called democratic societies. To this end, Alexander Hamilton (1790) has a skeptical view of a direct democracy which he considers both a "disease" and a "poison." Hamilton's skepticism expresses reservations about putting government in the hands of the common people. Thomas Jefferson walks in the same direction as Hamilton. In 1816, he wrote to a friend: "We both consider the people as our children. But you love them as infants whom you are afraid to trust without nurses; and I as adults whom I freely leave to self-government."

It is a shame that some of today's elites, particularly in developing countries, still find Hamilton and Jefferson's assertion relevant. The latter reminds me of a decade that followed the 1994 Genocide tragedy in Rwanda. In those years, each and every student who was admitted to pursue his/her higher studies in public teaching institutions were obliged to take two to three months of civic and military education before resuming their studies.

During this course in 2004, I realized a very different world from my everyday living. Military trainers used to tell us in Kiswahili (a military language in Rwanda): "Afande anapanga, mwanacourse anatomika," to mean the military officer plans and the trainee (the ordinary

soldier/student in this case) executes. Students were allowed neither to think for themselves nor to give their opinions during military sessions. Doing so sounded disobedience to the officers' orders and could subject the trainee to heavy punishment such as crawling, kneeling down in small stones, beatings, etc. Nevertheless, this was a military course and it is fine to aspirants of the military career given the responsibilities awaiting them. But should this apply to the ordinary people/ civilian? Should anyone be threatened for his/her ideas and opinions? If yes, by whom? for what reasons? in which conditions?

Walter Lippmann (1955), one of the influential journalists of the twentieth century estimates democracies as inevitably decay. He advocates for an unrestricted opinion. According to him, statesmanship requires wisdom, patience, discipline, deep knowledge of national and world affairs, and willingness to weigh the long-range consequences of an act against its immediate benefits--virtues that the public lacks. Nevertheless, Lippmann admits that popular opinion and enlightened leadership invariably face each other. On the one hand, doubters argue that the public was often "destructively wrong at [...] critical junctures" of American history and was sufficiently powerful that politicians had no choice except to "placate, appease, bribe, seduce, bamboozle, or...manipulate" their constituents (Lippmann, 1955:20). He insists that this pandering to the masses created a "morbid derangement" of government, a potentially fatal "malady" unless people realized that society remains free only so long as its leaders have sufficient latitude to exercise their judgment.

In the same line, V. O. Key, Jr. (1964) says that democracies decay, if they do, not because of the cupidity of the masses, but because of the stupidity and self-seeking of leadership echelons. He argues that "politicians often make of the public a scapegoat for their own



shortcomings; their actions, they say, are a necessity for survival given the state of public opinion.” Here, two schools of thoughts confront: skeptics and optimists. The skeptics sustain that human weaknesses make mass participation in politics both impractical and undesirable and judge ordinary people as simply lacking the requisite knowledge, skills, and motivations to act responsibly (Schumpeter, 1975: 60-61). These doubters accuse them (ordinary people) of placing “immediate gratification of wants ahead of the long-run interests of the commonwealth”.

On the one hand, admitting that the populace is the ultimate source of political authority, doubters believe that the affairs of state are best left to trained, experienced, and dispassionate public servants. According to Gabriel Almond and Sydney Verba (1963), “periodic elections, interest groups, the media, and town meetings suffice to keep leaders in line and air grievances.” They argue that a large dose of apathy is healthy for the country, in fact, since the masses can be overly demanding and tempestuous and, unless reined in, are likely to trample political institutions.

On the other hand, the optimists recognize the public's many shortcomings but still insist that most of the citizens have more intelligence and decency than critics realize (William Caspary, 173).

Furthermore, the common people's flaws result not from inborn weaknesses but from defective social and political institutions that limit information and discourage participation. The body politic can govern itself responsibly if given the chance, and therefore "average" men and women should become more, not less, involved in public affairs.

### **I.2.2. Communication theories and press freedom**

Several times, when there is a conflict, there is a great contribution attributed to media inasmuch as they most of the time lapse during sensitive periods. However, people tend to forget media are managed by people, not necessarily journalists but those with power in power. Thus, before putting heavy blames on media and journalists a number of issues should be addressed. Who owns media? Who are their different publics? How are they (publics)? Do they have the capacity to digest media messages? How could that affect media operations?

### **I.2.3. Media Effect Theories**

The Societal and Media Theories draw attention to the societal level (hegemony and public sphere theory) and accumulative individual level effects over longer periods of time, such as differential media exposure and cultivation theory. According to W. Russell Neuman & Lauren Guggenheim (2011), the hegemony, public sphere, and to some extent, cultivation traditions are associated with progressive political views and a critical perspective. Scholars have examined how exposure may influence salience of, interpretation of, and cognitive organization of information and opinions to which individuals are exposed (Neuman & Guggenheim 2011:178). To judge the use or uselessness of information we should think in terms of Lasswell's "Who Says What to Whom with What Effect" and institutional/cultural level models of the function of communication for society W. (Neuman & Guggenheim 2011:177).

As media influence people, people can also influence media. That phenomenon through which media and society affect each other is called "Media Effect Theories." Communication

theorists define it as how media affect the society and how society affects media. Among those theories, we will look at the Magic Bullet Theory also called Hypodermic Needle Theory, Free-step Flow of Information, Uses and Gratification Theory and Media's Social Responsibility Theory.

### **I.2.3.1. Hypodermic Needle Theory**

The hypodermic needle theory (also known as the hypodermic-syringe model) is a theory of communication also referred to as the "magic bullet" perspective, or the transmission-belt model. The free Encyclopedia says that, essentially, this theory holds that an intended message is directly received and wholly accepted by the receiver. It is rooted in 1930s behaviorism created by the Frankfurt School in Germany and is considered by many to be obsolete today.

The theory applied on Rwanda Genocide against Tutsi. In 1990s and before, ordinary people in Rwanda used to believe, on the one hand, that media are the administration tools and only leaders can have their voices heard through media channels. On the other hand, they were considering media messages as an absolute truth; which played a big role in spreading propaganda messages discriminating against Tutsis. The hypodermic needle theory is, ipso facto, not about audiences being obsessed to mass media but suggests they are helpless and passive victims to the evading media messages - injected into their thought field thus affecting them beyond their will.

Nonetheless, the success of this theory may depend on the culture, level of education and the government regime at hand. The example of the "*Panic Broadcast*" also known as "War of the Worlds" through which the radio programming was interrupted with a "news bulletin" for

the first time that Martians had begun an invasion of Earth in a place called Grover's Mill, New Jersey challenges it. According to Katz & Lazarsfeld (1955), approximately 12 million people in the United States heard the broadcast and about one million of those actually believed that a serious alien invasion was underway.

A wave of mass hysteria disrupted households, interrupted religious services, caused traffic jams and clogged communication systems. People fled their city homes to seek shelter in more rural areas, raided grocery stores and began to ration food. The nation was in a state of chaos, and this broadcast was the cause of it (Katz & Lazarsfeld 1955).

According to media theorists, this is exactly how the Magic Bullet Theory works; by injecting the message directly into the "bloodstream" of the public, attempting to create a uniform thinking. According to them, the effects of the broadcast suggest that the media could manipulate a passive and gullible public.

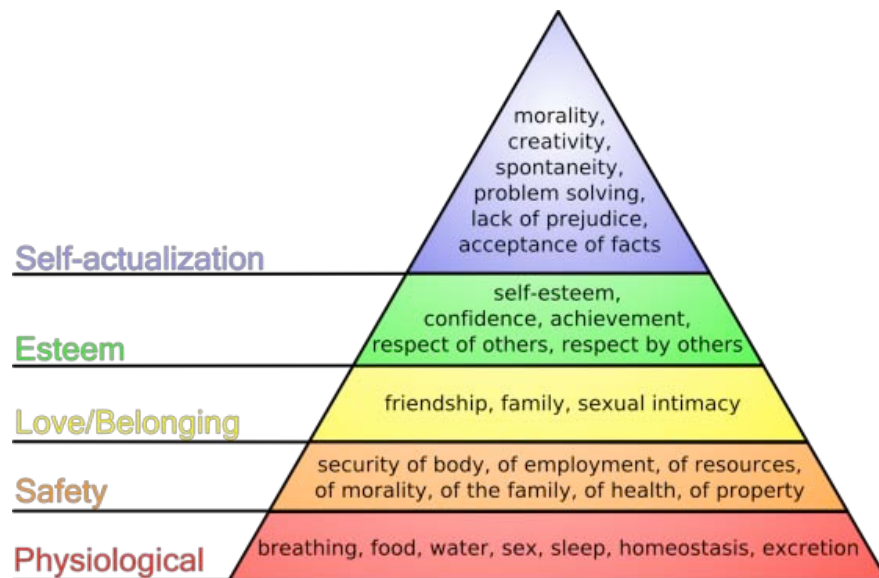
### **1.2.3.2. Uses and gratification theory**

Media do not operate in an empty vacuum. Their different publics have their cultures, their prerequisite knowledge and their way of understanding and doing their things and this enables them to choose from what is right and what is wrong, good and bad, constructive and destructive. In fact, some theorists, researchers and scholars do recognize the audiences' ability for selecting which media to follow and more specifically which program depending on the gap they wish to fill (Katz and Blumler, 1974; Lorna Good, 2013). In addition, with people being enlightened by education and the bridging of the world by the emerging new technologies, people have become more and more aware of media propaganda and tend to filter the messages they are pumped in by media.

Katz & Blumler (1974) identified this audiences' capacity to choose into various media messages the ones that serve their interests as "Uses and Gratification Theory". The latter is an approach to understanding why people actively seek out specific media outlets and contents for gratification purposes (Lorna Good, 2013:3). According to Good, this theory raises a debate regarding to how users proactively search for media that will not only meet a given need but enhance knowledge, social interactions and diversion.

Some scholars view the theory of users and gratification as an extension of Abraham Maslow's Need and Motivation Theory (Greg's Media, 2013&Good, 2013).

### *Pyramid of Maslow's Needs and Motivations*



Uses and gratification theory seems the opposite of the magic bullet theory. It assumes that members of the audience are not passive but take an active role in interpreting and integrating media into their everyday lives. The theory also considers the audiences as

responsible for choosing media to meet their needs and suggests that people use the media to fulfill specific gratifications (Lorna Good, 2013:4). Good argues that this theory would then imply that the media compete against other information sources for viewers' gratification. Blumler and Katz (1974) argue that it is not what media do to people, but what people do with media.

As above described, the theory tend to clear media professionals and practitioners from forcing the public into insane activities through their naughty messages. Following the magic bullet theory, it might be unreasonable to attribute the 1994 Genocide against Tutsi on media. I do agree that there might have been other main factors that contributed to mass killings in Rwanda Genocide against Tutsi rather than media.

Nonetheless, considering the nature of the audience, the media regime and the political regime in place would help us understanding the issue in question. What kind of the media publics was there in Rwanda during and prior the Genocide? What was the literacy rate to allow different Rwanda publics to responsibly and cleverly analyze and understand what was going on? On the other hand, what kinds of media were there? What were their editorial lines? What was their journalists' level of education in comparison with the ordinary citizens'? How was their collaboration with politicians? Did they respond to their social responsibility? Responding to all these kinds of question would help us understanding the ample of the role of media in the 1994 Genocide against Tutsi.

### **1.2.3.3. Free flow of information theory**

Originally, the idea of the "freedom of press" referred only to international relations. The idea postulated from the end of WWII as the "free flow of information", i.e freedom of

information flow on an international scale was an old formula, revamped for the international market. Of course, some practices and conceptions were developed earlier in the thirties when the first broadcasts for foreign listeners were started in Europe. It is symptomatic that Nazi Germany excelled in this activity and that is why thirty seven states, including USSR, prepared the international convention concerning the use of broadcasting in the cause of peace, signed on 23<sup>rd</sup> September 1936 in Geneva. This convention merits attention: it expresses a justified anxiety of the use of broadcasting to interfere in other nations' internal affairs, to propagate hatred and racism and to promote social unrest and revolts. The Article III of the convention points out that all parties undertook to ban or stop broadcasting programs damaging to the favorable international climate of understanding.

Jay Rosen (2000) advocates for citizen journalism, which in my view gives a way through to the free flow of information. According to Rosen, transparency means we can see in to government, we can find out what it is doing and we can look at what is happening in our name. Having a say on what is being done on your behalf could invoke a sense of responsibility and accountability.

And accountability means once we look in, we can throw the bums out, we can get different people in there if the ones who are there now aren't doing their job. So when transparency is interfered with, when opacity takes over, when we can't see in, when we can't find out what's going on, when therefore we can't hold people accountable, it's not only frustrating, but it wears away at the very heart of self-government and what happens is that slowly, and this can take many years, but very bit by bit, the legitimacy of government self wears away and I think this is a huge problem in our time. People are not accountable; people in power are not accountable.

#### **I.2.3.4. Media's Social Responsibility theory**

The Social Responsibility Theory takes its roots in two concepts of journalism, “developmental journalism” and “public journalism”. Guraratne (1978) described developmental journalism as an integral part of a new journalism that involved “analytical interpretation, subtle investigation, constructive criticism and sincere association with the grass-roots (rather than the elite).” He argued that developmental journalism was not compatible with either the libertarian concept, which defined the function of the mass media as providing information and entertainment, or the authoritarian concept, which stifled “criticism of political machinery and the officials in power” and imposed a “top-down approach to problem solving.”

According to Johan Galtung & Vicente Martínez Guzmán (1992), the task of the journalist is to unveil the threads of the development drama that takes place in the centre and the periphery, pick them out of the intricate web of relationships, “hold them up in the sunlight, and demonstrate the connection to readers, listeners and viewers” as IPS attempts to do at present. What is important to note, here, is this relationship between media and its different publics; readers, listeners and viewers. Apart from development, responsible media would enlighten the public about all caprices that would incite people into unnecessary conflicts and hinder human development.

#### **I.2.3.5. Authoritarianism theory**

According to this theory, mass media, though not under the direct control of the State, had to follow its bidding. Under an Authoritarian approach in Western Europe, freedom of thought was jealously guarded by a few people (ruling classes), who were concerned with the emergence of a new middle class and were worried about the effects of printed matter on their



thought process. Steps were taken to control the freedom of expression. The result was advocacy of complete dictatorship. The theory promoted zealous obedience to a hierarchical superior and reliance on threat and punishment to those who did not follow the censorship rules or did not respect authority. Censorship of the press was justified on the ground that the State always took precedence over the individual's right to freedom of expression.

According to Rahim Raza (2012), the world has been witness to authoritarian means of control over media by both dictatorial and democratic governments. He argues that today many nations, though, deny practicing authoritarian principles used for expression but behind the curtain, authoritarian practice is carried out. Raza cautions that these practices are used in various forms and techniques. In some countries, particularly in the developing ones, these are used in visible form like “Official Secret Act”, “National Security Act”, etc. and in some instances, control over the press is carried out in form of financial threat (Raza 2012,1).

#### **I.2.3.6. Libertarianism theory**

This theory is based on the right of an individual, and advocates absence of restraint. Boaz David (1997) defines it as a political philosophy that advocates free will, individual rights, and voluntary cooperation. According to Stephan Kinsella (2011), it is rooted in ancient ideas of natural justice, fairness, peace, and cooperation. You could even say that any civilized society is already somewhat libertarian. She argues that after all, civilization requires peace and cooperation, which imply respect for others' rights, and this is what the libertarian seeks.

Some scholars and human rights activists have always viewed the State as a threat to libertarianism. Whitz (2011) points out, for instance, that the State was thought of as a major source of interference on the rights of an individual and his property. Kinsella, however, calls it a

deviation of the theory. She says there are deviations from ideal libertarianism, in the form of both private crime and public crime — that is, state regulations and laws that derogate from private-property rights. But the prosperity of the modern age is the result of human cooperation and free markets, and it exists despite deviations from libertarian principles (Kensilla, 2011:1). According to her, most people would not steal their neighbor's property even if they could get away with it. They respect their neighbors' libertarian rights already — to a certain degree.

Advocates of this theory were Lao Tzu, an early 16th century philosopher, John Locke of Great Britain in the 17th century, John Milton, the epic poet ("Aeropagitica") and John Stuart Mill, an essayist ("On Liberty"). Milton in *Aeropagitica* in 1644, referred to a self-righting process if free expression is permitted "let truth and falsehood grapple." In 1789, the French, in their Declaration of The Rights of Man, wrote "Every citizen may speak, write and publish freely."

Out of such doctrines came the idea of a "free marketplace of ideas." George Orwell defined libertarianism as "allowing people to say things you do not want to hear". Libertarians argued that the press should be seen as the Fourth Estate reflecting public opinion. Press ownership under libertarian system is likely to be private and should be free from defamation, obscenity, impropriety and sedition (Whiz, 2011). Countries practicing the libertarian philosophy are the United States, Great Britain and some other Western European nations.

### **I.3. Communicative actors and citizenship**

Circumstances of recent conflicts have provoked new interest in the issues of political actors, and there seem to be a strong disengagement from conventional politics by citizens across the democratic world. This part tries to analyze how new forms of political communication

might influence the relationship between citizens and other political actors, and how the regulation of speech influences politics. It also looks at how interest groups affect the democratic process, and whether institutional 'engineering' has any significant impact upon politics.

Media Center Sarajevo (2010) believes that citizen participation in the political life of local communities and in the decisions taken by local public administrations is an important aspect of democracy-building. The latter argues that it is a mechanism for the effective external monitoring of government work, but also a means for making public policies that are close to actual citizen needs, (Media Center Sarajevo, 2010:9). Eloísa Nos Aldás (2013), looking at capacities of public discourses to configure -or not nonkilling cultures, says that communication actions towards nonkilling societies implies acting consistently on ideas in regard with what society considers “reality”, politics, ethics through the interaction among all social actors in present-day scenarios, from civil society, individuals to top politicians or groups of power (Nos Aldás2, 013:96-97):

Specifically, we head towards scenarios of collective reflection where individuals and groups recognize each other and negotiate their interests in the public sphere from collective concerns. Due to the imbalance of power and the reign of private interests, many times we are talking about the need for lobbying or advocacy actions, including nowadays the engine of social networks such as Facebook, Twitter or different blogs and other web 2.0. platforms.

Contrary to the trends of “hatred communication”, war propaganda or hegemonic discourses, Nos Aldás suggests the following characteristics for communication for nonkilling cultures:

- Utter discourses from subject to subject. Configure communication through the interaction among interlocutors, recognized as equals, and responsibility-based discourses which always talk about people as subjects and take care not to represent them as objects, thereby avoiding the dangers of dehumanization or disrespect (cultural violence).
- Discourses that make the effort of presenting the complete picture of the situations or experiences; discourses that face the complexity of human relations, with their mistakes and assets, without bipolarity or dichotomies of good and evil but including the multiple sides and perspectives of every conflict from the different actors (accepting and dealing with vulnerability but also recognizing responsibilities).
- Ethically-committed discourses, not neutral ones. Discourses that explicitly state the interests behind them. At the same time that they present alternatives, they point out who is responsible for what as well as the real causes of injustice, and claim for justice.
- They are performative. They share a participant approach. These are not objective (detached) discourses. They search for intersubjectivity. They take part in the action. They search for effective discourses, for changes, for results. This also leads to present a representative individualization of experiences (the narrator being part of the realities talked about) so to help to understand their complexity and idiosyncrasy and to foster awareness and remembrance.
- All of these characteristics imply a dialogic rhetoric in order to structure interactive and horizontal discourses. This way of understanding communication leads us to introduce here the idea of a cultural, educational and transformative efficacy (and efficiency) as

the only way to really have a cultural impact and instigate the processes of social change.

It is in this context she argues that there is need to combine the traditional concepts of communication and advertising efficacy, usually based on quantitative criteria of impact and behavioral short-term change, with a more qualitative analysis based on the forms of communicating relating to each other. To her, it is essential to pay critical attention to the “styles of communication” we use and how they influence our beliefs, values, attitudes and long-term behavior analysis (Nos Aldás, 2013:98).

In rearward of the impact of media in enforcing nonkilling cultures, particularly through democratic principles, Media Center Sarajevo (2010) cautions that local media are the primary source of information on the work of local governments, as well as on the political, cultural and other relevant events within the local community. In this sense, any misinterpreted issue in media or simply misinformation can harm the society while clear and objective information is more likely to positively save it (society) even when it is a controversy since it opens it to public debates.

I completely agree with Media Center Sarajevo that when media perform their function well, they constitute an important mechanism through which citizens can participate in the public life of their community, articulating their interests and deliberating on government performance. However, to ensure their informative function, quality, substantial and diverse media reporting on locally relevant topics is necessary, as well as a media sphere that is open towards different, often opposed, actors (Media Center Sarajevo, 2010:35).

According to McQuail (1993), the media have five tasks: informing; interpreting facts and events, mobilizing, expressing or fostering common values and cultures, as well as entertaining. Similarly, Gurevitch and Blumler (1994) suggest that the media should:

- inform about important developments in various domains likely to impact citizens' lives;
- provide analysis identifying the forces at work behind important problems and potential solutions;
- act as watchdogs against abuse of power, thus enhancing the accountability of office holders;
- present different views and debates between them;
- contribute to citizen interest and learning about public issues and processes.

McQail further argues that citizens need relevant information and analyses to identify, articulate, and voice their preferences about the key issues affecting them, which suggests that the media may register palpable effects on:

- 1) citizens' knowledge about public affairs;
- 2) citizens' participation in local public affairs;
- 3) a sense of sharing common concerns for which common solutions are required;
- 4) local governance.

## **CHAPTER II: INTERNATIONAL RELATIONS THEORIES AND PRESS FREEDOM AND SPEECH FREEDOM**

### **II.0. Introduction**

This part goes through very important theories of international relations that relate in one way or another with media freedom and speech freedom. It analyzes theories that invoke citizen participation in policy designing and decision making. Theories such as democracy theory, political space, Freedom of speech, freedom of association and peaceful assembly, etc are tackled on and their interaction with each other is viewed so that we get a common understanding on the importance of freedom of speech in peoples' everyday lives.

### **II.1. Democracy theory**

Bearing in mind that public opinion lies at the heart of democratic theory, it is worth understanding more democracy and its bonds with free speech and press freedom. Dahl (1998), for example, points out that elected officials, elections that are “free, fair, and frequent,” freedom of expression, accessible alternative sources of information, the right to form and participation in independent associations, and the inclusion of all adult citizens in the preceding institutions as prerequisite conditions for democracy.

Whereas Dahl puts an emphasis on the importance of a responsive government, other conceptualizations have focused on checks and balances on government power. For instance, the Freedom House index of political rights looks at anticorruption measures, political pluralism, and participation and minority protections in addition to the electoral process (Freedom House 2007a; Woodring, 2009:597).

Freedom of expression is essential in enabling democracy to work and public participation in decision-making. Citizens cannot exercise their right to vote effectively or take part in public decision-making if they do not have free access to information and ideas and are not able to express their views freely. According to USAID (2013), freedom of expression is, thus, not only important for individual dignity but also to participation, accountability and democracy. Violations of freedom of expression often go hand in hand with other violations, in particular the right to freedom of association and assembly.

### **II.1.1. Political Space and Press Freedom**

The concept of political space goes hand in hand with media freedom and freedom of opinion. Media channels enable elites/leaders to address to the general public, and enabling at the same time the public to interact with leaders and present to them their priorities. For Synder and Ballentine (1996), the presence of democratic characteristics is sustained by the ability of free news media to affect government respect for human rights. According to them, this depends on the nature of the media, in particular on the presence of the journalistic norm of objectivity.

Synder and Ballentine argue that “if the media are politically independent and objective, so that they can provide a forum for public debate, they should have the credibility to serve as a check on government behavior and therefore be linked to improved government respect for physical integrity rights.” They worry that, though partisan media can also provide a forum for political debate, when controlled by competing political elites they may serve to provoke the government and thereby decrease government respect for human rights in general. In Woodring convictions, in a democracy where news media are free from government censorship and able to act as a watchdog over the government and where there are executive constraints, political



competition and participation, there is higher government respect for physical integrity rights because of an interaction between the free media which are likely to cover violations of human rights and the presence of vibrant institutions with which to hold the government accountable. (Witten-Woodring, 2009: 603).

### **II.1.2. Freedom of Media and Democracy**

Some scholars argue that freedom of speech is more important to a democracy than the right to vote. Mueller (1992) says that “if citizens have the right to complain, to petition, to organize, to protest, to demonstrate, to strike, to threaten to emigrate, to shout, to publish,” the government will be more responsible and more responsive. However, the effect of free space is still neglected in autocratic states. I completely agree with Woodring that because free media itself could be considered an essential component of democracy, we would expect to find more free media in democratic states while it is the opposite in authoritarian nations (woodring, 2009:601).

While it is still debatable to set criteria of free media, Freedom House (2007b) finds it important to look beyond the issues of law and ownership and consider, instead, the function and practices of the media. Freedom House (2007b), thus, puts forward the legal, political, and economic environments in which media operate and sets the following as criteria for free media: constitutional provisions to protect press freedom and freedom of information; enforcement of these provisions; an absence of laws restricting reporting; freedom of media outlets to determine content; free access to official and unofficial sources; a lack of official censorship and journalist self censorship; freedom of media outlets from intimidation and violence; freedom from economic control on the part of both government and private media ownership; freedom from

economic manipulations through “allocation of advertising or subsidies” and bribery of journalists; and a transparency of ownership which allows “consumers to judge the impartiality of the news.”

However, critics accuse Freedom House of not considering the professional norms which shape the agency that drives journalistic practices. Normally, professional news media should abide by professional values of objectivity, fairness, independence, and a sense of responsibility to provide the audience with complete, accurate and balanced news. Nevertheless, in many parts of the world, independent media remain closely connected to competing political parties and are transparently partisan (McQuail, Graber, and Norris 2008). Woodring argues that in, both, the objective model and the partisan model, covering politics and serving as a watchdog over government behavior are critical aspects of journalism.

A free media in Woodring’s perception should:

1. Operate in a legal environment that:
  - a) provides and enforces constitutional protection of media freedom
  - b) is free from laws which restrict reporting
2. Operate in a political environment that:
  - a) is free from government censorship
  - b) allows open access to multiple competing sources
  - c) is free from intimidation and physical violence against journalists
3. Operate in an economic environment that
  - a) is free from financial manipulation by government or other actors (including restrictions on production and/or distribution and reliance on advertising and/or subsidies)



### **II.1.3. Freedom of Associations and Freedom of Peaceful Assembly in Rwanda**

Freedom of Association refers to the right to form groups, to organize and to assemble together with the aim of addressing issues of common concern and this is one of the human rights. According to Human Rights Education Associates (2003), the ability to organize is an important means by which citizens can influence their governments and leaders. Maina Kiai (2014) puts it that the rights to freedom of peaceful assembly and of association are essential components of democracy, and States are called upon by the Council to respect and fully protect the rights of all individuals to assemble peacefully and associate freely. The right to freedom of association and assembly is protected in international and regional human rights treaties and more specifically, it is stipulated in the Article 20 of the Universal declaration of Human Rights.

In Rwanda, the constitution and law provide for freedom of assembly, and the government generally respects this right, although there are exceptions. Freedom of assembly is subject to restrictions inasmuch as to protect the society from hate speeches. For example, authorities may legally require advance notice for public meetings and demonstrations but must respond to such requests within one week or 15 days, depending on the type of event (Maina Kiai, 2014).

The UN Report of Expert (2014) points out that in the period preceding the September Chamber of Deputies' elections, opposition parties reported that local officials at times denied permission for political rallies or instructed citizens not to attend the rallies. According to the report, while the constitution provides for freedom of association, the government limited the right. While the government generally granted licenses, it impeded the formation of new political parties and restricted political party activities (Maina Kiai, 2014). He accused the government of

introducing imposed and burdensome NGO registration and renewal requirements, especially on international NGOs, as well as time-consuming requirements to submit annual financial and activity reports.

#### **II.1.4. Liberalism theory**

Bertrand Badie, et al (2011) view liberalism as a family portrait of principles and institutions, recognizable by certain characteristics such as individual freedom, political participation, private property, and equality of opportunity-that all liberal democratic societies, by definition, share to some degree. Badie says that political theorists identify liberalism with an essential principle: the importance of the freedom of the individual. Above all, this is “a belief in the importance of moral freedom, of the right to be treated and a duty to treat others as ethical subjects and not as objects or means only.”

He insists that the ideal version of liberalism is marked by a shared commitment to four essential institutions. First, citizens possess juridical equality and other fundamental civic rights such as freedom of religion and the press. Second, the effective sovereigns of the state are representative legislatures deriving their authority from the consent of the electorate and exercising their representative authority free.

Liberal democracies widely opens doors to all criticism and authorities take responsibility to filter and decide on what serves better the public interests. In contrast with autocratic regimes, liberal democracy finds opportunity in each and every citizen’s point of view in building a fair society where everyone enjoys his rights, including the right to freedom of speech. Without ignoring that there should be some doze in ones expression for a mutual respect within the society, I believe that silencing people reduces the chances for a nation to maturely grow and

develop. It hinders people from critical thinking and resourceful ideas that would lead to a more sustained progress.

### **II.1.5. Social Justice Theory**

Political theorists view social justice and democracy as close concepts, though the two concepts may present some differences. The interrelatedness occurs in many ways such as ideas and institutions, citizenship, community, and the welfare state (Micheal J. Prince, 2003:2). According to Prince, a series of fundamental challenges such as poverty and low incomes for many, irregular and precarious employment for many others, inequalities in health and education opportunities, disparities in safe and fulfilling life chances and experiences, no real progress on establishing a new relationship with First Nations, and an attack on vulnerable groups, as well as the middle class, through cutbacks in essential public services favor social injustice, giving, thus a way through to tyranny and violation of some fundamental human rights.

Both democracy and social justice are multidimensional ideas tied to judgments about what constitute a good life, a free and fair society, and how to realize these. As such, they are contentious and contested concepts, even while they are highly valued. Both are ancient concepts in political philosophy and remain today hard-fought ideals. This tells us that they are never complete. They are time-defined principles and practices. With the passage of time, and with its changes in the economic, social and political context, experiences are gathered and expectations are altered as to what can and should be done in the name of justice or democracy. Both, therefore, have a history, as well as an institutional dimension and a cultural side (Prince, 2003:2).

Prince, pointing at the impact of government cutbacks aggravating inequalities and hindering the exercise of basic rights and freedoms, argues that in part, the connection between democracy and social justice plays out in a negative way. Cuts to legal aid, court services, and to

a variety of community advocacy and outreach groups means a decline in the ability of people to readily and effectively exercise their legal rights and democratic freedoms to associate, express their beliefs, and promote social and political change. As stated in a BC NDP policy report, “Political equality doesn’t mean a lot if you can’t afford a roof over your head,” (Prince, 2003:2).

## **II.2. Human Security and Speech freedom**

### **II.2.1. Sovereignty and Freedom of Speech and press freedom**

According to William Magnuson (2010), State sovereignty has long held a revered post in international law, but it received a blow in the aftermath of World War II, when the world realized the full extent of atrocities perpetrated by the Nazis on their own citizens. Magnuson says that, in the postwar period, the idea that individuals possessed rights independent of their own states gained a foothold in world discussions, and a proliferation of human rights treaties guaranteeing fundamental rights followed. These rights were, for the most part, unenforceable, though, and in the 1990s, a number of humanitarian catastrophes (in Kosovo, Rwanda, and Somalia) galvanized the international community to develop a doctrine to protect the fundamental rights of all individuals (Magnuson, 2010:1).

It is from the above incidences where results the “responsibility to protect” individuals from genocide, ethnic cleansing, and crimes against humanity stood as a radical rejection of the prewar concept of state sovereignty and assured that states could no longer hide behind the shield of territorial integrity (Tom Campbel et al, 1986:99). However, Magnuson (2010) argues that the doctrine created another disconnect in international law: it picked out only a few fundamental rights for protection, leaving citizens to rely on the whim of their states to protect their other

rights. Magnus points out therefore that this state of the law is no longer sustainable, as it is still beholden in important ways to the now-eroded concept of state sovereignty.

Scholars, researchers and human rights activists claim that the responsibility to protect should be expanded to include protection of fundamental rights in general and the freedom of speech in particular. The inclusion of the freedom of expression in the pantheon of protected rights is broadly consistent with the moral, legal, and consequentialist arguments in favor of the international norm of responsibility to protect. Moreover, an expansive reading of the obligation to intervene, particularly in nontraditional ways, will increase the legitimacy of the international system.

Magnuson (2010), considers grossly disproportionate the prevention of such violations of international law: troops marching into a country to restore free speech could, according to him, in certain circumstances, appear quite incongruous (Magnuson, 2010: 307-308). Magnuson outlines at least three primary reasons why such a view of the responsibility to protect is enforceable. First, the idea that widespread violations of the freedom of speech are outlawed under international law is not radical at all but rather a fundamental precept of customary law. According to the Restatement of Foreign Relations Law of the United States, “A state violates international law if, as a matter of state policy, it practices, encourages, or condones . . . (g) a consistent pattern of gross violations of internationally recognized human rights.”

The prevalence of the internet today opens new pathways for communicating with wide audiences. According to Jamie Frederic Metzler (1997), radio and television broadcasts are still effective tools of message diffusion, as seen to terrible consequences in Rwanda. At least one commentator has argued that international law should sanction the jamming of radio frequencies to prevent dissemination of incitements to genocide (Metzler, 1997:250-51). I agree with Samantha



Power (2003) that countries could transmit “counterbroadcasts” to communicate messages that have been suppressed. However, this raises a larger point about the definition of the freedom of expression. “As the importance of free speech increases in the modern world, the simple language of human rights treaties on what free speech includes will no longer suffice” (Power 2003:317) . She insists that international community must engage in a broader discussion about how to conceive the freedom of expression in international law.

Stephanie Farrow (1996) argues that a lot of discussions have been made over the status of hate speech in international law, but if the freedom of expression is to be taken seriously as a norm of international law, its contours must be sketched out more fully. She wonders if the international community has an affirmative obligation to provide methods of communication to foreign citizens. If hate speech must be a motive to restrict the speech of some in order to empower the speech of others also raises another question. What should be done to strengthen the freedom of expression? All these concerns must be addressed if the international community is to strictly fulfill the promise of human rights for all.

Farrow (1996) finds, however, challenging to expand the concept of the responsibility to protect to include the right to free speech as it entails some difficult questions. One of these questions, she mentions, is whether it is politically feasible or desirable. She concludes that closing down newspapers and preventing public speeches are crimes that pale in comparison to the crimes of genocide, ethnic cleansing, and crimes against humanity (Farrow, 1996:378-84).

### **II.2.2. National Security and Freedom of Speech and Press freedom**

The emergence of frequent power dynamics puts the issue of security at stake in power relations. However, one of the characteristics of the 21st century is the “oppression fatigue”.

More aware of human rights they are entitled to, the ordinary peoples want their voices heard and the elite wants to control all their subjects' movements. Consequently, national security and the right to information become two colliding concepts. Nonetheless, while the right to share information is undoubtedly a fundamental human right, whether the population should have access to all types of information remains a debatable issue.

Some of the elites conceal some types of information for the sake of, as they say, protecting the national security. But whose national security is that? Is it a security of an empty vacuum or a security of people in that same place? What kind of information should be concealed? Why should people, then, be prevented from knowing information that may affect their lives? In whose interest is that information concealed?

Access to Information Law in Rwanda (2013) stipulates that all public institutions as well as private entities which are bound by this law will have a maximum of two days to provide information that is being sought by a journalist and three days in case of an ordinary citizen (from the date of submission of request). However, where the request for information is not, according to the law, about the life or liberty of a person, information officers can seek extension of the period to 14 days through their own request to the Office of the Ombudsman.

The government, however, determines the circumstances in which the information could be kept secret, cautioning concerned personnel not to disclose the information that could destabilize national security to journalists and citizens.

Information officers will thus have the right and obligation to protect from the public such information as plans and details of military arsenal and intelligence operations, state secrets related to administrative or criminal investigations, classified tenders and

confidentialities in government relations with other countries, among other sensitive details (Eugene Kwibuka, 2013).

While the Access to Information Law was thought to facilitate journalists to get information that most of the leaders are reluctant to reveal, the ministerial orders also give leaders of private organizations bound by this law the right to withhold or release certain information sought by the general public and journalists.

The Access to Information Law obliges all private firms which deal with matters of general public interest, human rights and freedom of people in the country to release unrestricted information to the general public and journalists in particular. It, however, grants companies providing services such as telecommunication, transport, healthcare and medicine, education, security, social security, production and commercialization of food and drinks and financial firms the right to restrict the information as the above mentioned categories are meant to be part of national security concerns.

The law obliges political and religious organizations as well as local and international Non-Governmental Organizations to release unrestricted information to the public. While some analysts view the right of citizens to seek information on governance and other issues of concern to them as meant to create a policy responsive society and promote transparency and protect civil rights (Kwibuka, 2013), journalists accuse the ministerial orders, that followed the promulgation of the Access to Information Law, of being tools to restrict information and press freedom (Ireme, 2013:1).

The ministerial orders, in question, envisage the punishment from 20-25 year of imprisonment in war time and 10-15 years of jail in peaceful times to any person who gets to concealed information. In an interview with Ireme, some Rwandan journalists see these

ministerial orders as a barrier to investigative journalism. War and peace related theories such as peace journalism and war journalism will give us a clue to why such restrictions and how to minimize restrictions of free speech and report sensitive issues in a peaceful manner.

### **II.3. Speech Freedom and the Genocide Ideology Law in Rwanda**

“Genocide ideology” became a crime in Rwanda in 2003 with the ratification of the new Rwandan Constitution as observed in its Article 13. In this article, it is mentioned that the crime of genocide, crimes against humanity and war crimes do not have a period of limitation and that revisionism, negationism and trivialization of genocide are punishable by the law. Article 2 of chapter I of Rwanda Genocide Ideology Law defines the genocide ideology as an aggregate of thoughts characterized by conduct, speeches, documents and other acts aiming at exterminating or inciting others to exterminate people basing on ethnic group, origin, nationality, region, color, physical appearance, sex, language, religion or political opinion, committed in normal periods or during war.

The same law states that any person convicted of the crime of genocide ideology, as mentioned in its Articles 2 and 3, shall be sentenced to an imprisonment of ten years to twenty five years and a fine of two hundred thousand (200.000) to one million (1.000.000) Rwandan francs. In case of recidivism, the penalty provided for in the preceding paragraph shall be doubled. Individual and human rights organization have been very critical to this law accusing it of preventing people from their freedom of speech. Critics also accuse it of being a tool to silence political oppositions.

According to Kayumba Nyamwasa and his co-authors of Rwanda Briefing, the government has, since 2003, used accusations of “sectarianism,” “divisionism,” and “spreading of genocide ideology” to curtail political opposition and civil society work, most specifically human rights work. The authors of Rwanda Briefing state that the government has exploited the ambiguity of the anti-sectarian legislation to limit freedom of expression and to persecute individual opponents.

The case of Victoire Ingabire, a politician from the opposition, was instructive. When she returned to Rwanda that year, having lived 16 years in exile, to prepare a run for president, her first stop was at the official genocide memorial. “We are here honoring at this memorial the Tutsi victims of the genocide. There are also Hutu who were victims of crimes against humanity and war crimes, not remembered or honored here,” she said in a prepared statement. “Hutu are also suffering. They are wondering when their time will come to remember their people. In order for us to get to that desirable reconciliation, we must be fair and compassionate towards every Rwandan’s suffering, (Haward 2013).

In the week of the national commemoration of the Genocide against Tutsi starting from April 7<sup>th</sup>-to 13 March 2013, in Rwanda, 42 people were said to have been arrested for “harboring the genocide ideology” and “uttering inflammatory speeches that negate the genocide.” The Rwandan police, however, insisted it had gathered sufficient evidence for 33 of the arrests for prosecution, while the remaining 11 were being further investigated for “suspicion of inflammatory speech» based on the genocide ideology law of the post-genocide period in Rwanda (Jane Nishimwe, 2014:1).

Rwanda has been criticized for violating its international human rights obligations and commitments to freedom of expression through this law, notably through its lack of a clear definition on what behavior is punishable and what is not, and the broadness of the terminology

used for different conduct in the article. Furthermore, Amnesty International, in its 2010 report *Safer to stay silent: The chilling effect of Rwanda's laws on "genocide ideology" and "sectarianism"*, found that "many Rwandans, even those with specialized knowledge of Rwandan law including lawyers and human rights workers, were unable to precisely define genocide ideology" and, remarkably, "even judges, the professionals charged with applying the law, noted that the law was broad and abstract".

## **II.4. Peace Journalism and war journalism**

### **II.4.1. Peace Journalism**

Peace journalism follows a long history of news publication, originating in non-sectarian Christian peace movements and societies of the early 19th century, which published periodicals (Roberts, Nancy L: 2008). Sectarian organizations also created publications focused on peace as part of their proselytizing in the 19th century, as did utopian communities of the period. From the 20th century, a prominent example of sectarian journalism focused on peace was Dorothy Day's *Catholic Worker* (Roberts, Nancy L: 1991). However, Johan Galtung, Peace Professor and founder of peace studies, first began using the term 'Peace Journalism' in the 1970s.

Peace Journalism is defined as "when editors and reporters make choices - of what to report, and how to report it - that create opportunities for society at large to consider and value non-violent responses to conflict" (Lynch and McGoldrick: 2005). According to Ross Howard (2009), as media play an increasingly important role in today's society, the freedom of expression and freedom of the press is having a clear bearing on development, democracy and dialogue. The free flow of information should not encounter any obstacle with aim to inform the audience with complete and balanced information.

Howard accuses traditional journalism skills development not to include study of how best to cover violent conflict, and to ignore any understanding of violent conflict as a social process. According to him, other subjects demand that journalists have knowledge and expertise and experience, such as reporting on business and economics, public health, music, sports, or other topics. But the dynamics of violent conflict – its instigation, development and resolution – are not much understood by most journalists nor proficiently reported on.

According to Johan Galtung (2003) peace journalism is in effect good journalism, complete journalism, journalism which is unbiased because it is written black on white. The report of UNESCO on freedom of speech in 2007 states that many people who call themselves “*journaliste engagé*”, in English committed journalist, think that this means they can choose their facts to fit their theories. It insists that a good journalist would try to give all the facts and must be open-minded. However, truth-oriented journalist would expose truths from all sides and uncover all cover-ups. The war journalist is only exposing their own truths and they help in covering up. “The peace journalist focuses on suffering — maybe particularly on women, the aged and children — give voice to the voiceless and name the evil on all sides”.

As defined at its broadest, “Peace journalism combines journalism with an external aim. It understands itself as a normative mode of responsible and conscientious media coverage of conflict that aims at contributing to peacemaking, peacekeeping and changing the attitudes of media owners, advertisers, professionals and audiences towards war and peace (Hanitzch, Thomas: 2007). Galtung, points Peace Journalism model as a source of practical options for journalists; a lead in to media monitoring for peace activists which offers a firm basis for drawing distinctions in content analysis by academic researchers. According to him peace

journalism shows backgrounds and contexts of conflicts; hears from all sides; explores hidden agendas; highlights peace ideas and initiatives from anywhere at any time.

As mentioned above, Jake Lynch, a former BBC Journalist says that peace journalism is when editors and reporters make choices – about what to report, and how to report it – that create opportunities for society at large to consider and to value non-violent responses to conflict. To him, if readers and audiences are furnished with such opportunities, but still decide they prefer war to peace, there is nothing more journalism can do about it, while remaining journalism. On the other hand, there is no matching commitment to ensuring a fair hearing for violent responses, if only because they seldom struggle for a place on the news agenda. Lynch reminds that a journalist is a ‘gatekeeper’, allowing some aspects of reality through, to emerge, blinking, into the public eye; and keeping the rest in the dark. He presents peace journalism, as a remedial strategy and an attempt to supplement the news conventions to give peace a chance.

#### Peace Journalism:

- ✓ Explores the backgrounds and contexts of conflict formation, presenting causes and options on every side (not just ‘both sides’);
- ✓ Gives voice to the views of all rival parties, from all levels;
- ✓ Offers creative ideas for conflict resolution, development, peacemaking and peacekeeping;
- ✓ Exposes lies, cover-up attempts and culprits on all sides, and reveals excesses committed by, and suffering inflicted on, peoples of all parties;
- ✓ Pays attention to peace stories and post-war developments.



#### **II.4.2. Criticism of Peace Journalism**

Despite its good intention to incite people to settle their conflicts with peaceful means, peace journalism does not only cover peace stories. McGoldrick and Lynch (2000) emphasized that peace journalism does not just mean “reporting peace”. In essence, it entails the application of insights from peace and conflict studies – what is known about the conflict, its dynamics and potential for transformation- to the everyday jobs of editing and reporting news.

But the criticism of peace journalism is sharpest and most categorical amongst some journalists who call it a heretical abandonment of the integrity of journalism and its professional norms. David Loyn (2007) articulates that peace journalism is simply not the role of a journalist and is based on the flawed notion. The idea that reporters currently only look for the epicenter of violence or are somehow addicted to conflict is absurd, (BBC journalist David Loyn, and 2007:33).

According to Robert A. Hackett (2006), its proponents see it as an expression of, and/or improvement upon, the best practices of actually-existing journalism, as well as a means of ameliorating conflicts and opening up new opportunities for their peaceful resolution. Peace Journalists regard conventional international news coverage -- its typical emphasis on violence, conflict as a two-sided win/lose struggle, government and military sources, and "our" suffering versus "their" villainy -- as comprising War Journalism (Lynch and McGoldrick 2005).

Robert A. argues that Peace Journalism is an unwelcome departure from objectivity and towards a journalism of attachment; it mistakenly assumes powerful and linear media effects because it is a normative model, rooted in the discipline of peace research, that fails sufficiently

to take into account the constraints imposed by the actual dynamics of news production (including professional values and organizational imperatives), and hence, may have little to offer journalists in practice.

He suggests the development of genuinely multinational and internationalist media, able to address and engage audiences in different countries with programming that challenges ethnocentric narratives and provides multiple perspectives on conflict. To him Peace Journalism would be strengthened by national and global regimes of media governance that reinforced popular communication rights -- not only freedom of expression, but also access to the means of public communication.

Dukulizimana (2014) points out that, today, media practitioners claim to just report the facts—which constitutes sometimes a problem or obstacle for peace journalism. According to Lynch ^McGoldrick (2000), today, many people know how to create facts for journalists to report. Most governments think of their actions and statements as part of a ‘media strategy’, which cannot be separated from the business of running their country’s affairs (Dukulizimana, 2014:53).

Peace scholars and peace researchers view media propaganda as another important obstacle of Peace Journalism. In war period, media play an important role, “misinformation” increases especially, because involved parties know what they gain if they manipulate media and use them as a propaganda tools, (Dukulizimana, 2014:53). Noelle-Neumann (1995) brings in the theory of the “Spiral of Silence” suggesting that most frequently, the process to create the idea of the enemy goes together with a social pressure (Martín Galán, 2014: 261). Noelle-Neumann’s approach suggests that the population is conditioned by the perception they have about the

general thought or trends of the mass and is afraid of suffering social contempt or rejection if they expressed a different opinion. This may have also been the challenge for some journalists and reporters during the 1994 Genocide against Tutsi as almost all media were pro-governmental, working on the side of the so called majority-Hutus, a group whose extremists were perpetrating genocide.

Dukulizimana suggests that while covering stories, journalists can just report facts objectively using traditional principals, or simply get inspired by Peace Journalism theorists and report the story with the aim to contribute to peace, and sometime subjectively. However, scholars, academics and conflict researchers found out that some journalists do not cover conflicts responsibly because they lack some knowledge or do not understand the issues at stake (Betz, 2011: 3&Dukulizima 2014:53).

The problem Xavier Giró (2011) identified with peace journalism is that a series of vectors operate in the mass media, in terms of both the decision about whether to cover conflicts, and how it should be covered. He argues that the international hierarchy of countries and global information flows is intertwined with the economic and political nature of the media and the culture of news journalism (Xavier Giró, 2011:3). For example, it is still fresh in peoples' minds how the international media ignored to cover the Genocide against Tutsi and rushed to cover the presidential elections in South Africa.

Giró brings in another factor that the coverage of international media often depends on the relationship their countries of origin have with the areas in conflicts. Most of the international media, for example, have correspondents in their former colonies. For example, the Spanish media prioritize Latin America and the French media do the same for the Maghreb and sub-

Saharan Africa (Giró, 2011:4). According to him, there are two opposing mechanisms to determine what news is. The first is to toe the line of the “flagship” media: CNN, the New York Times, etc. In so doing, there are plenty of stories about news editors who ask correspondents or special correspondents to produce stories based on what they have just seen or heard on CNN. The other approach, which is only apparently paradoxical, is to look at what the competition has done. If they have all done more or less the same thing, they confirm the correctness of each other’s approach; if one disagrees, they worry because they are off-message and thus the circle closes.

In the same line, he depicts two “battling fields” within the communicative strategy during conflicts: the military and the informative. The basic strategy in military conflicts is to misinform and mislead the counterpart (“the enemy”). This is part of the communicative strategies “in the frontline”. According to Teran Strand (2013), the communicative strategies are used to legitimize war operations while the images in the news are used to win the war on the home front as well as on the ground, making the spectators innocent victims to a flow of untruthful images and discourses. He further says it consists in gaining the public support for the use of military action.

An effective tool is the construction of an image of the threatening , demonized and dehumanized “enemy”, discourses of “Us against Them” “Good against Evil.” We are constantly being manipulated through the media. There is a constant framing of what information we are exposed to (Strand Teran, 2013:1).

### **II.4.3. War Journalism**

Johan Galtung (2003) presented a new categorization of conventional news reporting as “war journalism.” Galtung argued that most regular journalism inherently or intentionally emphasizes and encourages violent conflict by its treatment of the issues. Galtung identified many troubling characteristics, including journalists’ reliance on elites and their one-sided explanations for conflicts and responses to conflict, a reliance on stereotypes, and an absence of reference to root causes and to alternative solutions to the conflict. Galtung et al. advocated the attitudes of media owners, advertisers, professionals and audiences towards war and peace.

Lynch, in his article entitled “What is peace?” says that there are deep-seated reasons for these opponents to be dominant conventions in journalism, but, taken together according to him, they mean that its framing of public debates over conflict issues is generally on the side of violent responses. It merits the description, ‘war journalism’. For him, if you start thinking about a conflict as a tug-of-war between two great adversaries, then any change in their relationship – any movement – can only take place along a single axis, just as, in tug-of-war, one side gaining a meter means the other side losing a meter. So, any new development in a conflict thus conceived, immediately begs to be assessed in a zero-sum game—anything that is not unequivocally, winning, risks being reported as losing. It brings a readymade incentive to step up efforts for victory, or escalate. People involved in conflict ‘talk tough’ – and often ‘act tough’ – as they play to a gallery the media have created (Jake Lynch, 2013:1).

Probably, every conflict is fought on at least two grounds: the battlefield and the minds of the people via propaganda. The “good guys” and the “bad guys” can often both be guilty of misleading their people with distortions, exaggerations, subjectivity, inaccuracy and even

fabrications, in order to receive support and a sense of legitimacy (Walter Lippmann, 2005). Lippmann alerts that we must remember that in time of war what is said on the enemy's side of the front is always propaganda, and what is said on our side of the front is truth and righteousness, the cause of humanity and a crusade for peace.

Johnson (2003) emphasizes that in times of war in particular, news media face strong pressure to refrain from news coverage that is critical of the government. He recalls a CNN correspondent Christiane Amanpour saying that the media was intimidated by the Bush administration and consequently "self-muzzled" at the beginning of the Iraq war.

However, Virgil Hawkins (2008) is doubtful about the power media, alone, may have to push opponents to take decisions. He argues that the media are but one of many forces that exert pressure on belligerents and other policymakers, and these actors have a number of options at their disposal when dealing with the force that is the media. Hawkins, along with the Center for Global Nonkilling, brings in the resistance of belligerents with each side trying to justify their cause.

While the media may serve as a source of pressure for belligerents, belligerents tend to aim (often successfully) for the opposite effect, with the media becoming (to a degree) a tool for belligerents to further their causes. Free press or not, one of the realities of journalistic practice is that the media rely heavily on policymakers as sources, and the power of entrenched nationalism give policymakers enormous influence over media corporations that cater to domestic audiences (Center for Global Nonkilling, 2013: 56).

Hawkins came up with two different ways media can play a potential role in reducing conflict-related killings: stopping or limiting acts of violence, and reducing the humanitarian effects of conflict (Hawkins&Center for Global Nonkilling, 2013:59). According to Hawkins,

this could be done by encouraging policymakers to take action in response to conflict, encouraging increases in humanitarian aid, encouraging restraint on the part of the belligerents in their waging of the conflict, and by limiting the actions of those who facilitate conflict (those involved in the arms trade and the sourcing of funds).

### **II.5. Peace Journalism in Rwanda as a country that underwent the media-supported tragedy of Genocide in 1994**

Despite the role of media in the 1994 Genocide, very little or something nearer to nothing has been done to promote media for peace. Some Radios initiated programs that promote the unity and reconciliation of Rwandans. Peace Journalism mainly occur in theatrical dramas like Musekweya, Radio Rwanda's program and Urunana initiated by the British Broadcasting Corporation( BBC).

International NGOs working in the field of peace and conflict management like Search For Common Ground also use radio programs like Great lakes Generation Program called in French Génération Grands Lacs, a youth-oriented media and outreach initiative that aims to address the root causes of conflict and the key issues youth are currently encountering throughout the Great Lakes region and Ubutaka bwacu ( a program dedicated to the use and redistribution of the land as a main source of income in Rwanda ) to spread balanced and objective information and incite people to settle their disputes with non-violence means and to equally share available resources.

Hate propaganda before and during the 1994 Genocide by Radio Télévision Libre des Mille Colline (RTLM) and news papers like Kangura, Nyiramacibiri, Le Flambeau among others

gave a lessons to Rwandan journalists. The latter restrict themselves in their new coverage fearing to fall into the same trap as their elders. Rwandan journalists themselves elaborated a code of conduct as a safeguard of their career. It is noted in that code that the free flow of information and public enlightenment is the foundation for liberty, democracy and development.

It also states that a journalist shall “ensure that news is balanced, impartial and fair by giving all sides to an issue and all efforts be made to give an opportunity to subjects of news and information to respond to allegations or accusations made against them”. Rwanda journalists would be on the right track if they managed to practice what is preached in this code. By examining and reporting on the two sides’ misperceptions of each other, the media encourages disputing sides to revise their views and move closer to reducing conflict (Ross Howard, 2008:14).

The 1959 and 1994 ethnic conflicts and subsequent Genocide brings the relationship between mass murders and mass media very closer (New Times: 2012). It is worth to remind that the UN mandated University for Peace based in Costa Rica took it into consideration to include the role of the media in Rwandan Genocide as its module among other major modules for Masters in Media, Conflict and Peace studies.

When covering conflicts, media organizations are subjected to various constraints by governments, military, corporate pressure, economic interests, etc. Sometimes, media are more than willing to go along with what could be described as self-censorship (Katharine Graham: 2000:109). Graham argues that we live in a dirty and dangerous world and consequently there are some things the general public does not need to know about and should not. She believes that democracy flourishes when the government can take legitimate steps to keep its secrets and when the press can decide whether to print what it knows.



There is no doubt that a good journalist who takes as his bible/coran or simply as his diary the principles of this career of reporting the truth, loyalty to citizens, verification of his information, keeping independence from his sources, keeping his news comprehensive, balanced and proportional and uses his consciousness (ethics) when reporting conflict stories would be worth of being called a peace journalist.

## **II.6. Conclusion**

This chapter has thoroughly, but not exclusively, explored the key concepts of this study. Concepts like press freedom, speech freedom, human security and their siblings of democracy, human rights, security, etc have been explained to facilitate you (readers) to clearly and easily understand the content of this study. As this is not an isolated research, theories and research findings from previous researchers who navigated this area before I stepped in have also been considered. It was estimated that understanding the democracy theories such as political space, freedom of assembly, freedom of association, liberalism theories and media effects theories could be helpful as you undertake to read this thesis.

## **CHAPTER III: OVERVIEW OF THE HISTORY OF MEDIA IN RWANDA AND THE RWANDA GENOCIDE AGAINST TUTSI**

### **III.0. Introduction**

The 1994 Genocide against Tutsi in Rwanda was one of the most dreadful crimes against humanity since the Holocaust of World War II. According to Laura (1999), it was the first tragedy in which media were represented and played a clear role. She argues it was unique because it was heavily instigated by radio reports and sectarian reports within the country itself. This section will take us to a brief history of media in Rwanda. It will also assess how media toasted the genocide and the role of post genocide media in rebuilding the country.

### **III.1. Historical context of ethnical conflicts in Rwanda**

According to Allan Thomson (2004), two competing historical evolution can be observed: the series of building blocks that paved the way to the point where genocide became conceivable; and numerous occasions when it was not yet too late to reverse this destructive pattern. It was under Mwami (King) Rwabugiri, a Tutsi who ruled during the late 1800s that the chief characteristics of modern Rwanda were fixed for the next 100 years. Thomson proceeds that powerful head of a centralized state, Rwabugiri provided firm direction to an elaborate series of subordinate structures. In the colonial era, under German and the Belgian rule, Roman Catholic missionaries, inspired by the overtly racist theorists of 19<sup>th</sup> century, Europe concocted a bizarre ideology of ethnic cleavage and racial rankings that attributed superior qualities to the country's Tutsi minority.

This 15% of the population, as it was announced, were approaching, however gradually the exalted level of white people in contrast with the declared brutishness and innate inferiority

of the 'Bantu' (Hutu) majority. Because missionaries ran the colonial-era schools, these pernicious values were systematically transmitted to several generations of Rwandans along with more conventional catholic teachings (Thomson, 2006:20). The Belgians made the Mwami's complex structures more rigid and ethnically inflexible. They institutionalized the split between the two groups, culminating in the issuance to every Rwandan of an ethnic identity card. This card system was maintained for over 60 years until, with tragic irony; during the genocide it became the instrument that enabled Hutu killers in urban areas to identify the Tutsi who were its original beneficiaries (Gerald Caplan, 2006:20).

### **III.1.1. Media and the 1994 Genocide against Tutsi in Rwanda**

Researchers and scholars have argued that genocide does not start with the murder of masses of people; it starts in peoples' mind. Before the weapons comes the image, before you can eliminate your enemy, you must define it (Mamdani 2001:9, Keen 1986:10). Media in Rwanda played a key role in pursuing this task, and the most critical medium for popularizing the genocidal message was the radio (Carruthers 2000:44, Fujii 2002:6).

The International Media Support Report (2003) reveals that after the legalization of opposition political parties and the new press-law of 1991, during what was called "the Rwandan media's golden age" in 1992, opposition politicians tried to withdraw Radio Rwanda from MRND's control. According to the report, besides weekly chronicles obtained in 1992, opposition parties did not have much success in making Radio Rwanda more independent.

The RPF's military advance radicalized political positions, and Radio Rwanda was on the front-line, broadcasting false reports and MRND-communiqués using the ethnic line to mobilize troops and ordinary citizens against invaders. During the negotiations of the

Arusha Accords, reports had to show that cohabitation was impossible. Journalists who did not obey orders were pressed to resign. The rest of them tried to comply with it to keep their jobs (The International Media Support Report, 2003:10).

The latter testifies that twice, in 1992, and in 1993, Radio Rwanda's staff went on strike to demand more freedom to work, a clearer and more precise editorial line and more material resources. In the early 1990s, five of Radio Rwanda's fifty journalists were Tutsi. Until the creation of the private radio-station RTL M in 1993, Radio Rwanda was the media with the biggest impact in Rwanda with its regional stations.

While Radio Rwanda staffs tried to claim for a freedom of speech that could allow them to respect journalism principals of objectivity, impartiality, accuracy and the completeness of information, Fujii points out that through the radio, the extremists created a cognitive and normative framework for mobilizing people to join in the killings. Fujii and Carruthers's views do not, however, argue that Rwandans were easily swayed to kill because they believed everything they heard on the radio. They rather suggest that the effective use of media and other methods of message dissemination meant that no one could escape the image of Tutsi as the ultimate threat to Hutu survival (Fujii 2002:8).

Besides radio, print media also played a significant role in fueling hatred among Rwandans. By the 60s, the state had two weekly publications, "Imvaho"(the truth) in Kinyarwanda, and "La Relève" (relief) in French. The two newspapers' journalists were considered as civil servants (The International Media Support Report, 2003:11). Florian who worked at Imvaho revealed to the report that the two publications expressed the government's official opinion. According to the same report, by the same time, Rwanda had also its own press

agency, “L’Agence Rwandaise de Presse” – ARP, which made a compilation of international telegrams then sold to the media.

Along with the two government papers, the Catholic Church created other newspapers. “Kinyamateka”, a monthly newspaper in Kinyarwanda, was Rwanda’s first private media, (The International Media Report, 2003:13). Kinyamateka was created in 1933 and enjoyed a widespread distribution through the church, which was firmly established in the whole country. It expanded from 1955 when Grégoire Kayibenda, Rwanda’s future president, became its chief-editor, and it then contributed to vehicle the ideas, which were to bring the 1959 social revolution. The International Media Support Report says the newspaper played an important role because it was repeatedly arguing that the Hutu majority should have political representation. In the 1960s, Kinyamateka was the only significant media in Rwanda, besides Radio Rwanda.

In 1967, the church created a second publication, the bi-monthly “Dialogue”. It is said that both “Kinyamateka” and “Dialogue” were protected from government harassment because they belonged to the church. Nonetheless, after the independence, both papers had to be moderate in their critics of the government or its treatment of the Tutsi. The International Media Report (2003) reveals that three Kinyamateka- journalists and editors who were too bold were jailed, had to flee, or were threatened.

A real independent private newspaper emerged in Rwanda in 1988: “Kanguka” (wake up!). This newspaper is believed to have been created and supported by a rich powerful Tutsi businessman, Valens Kajeguhakwa, to denounce cases of corruption scandals, which brought threats on its journalists and supporter, (The International Media Support Report, 2003: 13). However, Kanguka, as points out the report, gave new dynamic to the church’s publication, Kinyamateka, which became more critical again.

The international Media Support Report(2003) states that other publications appeared in early 1990, mostly in Kinyarwanda, with the success of Kanguka inspiring the president's close circles to start a parody-paper - "Kangura" (wake him up!). Since then the confrontation between Kangura and Kanguka started with Kangura fighting against the themes debated in Kanguka. The report proves that the mission of the government-backed newspaper was to answer Kanguka's critics following an ethnic ideology. The editor - Hassan Ngeze - who was actually working as a free-lancer for Kanguka in Western Rwanda later become a puppet in the hands of Kangura's promoters (International Media Support Report, 2003:14).

The report says the independent press quickly expanded with multi-party politics and the legalization of opposition parties in June 1991. The number of independent newspapers rose from a dozen to 60, most of them affiliated with or financed by the various political parties, following a political ideology. Some newspapers expressed extremist opinions like the militias' and the new extremist party, the CDR's (IMSR, 2003:16). Many newspapers disappeared a year later to the extent that by 1992, about 30 newspapers were still publishing. According to the report the independent press in Rwanda faced a lot of pressures.

According to HRW (1996) the war with the RPF brought restrictions on the freedom of movement of journalists. The report says, private media, which were critical of the ruling party MRND had problems to come around and it become consequently easier for authorities to promote their version of events. Critical journalists could be accused to support RPF and were submitted to arbitrary arrest and detention (HRW, 1996:1). Newspapers were seized by authorities. It also says that following the RPF's attack of October 1990, from 1990 to 1992, over forty journalists were arbitrarily arrested, detained or brought to trial, most of them being accused of being RPF-supporters.

In 1992, Radio Rwanda's monopoly was kind of broken when the RPF established a radio-station "Radio Muhabura" broadcasting from Uganda. Most Rwandans could listen to it except those living in the South. If Radio Rwanda was more or less MRND controlled, Radio Muhabura was RPF-controlled. So the radio-station did not help much to the free flow of information. HRW (1996) states that Radio Muhabura never reported abuses committed by RPF troops, even when there was evidence. The new radio-station had the same formal style as Radio Rwanda.

According to Roméo Dallaire (1999), when news reaches the general public it shapes public opinion. He argues that when there is a lack of statesmanship; public opinion can force a government to make decision. Getting information out of the general population and holding decision makers accountable-by continuously berating them about what is going on and what they are doing or not doing –is more crucial than a few talk shows and a couple of news casts. In the case of Rwanda, Dallaire says, that is where the process broke down–the events in Rwanda simply did not break through to such an extent as to create momentum (Dallaire, 1999:15).

"I felt that one good journalist on the ground was worth a battalion of troops, because I realized they could bring pressure to bear," Roméo Dallaire (1999:16) talking about his experience of 1994 Genocide against Tutsi in Rwanda. He accuses the media in Rwanda, especially radio, to have played an exceptionally role in the genocide. The country is known as a "radio country" and at the time of the killing, in the camp of the displaced and refugees, you could still find people with portable radios.

RTLM was created specifically as a tool of the genocidaires to dehumanize the Tutsi lay the groundwork then literally driven the killing once the genocide started. The great handicap for UNAMIR (in the effect the representative on the ground of the world community) was our initial ignorance of what was really happening and the mixed

messages. UNAMIR had so little capacity to monitor broadcasts, particularly those in local language, Kinyarwanda. We were unarmed in the media war that was going on and had virtually no capacity to explain (Dallaire, 1999:16).

Nevertheless, Chalk (1990) had recommended three possible forms of intervention in the situation where media are being manipulated: early-stage interventions in conflict situations where mass killing has not begun; medium-stage interventions in societies just beginning to suffer genocidal massacres; and late-stage interventions launched when genocide is underway, which could require actually destroying the transmitters and printing presses of the hate media outlets. In fact, Dallaire tempted Chalk's recommendation but in vain. He says he repeatedly asked for the capacity to jam RTLM, but the request was denied. According to Dallaire, the argument was that this would amount to a violation of state sovereignty and there also was a very high cost attached to maintaining jamming equipments. In Dallaire's view, it was time to question the absolute of state sovereignty and to ask whether it was becoming an impediment to humanity (Thomson, 1999:16).

When RTLM started to attack, not only the mission, but also myself when RTLM was launching its description of how to kill it was obvious to everyone that RTLM was operating without any rules. It was beyond rules. It was beyond limits. And it was an overt instrument of genocide (Thomson, 1999:16) quoting Roméo Dallaire, the Chief Commander of UNAMIR before and during the genocide.

The media can be both a weapon and a conscience to humanity. Journalists can be powerful, individually and collectively. But they can also be manipulated very easily if the depth of the subject is not there.

For future journalists, Dallaire advises:



Get yourselves a lot more cultured; learn some geography, some anthropology, some sociology and maybe some philosophy. Bring more depth to your questions and to your analysis. Stay dynamic in the search for the truth, for you are an instrument of the absolute called 'justice'. If you abdicate or if you are perfunctory, then we will all be weakened.

Media plays three main roles in society: informing, educating and entertaining. In the case of Rwanda, Radio Rwanda which was the national radio played some of these roles in spite of the lack of independence. First, Radio Rwanda's main role was to inform. It was the only tool to reach the entire population including illiterate people and those living in remote villages, and was one of the most efficient way the government used to send messages to the population (J.Fichery Dukulizima, 2014:13). Dukuliziman points out that for decades it remained the best way citizens in rural areas could know what is happening in other parts of the country or internationally because it broadcast news several times a day in different languages.

Desforges (2007) also estimates that before the genocide Radio Rwanda played an informative role, which was somewhat positive: In addition to the usual news, the radio broadcast official notification of appointments to and dismissals from government posts, announcements of government meetings and lists of candidates admitted to secondary schools [...]. Deforges argues, however, that so long as Rwanda was a single party state – that is until June 1991 – the radio also disseminated propaganda for the president's party, the MRND (Desforges 2007: 42).

Apart from informing, Radio Rwanda played an educative role as well. Radio programs on health, agriculture or youth were regularly on air and radios "broadcast daily reminders from the president, exhorting Rwandans to work hard and live clean moral lives" (Desforges, 2007: 42). Although controlled by an authoritative government, Radio Rwanda contributed to the

development of the country for decades by educating citizens. When it came to entertainment, Radio Rwanda played some Rwandese music and promoted Rwandan singers, but did not do enough in the view of Rwandan youth who enjoyed gossip, talk shows and music more than government announcements (Dukulizimana, 2014:13-14).

According to Dukulizimana, Radio RTLM, which started in 1993, filled this gap and easily attracted many listeners. He insists that when the civil war started on October 1st 1990, Radio Rwanda not only played its normal educative and informative role, but also became a propaganda tool to fight against the rebel group. Reports from the northern prefecture of Byumba and Ruhengeri, where the civil war started, were aimed at convincing the public that the Rwandan army was winning over the rebel army (Dukulizimana, 2014:14). As the war escalated ethnic tensions; print media, version of RTLM, started to show up.

The most popular example of such papers is *Kangura* that was spreading hate speech and cartoons dehumanizing Tutsis. With political influence and competition with other local radios, the tone and rhetoric of Radio Rwanda also changed, and the station was used to incite killing for the first time in March 1992, as described by Desforges (2007: 42):

On 3 March, the radio repeatedly broadcast a communiqué supposedly sent by a human rights group based in Nairobi warning that Hutu in Bugesera would be attacked by Tutsi. Local officials built on the radio announcement to convince Hutu that they needed to protect themselves by attacking first. Led by soldiers from a nearby military base, Hutu civilians, members of the Interahamwe, a militia attached to the MRND party, and local Hutu civilians attacked and killed hundreds of Tutsi.

Deforges says that after this incident, politicians became aware more than ever of the power of the media to mobilize people, and in 1991, media was liberalized and new media

outlets started, some of them critical to the government. Publications like *Kanguka* which means “wake up” and *Kangura* “wake him/ her up” in Kinyarwanda started operating.

While most of the newspapers were conveying a certain political ideology but the message could not reach the normal citizens in rural areas, most of politicians knew radio was the best way to reach people. Deforges (2007) reminds that within the transitional government - in which opposition parties were included - the newly created Ministry of Information was a key position and the opposition did its best -successfully- to control it. During this period, some journalists were pressured to obey the orders and report bias and those who did not obey were pressured to resign, (Alexis and Mpambara, 2003; Dukulizimana, 2014:13).

Dukulizimana (2014) and Alexis and Mpambara (2003) points out that with the transitional governments and the multi-partism, some of Radio Rwanda’s journalists- whose five out of fifty were Tutsis in the early 1990s- protested twice, in 1992 and in 1993. Radio Rwanda’s staff went on strike to demand more freedom to work, a clearer and more precise editorial line and more material resources (Alexis and Mpambara, 2003: 10). The situation changed and there have been some positive changes in terms of freedom of work. However, unable to fully use the government owned media and control the information flow, some politicians thought of other ways to communicate messages to the people (Dukulizimana, 2014:16).

It is in the above framework that RTL (Radio Television Libre des Mille Collines), the first private owned radio station in Rwanda which became operational in August 1993, was born and put an end to the monopoly of Radio Rwanda. According to Dukulizimana, this was the initiative of politicians close to the Habyarimana regime, who were facing the need to mobilize people and spread their propaganda. The rebel group Rwanda Patriotic Front (RPF) also had its

own radio: *Radio Muhabura* (named after the Muhabura volcano, an extinct volcano situated on the border of Rwanda and Uganda).

Broadcasting from exile and airing RPF ideology, it is not surprising that Radio RTLM considered Radio Muhabura as its rival, but Radio Muhabura could not reach all the corners of the country (Mironko, 2007: 130). Mironko reveals that when the genocide began, in addition to dozens of newspapers and three main radio stations that were broadcasting for the Rwandan audience, many international radio stations including Voice of America (VOA) and the British Broadcast Corporation (BBC) could be heard on Frequency Modulation (FM), but were understood by less than 10% of the population because they were broadcasting in foreign languages.

### **III.1.2. Success of hate media in Rwanda Genocide against Tutsi**

This part critically presents the role of RTLM in propagating division's messages, its content and its effect on ethnic conflicts in Rwanda. According to Strauss (2007), from its early launch, RTLM seemed to be a dominant radio station in Rwanda. It has been described as “a radio machete”, “hate radio”, “voice of genocide”, “radio dispatcher of murder”, and other sobriquets (Strauss, 2007: 612-613). But how could have such a young radio station had a quick impact on the whole territory of Rwanda in a so short time? RTLM started its broadcasting in the summer of 1993, the same year the Arusha Peace Accords were signed between the Rwandan Government and the RPF. Ironically, the signatories of the Arusha Peace Accords agreed to put an end to the propaganda, which was considered a key element in raising tension (Desforges, 2007: 44).

Unlike Radio Rwanda, which did not see the value in entertaining its listeners, RTLM's programming was made of political commentary, lively and informal debates, mixed with good humour and the latest music such as popular Congolese music (Desforbes, 2007: 44). It quickly attracted a large audience, particularly among young people. Chalk (1999), one of the leading genocide scholars, studied the major functions of mass media in the genocide and, however, concluded that to say that RTLM broadcast hatred is to refer to the role of media to misinform and demonize a specific group of people.

Desforbes (2007), investigated the role of Radio RTLM in the lead-up to the 1994 genocide and argued that the killing of the Burundian President in 1993 and the massacres that followed were broadcast in Rwanda by Radio RTLM, which reported the assassination of the Burundian President in a much sensational fashion in order to portray the cruelty of the Tutsis and intensify the fears of the Hutus. In fact, President Ndadaye was killed by a ballonet blow to the chest, but RTLM goes on to talk about torture and castration (Desforbes, 2007: 45).

The killing of Ndadaye and the biased way it was reported by radios in Rwanda, possibly gave a rise to mistrust among Rwandans and aggravated hatred among Hutus and Tutsis (Dukulizimana, 2014:18). On the eve of the genocide, RTLM repeated anti-Tutsi propaganda with the aim to demonize them. During the 1994 genocide, its broadcast became virulent, and messages of hate became familiar on the airwaves (Desforbes, 1999:191).

The radio insisted on many controversial and divisive themes like the inherent differences between Hutu and Tutsi, the numerical superiority of the Hutu, the cleverness of the Tutsi in infiltration, their cruelty, their cohesiveness, their intention to restore past repression, the risk they posed to the gains of the 1959 revolution, and, above all, their plan to exterminate the Hutu (Desforbes, 1999: 191).

Kimani (2007), however, argues that RTLM was not responsible for introducing the language and ideology of hate among Rwandans. Such a language and ideology already existed in Rwanda as a form of social construct involving ethnic identity,” (Kimani 2007: 110). This framework had been developed by radical newspapers in the months following the beginning of the civil war, and RTLM relied on the political situation to use them in its commentary, arguments and interpretations of issues demonizing the intended victims and encouraging mass participation in the genocide are two of the main roles media can play (Chalk, 1999).

To understand Radio RTLM, it is very important to separate the following two themes highlighted by Chalk (1999): RTLM succeeded in reaching more people than newspapers and other media outlets not only because of its character as mass media, but also because of the way its journalists used their talent to attract audiences. These journalists are referred to as “stars animateurs”; they would use humoristic language, salute individual people, and issue personal greetings to specific regions of Rwanda (Li, 2007: 101, Desforges, 2007:44).

RTLM also gave directives, acting as the voice of authority, and ordinary citizens sometimes obeyed (Dukulizimana, 2014:19). He says that during the genocide, the commentary became more dangerous and the journalists openly incited the killings. The most popular RTLM journalist, Habimana Kantano, openly gave orders and asked listeners to kill *inkotanyi*: “Fight them with the weapons that you have at hand. You have arrows, you have spears...go after those *inkotanyi*, blood flows in their veins as it does in yours...”

According to Desforges (1999), one announcer promised the listeners that a “shining day” would dawn when there would be not a single *Inyenzi* left in the country. The role of RTLM in promoting hatred and calling people to kill each other has attracted many scholars and researchers who wrote a number of books and articles on the topic. It is now of general

knowledge that those broadcasts had an impact during the genocide against Tutsi. However, whether RTLM's broadcasts were the main cause of the genocide remains a debatable issue.

Dukulizimana (2014), points out that as some communication theorists disagree on the impact of media to influence the audience, there are also controversial conclusions about the role and impact of Radio RTLM in fueling the 1994 hardship of the Genocide against Tutsi. Nonetheless, on which basis could this assumption be valued?

*Inkotanyi* means “a warrior” and it was the name of RPF fighters since 1990. During the genocide it was used to refer not only to RPF fighters, but also to its supporters. *Inyenzi* means cockroaches. It was a pejorative name given to RPF fighters and supporters during the genocide. *Inyenzi* could mean a Tutsi, an accomplice or an associate of RPA. During the genocide, “*Inyenzi*” and “*Inkotanyi*” were used almost interchangeably by propagandists (Dukulizimana, 2014:19).

For the Genocide against Tutsi, significant debates on the role media, themselves, may have played to encourage people to commit acts of genocide still surface the research field. Researchers admit that RTLM broadcasts had large-scale and direct effects on behavior (Strauss, 2007: 614). Scholars and journalists like Thompson (2007), Melven (2000) and others accuse the hate radio to have played a critical role in prompting ordinary citizens to violence.

RTLM radio was a propaganda weapon unlike any other, its campaign was to demonize the Tutsi, and its purpose was to prepare the people of Rwanda for the genocide (Melvern 2000: 71). Melven states that the influence of hate radio must never be underestimated. According to Dukulizimana (2014), such claims establish and support a strong link between the radio broadcasts and the massacres. This direct effect of media, which can be compared to the controversial “hypodermic needle” of communication is nevertheless contested by Strauss (2007)

and other media and genocide scholars, although a minority in the literature (Dukulizimana, 2014:20).

The third category, most of them less known in the literature, have moderate views on the impact of radio. Li, who passed three months of fieldwork in Rwanda doing interviews with dozens of perpetrators “distances himself from claims that radio had direct media effects capable of instantly causing violence” (Strauss, 2007: 613; Dukulizimana, 2014: 20). His critics put the radio impact analysis in the context of the genocide where thousands of people were either victims or perpetrators and states that the intangible power of radio in the particular context “did not rest solely in words, memory, the psyche, the state or some combination of causal factors, but was produced in the process of articulation and rearticulation by animateurs and listeners” (Li, 2007: 105; Dukulizimana, 2014:20). He critically insists on the themes of radio “implicating rather than manipulating its listeners, informing but not determining their choices” (Li, 2007: 104-105).

Rwandan media analysts Charles Mironko and Jean Marie Vianney Higiho are perhaps the few researchers who can understand the original message broadcast by RTLM, because most of the broadcasts were in Kinyarwanda, the local language. They admit that media had some effect but the media alone cannot account for citizen mobilization during the genocide (Strauss, 2007: 613; Dukulizimana, 2014:20). In interviews with Mironko (2007), convicted genocide perpetrators, stated that most ordinary Rwandan peasants did not receive orders directly from RTLM, they rather heard some message from others. Mironko, therefore, concludes that RTLM was not the main cause of them killing and that other reasons need to be explored. After interviews with convicted genocide perpetrators, Strauss (2007) also contradicted literature on the 1994 genocide against Tutsi. He also concludes that “radio alone cannot account for either



the onset of most genocidal violence or the participation of most perpetrators” (Strauss, 2007: 611).

However, other researchers have used “content analysis” to validate the effect of RTLM in the 1994 Genocide against Tutsi. Within the available scripts at hand of Kimani (2007), it is easy to detect messages of hate and division, where RTLM journalists –animators were clearly making a distinction between “us” and “them” and calling on “us” to defend ourselves against “them” (Kimani 2007: 119). Kimani (2007) went far drawing statistics to reveal common RTLM inflammatory broadcasts which consist: a) allegations of rebel atrocities (16.32 %), b) allegations that RPA members were not Rwandans and formed part of a regional conspiracy to dominate Tutsis and set up a Tutsi–Hima empire in Central Africa took up 7.05 % of the broadcasts, and c) allegations that the RPA wanted to take over the country and reinstate the monarchy, subjugating all Hutus, accounted for 5.89 %, (Kimani 2007: 119).

The same statistics reveal that direct calls for the extermination of members of the RPA and all its supporters, as well as congratulatory messages on the extermination of RPA members and supporters – *Inyenzi*, *Inkotanyi*, and accomplices –took up 9.16 % of the broadcasts. Other allegations included statements that Tutsi civilians were part of a plan by Tutsis to take over power in the Great Lakes region of Africa, that Tutsi civilians were actively exterminating Hutus, making such plans, or supporting them (2.17 %); that RPA members killed president Habyarimana, precipitating the unrest in the country (2.78 %); that some political parties were helping the RPA (2.50 %) and death threats to Hutu supporters of the RPA and members of UNAMIR (United Nations Mission in Rwanda) (Kimani 2007: 119).

Dukulizima (2014) writes that the tone on RTLM was belligerent; the ideology was consistently pro-government, nationalist, virulently anti-rebel, and hostile to Tutsis in general.

However, Strauss's content analysis of the available full transcripts from the high genocide period complicate the "Radio Machete" image of a station openly and repeatedly calling for genocide (Strauss, 2007: 625). Although law is different from social sciences research, the ICTR (International Criminal Tribunal for Rwanda) concluded that radio played a role in the genocide and sentenced three men (Jean Bosco Barayagwiza, Ferdinand Nahimana and Georges Ruggio) for the genocidal role they played through RTLM (Dukulizimana, 2014:23). He states that the Tribunal, which established a causal relationship, at least in part, between the broadcast and the genocide, states that incitement to genocide itself constitutes a crime.

Quoting the ICTR, Dukulizimana writes that the Tribunal documented cases where Tutsis were killed because their names were read on the airwaves, like the case of Desire Nshunguyinka, who was killed at a roadblock with his wife, sister and brother-in-law, after RTLM broadcast the license number of the car they were travelling in, announcing that a vehicle with these plates was carrying *Inkotanyi* (ICTR, 2007: 163). The ICTR Appeals chamber concluded that the RTLM broadcasts after April 6, 1994 substantially contributed to the killing of these individuals (ICTR, 2007: 162-163).

## **III.2. Post Genocide Laws and Freedom of Speech and Press Freedom**

### **III.2.1. Media related Laws and Freedom of Expression**

Previous chapters have explored the hardship event of the Genocide against Tutsi and the theoretical side of the press freedom and freedom of speech. Factual assumptions that the Government of Rwanda, has, with excess zeal, opted for protecting the society against the recidivism of the 1994 events lead us to a critical analysis to thoroughly understand how and by

which means the government pursue this path. In a fragile society like Rwanda that underwent the tragic history of the genocide, and that still has factions imbedded in the culture, it sounds hardly possible to dress laws that equally protect all the strata of the society and that all citizens could go along with. The Genocide Ideology Law and Media laws are some of the strategies used by the GoR to safeguard the country that are most questioned by scholars, researchers, human rights organizations and political opponents.

Regarding the legal environment, constitutional protection of media freedom is important, but it can also be misleading (Witten-Woodring, 2009:599). For example, Turkey has constitutional provisions for media freedom, but it also has laws that criminalize reporting on some politically sensitive issues including depicting as genocide the killing of one and a half million Armenians in 1915 (Freedom House 2007b; Van Belle 2000). In recent years, the government of Rwanda has embarked on an ambitious economic development strategy that aims, among other things, to create a vibrant industry for information and communication technologies (ICTs) and position Rwanda as a regional ICT hub (MYICT, 2012). But do Rwanda laws, particularly genocide related and media laws, allow a free and fair exploitation of these ICTs in accordance with the declaration of the fundamental human rights including press freedom and speech freedom?

Freedom House (2013) claims that while ICT development has been among the top priorities for the Rwandan government, the country's tenuous political environment and sensitive ethnic relations since the 1994 genocide has led the government to exert some controls over online content and expression. As illustration, a few critical news websites that were previously blocked in 2010-2011 were intermittently inaccessible in Rwanda throughout 2012 and early

2013, though a number of critical blogs were unavailable altogether. Freedom House goes on saying that worries remain that the government's firm restrictions on print and broadcast media—particularly on contentious content concerning the ruling party and the 1994 genocide—will cross over into the internet sphere, as occurred when the authorities blocked the online version of an independent newspaper in the lead-up to the 2010 presidential election. Nevertheless, there were no reported cases of imprisonment or violence against online journalists or internet users in 2012-2013.

Positive amendments to the 2009 Media Law were adopted in March 2013, providing journalists with the “right to seek, receive, give and broadcast information and ideas through media.” The same amendments also explicitly recognize freedom for online communications. Nevertheless, the passage of the new law has led to some fears of increasing government control over the establishment of online outlets (Freedom House, 2013). The Media High Council—a government controlled institution, systematically monitors all print and broadcast media coverage during the country's annual genocide mourning period every April, and for the first time during Rwanda's 18<sup>th</sup> commemoration period in April 2012 the monitoring of online media was incorporated (MHC, 2012).

Freedom House (2013) also warns of the legislative initiatives in 2012 to expand the surveillance and interception capabilities of security authorities, and the increasing of indications that the government may be systematically monitoring and intercepting e-mail and other private communications. According to Reporters without Borders (2013), in 2012 and early 2013, a number of independent online news outlets and opposition blogs were intermittently inaccessible in Rwanda, though it is uncertain whether the disruptions were due to deliberate government interference, as was the case in past years, or to technical issues. Reporters without Borders,

however, states that users increased their engagement with social media tools in the past year and have become more vocal in criticizing the government.

Although the government of Rwanda has been committed to expanding access to ICTs across the country, it has also simultaneously endeavored to restrict the types of content that users can access, particularly news content of oppositional nature (Reporters without Borders, 2010). For example, in June 2010 the Media High Council ordered the website of the online version of the independent paper *Umuvugizi* to be blocked after its print version was suspended in April 2010, arguing that the ban on the newspaper applied to the online version as well (Reporters without Borders, 2010). Reporters without Borders point out that *Umuvugizi* was unblocked after its six-month suspension period had expired, though it has reportedly experienced periodic blocking in the years since, including in 2012 and early 2013. Some opposition sites continue to be blocked on some ISPs as of early 2013, including *Umusingi* and *Inyenyeri News*, which were both first blocked in 2011.

Freedom House (2010) admits, however, that meanwhile, social-networking sites such as YouTube, Facebook, Twitter, and international blog-hosting services are freely available. The websites of international human rights organizations such as Freedom House, Amnesty International, and Human Rights Watch, as well as the online versions of media outlets like the BBC, *Le Monde*, Radio France Internationale, the *New York Times*, and many others are freely accessible. *Websites of national news outlets are also easily accessible.* These include the web versions of state-run media and pro-government outlets as well as independent outlets such as *The Rwanda Focus*, *Rushyashya*, *The Chronicles*, *Umusanzu* and *Rwanda Dispatch*. Most

radio stations are accessible online, either through their own websites and blogs, or through social media.

A local website entitled Itangazamakuru (2012) points out that as a result of the more limited space for press freedom in the traditional media sphere, Rwandan media outlets are increasingly going online to avoid government control or suspension as well as heavy production costs. Itangazamakuru states that the economic environment for online news websites remains a challenge for independent outlets, particularly in comparison to their state-run counterparts that receive income from government advertisements and direct subsidies. According to a 2010 law relating to electronic messages, signatures and transactions, intermediaries and service providers are not held liable for the content transmitted through their networks.

According to Great Lakes Voices (2011), Media High Council reportedly operates an online monitoring department to screen web content, and has been known to contact websites to request the removal of certain information. Great Lakes Voices gives examples of two online news websites, *Umusingi* and *Umurabyo* that have experienced such requests to delete content related to local political affairs and ethnic relations in recent years. In mid-2013, an independent test conducted by Freedom House found a number of opposition blogs inaccessible altogether; however, it is uncertain whether those sites were taken down out of the owners' own accord or due to external pressure to do so. Appeals can be made through the Media High Council, though they are not often successful, according to journalists.

Freedom House (2012) says that online journalists based in Rwanda are joining their print and broadcast colleagues in exercising self-censorship, particularly on topics that can be construed as disruptive to national unity and reconciliation. According to some journalists, self-

ensorship is viewed as a legitimate practice given the country's sensitive social and political environment (Freedom House, 2012). However, the increase of social media tools serve as alternative tools for Rwandans to discuss issues that were formerly taboo and not open to public discussion due to fears of persecution. Freedom House gives an example of President Kagame's succession following the end of his current term in 2017 that has been debated in various media with diverging views. A number of citizens support Kagame's reelection, which would require a constitutional amendment to increase presidential term limits, while others oppose Kagame's efforts to prolong his tenure and suggest a peaceful transition to a new leadership (Shyaka Kanuma, 2012).

Freedom House considers the expansion of internet access as a factor enabling the Rwandan blogosphere to evolve into a vibrant platform for expression, even though the websites and blogs of opposition activists both within and outside Rwanda are inconsistently available. Facebook and Twitter are also emerging as popular platforms for online interaction, in part as a result of the increasing use of internet-enabled phones. MTN Rwanda, a telecommunication company, introduced a "SMS to Twitter" tool to facilitate the social media platform's use for people who do not have easy access to the internet on computers (MTN, 2013). The president is an active supporter of these social networks, occasionally using the platforms to engage in discussions with users and openly respond to issues concerning the current state of governance in the country. According to Allan Brian Ssenyonga (2012), by the end of 2012, Kagame emerged as one of the most popular African presidents on Twitter with nearly 95,000 followers.

Freedom House (2012) states that with mobile phones more widely accessible than the internet, text messages have become another important channel for citizens to voice discontent

with the authorities and expose abuses of power. The live radio programs, “Good Morning Rwanda” and “Good Evening Rwanda,” which are broadcast on the radio; Flash FM, are the most popular paths for citizens to criticize government malpractices via SMS messages. For example, in July 2013, citizens challenged the education ministry over the suspension of students’ bursaries. According to Freedom House (2012), however, the ability of citizens to use digital media for organizing large-scale street protests remains limited due to broader restrictions on freedom of assembly, particularly regarding politically sensitive topics.

### **III.2.2. Legislative violates Press Freedom and Speech Freedom**

According to Freedom House (2012), legislative initiatives in 2012 and early 2013 had both positive and negative effects on freedom of expression and internet freedom in Rwanda, including amendments to the 2009 Media Law, an Access to Information Law, and a revised law on the interception of communications. SIM card registration requirements were also launched in 2013.

Freedom House claims that Article 34 of the Rwandan constitution, adopted in May 2003, provides for freedom of the press and freedom of information, but in practice, the government maintains tight control over the media. In March 2013, the state adopted progressive amendments to the 2009 Media Law, granting journalists the “right to seek, receive, give and broadcast information and ideas through media” and explicitly providing for freedom of online communications in Section 3, Article 19. Nonetheless, the passage of the new law (Official Gazette, 2013) has led to some fears of increasing government control over the internet, (IFEX, 2012) with the freedom of expression organization Article 19 criticizing the law for containing



“too many provisions which pose a threat to journalists and the independence of the media, including online media.”

While a revised Access to Information Law was passed in December 2012 and is expected to allow journalists to conduct investigative journalism with more official and credible sources of information, Frank Kanyesigye (2013) states that the extent to which the media should have the unchecked right to free expression is often a matter of public debate in Rwanda, with some commentators suggesting that Rwanda’s media practitioners should be cautious in their speech as long as the history of genocide continues to haunt the country. For David Kabuye (2012), while there are no laws that specifically restrict internet content or criminalize online expression, Rwanda’s generally restrictive legal provisions governing the traditional media could be applied to the internet, particularly given the lack of a fully independent judiciary. IFEX (2012) points out that the decision to ban the online version of *Umuvugizi* in 2011 was based on charges of publishing “divisive language, “a category of expression that is criminalized by the 2001 Law on Discrimination and Sectarianism.

### **III.2.3. Genocide related laws and press freedom and Speech freedom**

According to Freedom House (2012), a vague 2008 law against “genocide ideology” similarly threatens freedom of expression both online and off, prescribing heavy prison sentences and fines for any offender “who disseminates genocide ideology in public through documents, speeches, pictures, media or any other means.” Article 3 of the Genocide Ideology Law determines the characteristics of the genocide ideology. The crime of genocide ideology is characterized in any behavior manifested by acts aimed at dehumanizing a person or a group of persons with the same characteristics in the following manner:

1. Threatening, intimidating, degrading through defamatory speeches, documents or actions which aim at propounding wickedness or inciting hatred;
2. Marginalizing, laughing at one's misfortune, defaming, mocking, boasting, despising, degrading creating confusion aiming at negating the genocide which occurred, stirring up ill feelings, taking revenge, altering testimony or evidence for the genocide which occurred;
3. Killing, planning to kill or attempting to kill someone for purposes of furthering genocide ideology.

Amnesty International (2010), Rwanda's laws banning "genocide ideology" and "sectarianism" are vague and sweeping, and have been used to silence legitimate dissent. The laws were designed to encourage unity and restrict speech that could lead to hatred. However, they have had dangerous and chilling effect on Rwandan society (Amnesty International, 2010:1). This report calls on the government of Rwanda to ensure that, while outlawing acts of genocide and incitement to genocide, it upholds its international obligations to respect and protect freedom of expression.

Individuals have exploited gaps in the law for personal gain, including the discrediting of teachers, for local political capital, and in the context of land disputes or personal conflicts. Several "genocide ideology" and "divisionism" charges based on flimsy evidence resulted in acquittals, but often after the accused spent several months in pre-trial detention. Many such accusations should have been more thoroughly investigated, but broad laws offer little guidance to the police and prosecution (Amnesty International, 2010:14).

According to Jane Nishimwe (2013), reacting to criticisms of the law's overly broad nature, the minister of justice proposed amendments in November 2012 that aim to make the law

more definitive and easier to interpret. Times Live (2013) states that in July 2013, the amended law reduces prison sentences from 25 years to a maximum of nine and requires proof of criminal intent behind an offending act that must be “characterized by thoughts based on ethnicity, religion, nationality or race to foment genocide [or] support genocide.” Emmanuel R. Karake (2013), however, notes that the law still restricts freedom of expression by retaining the notion of “genocide ideology” as a criminal offense and by excluding a clear distinction between a private conversation and public speech.

### **III.3. Conclusion**

The 1994 Genocide against Tutsi has been a very terrible event stuck in the memories of Rwandans and it is frustrating for not only those who experienced it in different ways but also for generations and generations to come. Measures, including laws such as Genocide Ideology Law and Media Law, have been taken to safeguard this fragile society avoiding the repetition of such a tragic event. However, as realized in this chapter, human rights organizations and activists, media—especially international media and political opponents view these undertaken measures as a strategy to silence any dissident to the current regime in Rwanda. The following chapter will comprise of a compilation of how Rwandans, in Rwanda, themselves, media industries and human rights activists inland view this issue and where possible how to remedy it.

## **CHAPTER IV: RESEARCH DELIMITATION, INTERPRETATION AND ANALYSIS OF FIELD DATA**

### **IV.0. Introduction**

As mentioned in the general introduction, this study used techniques such as interviews, questionnaires, group discussions, discourse analysis and personal experiences to gather various views from media professionals, media houses, government officials, human rights organizations and some security officials to appraise press freedom and speech freedom in human security in Rwanda. Among key respondents were journalists with more than 5 years of experience and from different media houses with divergent editorial lines, editors also from different media, Pax Press-an organization that serves simultaneously as a human rights organization and a press agency, the Media High Council (MHC), Rwanda Media Commission (RMC)-an agency in charge of media self regulatory and the Rwanda Governance Board (RGB). The researcher also got a chance to hear from high profile military officials regarding the press freedom and national security.

The purpose of this research was to analyze the consequences of the genocide and hate media on human rights in Rwanda, especially freedom of speech and press freedom. The study had, therefore, analyzed the role of media in 1994 Genocide against Tutsi in Rwanda with emphasis on hate media. It also assessed different steps undertaken by the post genocide Rwanda media to avoid the recidivism of fatal errors committed by their fellow pioneers and it had a look at the relationship between human security and freedom of speech. The research could not conclude without critically appraising the relationship between governance and freedom of

speech and press freedom with intent to recommend the GoR on how to regulate media without necessarily imposing restrictions on speech freedom.

This chapter, therefore, presents field data, analyses them and interprets the research findings of this study entitled: “Freedom of Expression and Speech Freedom in Human Security in Rwanda.” The researcher presents the study findings and discusses them basing on the research objectives and research questions. The chapter is divided into four main sections. The first section evaluates the media censorship. This section looks at three subsections which are media self censorship, government censorship and attitudes and behavior of consumers of rights. The second section deals with the relationship between the genocidal government (the pre-genocide GoR) and hate media while the third section looks at the possible lessons Rwandan journalists might have learnt from the negative experience of their predecessors. The last section but not the least looks into the lessons that the current GoR could have learnt from the relationship between hate media and the genocidal government.

## IV.1. Factors hindering press freedom and speech freedom in Rwanda



*Officials from Media High Council, RGB, RURA and RBA at a consultative dialogue assessing the implementation of media reforms held at Lemigo Hotel in Kigali.*

### IV.1.1 Media censorship

#### IV.1.1.1. Media self censorship

Data collected from different journalists, media managers, human rights activists, government officials and individuals depicts that there is still little freedom of speech and press freedom in Rwanda. However, respondents diverge on reasons hindering people in Rwanda, particularly journalists, from speaking out their minds and publishing some types of information. Out of those reasons, they mention categories of journalists depending on their own personality,

the lack of required knowledge and tap on media themselves and their editorial lines. Along with professional issues, behaviors of individuals in the government are also evoked.

#### **IV.1.1.2. Lack of minimum required journalistic skills as a reason for self censorship**

Some respondents argue that the lack of press freedom is due to the personality of journalists themselves and the lack of journalism trainings. During the media dialogue meeting, a meeting that gathered media experts from around Africa, on April 3<sup>rd</sup> 2014, to talk about the future of media and journalism in Africa, participants pointed out that some journalists base their stories more on emotions than on facts. Didace Niyifasha, Program Director of a Christian local radio “Inkoramutima”, giving an example of Ngeze Hasani, one of the journalists who were convicted by ICTR for genocide perpetration and using media to sow hatred among Rwandans, says some of the journalists did not have neither formal nor professional education.

Niyifasha says Ngeze was a cobbler before he joined journalism on a mission impelled by some government officials. Along with Ngeze, as confirms Niyifasha, there were and there are still journalists in Rwanda who fall in this category. For this reason, media experts and media professionals accuse some of their colleagues of being propagandists commissioned by treacherous politicians. They give the example of those being arrested as convicted of betraying the country. “Those are not journalists! There is another power behind inciting them and pushing them into journalism,” says Didace Niyifasha.

In addition, participants in the media dialogue argue that a journalist may abstain from covering a given story either depending on his limited knowledge of the matter or simply because of his motivation to be a journalist. Pointing at categories of journalists in Rwanda they

said that there some who joined journalism because it is their vocation and most of these ones pursued journalism studies and they really want to be voices of the voiceless people. Others joined for survival because they could not get any other jobs while some others joined just because they had a dream to become super stars.

According to Niyifasha it is very difficult to harmonize these categories and have solidarity within journalism in Rwanda. “This is why there is always confrontation between journalists and politicians. As some of the politicians are not honest involving themselves into corruption cases, public fund embezzlement, appropriating themselves individuals’ properties, etc, use such inefficient journalists to clean their dirty names,” says R1, a participant also in the media dialogue.

#### **IV.1.1.3. Social responsibility and self censorship**

A number of Rwandan journalists consider Rwandan journalism at crossroads from the time when the government, for the first time, enacted laws that guarantee freedom of information and self-regulation on the media’s part. Some still critically wonder how flexible can these laws be in regard with discussions on issues related to the 1994 Genocide against Tutsi. R2, a journalist for The New Times, a daily newspaper in Rwanda, argues that journalists have to figure out a balance between their freedoms as journalists and their responsibility to their audience. “This one is still extremely jittery and sensitive,” he said.

Similarly, R3, a famous journalist in Kigali hosting controversial programs that engage government officials and the audience into debates, finds it important to self censor in the public’s interests. Acknowledging his self censorship, there are two confronting sides in the motivation pushing him to self censorship. He stated: “I am always careful about the words I use



so as not to aggravate some wounds or to sound as trivializing or denying Genocide.” There is at the one hand a positive and responsible feeling, not to aggravate healing wounds and at the other hand the fear of falling into a trap of the genocide ideology and genocide denial which carry heavy punishments as explained in previous parts.

According to Assouman Niyonambaza, also a famous journalist in Rwanda; Owner and Chief Editor of Rugari Newspaper, journalism is not something easy. “It is a fight. The right is fought for,” he said in a radio program on Radio Rwanda on April 3<sup>rd</sup>, 2014 while in the Media Dialogue, insisting however that people should put on balance the importance of the information and then it is up to the conscience of each and every journalist to publish/air or take a risk to protect people’s interests. Niyonambaza, nonetheless, clears the image of the government saying that the government does not prevent any person from speaking out his or her mind. He also puts such a responsibility of violation of speech freedom and press freedom on some individuals in the government silencing media in their own interests. He says some individuals stop newspapers from getting printed in the government publishing house and /or stop them from entering in the country once printed abroad as almost all private papers are printed in Uganda.

#### **IV.1.2. Government censorship**

In an interview with media houses’ owners and editors, they told the researcher that their daily work is to make the listeners enjoy their freedom of speech. R4 a Radio News Editor with experience of seven years in that position said his work is made possible by the fact that his sources are free to speak. “Otherwise we can’t find the content that can attract the audience and the market (advertisers),” he stated. However, media in Rwanda are in ambivalent state to please the government and still serve their publics satisfactorily.

5 out of 5 of those who responded to the question whether they are free to publish any information their reporters find news worthy said they do not have such freedom. “We first of all think of what would be its impact to the Rwandan society that was made fragile by the 1994 Genocide. We also think of what would be the reaction of the authorities considered the nature of the regime in place (somehow authoritarian). So, we always do self-censorship,” (Respondent 5, News Editor of a Local popular radio in Kigali).

R6 discloses they are limited and always censored by government authorities. He recalls the time when they recorded a voice clip of a Rwandan living in Diaspora from one of the international radio stations that air in Kirundi and Kinyarwanda and used the same clip in their show on their local radio station. The interview in question was about a controversial bill of law and the interviewee was criticizing it. Abstaining to disclose that law to the researcher, he says they were surprised to hear that some authorities were not happy with what they did and yet interviewers had given the space to MINIJUST (Ministry of Justice) to respond to that interview. “We wondered why they were angry against us whereas they did not say anything about the primary source (The International radio station)” says R5.

R6, with 5 years as a reporter and 2 years as a newspaper chief editor, discloses that there are some types of hidden censorship. And the latter constitute a big obstacle for journalistic principles of objectivity and completeness of information. He, for example, says that after the 1994 bloodshed events some words turned to be unacceptable in their reporting. “Some sources tend to think that any media practitioner is the same as the media of that time, and thus, in most cases you end up missing important information,” he says referring to the 1994 Genocide against Tutsi.

All respondents say that this self-censorship mainly goes to private media which voices issues of public concern while the pro-government media such as RBA and its branches are the government public relations tools and consequently preaching the regime's ideology. R7 regrets of being in the career of journalism due to complexities in this profession.

“Being a journalist in Rwanda is like being in hot water, some genocide survivors look at media as betrayers and genocide perpetrators while killers consider that media are controlled by and part of the government, so journalists who did not play any role in the genocide get victimized and stay shy and censor themselves,” he revealed to the research.

The same respondent says the government has been successful in silencing people and the country is far from having vibrant voices. “When you write something the government does not like, it says ‘genocide ideology’, ‘divisionism’, ‘incite people to hate leaders of the country’, etc and you get arrested and taken into courts because of that,” complains R7. He also complains about the government's excessive control over the media stating that the small marketshare, the government's sensitivity and the lack of professional journalists explain the low number of private newspapers and their fiasco. Along with a number of other respondents R7 criticizes the journalists' limited access to information when they are investigating corruption or security matters.

In contrast, R6 views that there is a government censorship on local media while international media are free to publish/air any information their reporters find news worthy, some international media claim there is an over government censorship. While international radios that have correspondents in Rwanda are estimated to have a very big audience they claim that their stories are often negatively commented and defied by the government. “This is a regular occurrence and expresses the government's over control on what we do. It's stressful,” says a

BBC correspondent who reveals he often receives phone calls from individuals in the government threatening him when he reports on sensitive issues.

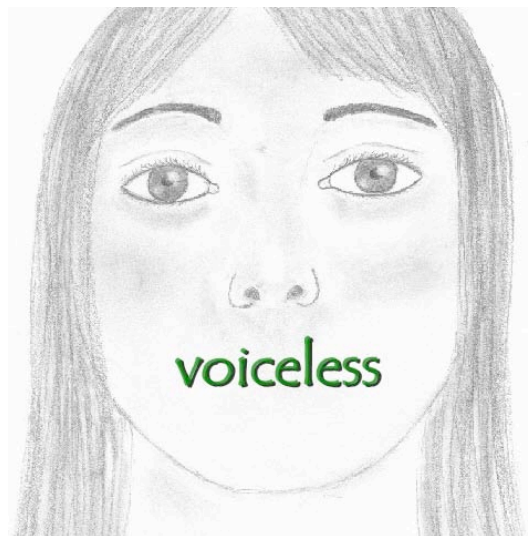
This respondent reveals the authorities are always informed on journalists' movements. According to him, one must call them before broadcasting to inform on the subject and give them a chance to make their point. "When they are displeased, they give you a warning note, and after three warnings, an expatriate correspondent has to leave the country", he testifies. The researcher also met a guest-teacher who is critically skeptical at students' abstention on sensitive issues. "It might be hard teaching them the course regarding Opinion journalism," confessed the teacher saying that journalism studies need openness of the mind and a baggage of critical thinking. The latter connects this to irresponsible media during the 1994 genocide with skepticism that "Rwandans do not yet know which lessons are to be learnt from the genocide."

## **IV. 2. Censorship and media coverage**

In an effort to create a more political space and allow the citizens to freely express themselves, the Government of Rwanda undertook the reforms in laws. According to the Rwanda Governing Board (RGB) (2014), the Media law was revised specifically to create an enabling environment for a free press to thrive and also to attract both local and foreign investment within the media sector, while new laws were enacted to give journalists a greater say in regulating themselves and have easy access to information. RGB states that those important reforms and some of which are still underway to have been warmly acclaimed by media practitioners and stakeholders during the April 3<sup>rd</sup>, 2014 consultative media dialogue that aimed at assessing the implementation progress of media reforms.

However, some Rwandan journalists accuse the Prime Minister's decrees which followed the promulgation of the Access to Information Law, of violating the freedom of press and speech freedom. R8, a journalist at a local radio operating in Kigali says that despite the good intention of the Access to Information Law, those decrees by the Prime Minister may constitute a barrier to information offering.

While talking about the ministerial orders of October 9<sup>th</sup>, 2013 determining which information could destabilize the national security and procedures on charging fees concerning access to information, the limit for the provision of information or explanation and private organs to which the law relating to access to information applies, R8 says that “ Secret information is classified into four categories, meaning that a journalist cannot get access to such information, and they all have a common point; national security. However, from the early beginning of journalism in Rwanda, harmful information for the national security has never been documented so that journalists can be aware.”



According to R8, before, secret information was that regarding military operations, arms, wars, intelligence and information in relation with the president. Nonetheless, instead of cutting

down the list, it has been enlarged to the extent that any leader can decide whether to give information or to keep it secret. In fact, the law regarding information that can be harmful to the national security defines the national security as “ protection of State sovereignty, foreign relations and State interests, economy and national leadership, from any danger from within the country or out of the the country.”

This decree defines secret information as information that can severely endanger national security once published. Secret information also, according to the law, means state secrets. R9, a journalist of Grand Lack Hebdo, a local weekly paper, accuses the institutions in charge of media regulation of keeping silent about those violations of press freedom and speech freedom and threatens to take the case to courts if nothing is done. “Talking about secret information, they mix up spying with normal information,” claims R9. He wonders why it could be considered spying if a journalist gets information in advance that there will be promotion in ranks in military and publishes that information. According to him, in this situation, investigative journalism is hardly possible.

R21, a high profile military officer working in the office of the President of Rwanda, in the same context for example, while in a consultative meeting in the Western Rwanda-Rubavu, which gathered RGB, local authorities and journalists, also accused journalists who criticize the government of working for the “enemy.” He said that criticizing the government is encouraging and supporting people who want to overthrow the government. “We will not tolerate such journalists,” he said.

Another issue respondents identified with this decree is that it suggests punishments on the basis of criminal law to any individual who will have access to state secrets. Laws suggest that, journalists who may commit crimes that are considered as betraying or spying the country

should be punished under the article 449 of the criminal law. The law reserves to any person found guilty of divulging state secrets during the war period, a punishment ranging from 20 years to 25 years of imprisonment and a punishment ranging from 10 years to 15 years of imprisonment in the period of the country's tranquility.

However, some journalists acknowledge the effort of the government to allow journalists access to information despite the bad will of some individuals in the government. "In general the government is willing to promote access to information. However there are some individuals in the government whose behavior should change," says R10, a journalist of the East African, a regional paper, pointing to government officials who hardly deliver newsworthy information. R10 suggests to journalists to probe while covering their stories, but in line with the Access to Information Law and then criticize the decrees and the laws after having tried them. "There is nothing to accuse the law as there is no journalist who has already been tried under this law so far."

### **IV.3. Weaknesses in Rwanda journalism**

Despite the mutual accusation between media and the government as the restriction of press freedom and speech freedom, media experts depict some weaknesses both professionally and financially that may lead journalists in Rwanda to dodging journalism principles. R11, a media expert also in the Media Dialogue Meeting, says that some of the media managers do not have required knowledge and their media are easily manipulated. "They easily get moved away in the direction of propagandists."

Another reason that R6 identifies is the financial constraints. She says that a number of journalists in Rwanda are poor and unethical. Such journalists cannot be independent and

impartial because they get bribed to write or broadcast one sided stories. This lack of integrity and devotion of one's career lead to conflicts in most cases as most of the respondents pointed out. Respondents say that such behavior may sometimes lead to hate information as it has been the case for hate media in 1994 Genocide against Tutsi.

Mutangana Steven, a media expert working for Institut Panos Paris, also brings in the case of some journalists who mix up their own beliefs and the professional reporting. According to Mutangana who also was a participant in the media dialogue, home based emotions and beliefs are against professional principles. "Writing down or broadcasting such emotions and beliefs that can be sometimes negative and harmful to the same extent as those who sowed hatred through journalism in 1994 Genocide."

In fact, all views surround the manipulation of journalists and media by politicians. Even though this cannot be an excuse on the side of media, this is a shared responsibility media should not be undergoing alone. It is clear there has been hate media that played a crucial role in the Genocide against Tutsi, but the government should not be under-looking its share in fueling hate media; which went against its responsibility to protect citizens. Before being a failure of media and journalists, the 1994 Genocide was a failure of the government and politicians. According to Muvunyi, the Leader of Rwanda Media Commission (RMC), for those who say that Rwanda does not grant press freedom because of the negative experience of hate media during the genocide, they should remember Rwanda is rebuilding in all sectors, so is journalism. "Media did not perpetrate the genocide more than the government. However, the government is still in existence and operating freely. So media should not be a scapegoat and be denied the rights", he said.



## **IV.4. Relationship between the Genocidal Government and Hate Media**

On the question regarding the relationship between the genocidal government and hate media during the genocide and in the pre-genocide period, of 23 respondents who agreed to answer this question, 20 point out that media were either pro-government or extremists working on the side of the government but with very radical behavior against Tutsi. R12, a journalist trained by Pax Press, a local human rights organization and press agency at the same time, gives an example of RTLM, Radio Télévision Libre des Mille Collines, considered like the mastermind of hate media in the Genocide against Tutsi.

He reminds that almost all share holders of RTLM were government officials or cornerstone of MRND (Mouvement Revolutionnaire National pour le Developpement), the ruling party whose' "Interahamwe," militias executed the genocide. Three of the respondents, however, insisted that it was a responsibility of journalists to respect journalism principles and refuse to be used by genocide perpetrators. These respondents, therefore, argue that media have to pay their role in the perpetration of the genocide to prevent current and future journalists from repeating the same fatal errors.

Among advocates of media, R13 recalls the speeches of Habyarimana Juvénal, President of Rwanda before the genocide, before each news edition of Radio Rwanda-the only radio in Rwanda at that time. According to him, the speeches were full of propaganda messages and sometimes hate messages against Tutsi. He concludes that there was no way media could publish or air hate messages if it was not by the will of the government. "Government officials should be

accountable and protect their people from any harm. They should not run away from their responsibilities.”

Similarly, R14 confers there was a strong relationship between the genocidal government and hate media arguing that if it was not the case, the government would have stopped them from catalyzing the hatred between Hutus and Tutsis. “In my opinion, there was. If there was no such a relationship, the then government would have closed them (hate media). Why were those media publishing/airing the hate speeches of the then authorities?,” wonders R5, one of the most popular journalists in Kigali because of his critical and engaging radio programs. This viewpoint is shared by almost 90% of the respondents.

R10 emphasizes that in a number of cases some genocide convicts were reported to be founder members of hate media like Radio Télévision Libre des Milles Collines that was branded the incendiary radio. Moreover, according to him, most of hate media were directly linked to political parties. Those include Umurwanashyaka. Others, like Kangura were pro, or just owned by the ruling party, MRND whose members prepared and executed the Genocide. R5, however, believes hate media could not have perpetrated the genocide alone. He says “They were just a tool of the government; otherwise a genocide is planned and executed by a government. If the government was not behind, we would have heard of some media outlets being shut down.”

Contrary to R5, R6 believes that even without the government support, hate media could have encouraged and perpetrated the genocide. She says that hate media largely contributed to calling upon the inhabitants to kill their neighbors, and used to update them on the war that was opposing the government of Rwanda to the Rwanda patriotic front. “They were warning the community, the Hutu especially, that they will perish in case the Tutsi are not exterminated,” she

says. She adds that they could do it via speeches, meeting that were rebroadcasted, or even through songs of the infamous Simon Bikindi and others.

## **IV.5. Repercussions of hate media on today's Rwandan media**

15 out of 15 respondents who answered the question regarding whether the experience of hate media had consequences on press freedom and speech freedom confirm that consequences of the hate media are obvious and tangible on the current Rwandan media, particularly private media. R10 states there have been cases where the government categorized some local independent media in the range of hate media. Among those cases, the respondent along with a number of other respondents mentioned Umuseso and Umuvugizi, local papers that have been ordered to permanently close. "Independent media houses mainly those that try to criticize the current regime are sometimes compared to RTLM and Kangura Newspaper. Thus, many media houses fear to negatively write about the government even when they have tangible facts," reveals R5.

Apart from temporary or permanent closure of media houses suspected of spreading hate messages, respondents also pointed out some cases of imprisonment of journalists, cases of murders and some cases of journalists who fled the country due to their stories that have been qualified hatred catalyzes. R15, both a journalist and human rights activist, recalls the murder of Jean Léonard Rugambage, a journalist for Umuvugizi Newspaper, who was assassinated few weeks before the 2010 presidential elections trying to investigate the murder of a dissident Rwandan General, Kayumba Nyamwasa. He also gave a long list of journalists including Charles Kabonero, Chief Editor of Umuseso; Jean Bosco Gasasira, Chief Editor of Umuvugizi, Nelson

Gatsimbazi, owner of Umusingi Newspaper, etc who fled the country due to threats by the government because of their editorial lines criticizing government officials. For the cases of imprisonment he mentioned the example of Agnes Uwimana owner and Chief Editor of Umurabyo Newspaper and Saidate Mukakibibi, a journalist of Umurabyo Newspaper who were put in jail because of their stories that criticized the president and that were proven divisionism motivated, by local courts.

Besides physical punishment and threats from the government, respondents find difficult to do journalism in Rwanda after its implication in the 1994 Genocide against Tutsi. R20 says, for instance, that media did not commit the genocide but some of them helped in spreading the genocide ideology, which consequently helped in preparing and speeding up its perpetration. For that reason, Rwandans no longer trust any media. R19, in this regard, says it is important for the GoR to acknowledge that media's roles in the Genocide against Tutsi were due to the fact that they were serving the government and certain individuals of influence instead of serving the Rwandans' interests. The latter says the current GoR should back up the role media plays in the reconstruction of Rwanda and in the unity and reconciliation of Rwandans and initiate media literacy to help media regain people's trust.

#### **IV.6. Lessons learnt by the current Government of Rwanda from the relationship between hate media and the genocidal government**

All respondents approached by the researcher did acknowledge Rwanda media played a significant role in the 1994 Genocide against Tutsi. However, the researcher's curiosity pushed him to ask them if the genocide could not have taken place if there were no hate media.

Surprisingly, 14 out of 15 who agreed to answer this question said, no matter what, the genocide could have taken place. “Because there were many other channels to teach hate between Tutsi and Hutu such as parents-children conversations around the fire place,” replied R5 also invoking history course materials that contained hate messages.

The researcher pushed further to delve deep into the role of media in the Genocide against Tutsi and asked whether hate media could have perpetrated the genocide alone and all respondents said there was no way this could happen without the governments’ influence. “Impossible because media do not use machetes or guns,” one of the respondents said. Nonetheless, a number of respondents doubt whether the current GoR might have taken a lesson from the relationship between the genocidal government and hate media. “My answer is “ it somehow could” because, even if the Government has jailed some journalists who were accused of denying the genocide or spreading the double genocide theory, there are some other media (government sponsored ones) that publish hate messages,” says R14 who however says such hate messages are conveyed in the opposite direction. “But for how long will things go up side down?,” wonder respondents who also say enough is enough Rwandans need a rest. “We need harmony and live in peace,” said R14, a journalist trained by Pax Press.

Despite those who despise the lesson the GoR might have taken from sad experiences of the relationship between the genocidal government and hate media, R6 identifies such a lesson in the government’s behavior. “The government is conscientious because it supported media regulations, media law and other legal framework that prevent journalists from abusing the profession.” He mentions other laws including the Genocide Ideology Law stating that they help

the whole community and they are at the same time favorable to the media, because they help to keep away from bad practice and thinking, as far as reporting is concerned.

Those who acknowledge the GoR learnt a lesson from such a negative solidarity between hate media and the genocidal government state that that is the reason why the Rwanda Media Commission (RMC) which serves as the gatekeeper of the profession has been established. The latter makes sure there are no such big mistakes that would again send the country into chaos. RMC is an institution run by journalists themselves and has the responsibility to watch the respect of journalism principles and to protect individuals' rights. However, among the managing team of this organization that is also in charge of watching people's common interests, there are also representatives of the civil society, lawyers, academicians, government officials, and media managers.

Fred Muvunyi, Chairman of RMC, says that including other sectors in this media self regulatory institution is to insure not only the journalists get their due protection but also the public stay safe from some journalism abuses. In fact RMC mediate the general public with journalists protecting each side in case of the abuse of laws. Though RMC helps journalists to get justice in case of persecution, a big eye is put on media to avoid any kind of malpractice that may occur.

## **IV.7. Building Media and Journalists' Capacity would Bridge National Security and Speech Freedom**

Despite cases of violation of press freedom and speech freedom in the name of state sovereignty and national security, media experts and human rights activists still say there is hope for the future of journalism in Rwanda. Didace Niyifasha, Programs Director at Inkoramutima

Radio, says there are young media professionals and practitioners who really show the devotion for the career and believes these young people could draw a lesson from the mixture of the negative experience of hate media and the harassments by current authorities inasmuch as they are protecting the society from the recidivism of the hardship of the 1994 Genocide, and come up with a strong and reunited journalism that serves better the public.

Media experts and practitioners confess that by building the capacity of the journalists and media houses and making its population media literate, Rwanda could secure its national security and still respect press freedom and speech freedom. “Once the ordinary citizen is able to discern or criticize what he hears on radio or watches on TV or read in the newspaper and have a chance to debate about it with others there will be no room for rumors, the truth will prevail and the security will be assured,” argues R5.

The latter also suggests there should be professional trainings for journalists believing that “Journalists who are well educated, who know journalism-ethics and who are conscious of their social responsibility are not easy to manipulate. Journalists should also learn conflict reporting. It will prevent them from being manipulated”. According to R 20, a journalist and human rights activists, reliable journalism will lead citizens to active choices and take well-informed decisions and thus avoid or solve a conflict. He, however, sees an improvement in the recent change of the journalism schools’ curriculum to better answer the needs of a country emerging from the aftermath of the genocide where media played a crucial role.

As mentioned above, financial means are among the core barriers of free and independent media in Rwanda. Nonetheless, for having a well-organized profession there is need for more independence towards authorities. While R20 maintains that a professional organization might

also help journalists to get better salaries and working-conditions so that they are not so easily attracted by doubtful propositions, private media houses lack due financial support. The latter states that while media live on advertisements and announcements, the GoR do not give them adverts and announcements. Only government and pro-government media get advertizing money from the government.

The Executive Secretary of the Media High Council (MHC), Peacemaker Mbugiramihigo, in a consultative meeting with journalists and local government officials on the enforcement of the Access to Information Law, asserted that building media capacity and training journalists for a developed and responsible journalism is part of MHC objectives. The MHC has been established almost 11 years ago with aim of promoting journalism, granting media licenses and press cards and media monitoring. Last elaborated last year, the Access to Information Law reduces the power of this institution leaving it with the responsibility of advocacy aiming at building media capacity and journalists' professional skills. Other responsibilities were given to the Rwanda Media Commission RMC and RURA (Rwanda Utility Regulatory Agency).

Mbugiramihigo says the responsibilities the MHC was assigned are achieved through research that identifies the hindrances and gaps that need to be filled and find solutions to meet them. He says one of the crucial problems in media in Rwanda is reporting that does not respect journalism principles. "Journalists do not report facts and in so doing they don't serve the community because sometimes they give incomplete information or divert journalism principles," he said alarming such kind of reporting cannot serve the public. He however says



that together with other institutions in charge of media, they are working hard to solve this problem so that journalists could meet their different publics' needs.

The MHC Boss, further, mentioned that they resolved to keep carrying media needs assessments so that they can base on Rwanda journalism's needs to train journalists and equip them with knowledge that is relevant to the people they are serving (Rwandans). He also said they identified weaknesses in some media management stating that some media houses do not have policies that can help them earn their living. "If a media is not making profits it cannot respond to all principles of journalism," he said. According to him this resides in most cases from poor education of media managers who scarcely draw the institutions' policies with clear and fair working conditions.

Despite all these irregularities in media in Rwanda, media have been summoned into the equation to play a bigger role in fostering greater understanding of the development challenges the country faces. According to Thomas Kagera (2014), the Government and partners are committed to developing the media, especially in the area of liberalization, which has seen the establishment of nearly 30 radio stations in less than a decade, over 50 print media houses and 5 TV stations (with about 11 other applications being processed by RURA). The radios are predominantly private with some that are community-based. The one radio station and one TV that belonged to the government (Radio Rwanda and Rwanda Television) were turned into a public entity under the Rwanda Broadcasting Agency (RBA).

For media to potentially serve their purpose to the public, they need to be equipped and empowered to question more objectively and engage more actively with citizens to increase public awareness, promote good governance practices and encourage engagement with politics

and development initiatives. However, this requires the government to consider media's social responsibility instead of looking at them in the mirror of the tragic event of 1994 Genocide against Tutsi. And as stated above, media should be viewed as partners in development and unity and reconciliation and hence be equipped to promote debates among Rwandans regarding topics of the public interest.

#### **IV.8. Lack of freedom of speech as promotion of other channels spreading hate messages**

A number of respondents find it erroneous for the GoR to use the role of hate media in the Genocide against Tutsi to hinder people from express themselves freely. Some of the respondents say it would be better to let people say what they think so as to know how to strategically face hate messages that are still embedded in the society. R14 brings in cases of serial murders that are taking place in Rwanda 20 years after the genocide and draws a connection with the libido due to little space for people to express. "They keep it in their minds and when it explodes it causes more damages that could have been avoided if we let them express and then face them with strong behavior change messages," he said.

According to R10, expressing oneself freely does not mean spreading hate messages. "Those who will abuse that freedom of expression will face justice," he cautions that restricting freedom of expression does not obstruct other channels that hate messages are conveyed through such as conversations between parents and their children in their resting rooms. He further says that these kinds of channels are very dangerous when there is no open debate in media. For him,

open debates in media can counteract negative and misleading information children have from their parents.

For the question in regard with whether the GoR could secure its national security without severely restricting the right to free speech and press freedom, 15 out of 15 respondents who answered this question found it possible.

Yes, it could. We agree it was hard, given the tension that was created by the Genocide. Still, the government could enforce more and more the reconciliation debates, thus persuading the community to being united, without using restrictions. The legal framework could also give people the right to speech and press freedom, while also providing serious punishment in case of failure to comply, says R19.

The same respondent cautions the government that people should be given the space to express themselves freely because the community now has what it takes to be reunited. "People are just concerned about their development, not their differences", he warns. According to him, as far as there is a legal framework which does not allow divisionism, there should be freedom of expression, and the law would deal with those who do not comply with laws.

R5's conviction is that expressing oneself freely does not mean spreading hate messages. According to him, the government should let people express themselves and deal with those who will abuse that freedom of expression. "Those who will abuse speech freedom will face justice," he says claiming that restricting freedom of expression does not obstruct other channels through which hate messages are conveyed such as conversations between parents and their children in their resting rooms. He, in addition, judges such channels as very dangerous cautioning that open debates in media could counteract fall information children get from their parents.

## **IV.9. Attitudes and behavior of consumers of rights**

“If You Can’t Beat Them, Blog Them,” (Brenda Bukowa, 2012:1).

Due to the fear to express themselves fearing heavy punishments instilled in laws regarding the genocide ideology and the genocide negation there are up risings of social networks both individual and forums where Rwandans in Rwanda and in Diaspora share about topics viewed as taboo in Rwanda. Those forums and social networks pages including blogs carry in many cases fake names so that their users and subscribers may not be identified by the government.

One of the typical examples of such pages is “Friends of Reason,” a facebook page where dissidents of the regime including famous Rwandan journalists such as Didas Gasana, Charles Kabonero, etc and pros meet to debate crucial issues that cannot be discussed in open air in Rwanda. While ‘top dogs’ of the page identify themselves in their own names, a number of members of the page use pseudonyms to get rid of repercussions of the content of the page as more than 75% of posts are black critics against the current *GoR*.

According to Freedom House (2014), the expansion of internet access has enabled the Rwandan blogosphere to evolve into a vibrant platform for expression, even though the websites and blogs of opposition activists both within and outside Rwanda are inconsistently available. While opposition supporters living outside Rwanda, mainly in Europe and the United States, are responsible for most of the criticism against the government on forums, websites, and blogs, local dissenting voices are increasingly heard in online news portals such as Igihe mainly in readers’ comments.

Freedom House reveals that Twitter has also offered Rwandans a new platform for protest. For example, citizens flocked to Twitter in 2012 to reject a decision by the Kigali City Council to close a local entertainment venue, (Ssenyonga, 2012). He also narrates another instance where Rwandans came together on Twitter to denounce a controversial United Nations report on Rwanda's involvement in the conflict taking place in the Democratic Republic of Congo. Steve Doughty (2012) also gives an example with which citizens also used the social media platform to circulate a petition against the United Kingdom's cuts in development aid that came in response to the UN report's findings.

David Kabuye (2012), however, says the extent to which the media should have the unchecked right to free expression is often a matter of public debate in Rwanda. He says some commentators suggest that Rwanda's media practitioners should be cautious in their speech as long as the history of genocide continues to haunt the country. While Rwandan journalists are called to pay attention to their language so that they don't fall into the trap of being accused of the genocide ideology, a number of respondents all journalists and human rights activists claim that the genocide ideology should not be punished under criminal laws.

While two decades ago there was only one state-owned television station, Rwanda now has four television stations and two pay TV channels. Eleven new television stations are waiting to be granted licenses and will be on air soon. There are over 29 FM radio stations, from only one in 1994 (after the closure of hate radio RTLM). From five newspapers 20 years ago, there are now over 50 registered newspapers.

## **IV.10. Conclusion**

The experience of hate media in the 1994 Genocide against Tutsi continues to spark Rwanda media. While the whole Rwandan public watches media with a critical eye, the GoR has created a wall of laws to safeguard the society against irregularities in media products that may lag Rwandans unity and reconciliation and take the country to such a hardship event again. Of those laws, the research mentions the Genocide Ideology Law, the Genocide Negation Law and media related laws.

Many institutions such as CNLG (Commission National de Lutte Contre le Genocide), Media High Counsel (MHC), Rwanda Media Commission (RMC), etc have been put in place to work hand in hand with the government and the judiciary to watch the enforcement of these laws. Nonetheless, given the vagueness of these laws and the lack of clear definitions and limitations of terminologies in the laws such as genocide ideology, genocide denial, etc critics accuse the GoR of manipulating them to silence any dissident. Human Rights activists, journalists, opposition parties and some ordinary citizens also view it in a sense that they hinder people from expressing themselves while the freedom of speech is a fundamental human right.

According to the former Prime Minister of Rwanda who was still on duty during my research, Pierre Damien Habumuremyi, in an opening note of the Media Dialogue in April 2014, African media needs to come up with strong measures to curb hate media on the African continent as one of the strategies to ensure that the media are no longer used to fuel atrocities. The Prime said people should not confuse preventing hate speech with the violation of the freedom of speech insisting that was not the case with Rwanda trying to censor media. “Freedom of speech does not mean freedom of inciting hatred,” he said.

He further revealed that in the case of Rwanda, the Constitution and related media laws acknowledge freedom of expression and the right to express one's opinions, beliefs or ideas, as one of the core values of a democratic society, adding however, that there are other values that have to be protected by society and the law. He, therefore, cautions that one's freedom of expression, whether online or through mainstream media, may not be allowed when it contains hate speech.

I do support his stand that the value of free expression of opinions and beliefs in society has to be weighed in accordance with people's right to dignity, respect and integrity. Considering the role of journalists in nation building, "each journalist must contribute towards the stability of their country and play a role in fighting whoever may attempt to destabilize its security" also evoked the Prime. While everybody would go along with this, the core question may still revolve around knowing exactly what is that stability/security he meant? How and when could they be allowed to interfere with personal lives? And how could one enjoy his freedom of speech in an environment where it is unsafe to discuss about some topics, even topics of the common interests though sensitive.

It is obvious and out of discussion that all citizens, including journalists, need a secure environment to peacefully carry out their duties and responsibilities. However, given the role of journalism which is to inform, educate and entertain, journalists play an important role in the enlightenment and development of the society. Since journalists have the mandate to advocate for the social welfare of the society, hindering them from doing their job would sound like hiding some important issues from the general public, which consequently lags the latter behind.

Research findings have also confirmed the role of hate media in the 1994 Genocide against Tutsi. They however claim that before it became the role of media, it was the government one's because the genocide happened in a country with a sovereign government. Research findings also accuse the government of that time of having manipulated media and used them for an incendiary purpose. In addition, respondents say that the role of the pre-genocide government in the Genocide against Tutsi did not prevent the country from having a government which stands as a government and successfully executes its duties. For that reason, they prove that media should be given freedom and in case of interference in people's private issues aiming at sowing hatred, then laws can apply.

However, they denounce individuals in the government who censor media to hide their irresponsibility in the government services. Critics from respondents also put it that government officials who silence media and public opinions are those who are afraid of being held accountable for their malpractices. They therefore claim that political leaders have to open the space for free speech and for criticizing any point of view without any distinction.

Respondents also demand the government to establish a guarantee fund to allow media to become self reliant. This comes from the points of view of a number of respondents who claimed that most of media are poor and without financial independence, they easily get manipulated by those who give them money to function. This comes in the time Rwanda is believed to be well progressing in all sectors including economic development, education, health, gender, etc and yet Rwanda media still claim to have been lagged behind.

Respondents also think that by allowing people to freely express themselves, the government could find a way to identify those with destructive ideas and tackle them strategically with



behavior change communications. They assume that some hate messages cannot miss to appear only 20 years after the genocide because of its setback, but argue that hindering community debates and individual freedom of speech could make things worse. “If you inhibit inner crucial messages, they may sometimes explode and cause more damages,” said one of the respondents.

## GENERAL CONCLUSIONS AND RECOMMENDATIONS

### 1. Conclusions

This thesis aimed at studying the role of hate media in the 1994 Genocide against Tutsi and their impact on human rights in Rwanda today with emphasis on freedom of speech and press freedom. Greater emphasis was put on RTL and Kangura to see how the role of these divisionism-motivated media affects media operations in Rwanda today. The research also aimed at verifying whether their editorial lines were due to the excess of press freedom and free speech or whether they were politically motivated and manipulated to help readers to understand the extent to which the freedom of speech should be limited in a post conflict environment and that to which the restriction of media freedom should affect the individuals' free speech.

The study drew a correlation between hate media and the genocidal leadership aiming at appraising whether the genocide could have taken place if there was no partnership between media and the government. It has also discussed issues of speech freedom and democracy and the impact of freedom of speech and press freedom to unity and reconciliation in Rwanda. Given the double standard role of media in destroying and rebuilding Rwanda, the study also looked at the relationship between the current GoR and media so as to see if the same errors as in the 1994 hardship event may not reoccur.

The main objective of this study was to analyze the consequences of the genocide and hate media on human rights in Rwanda, especially freedom of speech and press freedom. The study, therefore, analyzed the role of media in the 1994 Genocide against Tutsi in Rwanda with

emphasis on hate media. It also made an assessment of different steps media in Rwanda have undertaken to avoid the recidivism of fatal errors committed by their fellow pioneers. It has also had a look at the relationship between human security and freedom of speech and the relationship between governance and free speech and press freedom with intent to recommend the GoR on how to regulate media without necessarily imposing restrictions on free speech.

The research confirms an absolute truth of the participation of Rwanda media such as Radio Télévision Libre des Mille Collines (RTL) also portrayed as “incendiary radio”, Rwanda National Radio and some print media like Kangura, in mobilizing the Hutu to kill all Tutsi and moderate Hutu who were considered as traitors. Respondents also confirm the role of some individual journalists like Habimana Kantano of RTL, Ngeze Hassan who was the Chief Editor of Kangura, Bemmeriki Valery, Georges Ruggiu, a Belgian who was working closely with RTL, etc in spreading hate messages encouraging the Hutu to kill their compatriots Tutsi and moderates Hutu.

As a result of this hate propaganda, Rwanda lost more than one million Tutsi and moderate Hutu in only one hundred days. This negative experience proves that despite the fact that freedom of expression is one of the essential foundations of democracy and it is important for the development and protection of other human rights, it is also a double-edge sword. Researchers, scholars and human rights activists do all concur as proved in this study that freedom of speech and press freedom remain freedoms only when they do not interfere with the personal space of some other individuals. In other words, they remain freedoms when they do not violate other people’s rights.

As media can bring to a positive or negative impact depending on their usage, their power carries a heavy responsibility; social responsibility as well. Experiences in this study have proven at the one hand that whatever is portrayed in media regarding any issue, immediately gains an excitement and leaves a deep impact on the minds of many people. That is why some laws had to be laid down to keep a proper check. However, research findings have revealed a controversial implication of media in fueling conflicts. While some respondents pointed at government officials to purposely manipulate media to use them as propaganda tools, others criticize journalists for ignoring journalism principles to serve the interests of some individuals, thus taking part in the conflict.

Nonetheless, Reporters without Borders (1995) claim that the main reforms needed to prevent genocide or other gross abuses of human rights lie outside the sphere of the media. They include: reform of the security forces to make them impartial and accountable; ending the culture of impunity by holding perpetrators to account for human rights violations; establishing an independent and impartial Judiciary; developing a culture and institutions of popular democratic participation (Reporters without Borders, 1995). To them, the media can assist in this process by exposing wrongdoing by state agents -in particular covert manipulation of ethnic grievances by government agents.

## **2. Key findings**

The literature compiled from books, reports of human rights organizations and media stories led the research to confirm a leading role of hate media in perpetrating the Genocide against Tutsi. Media like RTLM, Radio Rwanda and Kangura did incite the Hutu to kill their compatriots Tutsi and moderate Hutu. While radios were using captivating music to attract

Rwanda youth in villages to listen and get access to them and incite them to kill, newspapers did the same with strong divisionism-oriented messages and sophisticated cartoons portraying the Tutsi as non humans.

Nonetheless, both the literature and the field study do not go along with the stand of the government to over control media and individuals' freedom of speech. They bring in an unprecedented role of the government in inducing media to incite the Hutu to kill the Tutsi before and during the 1994 Genocide. Therefore, they both remind the government that the genocide was a shared responsibility between media and the government and, ipso facto, hindering press freedom and speech freedom could sound like a run-away from their responsibility on the side of the government.

Due to the role media are accused of in the Genocide against Tutsi, journalists always are very careful to express themselves so as not to use some words that may hurt some healing wounds or to sound trivializing or denying the Genocide against Tutsi. Because of the language manipulation during the genocide and conflict events among political parties after the genocide, a number of words such as "*Interahamwe*" (people of the same expedition), "*Impuzamugambi*" (people with the same goal), "*Ubuyanja*" (raise from weakness), etc have been eliminated from Kinyarwanda—the native language of all Rwandans. Using such words or related sayings could subject one on heavy punishment indicated in the genocide ideology law. This also restricts the free expression as by using them one may find himself accused of the genocide ideology or divisionism.

Criticizing the government also is a crime punished by Rwanda laws. Some journalists such as Agnes Uwimana, Saidate Mukakibibi, Charles Kabonero, etc have been incriminated of

inciting people to hate the leadership. Moreover, media that dare to criticize the current regime are sometimes compared to RTLM and Kangura Newspaper. Thus, many media houses fear to negatively write about the government even when they have tangible facts. Examples are Umuseso and Umuvugizi Newspapers that have been permanently closed because of their critics against the government.

Research findings have revealed a strong relationship between hate media and the genocidal government (Government of Rwanda 1990 1994 insisting that if there was no such a relationship, the then government would have closed them (hate media). As a proof media were mainly publishing/airing hate speeches of the then authorities. Moreover, most of hate media belonged to government authorities very close to President Habyarimana and his wife. So the genocide could not have succeeded without such a partnership between hate media and the government.

Another issue that hinders media from expressing and informing freely is the lack of financial means. As they are always dependent either on the government or private investors who want to make profits, journalists cannot be free to report anything they find news worthy. In fact, almost all news is one sided while according to a Nigerian author Chimamanda Adichie (2009), a single story is dangerous.

So, building the capacity of the journalists and media houses along with making Rwandans media literate could improve the status of press freedom and speech freedom. When the ordinary citizen is able to discern or criticize what he listens to on radio or watches on TV or read in the newspaper and have a chance to debate about it with others there we will be no room for rumors, the truth will prevail and the security will be assured as believe the respondents.

A number of respondents caution that restricting freedom of expression does not obstruct other channels through which hate messages are conveyed such as parents-children conversations in their resting rooms. They believe open debates in media could counteract bad ideologies children fetch from their parents. On the contrary, inhibiting critics may cause more harms than letting them out. A number of respondents cautioned that silenced views may sometimes explode at an unstoppable speed and advise to manage them when they can still be flexibly manipulated.

Other research findings revealed that because of fearing heavy punishments that may emanate from free expression, most of Rwandans are turning their eyes to social media where they can post any view without any censorship. Through facebook pages such as Friends of Reason, Udukoryo, Ukuri kuravugwa, etc, twitter and blogs, Rwandans, especially young people, exchange views about social and political topics that are considered taboo in Rwanda. As the government do not have any possibility to stop such kind of communications, while the access to internet is overwhelmingly increasing, the government encourages pro-government youth to face such negativist views via the same means, which at the end generate debates that are not allowed in an open air.

Finally, the study has revealed that hate media perpetrated the genocide along with the totalitarian government that was controlled by a small group of Hutu extremists, who had also over control on the media. In fact, hate media such as RTLM and Kangura were financed and controlled by a small fraction of Hutu insiders within the government, called the Akazu. Consequently, hate media were politically motivated and served political ends instead of laying on journalism principles. So, in a democratic country where people are free to speak out their

minds and where journalists are allowed to be the voice of the voiceless, media cannot anchor the evil. Only an authoritarian government would impose media to ignore ordinary people's views and take a one way direction enchanting the government, which at the end induces media in fatal errors such as the 1994 Genocide against Tutsi.

### **3. Recommendations**

Most of the recommendations of this study are based on the suggestions given by respondents, the researcher's observations and experience in the fields of journalism, peace and conflict studies as well as experiences from the study. These recommendations are geared towards improving the freedom of expression and press freedom and aim at securing human rights in Rwanda. After six months of a sleepless research, the researcher deems necessary to recommend the government of Rwanda on how to cooperate with media in building a more peaceful country that respects all human rights including freedom of speech and press freedom. Journalists, media houses and the general public of Rwanda are also recommended on how to enjoy their free speech without endangering other people's rights.

As the research proves a clear cooperation between the genocidal GoR and hate media in the Genocide against Tutsi, the current regime should consider that without the government's support media cannot sow hatred and cannot therefore perpetrate the genocide. The government should guarantee the freedom of speech and press freedom as grants the constitution and watch media laws to make sure individuals' rights are respected.

It is difficult to eradicate hate speech if the society is built on hate. Yet, you cannot know where exactly hatred in the society is if people do not speak out their minds. The government



should allow all points of views and initiate the culture of debate where everybody will be taught to respect other people's opinions. In that way, strong and constructive ideas will take the forefront to run the society and there will not be any room for hate and incendiary speeches. People will learn to leave together in harmony and peace will prevail.

The GoR should not keep a pessimistic eye on media, because despite a significant role media played in fueling the 1994 Genocide against Tutsi, they also took an outstanding responsibility in peace building and reconciliation. Having suffered from a negative experience of hate media, a number of Rwanda journalists opted for a different direction after the genocide summoning for practicing journalism for peace and development.

Nonetheless, due to the lack of required journalistic knowledge and the lack of financial means for some media houses, some Rwandan journalists get bribed and report one sided stories. This gives a way through to injustice and conflicts. So the government should help in building media and journalists' capacity to help media to think and work independently—which will at the end lead to more responsible and objective media.

Freedom of expression and press freedom can only be restricted to protect the rights and reputations of others or to protect national security, public order, public health or morals. However, experiences have proven restrictions in the name of public order and national security can often be excessively broad and vague. So, academics, human rights activists and media experts recommend that such restrictions should only be imposed where there is a real risk of harm to a legitimate interest meaning there is a significant risk of imminent harm; the expression was made with the intention of causing the harm.

As indicated in previous parts, the genocide cannot take place without the support of the government. So, the international community should monitor "hate media" particularly when linked to government authorities, and restrictions on freedom of expression as an early warning of potential gross violations of human rights. Reporters without Borders (1995) suggest this should be a greater responsiveness on the part of the UN Secretariat to warnings generated through other parts of the UN apparatus, notably the special mechanisms dealing with human rights.

In case of the government-supported conflicts as it has been the case during the Genocide against Tutsi, the international community should encourage and support radio stations and other media which promote peace, tolerance and public debates, whether from within the country or from outside in local languages. There should also be professional training for journalists in countries affected or endangered by ethnic conflict.

## **Future Research**

This study was focused on freedom of speech and press freedom in human security in Rwanda. It has demonstrated how the history of the 1994 Genocide against Tutsi continues to be a barrier to freedom of speech and press freedom, thus being an obstacle to unity and reconciliation as people are not free to lay down all the truth and find a way forward.

Further research could assess speech freedom and Press freedom in human development or in development at large. There is a need also to carry a critical study on speech freedom in education either in Rwanda or any other country to see how speech freedom or the lack of the latter could facilitate or hamper knowledge sharing. Future research should also appraise citizen journalism in countries with limited speech freedom and press freedom.

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**APPENDIX**

**Questionnaire for Journalists**

This questionnaire is intended to collect data for the partial fulfillment of an MA Degree in International Master in Peace Conflict and Development Studies at Jaume I University, Castellon/Spain. The information you provide is confidential and very important in helping to appraise Speech Freedom and Press Freedom in Human Security in Rwanda. Your answers are confidential and will be used only for the purpose of the research!

Name.....(optional)

Age.....

Profession.....

Experience.....

Nationality.....

**NB: There is no limit you can provide as much information as you like.**

**Questions**

6. Did the role of hate media in the 1994 Genocide against Tutsi have consequences on the way you express yourself?

How?.....  
.....  
.....  
.....

7. Did hate media have consequences on the freedom of speech and press freedom? Could you mention some?.....

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8. Was there any relationship between hate media and the genocidal government (Government of Rwanda 1990 1994)?.....

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9. Could you describe such a relationship, if any?.....

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.....

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10. Do you think the genocide could not have taken place if there were not any 'hate media'? Why?.....

.....

.....

.....

11. Could hate media have perpetrated the genocide alone?.....  
.....  
.....  
.....  
.....

12. Did Rwanda media professionals and media practitioners learn any lesson from hate media?  
How?.....  
.....  
.....  
.....

13. Do you think the post genocide Government of Rwanda took a lesson from the relationship between the genocidal government and hate media?.....  
Explain.....  
.....  
.....  
.....

14. Could the Rwanda Government secure its national security without severely restricting the right to free speech and press freedom?  
How?.....  
.....

.....  
.....

15. After the role of hate media in the Genocide against Tutsi, should the Government of Rwanda let people express themselves freely?

Why?.....  
.....  
.....  
.....

Thank you for your participation!

### Questionnaire Human Rights Organizations and Human Rights Activists

This questionnaire is intended to collect data for the partial fulfillment of an MA Degree in International Master in Peace, Conflict and Development Studies at Jaume I University, Castellon/Spain. The information you provide is confidential and very important in helping to appraise Speech Freedom and Press Freedom in Human Security in Rwanda. Your answers are confidential and will be used only for the purpose of the research!

Name.....(optional)

Age.....

Profession.....

Experience.....

Nationality.....

### Questions

1. What is the quality of Rwanda media discovery of Human Rights?*/Kuba itangazamakuru ryo mu Rwanda rizi uburenganzira bwa muntu byongera iki ku mikorere y'itangazamakuru?.....*

.....

.....

2. What kind of news/information do media in Rwanda frequently cover? Why?*/Ni ubuhe bwoko bw'amakuru ibitangazamakuru byo mu Rwanda bikunda kwibandaho? Kubera iki?.....*

.....

.....



3. Is there any freedom of speech and freedom of expression in Rwanda? *Ese mu Rwanda haba hari Ubwisanzure bw'itangazamakuru n'ubwisanzure mu gutanga ibitekerezo?*.....  
.....  
.....
4. What are the main constraints media and media practitioners undergo regarding press freedom and freedom of expression? *Ni ibihe bibazo itangazamakuru ryo mu Rwanda n'abanyamakuru bakorera mu Rwanda bakunze guhura na byo ku bijyanye n'ubwisanzure bw'itangazamakuru n'ubwo kwisanzura mu bitekerezo?*.....  
.....  
.....
5. What should be done to overcome those constraints? *Hakorwa iki se kugira ngo ibi bibazo bikemuke?*.....  
.....  
.....
6. Are there any confronting laws regarding press freedom and freedom of speech? Explain/ *Ese amategeko y'u Rwanda haba hari aho abangamira ubwisanzure bw'itangazamakuru n'ubwisanzure mu gutanga ibitekerezo? Sobanura*.....  
.....  
.....

7. Could media censorship by the Government or self censorship help in reunifying Rwandans? *Ese kugenzura itangazamakuru cyane/kuriniga hari icyo byakongera ku mubanyirwanda?*.....  
.....  
.....
8. Can that censorship improve the social welfare of people? How?/ *Kugenzura cyane itangazamakuru cyagarukira byaba hari icyo byafasha mu mibereho myiza y'abaturage? Gute?*.....  
.....  
.....
9. Keeping in mind the role of hate media in the Genocide against Tutsi, do you think it is time to let people in Rwanda express freely? / *Utirengagije uruhare rw'itangaamakuru ribabura urwanga muri Jenoside yakorewe abatutsi, utekeraza ko igihe cyaba kigeze kugira ngo abantu bisanzure mu gutanga ibitekerezo?*.....  
.....  
.....

Thanks for your participation!

**Questionnaire for media houses**

Thank you for completing this questionnaire. The information you provide is confidential and very important in helping to appraise “Speech Freedom and Press Freedom in Human Security in Rwanda”. Your answer could contribute to make Rwanda a better place. Thank you for your participation.

Name.....(optional)

Age.....

Profession.....

Experience.....

Nationality.....

**Questions**

1. What is freedom of expression in relation to your work?

.....  
.....  
.....

2. Are you free to fully publish anything that your reporters deem news worthy?

.....  
.....  
.....  
.....

3. Have you received any censorship or limitations from authorities before?.....

.....

4. If yes, what was your experience?

.....  
.....  
.....

5. What policies, if any, do you follow in your coverage of events?

.....  
.....  
.....

6. If not, how do you cover your events especially political stories?

.....  
.....  
.....

7. Do you have a chance to freely express your views on this forum without any limitation?.....

.....  
.....

8. Have you ever been subjected to any censorship or legal limitations hindering you from publishing freely either from the law or the government?

.....  
.....  
.....

Thank you for your participation!