

## A Missing Component in Democratic Elections: Fair Coverage and Equitable Access to Media

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Democracy is a system of government in which all citizens of a country can vote to elect their representatives (Kibore, 2017). In this context, elections are the cornerstone of any democracy and the media has a vital role to play (Mohamed Mokhtar, 2018) – in informing the public about what the politicians are promising, in telling the politicians what ordinary people want or do not want, and in ensuring that the polls are “free and fair” (Reuters Foundation, 2005). Kibore also said that media have a big role in contributing to the economic and political development of citizens and during elections (OSCE Office for Democratic Institutions and Human Rights, 2012) and promoting peace and democracy (Association for Progressive Communications, 2019). The media coverage affects political preferences, namely voting intention (Dewenter, Linder & Thomas, 2019).

The role of the press, or the mass media at large, in the dissemination of information and in shaping public opinion, in addition to serves as a forum for discussion and discourse, was recognized three centuries ago when the British statesmen, political theorist and philosopher, Edmund Burke labelled it the Fourth Estate (Asohan, 2013). For this, access to information is essential to the health of democracy for at least two reasons: (i) it ensure that citizens make responsible, informed choices rather than acting out of ignorance or misinformation, and (ii) information serves as a “checking function” by ensuring that elected representatives uphold their oaths of office and carry out the wishes of those who elected them (Center for Democracy and Governance, 1999).

Voters need information to make educated decisions, and it is journalists’ job to give it to them (Brichacek, 2016). According to Brichacek, there are six ways the media influence elections. Among others by deciding whether to cover or not to cover, using data journalism for the purpose of fact-checking, polls and the self-perpetuating cycle, and as watchdogs of democracy. In this modern age, the media is one of the most powerful influences on how an election runs inside the country, and how it is perceived from outside (Howard, 2004). If the media are covering the ‘wrong’ aspects of electoral campaigns then it might have a negative impact on the functioning of democracy (O'Malley, Brandenburg, Flynn & Mcmenamin, 2012). Referring to media coverage during the 1948 presidential election, Jarvis (2018) said that “journalists regard elections to be important”, and “they admit, though, that they struggle while reporting on them.”

The electoral system and the media are two inseparable components in a country that practice the principle, value and spirit of democracy. The media and society, in an electoral system that refers to the contesting parties and the voters are ‘indissoluble’. The function of the media, as can be seen in other sectors of life, has its own vital role – making people informed. It also helps in entertaining the public, educate and make people aware of the current

happenings (Nity & Gaurav, 2017, p. 127). As the mass media has a prominent role to play in modern society, modernisation has “converted media into an indispensable feature of human activity” (Paul, Priyanka & John, 2013, p. 34). While the focus is often on the role of the mass media, the role of journalists should not be underestimated as they have the same responsibilities as the media organisation itself. In the Malaysian context, the study of Ezhar and Ain Nadzimah (2015) shows that Malaysian journalists have mixed views on the role of the media in the Malaysian media environment, which is highly regulated by the government. According to ACE Project (1998), the media, regardless of whether print, electronic or new media, plays an indispensable role in the proper functioning of a democracy. ACE Project also stressed that apart from its function and role as a watchdog (Saifuddin, 2014) to scrutiny and to create discussion of the success and failures of candidates, governments, and electoral management bodies, the media are in the position to inform the public of how effectively the politicians have performed and help to hold them to account. In terms of conduct of elections, according to ACE Project (1998), the media has the following duties and responsibilities: (i) educating voters on how to exercise their democratic rights, (ii) reporting on the development of an election campaign, (iii) providing a platform for the political parties and candidates to communicate their message to the electorate, (iv) providing a platform for the public to communicate their concerns, opinions, and needs, to the parties/candidates, the election management body, the government, and to other voters, and to interact on these issues, (v) allowing the parties and candidates to debate with each other, (vi) reporting results and monitoring vote counting, (vii) scrutinizing the electoral process itself, including electoral management, in order to evaluate the fairness of the process, its efficiency, and its probity, and (viii) providing information that, as far as possible, avoids inflammatory language, helping to prevent election-related violence.

One of the components of the Electoral Cycle, initiative that being promoted by the International Institute for Democracy and Electoral Assistance (International IDEA), is media access (Catt, Ellis, Maley, Wall & Wolf, 2014). According to Kibore (2017), prevention of access to information to citizens is a violation of human rights. He further said that a free country requires its citizens to get information and communication on the development issues of their respective countries, to promote democracy, good governance, and law enforcement. Fair, transparent and effective election management requires fair coverage on the part of practitioners and media organisations, and likewise the media needs the support and encouragement of all actors involved in the management and conduct of elections to ensure that elections would be conducted effectively, independently, transparent manner and fully responsible (Lim Hong Hai, n.d.; Muhamad Takiyuddin & Norazam, 2020). Are these components realized effectively? This is a critical question that is often raised during the election seasons in Malaysia over the past fix decades, where on average it is described as “a relative newcomer to the world of the democratic nation-state” (Abdul Rashid & Tunku Mohar, 2006, p. 319).

In general, the success of the election management body that is responsible for conducting elections effectively and fairly can be evaluated in terms of its effectiveness in determining the availability of fairness and level playing field is provided to all parties participating in the elections. Therefore, to carry out fairly is the responsibility of media, either the public media (owned by the government) and private media, to ensure that all stakeholders have an “equal cake or share” in the process of disseminating campaign messages.

Based on international standards on the participation and involvement of the media in the electoral process, it is always being emphasized that the independence of both forms of media, namely electronic media and print media, is an important condition or requirement if the elections is to be categorized as free, fair and effective elections. As mentioned earlier, international guidelines also have suggested that the media can by itself deflect the elements of

fair, just and transparency, especially when overly biased reports are widely practiced. One-sided access to public media and the marginalization or embezzlement of information about campaign issues that are important and need to be known by the citizens, especially the electors, have been the subject of complaints by the opposition in many counties, including in Malaysia for many years.

In the context of access to the media and media coverage during the elections, both the media organisations and their journalists, and democratic election stakeholders, especially the political parties and candidates as well as the voters, are interdependent and relatively connected. Competing candidates and parties need to communicate their political programmes, policy statements and electoral appeals to their respective constituencies via the media and other means while the votes, on the other hand, require the channels of communication to express their views and make their political demands (Gomez, Mustafa & Yuen Beng Lee, 2018). The media needs political parties and candidates that contesting in the election, and vice versa. According to Syed Arabi and Safar (1993), from the perspective of both parties, namely journalists and politicians, need each other for the purpose of information delivery, and the role of journalists and politicians are messengers alike. In fact, according to Syed Arabi and Safar, "journalists convey political messages through the mass media and politicians use the media to accomplish their political purposes" (p. 3). If any of the stakeholders claim that they are more important than others, it is something that does not make sense and that they are not part of the real world and complete ecosystem of information dissemination and consumption.

Based on more than three decades of personal experience in the field of journalism and covered various elections in Malaysia, we need to do more to ensure a level playing field and a fair media coverage during elections. This requirement was also emphasized by Ab Rashid Ab Rahman, the then former Chairman of the Electoral Reform Committee (ERC) (personal communication, 5 January 2020). Ab Rashid further said that it is a global phenomenon that exists in the circle of new democratic countries and Malaysia is part of this kind of perception. The monopolistic use of the media to project the image of the ruling party, which can be considered as an election campaign during the elections period, may be used entirely as a privilege or advantage that belongs to the ruling parties. The scenario persists till today and has seen by the general public as "forced acceptable practices" and as an absolute right of the ruling parties to determine how the government-owned media should be utilized during the elections.

We should focus the study on media landscape in Malaysia from two major perspectives. The first wave media landscape was those that emerged and had played a significant role in the electoral process before the country was exposed to the advancement of ICT, and the targeted audience mostly were familiar with traditional media coverage. Traditional media is often considered the mainstream media in obtaining and conveying information related to election campaigns. According to Abdul Rahman (2019), the mainstream media in Malaysia is often associated as a source of news or reports based on the status quo. Supporters of the ruling party will take the mainstream media as their main choice and source to obtain information without prejudice, while the opposition parties and non-governmental organisations are always sceptical and think that the mainstream media should play their role fairly and equitably, and there should be alternative media, which can channel their ideology and manifesto. The second wave of landscape was emerged following the presence of new media and the social media in various forms. Reporting during elections is often blemished by verbal and sometimes physical clashes between media, police, political parties and government entities (Wahlberg, 2019). Wahlberg explained that the relationship between these parties is often marred by distrust, arising from an inability of the sides to fully appreciate the role of one another in a democratic society. Ideally, media should provide platform for a balanced information on candidates and issues during elections and function as a vehicle for promoting public debate and ensuring access to information that educates. Media during elections should involve the electorate, as

well as monitor the integrity of the electoral process and hold governments to account. However, Wahlberg added that this is far from the reality in many countries with developing democracies.

The views outlined here are based on the author's experience in the field of journalism for more than two decades, with additional information gained from literature reviews and also based on the input shared by participants of engagement sessions conducted by ERC. As ERC member, the author also served as the head of the media and election cluster, thus provided an opportunity to shared views of various parties and stakeholders. The views they shared are similar to what various media analysts and researchers had highlighted via various platforms. For example, during 2013 General Elections, a regional media watchdog had said that it is concerned voters are being denied fair and credible information ahead of Malaysia's national elections. Gayathry Venkiteswaran, Southeast Asian Press Alliance executive director, told Radio Australia's Asia Pacific that fair and accurate information from diverse sources must be available so citizens can make informed choices on polling day (Australia Network News, 2013). According to Gayathry, locally-gathered data shows mainstream media campaigning has been "significantly biased" towards the incumbent BN. Actual data from a media monitoring initiative has proven what many Malaysians have suspected all along – that the online media provides more balanced political coverage than the mainstream media (Asohan, 2014).

In essence, various arguments have been put forward in discussions on the media landscape in Malaysia which has undergone major changes in terms of ownership, especially since the mid-1970s. Several major newspapers that were initially established as entities that free from political influence, such as *Utusan Melayu* and *Tamil Nesan*, were owned and controlled by political parties that also had established their own newspapers – a phenomenon that was also seen in other democratic countries. With relatively limited number of media (print and electronic) and coupled with the existence of control systems through media and non-media laws such as Printing Presses and Publications Act (1984), Broadcasting Act 1988, Official Secrets Act 1972 and Communication and Multimedia Act 1998, the mainstream media was seen to be more inclined to the ruling government and the political parties that are members of the ruling coalition – BN. According to Gomez, Mustafa and Yuen Beng Lee (2018), the media-related laws are clearly designed to empower the state to largely rein in the media industry. This situation was very evident until 2008 when BN began to lose power in five states and majority in the Parliament also declined. Despite the dependence and wider of use of the mainstream media by BN and its member parties, which was remained strong until 2018 General Election, the opposition managed to overthrow BN at the national level three years ago. It was clear that both the ruling and opposition parties are beginning to use the new media and alternative media actively and aggressively in their efforts to reach out to their respective supporters. In addition to using their print, electronic and social media as official organs, political parties use other existing alternative media to convey their political messages.

We need to acknowledge that the issue of the need for a fair and equitable media coverage is not only a concern in Malaysia, but also in most countries including in developed democracies such as the United States of America (Shaw, 2010; Sunar, 2020; Pilkington, 2016). An analysis of news coverage from the 2016 primary races found that mainstream media outlets engaged in "journalistic bias" that led to over-coverage of the Donald Trump campaign and under-coverage of Democratic candidates, in particular Senator Bernie Sanders. Survey data in early 2020 shows that most Americans think news coverage in their country is one-sided, but they fault media organisations themselves much more than the journalists who work for them (Walker & Gottfried, 2020). According to a surveyed conducted by Pew Research, about eight-in-ten Americans think news coverage favours one side, more so among

Republicans, and about eight-in-ten Americans (79%) say news organisations tend to favour one side when presenting the news on political and social issues.

The role of the media during elections is crucial. Every media has an editorial policy that can usually be seen through the way of writing and presenting an issue. It is not wrong for them to state their stand on an issue, including during the election, as long as they adhere to the principles of impartiality, bias and need to be fair to every stakeholder, especially the readers who are their target group and main audience. Thus, many political parties show interest in owning their own media platform or placing control as much they could on media organisation as possible. Majority of Malaysians get news and information about election campaigns and political events through various form of mass media, not only mainstream media, online media and social media. The actual definition of mass media is very broad and covers a wide range of platforms. It is therefore important for the media to be neutral and fair. An important thing that needs to be emphasized here is the increasingly complex media landscape due to changes in social, economic, political and legal fields compared to since the first general election in 1959. These developments also require the formulation of relevant legal framework.

In a democratic nation like Malaysia, democracy is not just defined as the freedom to go to the ballot boxes to vote in a government, but also requires strong and independent public institutions, proper separation of powers, and mass media that is free to perform their duties without fear or favour (Asohan, 2013). It is important for journalists to prepare for their reporting by educating themselves on the different institutions involved in the organisation of elections, on campaign rules and regulations, on the format of the ballot papers, and on the procedures for the announcement of the results. Furthermore, understanding the potential political gains and losses, the candidates' profiles, and the expectations of the population is also part of the basic knowledge a journalist must have when covering an election (A Training Module, 2010).

The issue of access to the media and fair media coverage in Malaysia has long been discussed by many parties since the 1980s. The seriousness of the issue and the need to address the dilemma before us requires an immediate and comprehensive solution. Despite the current trend of mainstream media coverage during by-elections, especially the government-owned media, began to show gradual changes since after the 14<sup>th</sup> General Election in 2018 and the opposition-led Pakatan Harapan (PH) took over the federal government before it was overthrown at the end of February 2020, the general view is that the mainstream media is still under the control of the ruling government and as well as the political parties that own equity in the media involved. This was also emphasized by the Human Rights Commission of Malaysia (2020), which monitored the 2020 Sabah State Election, the first snap election after 14<sup>th</sup> General Election, and several non-governmental organisations that had observed a dozen of by-election since 2018. The writer's personal experience shows that the major newspapers in Sabah, during the snap election in September 2020, had provided a balanced space for all political parties to disseminate their messages ahead of polling day, a situation that has rarely been seen in other parts of Malaysia before. Under the proposed fair media access solution formula, the experience in Sabah should be emulated and it is hoped that it will be practiced by all stakeholders either voluntarily or through a legal framework.

Taking into account various developments that have taken place in the field of democratic elections in Malaysia since last four decades, fair access to the media, no matter who owns the media organisation – government, private or individual, we need to take new initiatives that will certainly benefit all stakeholders – the candidates, political parties, voters or electors, and the EC as election management body, and all the nation at large. The low turnout, witnessed during the Melaka and Sarawak state elections at the end of 2021 and followed by a similar scenario during the recent Johor state election on 12 March 2022, where only 54 percent voters turned out, the developments show that the role of the media is a comprehensive aspect, and

constructive access to the media are the basic principles to taste, provide and implement democratic elections for the entire stakeholders. The media needs to be used extensively and fairly by all stakeholders to increase active participation of political parties and candidates and as well as the voters who will elect their respective members to be their voices in the legislature bodies – Parliament and State Assembly.

We need to create an operational standard for all to follow. Every media has a role to play in ensuring a fair media access. If implemented in a holistic and comprehensive manner, this will end the culture and habit of "blaming games", as we have been hearing since more than four decades. Although many countries have their own legal provisions but there is no perfect system, mechanism, and laws. Therefore, we need to take a meaningful step to address all the shortcomings that exist in the electoral system from the context of media access and fair coverage.

Pragmatic solutions are also needed as there are already aggressive discussions to make realize the idea of establishing a Media Council Malaysia. The Media Council, Malaysian Press Institute (MPI) and other media related associations, unions and bodies could assist the election management body in the process of monitoring the role of the media during the elections. We need accept media organisation and journalists as a synergistic partner in nurturing democratic values during elections. The mass media and elections are important components in the two-way communication process and to provide the meaningful space for the voters to make "informed-choice" during elections. It is important since Malaysia has introduced automatic voters registration, which was formally implemented since December 2021. As political parties, candidates contesting, the voters, and the media are important components in the elections process, democracy will be flawed if one party takes the opposite approach.

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