

Role of Media on Constitution-drafting

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Where there is no democracy there is no press freedom, and where there is no press freedom, there is no democracy in practice. Thus, the direct impact of political governing system is seen on journalism, and the status of journalism reflects the political situation. There is press freedom under democratic political system, and its role is taken seriously. Media is taken as the fourth estate due to its nature of work as a watchdog to bring the right and wrong activities of legislative, judiciary, and executive to the general public.

In the context of Nepal, while practice of democracy has reached six decades, the beginning of the newspaper publication is more than a century. Although various newspapers, radios, and television station were in operation, the media industry could not take off as an industry due to illiteracy and low economic capacity among others. The environment became favourable to the media sector after 1990 to emerge as an industry. .

By the end of April 2010, there were two thousand and thirty eight registered newspapers in Nepal and among them five hundred fourteen are regular. In addition to Radio Nepal, more than two hundred FM stations are in operation, and thirty one television stations have acquired approval license to broadcast, and out of them eleven are in operation. The scope of new media also is expanding. The data reflects that the scope of journalism is wide and broad.

Despite the fragile political situation, there has been quantitative as well as qualitative improvement in the media sector of Nepal, and the role of media during this transitional political situation has been supportive. The role of Nepali media has remained supportive in the constitution-drafting process, but due to the failure to create necessary pressure through keeping peace and constitution in focus, a conducive environment to resolve important issues could not be created.

Priorities Everywhere

The CA election emerged as the special priority area of Nepali Media, receiving coverage not only from the perspectives of news, articles, interview, but for stimulating debates as well. The CA

received priority from Nepali media due to its relation with the peace process and the constitution-drafting process. The concern and interest of the whole people towards the CA remained vital to Nepali media from commercial as well as business perspective.

The role of media has been important in creating a conducive environment leading up to the CA election but also towards successfully completion of the CA elections and to arrive in the present situation. The media have shown solidarity on peace and the constitution by creating a favourable atmosphere for the CA. Some media houses presented more analytical reports on the outcome of the CA election, regarding the representation of class, caste, ethnicity and region.

To some extent Nepali media were fairly successful in making people realise there is representation of all sides in the CA by providing analysis of the results from multidimensional perspectives. The media were in favour of politics of consensus between the political parties with the strong focus of on the issue of differences between political parties, regarding the government handover of power, implementation of republic system and power sharing.

The Interim Constitution 2007 has a provision of the Legislature-Parliament and the Constituent Assembly where CA is for the purpose of the constitution-drafting process and Legislature-Parliament is responsible for running the government, passing the budget and enacting laws. Although it took long time to be clear on the differences on their role due to the engagement of same people in same hall holding meetings. But the role of media's efforts to clarify the facts and differences between the CA and legislature-parliament and their role was important.

In the beginning, the role of media was highly constructive towards the CA. Most of the journalists were in the favour of institutionalising the political change because they were involved in the activities of news collection during the People's Movement. Furthermore, journalists were positive based on the assumption that political leaders who were able to bring a republican system through the People's Movement will be able to complete the peace process to its logical end. Even the media houses were confident about the Constituent Assembly drafting the constitution and bringing peace to the country.

Consciously or not, Nepali media gave special priority to CA-related news. The activities of the CA were covered and presented on the front page of newspapers, broadcasted by radios and televisions with special importance. The task of reporting about the CA was complicated as well as

challenging as only a small number of journalists were familiar with the constitution-drafting process of the CA.

In the context of reporting, issues related to committee formation, terms of references of the committees, working schedule of the CA, and questionnaire prepared by the various committees were comparatively easier to report, but it was challenging to prepare news reports about policy and theoretical aspects of the constitution-drafting process. Altogether there are 25 political parties in the CA and represent different backgrounds and ideology. The participation level of most of the political parties remained high putting their differing views on various issues.

Most of the political parties' leaders were found to be speaking not only during the CA meetings but also in the committee meeting. And it was difficult for journalists to report on a single theme while including different perspectives of the leaders. The coverage of large and small political parties was different; even though the media attempted to put the views of small political parties as well, these attempts were not sufficient. As in the larger national politics which is dominated by larger political parties, their opinions and differences between them dominated and got full exposure in the media as well.

Limited Focus

In the CA, there were 10 thematic committees, three procedural committees and the Constitutional Committee. In order to identify themes and make it easier to manage these issues, committees had formed thematic sub-committees as well. In addition to full meetings of the CA, meeting with political parties and discussion were also related with the issues of the CA. reporters were not in a position to cover all the issues and positions raised in the CA. Therefore, journalists had prioritised certain themes of the CA in their reporting.

Governing and electoral systems were the main themes in the Committee for Determining the Form of the Government. Media focused with special priority on the debate between presidential or the prime ministerial system of governance. Similarly, media were centred on the issue of whether to adopt full proportional electoral system based on ethnicity or mixed electoral system.

The focus of media was in the lower house, upper house and numbers of the members in these houses as discussions took place in the Committee for the Determining the Structure of the Legislative Body. The media emphasised on the numbers of commissions on the Committee for the Determining the Structure of Constitutional Bodies.

Media focused on the definitions of minorities and marginalized communities, and how to include the rights of the marginalized communities and minorities in the new constitution as the issues were discussed in the Committee on the Protection of the Rights of Minorities and Marginalized Communities.

In the reporting of the Committee for Determining the Base of Cultural and Social Solidarity, media focused on the issues of language rights, protection of minority languages as well as the choice of word on whether to call the twelve-year Maoist insurgency either 'conflict' or 'people's war.'

The media focused on power sharing on the Committee on Natural Resources, Financial Rights and Revenue Sharing. Similarly, issues such as the authority of the centre, region and local level were in the priority of media. Journalists were much more interested on the issue of land reform with or without compensation.

In the Judicial System Committee, media centred on chief justice, appointment of judges, qualification for judges, minimum conditions to be the judges and its impact on the balance of power.

Federal units, their names and number, and bases for determining the areas of the federal units were the central theme to the media in the Committee on State Restructuring and Distribution of State Power. On the Committee on Fundamental Rights and Directive Principles, media were found to be more focused on the rights of media, freedom, equality, life and property. In the context of the Constitutional Committee, constitutional provision regarding political parties, preamble to the constitution, emergency authorities, and pluralism were spotlighted by the media.

Failure of Media to go in depth

The role of media was found to be limited to the technical aspect and regular activities, despite the vast number of issues related to theoretical and policy aspects in the CA. Media were not particularly interested on in-depth analysis regarding strength and weakness on theoretical and policy-related aspects. Journalists were found wanting in identifying the main gist of the various issues being raised daily in the CA and its committees. The reason is due to the failure of media houses to develop a mechanism to look and analyse various themes and events.

Journalists were not interested to make the extra effort to analyse all the aspects on a regular basis. The meeting of various committees was held on the same day. Limited numbers of human

resources remained the obstacles to understand all things about the committees. In addition, CA was influenced by the public opinions of top political leaders and the meetings of top political parties. Similarly, CA was influenced by the activities of the government (power-sharing) and the resultant disputes between political parties. Therefore, media focused more on government formation rather than the constitution-drafting process. Anil Chhetri, a reporter, who is involved on reporting legislative affairs, mentioned that the constitution-drafting process is being affected by the entry of various issues such as the government formation, political issues and legislature's works into the CA.

Weakness of the Media

The role of media is not noticeable in the latter days. In the beginning, media were working together on the issue of constitution drafting process; however, they have also been divided in recent days. Instead of analysing the coalition politics and policies dispassionately, the media were also affected by partisan politics.

The role of media has been weak with the failure to point out political parties' faults while they were competing only for the government by influencing the constitution-drafting process and the peace process. The voice of media itself became feeble when they started to views that favourable to themselves. Media remained silent on the inefficiency of the political parties and their activities, even though these activities were hindering the peace process and the constitution-drafting process.

Gradually, the role of media failed to prioritise peace and the constitution-drafting process, and media was not far behind in giving priority to conflict-fuelling issues and peace spoilers. Media equated the disputes between the parties with the transition period. In recent days, instead of 'setting agenda' in favour of peace and constitution, the media tone has been one of pessimism. The media sector itself is seen to be at a loss about the peace and constitution-drafting process. Media totally failed to highlight and provide adequate direction of politics and raise the other issues. Furthermore, the role of media has been to highlight 'debates' as 'disputes' and 'compromise' as the 'confrontation' between various actors who played pivotal role in the People's Movement. The media failed to fulfil historical responsibility due to their nature of emphasising events rather than causes and context without considering the long-term effect and causes of their activities. These issues pose a serious question mark on the role of media in the peace and constitution-drafting process.