6. Media freedom in Melanesia

The challenges of researching the impact of national security legislation

Commentary: In a global context of national security anxiety, governments across the world are passing an increasing number of laws in response to terror-related threats. Often, national security laws undermine media freedom and infringe on democratic principles and basic human rights. Threats to media freedom and abuse of journalists are also increasing in Melanesia. This commentary argues that in a regional context of repetitive political coups, failures in governance, high levels of corruption, insurrections, or even media crises, the tensions between national security legislation and media freedom need to be examined cautiously. The authors suggest that strong methodological and theoretical frameworks that allow for serious consideration of cultural practices and protocols will be necessary to conduct research examining these tensions in Melanesia.

Keywords: comparative studies, journalism practice, media freedom, Melanesia, Melanesia Media Freedom Forum, national security, South Pacific

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Introduction

The Melanesia Media Freedom Forum held in Brisbane in November 2019 called on development partners such as Australia and New Zealand to ‘Recognise and advocate for the role of the free and independent media as an essential accountability institution in Melanesia’ (Melanesia Media Freedom Forum, 2019). This commentary argues that engaging in cross-cultural and comparative academic research examining the impact of national security legislation on media freedom in the Pacific region represents an initiative that directly addresses the forum’s call. As countries roll out national security legislation in response to terror-related threats, tensions continue to grow between the need to protect national security and the need for journalists to be able to do their work in the public interest.

In other words, national security laws critically affect journalists’ ability to uphold their ‘watchdog’ function. However, as Robie (2012, p. 222; 2014)
highlights with regard to the Pacific, in order for media to play its role as the Fourth Estate, the media must also be able to understand the important role that custom (*kastom*), traditional movements, and spiritual beliefs play in the region. As M’Balla-Ndi (2017) also notes in her study of journalistic practices in New Caledonia, French journalism schools attended by the majority of metropolitan media practitioners in New Caledonia neglect the study of knowledge crucial to work as a journalist in the archipelago, particularly knowledge of local customs such as ‘*la coutume*’. She argues that ‘Metropolitan journalists’ lack of knowledge about Kanak customs […] and their will to keep reporting as they would in France is problematic. Journalism in New Caledonia involves many things that [one does not] learn in Western journalism schools’ (M’Balla-Ndi, 2017, p. 61). It is probably then reasonable to expect that conducting research about national security laws and their impact on journalism in Melanesia will also require recognition of local customs as a factor influencing journalism in the region, and be given significant consideration when conducting such studies.

Since 11 September 2001, more than 100 countries around the world have passed legislation to strengthen national security (Human Rights Watch, 2012). Not only do these laws undermine media freedom, they also infringe on democratic principles and basic human rights. In many countries, national security legislation involves ill-defined Acts that allow security agencies to prevent media from effectively reporting on stories of public interest. Often, these laws imply that journalists can only rely on a limited number of official sources, including limiting their access to crucial information needed to produce balanced stories. This is crucial in Melanesian countries where threats to media freedom and abuse of journalists are increasing.

We argue that examining the conflict between national security laws and media freedom in Melanesia is a complex task that requires attention to, and recognition of, cultural particularities of South Pacific societies. In a global context of national security and public anxiety, and a regional context of repetitive political coups, failures in governance, high levels of corruption, insurrections, or even media crises, these tensions need to be examined cautiously. Such research will need to recognise approaches that consider local cultural dynamics, and that can distinguish genuine cultural protocols from abusive invocations of tradition when it is used to sideline—or excuse the unfair treatment of—journalists.

**Kastom and Western ways: A complex equation**

It has been said that journalism is ‘an Anglo-American invention (Chalaby, 1996, p. 303). This underlines why journalism literature is dominated by Western or Euro-centric concepts. This narrow conceptualisation of journalism implies the omission of important regions of the world such as Africa, Asia, and Pacific Islands in the scholarship of journalism practice. It is for this reason that Wasserman
and de Beer (2009) presented a critique of journalism as ‘an Anglo-American invention’ on the grounds that it excluded non-Western scholarship as contributing to the journalism discipline. They point out that the exclusion of Africa from discussions about how journalism is practised across the globe has deprived humanity of the values of diversity and inclusiveness in cross-cultural journalism practices. Wasserman and de Beer (2009, p. 431) argue the implication is ‘too often that the Western democratic model of liberal democracy remains the implicit or explicit normative ideal against which journalism in non-western societies is measured, with media-state relations as a primary determinant of journalistic standards’ (p. 431). Similarly, other scholars such as Curran and Park (2000) contend that we should not perceive our world from a long and constricted Western viewpoint but rather we must adopt and encourage approaches that appreciate the values of globalisation, the emergence of the Asian economy, and the move from Hollywood to other centres of media creativity, such as Nigeria’s ‘Nollywood’ movie industry and India’s ‘Bollywood’. Pacific scholar and writer Epeli Hau’ofa (1993, pp. 2-3) also argues, ‘Academic and consultancy experts tend to overlook or misinterpret grassroots activities because they do not fit with prevailing views about the nature of society and its development’.

In their major paper, ‘Have We Been Thinking Upside Down? The Contemporary Emergence of Pacific Theoretical Thought,’ Huffer and Qalo (2004, p. 87) ask the question: ‘Why should we be concerned about the Pacific thought?’ Their paper suggests that research, which examines the Pacific, is mostly published by foreigners that fail to study how Indigenous Pacific thought relates to contemporary ideas. Such studies do not consider how fundamental Pacific concepts and philosophies are relevant to the social reality of local societies. Pacific Islanders might have in fact realised that they ‘have been thinking upside-down’ and they are now trying to find ways to recover from colonial and post-colonial models and ideals, such as Christianity and Western public administration and systems of governance. In a context where collective efforts between Melanesian and Western media practitioners and academics are needed to overcome the challenges current societal developments (e.g., national security legislation) create for media freedom, we uphold such views and suggest that such threats to media freedom in the Pacific region (e.g. national security legislation) can be effectively researched only with close attention to culture and the tensions between Western-imported values and local ones.

Pear ta ma ‘on maf (The Land Has Eyes in Rotuman), a 2004 feature film produced and directed by Rotuman playwright and scholar Vilsoni Hereniko, is an outstanding example of how a cultural production can illustrate the tensions between tradition—including local customs, beliefs, and protocols—and Western-imported values and principles in the South Pacific. It was filmed entirely on the Polynesian outer island of Rotuma (administratively part of Fiji),
with Indigenous actors and a largely Indigenous crew. *The Land Has Eyes* makes a clear and powerful statement, much like a well-known editorial in *The Fiji Times* in 1987, which criticised Western-style democracy as a ‘foreign flower’ unsuited to Pacific soils (Larmour, 2005, p. 2). *The Land Has Eyes* also seems to denounce Western practices as a ‘foreign flower’, incompatible with and unable to take roots in the Pacific soil (Larmour, 2005).

In many Melanesian countries, when journalists probe local or regional governments, especially in regard to corruption, mal-administrative practices, or when all the features of good governance fall down (e.g., Solomon Islands in 2000; Fiji in 1987, 2000-2001, 2006), they are promptly and easily designated as ‘foreign weeds needing better control’. In fact, as ‘Introduced institutions are often blamed for political problems in the South Pacific’ (Larmour, 2005, p. 5), contemporary Pacific journalists are also often unfairly criticised and their work often challenged in various ways. Coupled with the 1987 *Fiji Times* editorial and Larmour’s argument about the complex adoption of Western-style democracy in Pacific islands, Hereniko’s film demonstrates that some values and practices deriving from Western traditions have been uneasily and uncomfortably imported into the Pacific. In fact, these Western values do not always serve the people of the Pacific, and even, sometimes, create great injustice against them. These are injustices that *The Land* would not have tolerated. This is relevant here because the practice of journalism ‘might have its roots in Western society especially when it comes to recording and reporting facts by use of a pen and paper and actually getting it printed but there are many aspects of journalism that are also as old as the Vanuatu society and many others’ (M’Balla-Ndi, 2015, p. 12). Robie (2002, p. 147) also argues that ‘Customary obligations and pressures are frequently a burden on journalists in the South Pacific. Such obstacles create difficulties for many journalists.’ However, much of the existing literature examining media and journalism in the South Pacific overlooks, or gives abridged considerations for culture and traditions, particularly in regard to how these are grounded or manifested in Pacific media and journalism practices.

Similarly, the concept of Western-style democracy, the ‘home institution’ of the Fourth Estate, sometimes faces resistance in traditional societies where it needs to ‘co-exist’ with local ways. These conflicts in values, practices, standards, and protocols undoubtedly add a layer of complexity when examining the state of media freedom in relation to national security legislation in Melanesian countries, where local cultures and traditions still run deep and where a more informed and nuanced consideration of contests for freedom or invocations of tradition—or culture—should, at the very least, take greater account of what constitutes ‘genuine tradition’. The following discussion showcases a few examples of the ‘exceptionalism’ in Vanuatu that some people have attributed to tradition previously in times of media crises.
Kastom and media freedom: a Vanuatu case-in-focus

Ratu Sir Kamisese Mara, author of *The Pacific Way: A Memoir* (1997), became the first Prime Minister of Fiji in 1971. Too Van Meijl (1999) states:

Ratu Mara has also been a founder and leading member of the South Pacific Forum, a regional organisation that was established in 1971. [...] He coined the phrase ‘Pacific Way’ to express that, in spite of the continuing economic dependence on the Western world, Fiji and other South Pacific states were determined to develop in their own way and in their own style.

When examining journalistic practices in Melanesia, it is necessary to acknowledge that the ‘Pacific Way’ is often appropriated by politicians and other stakeholders for purposes well removed from Mara’s original intent. The following vignettes are an attempt to illustrate such misappropriations.

On Monday morning, 2 February 2009, a young ni-Vanuatu man attacked Esther Tinning, a freelance journalist working for the *Vanuatu Daily Post*, as she was walking her children to school. Tinning’s assailant, Collen Litch, was ‘a local builder enraged by a feature piece she had written based on information provided by the assailant’s sister’ (Pacific Freedom Forum, 2009). As a result of the attack, Tinning suffered a miscarriage. Late on Saturday morning, 17 January 2009, four Vanuatu Correction Service officers burst into the newsroom of the *Vanuatu Daily Post* in Port Vila and assaulted the then publisher, Marc Neil-Jones, a former British expatriate who had become a ni-Vanuatu citizen. On the afternoon of Friday, 4 March 2011, Marc Neil-Jones was again assaulted in the *Vanuatu Daily Post*’s Port Vila newsroom, this time by a group of four men led by Vanuatu Cabinet Minister Harry Iauko, after the *Post* published stories critical of Iauko’s Infrastructure and Public Utilities portfolios. Following his attack, in an interview for the *Sydney Morning Herald*, Jones suspected no one would be arrested, stating that ‘Whenever there is a big man nothing happens, it’s exasperating. It’s so blatant, a week after the assault and there is no apology, no government response nor explanation. There are numerous witnesses but still nothing has happened a week later.’

*Prima facie* these assaults had nothing to do with culture and/or tradition. The events had, at the time, prompted various responses by regional media monitoring NGOs, such as Pacific Freedom Forum, and international media freedom advocacy NGOs, including the International Federation of Journalists, but had only belatedly been acknowledged by the local Media Association Vanuatu (MAV), and the regional media association Pacific Islands News Association (PINA). However, in late July 2009, during the PINA conference in Port Vila, Esther Tinning gave a speech recounting her assault, stating that her assailant had not yet been arrested or charged by the police, and that she had received no...
support except for a ‘shadowy statement’ (Tinning, 2009) from MAV. In response, former MAV president Moses Stevens (2009) said:

I think that all of us have to understand how the Pacific Islanders resolve issues, we sit together on a mat like in Radio Australia programmes and we talk about it. […] And I want to call on this meeting here to understand the Pacific Way of resolving issues […] we sit together on a mat and we talk about it and find solutions. (Stevens, 2009)

Stevens’ invocation of the ‘Pacific Way’ of resolving issues to excuse the position of a national media association is significant here. In many instances, kas-tom influences ni-Vanuatu journalists’ ability to tell a story. Kastom protocols, kinships, the use and abuse of chiefly status and honorifics, big man’s authority, wantok systems, and so on all affect journalistic practices on a daily basis (see M’Balla-Ndi, 2015). However, culture or tradition can also be too easily invoked to excuse malpractices and the improper treatment of journalists. Journalists who are attacked, criticised or harassed might well have been insensitive or incompetent to a certain extent, but it is of grave concern that journalists might also be at risk because they have, by carrying out their responsibilities and duties, exposed the malpractices of a big man in the wantok system. In fact, these malpractices may be corrupt according to Western practices and understandings, but not necessarily within their traditional context. This is where examining the impact of various laws, including national security laws, on media freedom in Melanesia will be problematic because many journalists in the region who have adopted Western standards of reporting are also involved in, affected by, and respectful of the traditional ways. The potential for these laws (and their flaws) to be used or abused by those in power (in federal agencies, but also within traditional society networks) should not be overlooked.

Thus, the assaults on Marc Neil-Jones and Esther Tinning had nothing to do with kastom, but occurred in a context where kastom runs deep and major players in these matters did not hesitate to call on kastom to restrict, delay, or justify any measure the authorities have or have not taken following the attacks. Therefore, tradition can be slippery, exploitative, and in Melanesia, it can also selectively be invoked for the purposes of intimidating or silencing journalists by placing some political practices such as the ‘wantok system’ off-limits. There are also many examples of abuses committed by government officials designed to silence journalists and manipulate stories in Melanesia. One of the most recent examples dates from November 2019, in Vanuatu, with the government’s refusal to renew journalist and former Vanuatu Daily Post media director Dan McGarry’s visa, despite having lived in Vanuatu for 16 years. The government’s refusal to renew McGarry’s visa was also condemned by Media Association Vanuatu. McGarry described the event as a ‘straight up attack on the media’ (Davidson,
The Guardian, 2019) and asserted that the Vanuatu government refused to renew his visa because of stories he had published about China’s influence in Vanuatu. He stated that ‘the Daily Post reporting on the government’s activities caused such discomfort that they are willing to abuse administrative processes to silence [him]’ (Davidson, The Guardian, 2019). Later that month, McGarry attended the 2019 Melanesia Media Freedom Forum in Brisbane and was denied passage to fly home to Vanuatu with his spouse. He was informed that the ni-Vanuatu Department of Immigration had issued an order barring the airline from flying him home (Walden, ABC, 2019). In late December 2019, the Vanuatu Supreme Court voided the government-ordered ban on McGarry’s visa, judging it unlawful.

Many Melanesian journalists who, like McGarry and Neil Jones, question the probity of local governance or investigate the dysfunctions of government, have often been victims of retribution in complete opposition to the tolerance and fostering of dissent and diversity that are characteristic of democracy. In fact, Duncan (2008, p. 127) argues that ‘There have been many attempts by governments in the Pacific to exert control over the media in the name of good governance. […] Government control over the media would raise severe problems for the important role seen for the media in controlling principal/agent problems on Pacific developments.’ As stated by the Melanesia Media Freedom Forum in November 2019:

The global decline of democracy is making it easier for our governments to silence the media. […] The range of threats to media freedom is increasing. These include restrictive legislation, intimidation, political threats, legal threats and prosecutions, assaults and police and military brutality, illegal detention, online abuse, racism between ethnic groups and the ever-present threats facing particularly younger and female reporters who may face violence both on the job and within their own homes (Melanesia Media Freedom Forum, 2019).

Though, in a world experiencing such unprecedented levels of national security anxiety, with most countries responding to outside threats and securing their borders by strengthening national laws that have a heavy impact on media freedom, national security legislation for Melanesian countries and their journalists becomes a ‘glocal’ issue, a world-wide phenomenon we can expect to be amplified because of well-established cultural norms that have a history of being invoked to excuse corrupt practices and the unfair treatment of journalists.

**Concluding remarks**

Although countries across the globe do have constitutional provisions for media freedom, these rights are not always respected in practice (Bosch, 2011). In fact, prominent whistleblower disclosures or leaks of classified documents
and information (e.g., Snowden; Assange) show us that even in the land of the free and the home of the First Amendment, press freedom and free speech are seriously challenged by national security legislation. It then follows that in countries where free speech and/or press freedom are not constitutional rights, but rather implied rights (e.g., Australia) or where these rights are significantly restricted by other laws or some level of political corruption, such as in various Melanesian nations or other South Pacific islands, their so-called fundamental and essential role for progress, human development and human dignity is often challenged.

It is crucial to acknowledge that national security legislation issues for Pacific journalists are added to other challenges such as development and governance issues, economic growth, health, poverty and human rights abuses, and all are evolving within specific cultural contexts that often make issues faced for local journalists fairly unique. We also argue here that local culture remains an essential concept that media and journalism research need to grapple with. This is especially relevant in a global context of national security anxiety in which Melanesian nations’ media organisations need to reflect on how to avoid international marginalisation while also determining how culture can be ‘integrated’ into the reality of contemporary Pacific society’s media sphere(s).

The above suggests that journalism research conducted in the region critically needs to examine diverse invocations of kastom or the ‘Pacific Way’ when used in cases where journalists go against ‘tradition’ or well-established hierarchies and cultural structures by exposing their chiefs’ and politicians’ malpractices. Therefore, it is necessary to clarify and define what tradition, cultural protocols, hierarchies, and principles stand for in contemporary Melanesia, and in a context in which media practitioners have adopted many standards of Western journalism. Seldom has academic research documented this. Such knowledge would enable media researchers to gain a deeper understanding of how these journalists carry out their duties in a way consistent with traditional values and beliefs, and with Western journalism standards, and how emerging legislation led by worldwide threats of terrorism affect the work of Pacific journalists.

To gain a better understanding of the implications of national security legislation for media freedom, free speech, and human rights in Melanesia, we must undertake comparative cross-cultural journalism studies that offer insights into how to achieve a balance in the tension between protecting national security interests and the need for journalists to be allowed to serve in the public interest. Therefore, while mindful of the need to protect national security interests of countries in the region, journalists and journalism academics should also be conscious, and recognise the importance, of adopting culturally relevant practices that contribute to solving the challenges of development that are unique to the region, such as peaceful resolution of conflicts, as well as the impact of climate...
change and global warming on the environment. Such knowledge will be necessary when re-conceptualising what press freedom, journalism, national security and democracy stand for in Melanesia.

Notes

1 ni-Vanuatu are the inhabitants of Vanuatu.
2 The Tok Pisin word wantok means ‘person who speaks the same language as I do’, but it also describes a complex shared worldview, well beyond specific linguistic commonalities, as well as a complex, dynamic web of mutual obligations between a chief (a ‘big man’, often a politician) and their wantoks (the wantok system). Melanesian journalists often describe the wantok system as a major, if not the major source of corruption in their societies, as well as a major site of corruption threatening journalism. This results in journalists being attacked sometimes physically, for going against the kastom (tradition).

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