

# LOCAL LEVEL JOURNALISM AND DEMOCRACY INDICATORS IN LATIN AMERICA

**Fernando J. Ruiz**

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**THE WORST AREAS  
TO PRACTICE JOURNALISM  
IN THE SECOND SEMESTER  
2008**

# JOURNALISM AND DEMOCRACY INDICATORS IN LATIN AMERICA

## SECOND SEMESTER 2008

*By Fernando J. Ruiz*

- √ Internet is growing as a tool for the defense of freedom of the press. In Cuba, some blogs are gradually opening their way. In Mexico, the most harassed papers quote the comments of their readers as a source to say what they cannot say. And the growing informative supply in online media is a way to limit the censorship in traditional media. Anyway, digital journalists have a lot less influence in the journalistic Latin American vanguard than their colleagues in Eastern Europe, Asia or Africa.
- √ The arbitrary use of public advertising is an ever more denounced practice, thus new criteria on the subject is beginning to run over the region, with more transparent policies to change the historical attitude of those who rule the use of public funds. In Uruguay, Chile and Costa Rica the use of this arbitrary practice is more reduced, and precisely in these places is where one can find these new more transparent criteria for the distribution of those funds. In Chile, the Special Commission at the House of Representatives concluded a ruling asking for the “establishment of a transparent and objective system of subsidies, focused on the creation and support of new media that assure pluralism, diversity and the expression of regional and local identities” and also the “establishment, regarding the advertising, of a determined share of each advertiser will be distributed among more vulnerable media outlets”. This criterion may expand all over the region.
- √ The definition of new regulatory frameworks in the region for audio-visual media is still done in not very transparent ways. There is an overrepresentation in those debates of the biggest companies, facing potential new actors that might enter the scene. Several governments understand that those big groups are the only real negotiators for the definition of a new regulatory framework.
- √ The open and direct confrontation of several governments with the media persists, notwithstanding the different ideologies. The media don't find an effective way to answer to those critics accusing them of being interested political actors.
- √ In the four most ideologically polarized countries (Venezuela, Bolivia, Ecuador and Nicaragua), during the second semester of 2008 the tension in the field of the media has deteriorated since there were elections in two countries (Nicaragua and Venezuela), and in the others there were referendums (Bolivia and Ecuador). The most worrying situations took place in Bolivia, where an official journalist was brutally murdered.
- √ The discourse of opening in Cuba does not find any concrete expression in the policy regarding the press. Government media are still as closed as always to any alternative discourse, over two tens of journalists are still in prison and the occasional voices tolerated by State Security of the regime don't differ from those periodically tolerated with the aim of giving an image of more freedom. The edition of alternative publications is still forbidden.
- √ As the main media outlets in a country professionalize their job covering the provinces, it is possible to see a growth in the conflict with the press. During this second semester in Paraguay, journalists of the newspaper *Última Hora* were threatened for their research on illegal trade in Ciudad del Este. Journalists professionalization in areas where the rule of law is very unstable, while it increases the possibilities of improvement of that community, it can generate more conflicts with the press. (Listen to the interview to Andrés Colman in *Alerta a la Libertad de Prensa* by Hernán Alberro).

√ The overflow of violence in Mexico finds journalists without an effective strategy to respond to such a menace. The strategy of making common coverage to protect each other does not seem to be working. In Mexico, not only murders are growing but also the disappearance of journalists. For Mexico, and for most of the countries in the region where the organized crime has turned into a central problem, it is necessary to move from a direct coverage, where some journalists in a reckless way try to reveal the plot of criminal groups and are exposed, without any protection, to the massive

violence of the mafias. It is necessary to develop indirect coverage alternatives, where the journalist efforts focus on analysis and on the causes why the Government is so weak to fight the organized crime. This indirect strategy is also more efficient to contribute to the eradication of mafias, and it is less dangerous for journalists. It is not too useful to reveal the structure of a drug cartel, since that cartel will then be replaced by another one. The important thing is that journalism turns into a structural reform task force of those societies so that organized crime can be confronted by the corresponding institutions.

## CATEGORY DEFINITIONS

**Black areas.** Legislation prohibits freedom of press and the Government is sufficiently efficient for this to be obeyed.

**Red areas.** The law protects freedom of press but the Government does not, to a point where journalists are subject to physical risk. All areas where a journalist was murdered during the last year or where there are credible death threats, is included in this category.

**Brown areas.** The law protects journalism but carrying it out generally generates severe reprisals such as intimidations, harassments or firings from jobs, either by the Government or private groups. Journalists' lives are not in immediate danger.

**Yellow areas.** The law protects journalism and there are no severe reprisals. There are gag laws but not gag practices though the gag laws could be used to limit journalism. These are: contempt offenses, prison terms for honor offenses, obligatory membership of Journalists' associations, media regulations that restrict content or that restrict the emergence of new forms of ownership.

**Green areas.** There are gag practices but not gag laws. These may be: official advertising assigned with favoritism criteria, radio and television licenses assigned with favoritism criteria, obstruction by public offices and control organizations to limit the entry, commercial or non-commercial, of new media; hostile case law. The private sector can also impose gag practices such as abusing their dominant market position to inhibit competition.

**Violet areas.** There are gag laws and gag practices.

**Blue areas.** There are no gag laws or gag practices.



**References in Colombia:**

1. Magdalena
2. César
3. Norte de Santander
4. Santander
5. Arauca
6. Boyacá
7. Cundinamarca
8. Huila
9. Tolima
10. Meta
11. Caquetá
12. Amazonas
13. Putumayo
14. Nariño
15. Cauca
16. Valle del Cauca
17. Chocó
18. Córdoba
19. Antioquia

### ARGENTINA

**Brown area.** San Luis has its main media controlled by provincial power. The media in Santa Cruz, Formosa and La Rioja have a huge dependence on official advertising. The Department of Merlo possibly has the most restrained media in Great Buenos Aires.

**Violet area.** The rest of the country. At the national level, Argentina has gag laws like the criminal punishment to libel and slander and has plentiful of gag practices.

### CHILE

**Yellow area.** She has criminal sanctions for journalists, but she does not have grave gag practices.

### BOLIVIA

**Red area.** La Paz District: A radio journalist was murdered in Pucarani, La Paz District, on April 2008.

**Brown area.** Social polarization has produced a conceivable increase of aggressions to journalists. According to ANP, around a hundred journalists were assaulted “by supporters or sympathizers of the Government and the opposition”.

### GUYANA

**Violet area.** There are gag practices and laws.

### ECUADOR

**Brown area.** All the country. Journalism takes place in a polarizing context that severely conditions it. Two journalists were imprisoned during the second semester, breaking the tendency around the continent to avoid the imprisonment of journalists for crimes against honor.

### PARAGUAY

**Red area.** Itapúa: A journalist was murdered in 2007 and another one was shot. Amambay: Dangerousness against journalism persists. Canindeyú: In the city of Curuguaty a journalist and his wife were shot, and she died.

**Violet area.** The rest of the country since there are gag laws and practices in the national level. The arrival to government of a new political party after sixty years allows waiting for changes regarding the relation with the press.

### PERU

**Red area.** Cajamarca: A journalist was killed on March 17, 2007. Loreto: On February 8, 2008, the house of a journalist was shot at and there were also threats to other journalists and to IPYS correspondent. Ancash: A herd, led by two majors, went into a radio station to attack a journalist. During 2007 there was also a lot of conflicts. San Martín: A journalist was murdered on March 2007 and community leaders threatened several journalists during 2008. Uyacali: On January 20, a journalist was shot but ended up unhurt. A journalist from Pucallpa exiled. Ayacucho: On September 2008, a journalist was threatened for denouncing the illegal grow of coca.

**Brown area.** Cusco: Several journalist were threatened for making accusations against the major (IPYS) and in October 2008 a radio station was destroyed by demonstrators. Puno: High hostility from public officers against journalists.

**Violet area.** The rest of the country, since she has gag laws such as contempt and criminal sanction for crimes against honor. There also are gag practices.

### MEXICO

**Red area.** Oaxaca: During the last semester of 2007 a newspaper distributor and two newspaper vendors were killed, thus all the reporters of Imparcial de Oaxaca massively resigned. On April 7, 2008 two journalists from a community indigenous radio station were killed. Another journalist was kidnapped and tortured on October 25, 2008. Tamaulipas: On February 5, 2008 a journalist was murdered. Nueva León: Two journalists are reported as disappeared since May 2007. Veracruz: Two journalists were killed in the second semester of 2006, and another one was shot on January 2008. Baja California: Though there has been no deadly aggression against journalists for the last two years, the level of criminal violence is so high that the situation of journalism is still very unstable. Chihuahua: A journalist was murdered in August 2006. On January 2008 a journalist was exiled because of death threats. On June 23 this year, another journalist was killed. On November 13, the journalist Armando Rodríguez, from El Diario, from Ciudad Juárez, was murdered. Michoacán: A journalist disappeared on November 2006 and another one was assassinated on December 8, 2007. On February



12, a journalist disappeared and in October 2008 Miguel Angel Villagómez, Editor of Noticias de Michoacán was murdered. Guerrero: A journalist was killed in the second semester of 2006 and another one on the first semester of 2007. Tabasco: A journalist was reported missing during the first semester of 2007 and the journalist Alejandro Fonseca was killed in Villahermosa, on September 24, 2008. Sonora: A journalist was killed on March 2007. Estado de Mexico: Two journalists were murdered on February 7, 2008. Colima: A journalist was shot on March 21, 2008. Sinaloa: A grenade attack to El Debate, de Culiacán, took place on November 16, 2008.

**Brown area.** In the rest of the Mexican states, the generalization of violence shakes the exercise of journalism all over the country.

## COLOMBIA

**Red area.** Bogotá: A journalist was attacked in June 2008 and threats and intimidation against RCN continued. In the FLIP ranking it is ranked first among the areas with more aggression reports. Valle del Cauca: FLIP reported the existence of a wave of threats to journalists in the city of Cali during 2008. Santander: Threats and intimidations from demobilized paramilitaries continue. Tolima: During the first semester of 2008 several journalists went to exile and the intimidation from guerrilla against journalism persist. Atlántico: FLIP points out several municipalities with extremely high risk. Chocó: There was a murder of a journalist. Arauca: Guerrilla and paramilitaries intimidation persist. Caquetá: FLIP points out several municipalities with extremely high risk. Córdoba: Paramilitary presence is very strong. Sucre: FLIP notes it as one of the most dangerous municipalities. Bolívar: A journalist went to exile and others received threats for denouncing municipal corruption and relations with the paramilitary group Aguilas Negras. Magdalena: FLIP points out several municipalities with extremely high risk. César: FLIP points out several municipalities with extremely high risk. Antioquía: FLIP mentions it as one of the most dangerous areas. Amazonas: FLIP points out several municipalities with extremely high risk. Putumayo: FLIP points out several municipalities with extremely high risk. Huila: On February 9 a journalist was murdered. Meta: FLIP points it out as a risk area. Boyacá: FLIP points out several municipalities with extremely high risk. Cundinamarca: FLIP points out several municipalities with high risk. Norte de Santander: FLIP points out several municipalities with high risk. Cauca: FLIP points out several municipalities with high risk. Nariño: FLIP states it to be a risk area.

**Brown area.** The existence of armed illegal groups around the national territory creates a risk situation in every other department for the practice of journalism. IAPA pointed out on October 2008 that there has been an “increase of political polarization”.

## BRAZIL

**Red area.** Alagoas: In January 2008 a cameraman was killed at Maceio. San Pablo: A TV reporter was shot, and on October 2008 another one was also shot but with rubber bullets. Rio de Janeiro: On May 2008 militias related with police officers kidnapped and tortured three employees of the newspaper *O Dia* at favela Batan, Rio de Janeiro. Amazonas: Newspaper *Diario do Amazonas* was shot at for doing research on local public servants. Brasilia: A journalist was shot during the last semester of 2007. Pará: The house of a journalist was set on fire on July 2008. Santa Catarina: Is still dangerous according the FENAJ ranking. Mato Grosso: Is still dangerous according the FENAJ ranking.

**Violet area.** The rest of the country. Brazil has criminal punishment for crimes against honor, and has a compulsive licensing for journalists (temporarily suspended), and gag practices. During 2008 there were several judicial decisions restricting the informative work and during local and regional elections of that year there were several assaults against the press in various states.

## VENEZUELA

**Red area.** Bolívar: The columnist of *El Correo del Caroní* was shot at on September 2008.

**Brown area.** All the country. Journalism takes place in a very polarizing context that conditions it severely. During the second semester of 2008 this situation got worse because of the elections in November.

## CUBA

**Black area.** All the country. Press freedom is blocked by the Constitution. In the article 53 the Constitution establishes: “The freedom of speech and press is recognized for the citizens in accordance with the aims of a socialist society (...)”. And in article 62 it expresses: “None of the recognized liberties of the citizens can be exercised against the established on this Constitution and the laws, nor against the existence and the ends of a socialist State or against the decision of the Cuban people of constituting socialism and communism. The violation of this principle is punishable.” In the texts of the criminal sentences against journalists imprisoned on

2003 to convictions of up to 28 years in prison, the illegal character of the exercise of the freedom of the press is proved.

## HAITI

**Red area.** During 2007 there were three murders of people linked to the media. On November 2007 a radio station at Puerto Príncipe was shot at. The situation has considerably improved, but the risk still exists.

## REPÚBLICA DOMINICANA

**Red area.** During 2006 two journalists were killed, on the first semester of 2008 the car of another one was shot at and in August of this year another one was murdered.

## EL SALVADOR

**Red area.** A journalist was killed on the second semester of 2007.

## GUATEMALA

**Red area.** Two journalists were murdered on 2007. During 2008 a reporter was killed in May and in August a very well known journalist was brutally attacked.

## PANAMÁ

**Violet area.** She has diverse gag laws and practices.

## COSTA RICA

**Violet area.** She has diverse gag laws and practices.

## NICARAGUA

**Brown area.** The sandinista government of Daniel Ortega increased the levels of polarization and social tension during the second semester of 2008.

## HONDURAS

**Red area.** A journalist was assassinated during the second semester of 2007 and a lawyer was killed in December 2006.

## URUGUAY

**Yellow area.** She has criminal sanctions and contempt laws for journalists, but there are no grave gag practices. The government sent a law project to Congress to abolish contempt laws and de-criminalize defamation and slander regarding public issues. On December 2008, the Senate approved a law project abolishing contempt and decriminalizing crimes of opinion and information on public servants. The approval from the House of Representatives is pending.

## Sources:

This map is built, mainly, based on the alerts, reports, press releases and newsletters from the following local and international organizations:

- Reporteros sin Fronteras (RSF)
- Comité de Protección de Periodistas (CPJ)
- Sociedad Interamericana de Prensa (SIP)
- Instituto de Prensa y Sociedad (IPYS)
- Intercambio Internacional por la Libertad de Expresión (IFEX)
- Knight Center for Journalism in the Americas
- Federación Internacional de Periodistas (FIP)
- Relatoría Especial para la Libertad de Expresión de la Organización de los Estados Americanos (OEA)
- Fundación para la Libertad de Prensa (Colombia)
- Freedom House
- Associação Nacional dos Jornais (ANJ)
- Federação Nacional dos Jornalistas (FENAJ)
- Observatorio Nacional de Medios de Bolivia
- Asociación Nacional de Prensa (Bolivia)
- Probidad (El Salvador)
- Foro de Periodismo Argentino (FOPEA)
- Asociación Nacional de Periodistas del Perú (ANP)
- Asociación de Prensa Uruguaya (APU)
- Asociación de Periodistas de El Salvador (APES)
- Agencia Centro de Reportes Informativos de Guatemala (CERIGUA)
- Sindicato de Periodistas del Paraguay
- Foro del Periodismo de Paraguay (FOPEP)
- Infocracia (Venezuela)
- Sindicato Nacional de Trabajadores de Prensa (Venezuela)
- Centro Nacional de Comunicación Social en México (CENCOS)
- Article 19-México
- Centro de Periodismo y Ética Pública en México (CEPET).



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-Otra grieta en la pared: Informe y testimonios de la nueva prensa cubana, 2003,(Another crack in the wall: Reports and testimonies of the new Cuban press) CADAL / Konrad Adenauer Stiftung

-Las palabras son acciones: historia política y profesional del diario La Opinión de Jacobo Timerman, (Words are action: Political & professional history of the La Opinión newspaper belonging to Jacobo Timerman), 1971-77, Perfil Libros, Buenos Aires, 2001.

-El señor de los mercados. Ambito Financiero, la City y el poder del periodismo económico,(The master of the markets: Ambito Financiero, the City & the power of the financial press), El Ateneo, Buenos Aires, 2001.