

A fair fight in the media

THE elections for the municipal councils are over, although reviews and commentaries are going to run in the media for some days, while the Government and political parties undertake post-mortems with an eye on the September elections for the Legislative Council.

While political parties will draw lessons from the recent poll to refine their electioneering techniques, the Boundary and Election Commission should look into ways of improving existing regulations to safeguard the fairness of the next election.

One area the commission should reflect on is the role of the media in election campaigning. The *Guidelines on Election-related Activities in Respect of Geographical Constituency Elections* issued by the commission contain a short chapter on election broadcasting and media reporting.

The chapter consists of only seven paragraphs. The second paragraph reminds candidates that there are no provisions in the law allowing them to advertise in the electronic media to promote their candidature.

Candidates can, however, advertise in the print media (paragraph five), although the costs incurred must be accounted for in their election expenses.

This disparity between the use of the electronic and the print media is rather strange. The commission does not mention whether there is actually a law prohibiting election advertisements in the electronic media, or, which is unlikely, a law explicitly allowing candidates to advertise in the press. If neither is the case the guidelines need explanation.

But perhaps it is irrelevant to deliberate upon this issue, owing to the stringent limit imposed on the amount of election expenses.

Advertising in the electronic media is so expensive that, even if allowed by law, it would not be allowed by the candidate's tight budget. Newspaper advertisements are also not easily affordable.

But there are other ways of gaining media exposure. Regarding the electronic media, the commission "appeals to broadcasters to adhere to the equal time principle and give candidates equal, fair and consistent treatment in order to ensure that election campaigning will be conducted equally and fairly" (paragraph four).

It is not clear how widely and strictly the "equal time principle" is to apply. If a candidate features in a particular television or radio programme, for example, must all other candidates in the same constituency be invited to appear in the programme?

Should television and radio stations stop inviting people to host their shows if they have announced their intention to stand in an election? Does the principle apply only to the candidates themselves, or to the respective parties they belong to as well?

There are regular television and radio forums for the major political parties. Do these programmes violate the equal time principle, as independent candidates and their representatives are excluded?

As for the print media, the commission appeals to publications "to provide equal and fair treatment to all candidates in the same constituency in the reporting coverage of them or their activities" (paragraph six).

The commission is concerned only with fairness in "reporting coverage". It will not interfere, if the editorials, letters to the editor, feature articles and cartoons are biased in favour of certain candidates and against others.

PERHAPS otherwise it would be accused of infringing on press freedom. But does not press freedom also imply the right to choose what to report and what not to, so long as what is reported is accurate?

It seldom happens that stories on all candidates are equally newsworthy.

When a newspaper acquires a news item concerning one candidate and deems it worth reporting, does "equal and fair treatment to all candidates" mean the paper cannot publish it unless there is matching coverage on every other candidate?

Newspapers are not bound by either the law or their professional ethics to be politically neutral. Many journalists have their own political inclinations which affect the way they select news and the manner in which they report it.

If the "equal and fair treatment" rule was rigorously imposed on reporting of election news it would be opening the door to press censorship.