

# The Stakeholders' Views on the Media Authority Act 2013 on Freedom of Expression in South Sudan

Gai Peter Manyuon, Darius Mukiza



**Abstract:** This study critically explores stakeholders' perceptions of the Media Authority Act 2013 and its influence on the state of freedom of expression in South Sudan. Despite constitutional and legal provisions that ostensibly protect media rights, concerns persist regarding the actual realisation of these freedoms in practice. The research was conducted to investigate the impact of the Media Authority Act on journalistic practices, regulatory autonomy, and public discourse, with a particular focus on how legal frameworks either promote or hinder freedom of expression. This study addresses a pressing issue in South Sudan's democratic development, where media freedom is often caught between state control and civil society's demand for openness and accountability. A mixed-methods approach was employed, incorporating qualitative data from 25 semi-structured interviews with journalists, civil society actors, media regulators, and government representatives, as well as quantitative data from surveys administered to 80 media practitioners across Juba, Wau, and Malakal. The analysis was guided by theories of media regulation and freedom of expression, particularly drawing from liberal democratic and critical legal theory. Findings reveal that while the Media Authority Act 2013 is framed as a regulatory mechanism to ensure professionalism and accountability in media operations, its implementation is often marred by political interference, vague legislative language, and inconsistent enforcement. Stakeholders reported a general lack of institutional independence, widespread fear of censorship, and restrictions on critical reporting, particularly on political and security issues. These challenges have led to self-censorship among journalists, limiting the media's ability to serve as a watchdog of government activity. This study concludes that although the Media Authority Act has the potential to support a more structured media environment, its current application undermines the very freedoms it purports to safeguard. Reforming the Act to align with international human rights standards, coupled with building the institutional capacity and independence of regulatory bodies, is essential for fostering a free, pluralistic, and democratic media space in South Sudan. The research contributes to ongoing discussions on media freedom in post-conflict states and provides practical policy recommendations for promoting freedom of expression within fragile governance contexts.

**Keywords:** Media Authority Act, Freedom of Expression, South Sudan, Media Regulation, Stakeholder Perceptions, Legal Framework, Censorship, Democratic Governance

## Abbreviations:

ECHR: European Convention on Human Rights

Manuscript received on 28 May 2025 | First Revised Manuscript received on 05 June 2025 | Second Revised Manuscript received on 16 August 2025 | Manuscript Accepted on 15 September 2025 | Manuscript published on 30 September 2025.

\* Correspondence Author(s)

**Gai Peter Manyuon\***, Department of School of Journalism and Mass Communication, University of Dar es Salaam (Tanzania), Email ID: [petergai2006@gmail.com](mailto:petergai2006@gmail.com), ORCID ID: [0009-0009-2544-1375](https://orcid.org/0009-0009-2544-1375)

**Dr. Darius Mukiza**, Lecturer, Department of School of Journalism and Mass Communication, University of Dar es Salaam (Tanzania), Email ID: [mukiza.darius@udsm.ac.tz](mailto:mukiza.darius@udsm.ac.tz), ORCID ID: [0000-0001-5817-6760](https://orcid.org/0000-0001-5817-6760)

© The Authors. Published by Lattice Science Publication (LSP). This is an open access article under the CC-BY-NC-ND license (<http://creativecommons.org/licenses/by-nc-nd/4.0/>)

ICCPR: International Covenant on Civil and Political Rights  
UNESCO: United Nations Educational, Scientific and Cultural Organization  
NGO: Non-Governmental Organization  
SSBC: South Sudan Broadcasting Corporation  
CHR: Commission on Human Rights  
HRW: Human Rights Watch  
CSO: Civil Society Organization  
UNMISS: United Nations Mission in South Sudan

## I. INTRODUCTION

Freedom of expression and the right to access information are fundamental human rights enshrined in international frameworks such as the International Covenant on Civil and Political Rights (ICCPR) and the European Convention on Human Rights (ECHR). These rights serve as essential pillars for democratic governance and societal development. However, their interpretation and implementation differ across nations due to socio-political, cultural, and legal dynamics. While countries like the United Kingdom have made significant strides in upholding both civil and political rights, including media freedom and privacy, others, such as Malaysia, have been critiqued for placing lesser emphasis on these liberties, particularly freedom of expression [6].

In the context of South Sudan, the Media Authority Act of 2013 was introduced to regulate media activities, protect journalists, and promote freedom of expression. However, its application has raised concerns among various stakeholders, including journalists, civil society organizations, and international observers. Despite constitutional guarantees, the press in South Sudan continues to face significant challenges, including censorship, harassment, arbitrary detention, and surveillance. These obstacles not only compromise the media's role as a public watchdog but also threaten democratic processes and human rights protection in the country [10].

This study aims to assess stakeholders' perspectives on the Media Authority Act of 2013 and its influence on freedom of expression in South Sudan. Specifically, the research seeks to answer the following questions:

- How do stakeholders perceive the intent and implementation of the Media Authority Act?
- What are the key challenges facing media freedom under the current legal framework?
- To what extent does the Act align with international human rights standards concerning freedom of expression?

This study is crucial given South Sudan's fragile political environment and ongoing efforts toward state-building and democratic consolidation. Limited media freedom undermines public accountability, suppresses civic engagement, and restricts the



flow of critical information, factors that are vital in post-conflict recovery and development. The study not only fills a gap in empirical understanding of how legal frameworks influence media practice in fragile states but also provides recommendations for reforming the media sector in alignment with international standards and democratic ideals [18]. By grounding the analysis in both international theory and the lived realities of stakeholders in South Sudan, the research contributes to a broader understanding of the relationship between legal regulation and freedom of expression in conflict-affected settings.

## II. LITERATURE REVIEW

### A. Stakeholders' Views on Freedom of Expression in South Sudan

The Media Authority Act of 2013 is a pivotal piece of legislation that shapes the media environment in South Sudan. It created the Media Authority to regulate and oversee media operations in the country. However, stakeholders have voiced significant concerns about its implications for media freedom. Despite constitutional protections, including those outlined in the 2011 [5] Interim Constitution of South Sudan, which guarantees freedom of expression, the practical implementation of these protections remains problematic [2].

On June 15, 2017, the Media Authority issued a public notice mandating the registration of all media associations and businesses (including print, broadcast, and publishing) by July 31, 2017. This directive was reiterated on September 7, 2017, where 104 media entities were ordered to register by September 21, with 33 organizations having already complied [3]. The list categorized entities into five groups: media associations and advocacy groups, TV stations, radio stations, newspapers and periodicals, and print-related businesses. Non-compliance could result in penalties and de-registration [22].

The registration process, as mandated by the Financial Act of 2017–18, included fees that posed a barrier for media owners lacking resources, logistical access, or proper planning. Consequently, at least two of the six listed media advocacy groups received suspension letters. These organizations were given seven days to secure a “media operational license” or face indefinite closure [3]. Although some challenged the legitimacy of the registration requirement, most opted to comply.

This regulatory approach affected a wide array of stakeholders, including journalists, content creators, advertisers, and audiences and exposed legal gaps in the Media Authority Act of 2013. The Act does not fully align with international human rights standards, nor does it safeguard against abuses by state actors.

Since independence in 2011, and more so after the outbreak of internal conflict in December 2013, freedom of expression has been increasingly suppressed. Journalists have faced harassment, arbitrary detention, and intimidation, particularly by the National Security Service (NSS) [10]. The NSS has also barred reporters from interviewing opposition leaders and threatened those who expose government abuses. Newspapers such as *Almajhar* *Alsayasy* and *Juba Monitor* have faced shutdowns and confiscations, while *The Citizen's* entire print run was seized in June 2014.

A 2014 bill submitted to the National Legislative Assembly aimed to define and limit the powers of the NSS; however, the agency continues to operate without sufficient oversight. It engages in communications surveillance and makes warrantless arrests [11]. This climate of fear has led to widespread self-censorship among journalists and human rights activists, many of whom have fled the country. The destruction of media infrastructure in conflict zones such as Leer, Malakal, Bor, and Bentiu further exacerbates the situation. For instance, Radio Bentiu FM was misused by opposition forces to incite violence against Dinka women and girls [7].

The Media Authority Act aims to address specific issues through provisions, such as Section 6 [13] (d), which protects individuals from hate speech, defamation, and incitement to violence. Section 29 [1] defines hate speech and prescribes both civil and criminal penalties, including up to five years' imprisonment in severe cases. Complaints are to be handled by the Press and Broadcast Complaint Council [12].

Furthermore, Section 6 [13] (f) states that journalists are not obligated to reveal sources who have been promised confidentiality. The Code of Conduct and Ethics for Journalists and the Right of Access to Information Act of 2013 reinforce protections for whistleblowers and encourage transparency in cases of corruption or threats to public safety.

Sections 6 [13] (g) and (p) prohibit the harassment, detention, or torture of accredited journalists. Section 6 [14] (j) clarifies that journalism does not require licensing in South Sudan, and that online and print publications need not register unless operating commercially. However, ethical conduct is expected.

Despite the seemingly protective framework, enforcement remains weak. Reports from UNMISS [17] indicate that legal protections are frequently violated. This disconnect between law and practice illustrates the challenges faced by media professionals. The broader legislative environment is also fraught. In January 2014, President Kiir declared states of emergency in Upper Nile, Unity, and Jonglei, allowing the suspension of certain constitutional rights, including freedom of expression. While three media-related bills passed by the National Legislative Assembly in 2013 were hailed as progress, they remain unsigned by the President, leaving legal protections in limbo [16].

This literature review reveals that while South Sudan's legal framework outlines basic protections for freedom of expression, implementation and enforcement are severely lacking. There is a need for more inclusive research featuring the voices of South Sudanese scholars, journalists, and civil society actors to provide a more nuanced understanding of how media freedoms are experienced on the ground. Greater emphasis should also be placed on aligning national laws with international human rights norms and strengthening institutional accountability mechanisms.

## III. THEORETICAL FRAMEWORK

This research employs two key theories to analyse the role of media in South Sudan, with a particular focus on the freedom of expression: Agenda Setting Theory [20].



### A. Agenda Setting Theory

Agenda-setting theory suggests that the media plays a crucial role in shaping public perception by influencing what topics are considered necessary by the public and policymakers. The theory posits that through selective coverage, the media sets the "agenda" for public discourse, thereby determining the priorities for policy discussions and influencing public opinion. In the context of South Sudan, where media freedom is constrained, the theory highlights how the government's restrictions on media can limit the public's access to crucial information, such as issues related to human rights, corruption, and social justice [4]. In South Sudan, the media often faces severe limitations on what it can report, with censorship frequently stifling independent journalism. In such an environment, agenda-setting functions not only as a process of highlighting specific issues but also as a tool for controlling what issues the public and policymakers discuss. As [15] notes, when media outlets are restricted in their coverage, significant topics may be ignored or underreported, leading to a misinformed or uninformed public. This aligns with the broader understanding of how authoritarian regimes manipulate media to restrict the flow of information and suppress public discourse.

While agenda-setting is widely recognised as a universal phenomenon, notable differences exist in how it functions across various political contexts. For instance, in more democratic nations, media independence allows for a relatively free process of agenda-setting. However, in authoritarian regimes, the state may co-opt the media, and the agenda-setting role becomes a tool of government propaganda rather than independent journalism. Research has shown that different media systems (e.g., authoritarian vs. democratic) influence the process and outcomes of agenda-setting in varying ways. Kachingwe (15) further explores the lack of comparative cross-national research in agenda-setting theory, particularly in authoritarian settings where media freedom is restricted. In such contexts, agenda-setting is often shaped not by the media's selection of issues but by governmental control over the media's content. Thus, in South Sudan, the media's ability to set an independent agenda is compromised by government censorship and manipulation, illustrating the tension between the theoretical ideal of media freedom and the practical realities of media control under authoritarian governance.

### B. Social Responsibility Theory

The Social Responsibility Theory emphasizes the role of the media in upholding democratic values, serving the public interest, and being accountable to society. It posits that while media outlets should have the freedom to report and express themselves, they also bear ethical obligations to provide accurate and fair information, act as a watchdog, and ensure the public's right to know is respected. In South Sudan, this theory is particularly relevant, as it underscores the importance of media independence in holding the government accountable, especially in a developing democracy where institutions may be fragile and the rule of law is not yet fully established (1, 2). The social responsibility theory arose as a response to the limitations of the libertarian model of the press, which advocated for unrestricted freedom for the media without considering the ethical responsibilities

of journalists. In the 20th century, the rise of industrial journalism and sensationalist practices, exemplified by "yellow journalism," highlighted the dangers of media excesses, including misinformation and unethical reporting. This shift led to the development of the social responsibility model, which asserts that while the media should enjoy freedom, it must also act with integrity and in service of the public good [8].

In South Sudan, the media's role as a public watchdog is severely constrained by the government's control over media outlets, the threat of harassment, and the risk of violence against journalists. The Social Responsibility Theory directly addresses the ethical obligations of journalists in such an environment, where the media is supposed to scrutinize government actions, expose corruption, and provide a platform for public discourse. However, the reality in South Sudan is that many journalists face direct threats for doing so, which leads to self-censorship or the outright silencing of independent voices. This tension between the media's responsibility to hold the government accountable and the risks associated with doing so illustrates the practical challenges of implementing the social responsibility model in an authoritarian context. The theory also recognizes the media's duty to serve public interests and provide a platform for diverse viewpoints. In South Sudan, the lack of media freedom creates an environment where only state-approved narratives dominate, limiting the public's access to independent information. This limitation undermines the core principles of the Social Responsibility Theory, which advocates for a balanced and responsible approach to media practice that enables the public to make informed decisions [19].

While Agenda-setting Theory advocates for the media's ability to shape public discourse independently, the realities of government censorship in South Sudan demonstrate how authoritarian regimes manipulate the media to set their agenda. Similarly, the Social Responsibility Theory emphasises the media's ethical obligations to provide balanced and accurate information; however, in South Sudan, these responsibilities are complicated by threats to journalistic independence and safety. Together, these theories provide a framework for understanding the media's role in shaping public opinion and holding government power accountable in South Sudan, where media freedom is heavily constrained [21].

## IV. METHODOLOGY

This study adopted a mixed-methods approach, combining both quantitative and qualitative methods to examine the impact of the Media Authority Act, 2013, on press freedom in South Sudan. The methodology incorporated document analysis, interviews with key stakeholders, and a survey to provide a comprehensive understanding of the issue. The following sections outline the data collection and analysis procedures for each method, explaining how these approaches were integrated to enhance the validity and depth of the findings.

A critical component of the study was the document review, which focused on analyzing the





Media Authority Act, 2013 alongside other relevant media laws in South Sudan. The document review aimed to assess the provisions of the legal framework regarding press freedom, media regulation, and censorship. The research employed a systematic approach to identify, source, and analyze these documents.

The sampling frame for document review included the following key media-related laws in South Sudan [9]:

- A. The Broadcasting Corporation Act, 2013
- B. The Right of Access to Information Act, 2013
- C. The Media Authority Act, 2013

From this sampling frame, the Media Authority Act, 2013 was selected for in-depth review due to its direct relevance to the research focus: examining the impact of media laws on press freedom in South Sudan. The Media Authority Act, 2013, was sourced directly from the South Sudan Ministry of Information and the official Media Authority website. To ensure the document's authenticity, the research verified the document by cross-referencing copies available through legal repositories and consulting with legal experts familiar with South Sudan's media laws. These steps ensured that the document under review was the officially enacted version [9].

The analysis involved a thematic approach, focusing on key sections of the Media Authority Act, such as:

- A. Section 3: Establishment and roles of the Media Authority.
- B. Section 6: Principles and protections for press freedom.
- C. Section 10: Provisions on editorial independence and prohibition of censorship.

Each provision was analysed in terms of constructs relevant to the research objectives, including the effectiveness of the law, stakeholder involvement, opportunities for press freedom, and challenges to media independence. The review also involved assessing the alignment of these provisions with international standards, including the Universal Declaration of Human Rights (1948) and the African Charter on Human and Peoples' Rights (1981).

To complement the document analysis, qualitative interviews were conducted with key stakeholders involved in or affected by press freedom in South Sudan. These stakeholders included journalists, media practitioners, legal experts, representatives from civil society organisations, and government officials. A total of 15 in-depth interviews were conducted. The interviews aimed to capture a range of perspectives on the practical implications of the Media Authority Act, 2013, on media operations and press freedom.

The sample size was selected to ensure a diverse representation of stakeholders from different sectors of the media landscape, thereby including both independent media practitioners and those affiliated with state-controlled outlets. Interviews were semi-structured, allowing for flexibility while ensuring that core research themes were addressed. The interview data were analyzed thematically, focusing on recurring themes related to the impact of the Media Authority Act on press freedom, the challenges faced by journalists, and the perceived effectiveness of the law in promoting a free and independent media environment [9].

In addition to interviews and document review, a survey was conducted to gather quantitative data on the perceptions of journalists and media workers regarding the Media Authority Act, 2013. The study aimed to collect data from a

larger sample of media professionals to complement the qualitative insights derived from interviews. A total of 100 respondents were selected from a pool of media professionals working in South Sudan, including journalists, editors, and other media workers. The survey collected data on their perceptions of the Media Authority Act's impact on their work, including questions on editorial freedom, censorship, and government interference. The survey responses were analyzed using descriptive statistics to provide an overview of the general sentiment among media professionals regarding the legal environment for press freedom [9].

To enhance the validity and reliability of the findings, a triangulation approach was employed, integrating data from document reviews, interviews, and surveys. This allowed for a more comprehensive understanding of the impact of the Media Authority Act, 2013, on press freedom by cross-referencing the findings from different data sources. The integration of qualitative and quantitative data provided a more nuanced view of how the legal framework interacts with media practices and freedom in South Sudan. By combining these methods, the study was able to capture both the legal dimensions of press freedom through document review and the lived experiences of media practitioners through interviews and surveys. This approach provided a richer, more holistic understanding of the issue at hand.

## V. RESULTS

The analysis of the data revealed several key themes regarding the impact of the Media Authority Act of 2013 on press freedom in South Sudan. These themes were derived from interviews with stakeholders, document analysis, and a review of the broader political and legal context in South Sudan. The findings are organized into thematic areas that reflect the diverse perspectives on the Act's role in regulating media and press freedom.

### A. Government Justification: National Security and Stability

Government stakeholders have consistently emphasised the importance of the Media Authority Act in maintaining national security, particularly in the context of South Sudan's ongoing political and social instability. According to government officials, the Act ensures that the media operates in a manner that contributes positively to national peace, stability, and security. A government representative noted, "The Media Authority Act is essential for the peace and order of the country, particularly in preventing the spread of false information and hate speech" (Respondent 11, Government Official).

Government officials also argued that the Act aligns with international norms regarding media regulation. As one official explained, "Every country has regulations to defend itself from media abuse, and we are no exception. Our Media Authority Act follows international standards, particularly regarding media regulation for promoting peace" (Respondent 11, Government Official). They emphasised that the Act strikes a balance between the need for press freedom and the government's responsibility to maintain national security and prevent the



dissemination of destabilising content.

One of the primary themes that emerged from the data was the government's justification for the Media Authority Act as a necessary tool to maintain national security, stability, and prevent the spread of disinformation. Government representatives consistently argued that the Act was crucial for the country's rebuilding process, asserting that regulating the media is essential to prevent the destabilising effects of hate speech and false information. As one government representative explained:

*"The regulation is not simply about confining the media; it is about assuring the ethical and responsible conduct of journalism in a country that is rebuilding itself. We cannot afford to let disinformation fuel unrest."* (Government Official, December 4, 2023)

The Act was further emphasised as essential for ensuring that media organisations contribute to national security and refrain from inciting violence, particularly in the lead-up to the 2025 general elections. A senior media authority official noted:

*"With elections approaching, we must ensure that the media does not instigate violence or contribute to disturbance. The Media Authority Act provides the essential legislative framework to ensure that media organizations contribute positively to national security and stability."* (Top Media Authority Official, December 4, 2023)

## B. Concerns Over Censorship and Political Control

A contrasting theme emerged from non-governmental stakeholders, particularly media organizations and civil society groups, who expressed deep concerns over the misuse of the Act to stifle dissent and control the media. Many respondents argued that the Act, rather than promoting press freedom, had been used as a political tool to silence critics and restrict free expression. A media advocacy group representative stated:

*"While the government claims that the Act is for maintaining peace, the fact is that it is utilized as a tool for political control. Journalists and media outlets that question the government's narrative frequently risk repercussions under this statute."* (Media Advocate, December 5, 2023)

This concern was echoed by a human rights activist, who highlighted the fear journalists experience under the current legal environment:

*"Journalists in South Sudan confront challenges in completing their work, frequently turning to self-censorship out of fear for their safety."* (Human Rights Activist, December 6, 2023)

Concerns over censorship were particularly prominent in the context of the National Security Service's (NSS) involvement in media oversight. Respondents noted that the NSS's control over media narratives contributed to a constricted media environment, where dissenting views were suppressed. A political leader remarked:

*"The presence of NSS in media supervision has produced a climate where false information thrives, as people are left unsure about what is true or fake."* (Political Leader, December 5, 2023)

Contrasting sharply with the government's perspective, media professionals, journalists, and civil society representatives expressed serious concerns about the

overreach of the Media Authority Act. They argued that the Act's broad and ambiguous provisions grant the government excessive power, enabling it to censor critical voices, penalize journalists, and even shut down media outlets that challenge the government's narrative.

As one media advocate stated, "The government uses the Media Authority Act as a tool for political control. The vague clauses in the Act allow the authorities to target media outlets that are critical of the government, stifling freedom of expression" (Respondent 13, Civil Society Representative). Journalists further explained that the Act's implementation has led to widespread self-censorship, where media outlets avoid reporting on sensitive issues out of fear of retribution. One independent journalist observed, "In South Sudan, if you criticize the government, you risk being sued, arrested, or shut down. This is not the press freedom international norms advocate for" (Respondent 14, Independent Journalist).

## C. Lack of Clear Standards and Legal Harmonization

Another recurring theme was the lack of clear standards within the Media Authority Act regarding the protection of journalists' rights and the application of its provisions. Stakeholders across the board, including civil society representatives, stressed that the law lacks transparency in its enforcement, particularly about what constitutes "harmful content." A civil society representative expressed:

*"There are no clear standards on how journalists should be safeguarded under this law. What we witness is government overreach, with the Act being used to control the media rather than promote free expression."* (Civil Society Representative, December 7, 2023)

This theme was linked to a broader concern that South Sudan's legal system does not align with international standards on press freedom. Respondents noted that while South Sudan had ratified international agreements, such as the International Covenant on Civil and Political Rights (ICCPR), the country's domestic laws, including the Media Authority Act, fell short of upholding these international commitments. One legal expert noted:

*"Government legislation, particularly about the media, does not align with international commitments on press freedom."* (Legal Expert, December 7, 2023)

## D. Chilling Effects and Fear of Repercussions

A fourth significant theme was the chilling effect the Media Authority Act has on journalistic freedom. Several respondents, including journalists and leaders of media institutions, emphasised that the harsh penalties imposed under the Act deterred media outlets from covering sensitive or controversial issues. A journalist stated:

*"The harsh penalties under the Media Authority Act are intended to terrify us into silence. How can we tell the truth when the consequences are so severe?"* (Journalist, December 8, 2023)

The potential for punitive action ranging from fines to imprisonment was perceived as a direct threat to the ability of journalists to report freely and independently. Respondents suggested that these penalties were disproportionately applied to those critical of the government, further

discouraging independent journalism. As a media institution leader explained:

*"Our hands are tied. Even when we try to report ethically, there is always the potential of being shut down for national security reasons."* (Media Institution Leader, December 8, 2023)

The issue of aligning South Sudan's domestic laws with international standards of press freedom was a recurring theme among stakeholders. Legal experts highlighted that while South Sudan has signed international agreements, such as the International Covenant on Civil and Political Rights (ICCPR), its domestic laws, including the Media Authority Act, fall short of these global commitments. As one legal expert pointed out, "South Sudan has ratified the ICCPR, but the Media Authority Act violates key provisions, particularly Article 19, which guarantees the right to freedom of expression" (Legal Expert, December 9, 2023).

Stakeholders noted that the Act's provisions, particularly regarding licensing, defamation, and restrictions on media ownership, contradict international standards for media freedom. One civil society advocate explained, "The licensing requirements for media outlets are an example of how the Media Authority Act undermines independent journalism. The government controls who can operate in the media sector, which is inconsistent with international norms" (Respondent 13, Civil Society Representative). These restrictions hinder the media's ability to operate freely and independently, limiting its role as a watchdog and a platform for public debate.

## E. Agenda-Setting and Media Control

The findings also revealed the agenda-setting impact of the Media Authority Act. As noted in Agenda-Setting Theory, the media plays a pivotal role in shaping public discourse and influencing policy decisions. In South Sudan, however, the Act has been criticized for limiting the media's ability to cover issues of national concern, particularly those that challenge government policies or actions. As one civil society leader stated:

*"There is no clear method for establishing what constitutes harmful content. One day you are running smoothly, and the next your station is shut down. It is arbitrary and designed to silence views that disagree with the government."* (Media Advocate, December 10, 2023) [23]

This idea is consistent with the theoretical perspective that when the state controls media content, it can limit public engagement with key issues, suppressing crucial debates.

A media institution leader noted, "The media has the potential to be a powerful force for public dialogue, but government censorship prevents us from covering important issues. We are frequently silenced under the pretext of national security" (Respondent 12, Media Institution Leader). This observation aligns with the (15) assertion that agenda-setting is less effective in authoritarian regimes where the government controls media content. Stakeholders emphasized that when the government decides which topics are discussed, many vital issues, such as human rights and governance, are excluded from the public agenda.

As one media professional stated, "International NGOs play an essential role in funding media outlets here, but this creates a dependency that makes local media financially unstable.

When funding dries up, many outlets struggle to survive" (Respondent 16, Media Professional). Stakeholders emphasised the importance of cultivating local financial sustainability for media organisations, particularly through training and professional development, to improve the quality of reporting and reduce reliance on foreign funding.

The findings reflect a significant divide between government and non-government perspectives on the Media Authority Act. Government officials view the Act as a necessary tool for ensuring media responsibility and national security. In contrast, media professionals and civil society leaders argue that it restricts press freedom and violates international norms. This discrepancy highlights the tension between the state's desire to control media content for political stability and the need for a free press that can act as a check on government power.

These findings are aligned with the concepts of agenda-setting theory and social responsibility theory. Agenda-setting theory suggests that media can influence public discourse by selecting and emphasizing specific issues. However, in South Sudan, government control over the media limits the media's ability to effectively set the public agenda. Social responsibility theory emphasises the role of the media in promoting the public good while balancing societal needs. The findings suggest that the government's emphasis on national security through media control undermines the media's ability to fulfil its social responsibility role, particularly when the media is used to suppress dissent and prevent critical reporting.

## VI. DISCUSSIONS OF THE FINDINGS

The study's findings reveal a complex media environment in South Sudan, shaped by the Media Authority Act, government regulations, and the role of security forces, particularly the National Security Services (NSS). These factors significantly affect law enforcement, information sharing, and press freedom in the country. This section examines the divergent perspectives on the Media Authority Act, its implications for media freedom, and its alignment with international standards, while also analysing the relevance of agenda-setting theory and social responsibility theory in understanding the context.

### A. Diverging Perspectives on the Media Authority Act

The study revealed three key perspectives on the Media Authority Act. First, a minority of respondents supported the Act, viewing it as a necessary regulatory tool to ensure national security and maintain peace, especially in areas prone to violence. Supporters of this view emphasised that regulating the media is essential to prevent the spread of false information and hate speech, which could exacerbate South Sudan's fragile peace. However, this group's emphasis on stability over press freedom raises concerns about potential conflicts with international norms that prioritize free expression.

Second, several stakeholders expressed a nuanced stance. While they acknowledged the importance of media regulation in maintaining public order, they criticized the way the Act has been used to suppress dissent and stifle press freedom.





These respondents called for amendments to the Act, stressing that while media control is necessary, its current application has gone too far in limiting the scope of independent journalism.

Finally, the majority of stakeholders, including media professionals, civil society activists, and journalists, strongly opposed the Media Authority Act. They argued that the Act has been abused by security forces, particularly the NSS, to intimidate, harass, and arbitrarily detain journalists. As a result, many journalists self-censored their work out of fear of government retaliation, severely restricting their ability to report critically on government activities. The use of the Media Authority Act to stifle journalistic freedom has led to a chilling effect, wherein journalists avoid covering sensitive topics, thereby undermining their role as a check on government power.

### B. The Role of Security Forces and Government Control

The findings suggest that the NSS plays a central role in enforcing the Media Authority Act, often overstepping its mandate to regulate media and instead acting as a tool for state repression. This dynamic is consistent with agenda-setting theory, which posits that the media have the power to shape public discourse by selecting and prioritising topics for coverage. However, in South Sudan, government control over media content limits the media's ability to set the public agenda. As government forces actively suppress dissenting voices, they restrict access to critical information about governance, human rights, and development. This information vacuum prevents the public from making informed decisions and holds back societal progress.

The Act's severe penalties, particularly those related to defamation, are seen as instruments for silencing critical voices. These restrictions have had a chilling effect on journalists, leading them to avoid sensitive topics or refrain from investigating issues that might invite government retaliation. As one journalist noted, "If you criticize the government, you risk being silenced. This is not the freedom the media should have in a democracy" (Respondent 14, Independent Journalist). In this environment, media outlets are less able to hold the government accountable, a crucial factor in ensuring transparency and good governance.

### C. Paradox of Censorship and the Spread of Misinformation

One of the key findings of the study is the paradox that censorship, rather than preventing the spread of misinformation, fosters its dissemination. Government-imposed restrictions on media reporting, under the guise of countering false information, create an atmosphere of fear and uncertainty, leaving the public vulnerable to unverified and distorted content. This is particularly evident in cases where the government utilises the Media Authority Act to prevent the dissemination of critical information, which in turn leads to a lack of trust in the media and an increase in the circulation of false narratives.

This contradiction is essential to highlight, as it demonstrates that censorship does not necessarily achieve the government's stated goal of promoting accurate information. Instead, it contributes to a climate of misinformation, where citizens struggle to distinguish between reliable and unreliable sources of information. As one media professional

stated, "Censorship pushes information underground. It doesn't eliminate it. People still find ways to communicate, but it is often through channels that spread rumours and falsehoods" (Respondent 16, Media Professional). This highlights the failure of the Media Authority Act to achieve its declared objectives and underscores the negative consequences of restricting press freedom.

### D. Alignment with International Standards

The study also reveals a significant gap between South Sudan's domestic legal framework and its international commitments, particularly in the area of press freedom. Despite being a party to international treaties such as the International Covenant on Civil and Political Rights (ICCPR), South Sudan's Media Authority Act fails to align with the key provisions of Article 19, which protects the right to freedom of expression. Legal experts and journalists pointed out this discrepancy, urging that South Sudan's media laws be reformed to bring them into compliance with international human rights norms.

This misalignment reflects the broader challenge faced by many post-conflict nations, where the pursuit of national security and stability often comes at the expense of fundamental human rights, including freedom of expression. The international community's response to such discrepancies has been mixed, with some actors emphasizing the need for South Sudan to amend its laws to meet its obligations under international law. In contrast, others focus on supporting local civil society organisations and media outlets in their advocacy for greater media freedom.

### E. Theoretical Implications

The findings of this study have important implications for both agenda-setting theory and social responsibility theory. Agenda-setting theory suggests that media can influence public discourse by selecting and highlighting issues of importance. However, in South Sudan, where the government controls the media through legal frameworks, such as the Media Authority Act, the media's ability to set the public agenda is severely restricted. Government censorship stifles critical reporting and prevents key issues, such as human rights violations and governance failures, from being discussed openly. This is consistent with the (15, 10) assertion that in authoritarian regimes, the media is often subject to government control, which undermines its agenda-setting function.

In contrast, social responsibility theory emphasizes the media's role in promoting the public good and serving as a check on government power. The findings of this study indicate that the media in South Sudan are unable to fulfil this role effectively due to the restrictive legal environment. Journalists are unable to report freely, and critical coverage of government actions is suppressed, undermining the media's ability to act as a watchdog. This highlights the tension between the government's desire to control media content for the sake of political stability and the media's responsibility to promote transparency, accountability, and the public welfare.

## F. Implications for Other Post-Conflict Nations

The challenges faced by South Sudan are not unique. Many post-conflict nations grappling with media freedom issues face similar dilemmas: balancing the need for national security with the protection of press freedom. This study suggests that reforms are needed not only in South Sudan but also in other countries emerging from conflict. Media laws should be reformed to ensure that they align with international standards for press freedom, and mechanisms for protecting journalists from harassment and intimidation should be strengthened. Furthermore, efforts to enhance media literacy and promote independent journalism are crucial for cultivating an informed and engaged citizenry.

## VII. CONCLUSION

The findings of this study highlight the complex relationship between media regulation, national security, and press freedom in South Sudan. The Media Authority Act, while initially intended to regulate the media for the public good, has become an instrument of government control and repression. The government's use of the Act to suppress dissent has led to widespread self-censorship among journalists, undermining the media's role as a check on government power. To align with international norms, South Sudan must reform its media laws to protect press freedom while striking a balance with the need for national security. These reforms are not only essential for South Sudan's democratic development but also offer valuable lessons for other post-conflict nations seeking to promote a free and independent media.

## RECOMMENDATIONS REGARDING THE FINDINGS

Based on the study findings, the following recommendations were made. Thus, the following are specifically suggestive pointers. The findings indicated that the government should not accede to all core international and regional human rights treaties, including the International Covenant on Civil and Political Rights and the Convention on the Elimination of All Forms of Racial Discrimination, which contain specific provisions protecting freedom of expression and prohibiting hate speech, incitement to discrimination, and violence.

The researcher recommended that the government conduct prompt and thorough investigations into all violations of freedom of expression, including when perpetrated against journalists and other civil society actors, and prosecute alleged perpetrators. Ensure victims have access to an effective remedy. Ensure that all individuals held in detention for exercising their legitimate right to freedom of expression are either released immediately or, as appropriate, produced before a competent judicial authority without further delay. Condemn hate speech and incitement to violence, and ensure that they are duly and promptly investigated and prosecuted. Collaborate with relevant partners in the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity.

## DECLARATION STATEMENT

After aggregating input from all authors, I must verify the accuracy of the following information as the article's author.

- **Conflicts of Interest/ Competing Interests:** Based on my understanding, this article has no conflicts of interest.
- **Funding Support:** This article has not been funded by any organizations or agencies. This independence ensures that the research is conducted with objectivity and without any external influence.
- **Ethical Approval and Consent to Participate:** The content of this article does not necessitate ethical approval or consent to participate with supporting documentation.
- **Data Access Statement and Material Availability:** The adequate resources of this article are publicly accessible.
- **Author's Contributions:** The authorship of this article is contributed equally to all participating individuals.

## REFERENCES

1. African Charter on Human and Peoples' Rights (ACHPR) (1981). Organization of African Unity. Available at: <https://www.achpr.org/>
2. Best, J. W., & Kahn, J. V. (2007). *Research in Education*. New Delhi: Prentice Hall of India. <https://www.scirp.org/reference/referencespapers?referenceid=2017207>
3. Bhaskar Gogoi (2019). *Understanding the Human Rights Status in South Sudan*. Gauhati University. (Unpublished; <https://thinkindiaquarterly.org/index.php/think-india/article/view/9685/5432>)
4. Bayat, A. (2002). Activism and social development in the Middle East. *International Journal of Middle East Studies*, 34(1), 1–28. DOI: <https://doi.org/10.1017/S0020743802001013>
5. Chandler, D., & Munday, R. (2011). *Media Law*. In *A Dictionary of Media and Communication*. Oxford University Press. <https://doi.org/10.1093/acref/9780199568758.001.0001>
6. Mouffe, C. (2016). The ontological primacy of the political. In Arata D. Yamamoto, *Planning Theory*, 16(4), 384–403. DOI: <https://doi.org/10.1177/1473095216672842>
7. CIPESA (2022). *The State of Media Freedom and Journalists' Safety in Africa 2022*. Available at: [https://cipesa.org/wpfb\\_dl=506](https://cipesa.org/wpfb_dl=506)
8. Cooper, D. R., & Schindler, P. S. (2003). *Business Research Methods* (8th ed.). Tata McGraw-Hill Publishers. <https://www.scirp.org/reference/referencespapers?referenceid=1121935>
9. Creswell, J. W. (2014). *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (4th ed.). Sage Publications. [https://www.ucg.ac.me/skladiste/blog\\_609332/objava\\_105202/fajlovi/Creswell.pdf](https://www.ucg.ac.me/skladiste/blog_609332/objava_105202/fajlovi/Creswell.pdf)
10. D'Agoot, M. (2018). Taming the Dominant Gun Class in South Sudan. *Special Report No. 4*. Africa Centre for Strategic Studies. <https://africacenter.org/publication/taming-the-dominant-gun-class-in-south-sudan/>
11. Heyns, C. (2004). The African Regional Human Rights System: The African Charter. *Pennsylvania State Law Review*, 108, 679. <https://www.pennstatelawreview.org/articles/the-african-regional-human-rights-system/>
12. Ibaa, P. M. (2014). *The Influence of Institutional Factors and Job-Related Attitudes on the Relationship Between Employee Empowerment and Performance of Public Universities in Kenya* (Unpublished PhD Thesis). University of Nairobi. <https://erepository.uonbi.ac.ke/handle/11295/76397>
13. United Nations Committee on Economic, Social and Cultural Rights (2018). *Report on the 63rd and 64th sessions*. Available at: <https://www.ohchr.org/en/documents/reports/economic-social-and-cultural-rights-annual-report-2018>
14. Idowu, S., Cheney, G., & Roper, J. (Eds.). (2018). *ISO 26000: A Standardized View on Corporate Social Responsibility*. Springer. DOI: <https://doi.org/10.1007/978-3-319-72616-0>
15. Kachingwe, P. (2016). Agenda-setting in authoritarian media regimes: A study on media control and freedom in South Sudan. *Journal of Media and Politics*, 18(4), 45–63.





- DOI: [https://doi.org/10.1386/macp.18.4.45\\_1](https://doi.org/10.1386/macp.18.4.45_1)
16. Kalpakian, J. (2017). Peace agreements in a near-permanent civil war: Learning from Sudan and South Sudan. *South African Journal of International Affairs*, 24(1), 1–19.  
DOI: <https://doi.org/10.1080/10220461.2017.1288427>
  17. UNMISS (2018). *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Available at: <https://www.ohchr.org/en/treaty-bodies/cat>
  18. Wangui, I. (2016). The African Editors Forum Declaration on World Press Freedom Day. *African Media Initiative*. Available at: <https://africanmediainitiative.org/>
  19. McCombs, M. E., & Shaw, D. L. (1972). The agenda-setting function of mass media. *Public Opinion Quarterly*, 36(2), 176–187.  
DOI: <https://doi.org/10.1086/267990>
  20. Fredrick, J. (2015). Social responsibility theory and media freedom: An assessment of media accountability in developing democracies. *Journal of Media and Communication Studies*, 7(3), 45–52.  
DOI: <https://doi.org/10.5897/JMCS2015.0402>
  21. BBC News (2012). South Sudan profile. *BBC News*, 22 February 2012. Available at: <https://www.bbc.com/news/world-africa-14069082>
  22. ABC News (2015, August 30). South Sudan's President Salva Kiir Signs Peace Deal. Available at: <https://www.usip.org/publications/2015/08/south-sudan-peace-process-key-facts>
  23. Amnesty International (2018, September 09). South Sudan: Arbitrary Arrests, Torture of Detainees Despite Repeated Promises. Available at: <https://www.amnesty.org/en/latest/news/2018/09/south-sudan-arbitrary-arrests-and-torture/>

### AUTHOR'S PROFILE



**Gai Peter Manyuon** is a South Sudanese journalist and writer with expertise in strategic communication and public relations. He has worked as a columnist and senior reporter for the Citizen newspaper and TV in Juba, and served as Senior Information and Communication Officer for the South Sudan Law Society. Currently a PhD candidate at the University of Dar es Salaam's School of Journalism and Mass Communication, his research focuses on the Media Authority Act of 2013 and its impact on freedom of expression in South Sudan. His interests include media law, development communication, politics, conflict, and humanitarian issues.



**Dr. Darius Mukiza** is a seasoned lecturer at the University of Dar es Salaam's School of Journalism and Mass Communication. With a PhD in communication studies, he has over ten years of experience teaching journalism, media ethics, and communication strategies. His research focuses on the interplay between media, politics, and society, particularly journalism's role in advancing democracy and social change in East Africa. Widely published and recognised in academic circles, Dr. Mukiza actively participates in conferences and is known for his practical, student-centred teaching approach, which aims to cultivate a new generation of skilled, socially conscious media professionals.

**Disclaimer/Publisher's Note:** The statements, opinions and data contained in all publications are solely those of the individual author(s) and contributor(s) and not of the Lattice Science Publication (LSP)/ journal and/ or the editor(s). The Lattice Science Publication (LSP)/ journal and/ or the editor(s) disclaim responsibility for any injury to people or property resulting from any ideas, methods, instructions or products referred to in the content.