

**GRAPPLING WITH LEGAL AND STRUCTURAL
STRICTURES: WHY ZIMBABWEAN'S MEDIA HAVE
FAILED TO PROMOTE DEMOCRACY AND GOOD
GOVERNANCE**

Osir Otteng*

Abstract

Free, professional media are vital for a working democracy that promotes good governance. Citizens need media to make informed electoral choices; have effective input into public affairs; ensure the rule of law is upheld and mechanisms for checking power abuses are intact. But in nominal democracies, where key tenets of democracy exist more in the statutes than in practice, media are constrained in their work by strictures from state and non-state actors. With reference to Zimbabwe, this study explores the role of media as a requisite element in nurturing democracy and good governance. It examines key factors that influence media's success, viz. politics, legislation, ownership and business setting, besides internal capacity in respect of technology, training and tooling, all of which impact directly on media's service to society. From candid talks with a section of Zimbabwe's top media players, the study shows that the county's media are hamstrung by the existing legal structure, competing political interests, poor training and not-so-strict adherence to the canons of the journalism profession – the key requisite conditions for developing public-minded media.

Keywords: Democracy, media, good governance, politics

* Public Relations Officer, Jaramogi Oginga Odinga University of Science and Technology, Kenya and PhD Candidate

1. INTRODUCTION

A free and open society subsumes a vibrant unfettered means of communication between the government and the governed. In a democratic setup, to have a quality government, the electorate needs to choose from a wide range of alternatives, basing the choice on authentic, objective and balanced information. If the government is to continue governing by consent, it requires information about the citizenry - how it feels about and views specific issues. The mass communication media act as the intermediaries in this exchange, enabling the government, its opponents and the electorate to speak to one another. A vibrant media industry is paramount in upholding freedom, and expanding education on social reforms. Democracy and good governance confer upon the people the right, not only to know what the government does, but to participate as well in its activities, especially on State decisions that affect their life, liberty and property. Informed citizens make reasonable choices regarding their participation in the State, the market and the civil society. Sufficient information helps people to decide rationally and take the course of action beneficial to them. Mass media, thus, help people to know what is happening around the world, socialise them on the values of pluralism and equip them with the elements of modernity.

A key criterion of a democratic system of government, therefore, is the extent to which the mass communication apparatus performs the above roles with reasonable freedom and responsibility. Africa has in the past two decades witnessed tremendous growth in democracy – if the number of multi party elections that have taken place in various countries is anything to go by. However, the jury is still out on whether the continent is moving in the right direction particularly with regard to the fundamental tenets and standards of modern day democracy and good governance. One bone of contention is the states' penchant for locking out other important players, among them the media and civil society, in the management of public affairs. This study was, thus, set out to assess the role of media in the institutionalisation and promotion of democracy and good governance in Zimbabwe and establish the requisite conditions for effective execution of this role.

This study sought to determine, at a global level, to what extent of the media's contribution to the institutionalisation and promotion of good governance; and to identify, with specific reference to Zimbabwe, factors that influence or hamper the work of the media in promoting an open society that upholds the ideals of democratic rule and good governance.

1.1 Media in Zimbabwe

Zimbabwe has some of the oldest newspapers in Africa. The *Mashonaland and Zambesian Times*, a hand-written newspaper, was published in June 1891. On October 20, 1892, *The Rhodesia Herald* replaced the *Mashonaland and Zambesian Times* as the country's major daily newspaper. The paper, since renamed *The Herald*, started by the Argus Company of South Africa, survives today as the country's oldest and biggest daily newspaper. On October 12, 1894, the same firm launched a second newspaper, the *Bulawayo Chronicle*, later renamed *The Chronicle*, in Bulawayo. It continues to publish.

During the colonial period, the media in Rhodesia pandered to the interest of the white settlers. Much of the news was about events occurring in the metropolis, from politics to sports. The needs, aspirations, and hopes of the Africans attracted little attention. Interestingly, crime and other “misbehaviour” by blacks received generous coverage.

The Ian Smith regime appointed the board overseeing the broadcast authority. Although in theory the electronic media were autonomous, in reality the regime exercised effective political control, including guidelines that required that the African opposition be denied on-air access. The Rhodesia Broadcasting Corporation (RBC) operated largely as part of the State's propaganda machinery. At some point, the parliament enacted law to impose a fine of up to \$1,500 or two years in prison on anyone who permitted any hostile broadcast to be heard in public. Smith himself admitted that radio was one of the most powerful tools in the ongoing "war for men's minds." A number of organizations could not get audience or mention by Rhodesian radio and television staff. They included, ZAPU (Zimbabwe African People's Union), ZANU (Zimbabwe African National Union), the Patriotic Front (an alliance of ZAPU and ZANU), the Zimbabwe African National Liberation Army (ZANU's guerrilla wing), the Zimbabwe People's Liberation Army (ZAPU's military wing), and the Zimbabwe People's Army.

The media had not changed much with the attainment of independence. Apparently well schooled on the powerful nature of the media in society the Mugabe government moved fast to acquire the means to control the electronic and print media. It was easy to rein in the electronic media as, under Rhodesian law, the broadcast outlets were already under government control. Today, Zimbabwe's press today can be classified into three categories: the mainstream press owned by Zimbabwe Newspapers, rural newspapers owned by the Zimbabwe mass Media Trust (ZMMT), and the private

press owned by a section of the business community. (I advisedly refer to the third category as private media as opposed to the popular tag “independent”, which often gives a false impression that media outside the ambit of the State operate free of control from internal or external forces).

State-owned press can be divided further into two: mainstream press and rural and small town or peri-urban publications. The over 120 year old state owned *Herald* has been the country’s market leaders in readership, save for a brief period in 2002, when it was toppled from this position by the *Daily News*, before the latter’s dramatic shutdown in 2003 by state agencies. *The Daily News* had the highest readership of 30.6% of the total reading population, followed by *The Herald* with 28.9% and *The Chronicle*, also state owned, at 13.7% percent (*All Africa News, July 1, 2003*).

The electronic media are controlled by the government owned Zimbabwe Broadcasting Corporation. So far no domestic private stations are allowed. The public state broadcaster controls 16 channels. However, satellite stations are received in the country unrestricted. Coverage and viewership in rural areas is low, due to poor infrastructure and poverty. Overall, 30% of the population receives broadcasts by the ZBC. So far, radio is the main source of information. There have been incessant calls for the opening up of the broadcast field. The public radio and television have been accused of bias in apportioning airtime to competing parties. In the run up to the 2008 general elections, ZBC was accused of according more coverage to the ruling party, rarely giving positive coverage to the opposition ranks.

Internet use is unrestricted by the government. However only 10.9% of the population is able to access this medium due to high costs and poor infrastructure. Thanks to the unrestricted nature of the internet, foreign based Zimbabwean papers and news sites are accessible from inside Zimbabwe.

2.0 LITERATURE REVIEW

2.1 The concept of governance

During the past two decades, governance has become a key concept in the international development debate and policy discourse. In the African continent, which has experienced numerous challenges owing to institutional decline and general maladministration especially in public offices, improving the governance environment has assumed a central place in major governmental, inter-sectoral and inter-governmental policy deliberations, with the aim of enabling the continent to move forward in the quest for sustainable development.

Kempe (2003) defines governance as having to do with the manner in which responsibility is discharged. Such a responsibility may emanate from election, appointment or delegation in the public domain or in the area of commerce. Good governance is, thus, a condition whereby such mandate is discharged in an effective, transparent, and accountable manner. It entails the existence of efficient and accountable institutions – political, judicial, administrative, economic and corporate – and entrenched rules that promote development, protect human rights, respect the rule of law, and ensure that people participate freely and meaningfully in matters that affect their lives.

To distinguish it from government, Cheema and Maguire (2009) characterize governance as a neutral concept comprising the complex mechanisms, processes, relationships and institutions through which citizens and groups articulate their interests and aspirations, exercise their rights and obligations and mediate and resolve their differences. “Good governance addresses the allocation and management of resources to respond to collective problems; it is characterized by the principles of participation, transparency, accountability, equity and collective strategic vision” (Cheema and Maguire 2009: 3)

In practice, and to be meaningful, these principles should translate into certain tangible things—such as free, fair and regular elections; a representative legislature that makes laws and provides oversight; an independent judiciary that interprets laws and a responsive, efficient and effective public service that implement policies. Besides, they should translate into the guarantee of human rights and rule of law, and transparent and accountable institutions. Good governance also decentralizes authority and resources to local governments to give citizens a greater role in priority placement. Finally, good governance ensures that civil society plays an active role in setting priorities and making the needs of the most vulnerable people in society known. In sum, governance is good if it supports a society in which people can expand their choices in the way they live; promotes freedom from poverty, deprivation, fear and violence; and sustains the environment and women’s advancement. Maclean, *et al* (2001) make a clear departure from the common view of governance as a state-centric matter where governance is defined narrowly as the manner in which government and government institutions manage the economic and social resources of a country. Rather, governance involves a pattern of relations among the heterogeneous trio of state, market and civil society actors over a diverse range of issue and levels.

It can be argued that the quality of a country’s governance has a direct impact on the level of human development within its borders. Indeed, in today’s world, governance can no longer be considered a

closed system. The State's task is to find a fitting balance between taking advantage of globalization, and providing a secure and stable social and economic domestic environment, particularly for the most vulnerable. Globalization is also placing governments under increasing scrutiny, a fact likely to prompt improved state conduct and more responsive socio-economic policies.

Institutions are needed to maintain fiscal and monetary discipline, mobilise resources, and set priorities among the competing demands for those resources as integral aspects of the making and implementation of good economic policy. Similarly, institutional arrangements are required for the efficient delivery of public services that are sensitive and aligned to all spheres of life in society.

2.2 The concept of democracy

Axtmann (2007) defines democracy as a regime type in which citizens rule themselves. This definition closely resembles Abraham Lincoln's famous characterization of democracy as "government of the people for the people and by the people." Hague and Harrop (2001) describe democracy as a form of government offering workable solution to fundamental political problem of reaching a collective decision by peaceful means.

The foregoing definitions portray democracy as an ideal, a complex quantum which can be measured in terms of degrees. But confusion arises from the discussion of the concept of democracy when we consider the huge diversity of states that profess to be democratic in their rule. These states range from the former communist state of East Germany to present day United States of America. This perhaps is what prompted Professor Bernard Crick's description of democracy as "perhaps the most promiscuous word in the world of public affairs. She is everybody's mistress and yet somehow retains her magic even when a lover sees that her favours are being, in his light, shared by many another" (cited in McNaughton, 1996: 90).

Although the term democracy has, over time, become associated with just rule, thus prompting different rulers - including known despots - to invoke it as a means to sanitise their regimes - democracy has its clear tenets which set it apart from other systems of government. Dahl (1999) observes that democracy as a concept and a system of government is not new. He asserts that a certain rudimentary democracy most likely existed in pre-historic hunter-gatherer societies where the three criteria of group identity, little outside interference and assumption of equality prevailed. Once human beings began to settle in large groups, however, a certain degree of hierarchy crept into their governance.

According to Dahl (1999), democracy did not reemerge forcefully until approximately 500 BC, when the Greeks and Romans established systems of government based on popular participation. The Greek governance system was more or less a direct democracy in the sense of having few intermediary structures between the “people” (with the notable exceptions of women, slaves and others) and their government. The Roman system, on the other hand, employed a system of representation known as the republic (but also omitting women, slaves and others).

Some scholars assert, however, that the early practices of democracy may be traced back not only to the ancient Athenians and Romans but also to the Phoenicians and the Egyptians. As Safty (2000) writes, “the European thinkers of the Enlightenment were not the only, indeed not the first, source of the values that came to be associated with democratic governance.” Long before Rousseau and Locke, Arab social philosopher Alfarabi spoke of liberty and equality and of rule on the basis of the consent of the governed” (Safty, 2000: 221).

But while its origin may be contestable, what is not contested is the fact that democracy has continued to grow, acquiring new meanings and dimensions, and assuming new levels of importance in the modern day governance, with corresponding attempt to define it in more meaningful ways. Lipset describes the two major current alternative definitions of democracy as “minimalist” and “maximalist”. His minimalist definition views democracy as a “political system of political rights that specifies how leadership ought to be designated at the highest national level in a policy.” (Lipset, 1959: 69). Similarly, Schumpeter (1950) defines democracy as that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote.

The maximalist definition, on the other hand, enumerates various rights and liberties that have to be associated with a competitive and inclusive system of government (Lipset, 2000). Diamond (1995) uses the maximalist definition of democracy as encompassing “not only a civilian, constitutional, multiparty regime, with regular, free and fair elections and universal suffrage, but organizational and informational pluralism; extensive civil liberties (freedom of expression, freedom of the press, freedom to form and join organisations); effective power for elected officials; and functional autonomy for legislative, executive and judicial organs of government” (Diamond, 1999: 19).

Diamond (1999) admits, however, that the process of developing democracy, has different forms and stages – “electoral democracy” with minimum level of freedom of speech, press, organization and assembly; “liberal democracy”, which, in addition to elections, requires the absence of reserved

seats for military or other groups, horizontal accountability of office-holders to one another, and extensive mechanisms and provisions for individual and group freedom and political and civic pluralism; “midrange conception” that falls between electoral and liberal democracies including various degrees of freedom of expression but weaknesses in the rule of law; and “pseudo-democracies and non-democracies” that are less than minimal democracies but are not like purely authoritarian regimes because they “lack at least one key requirement : an arena of contestation sufficiently fair that the ruling party can be removed from power”

Craig (2003), lamenting the difficulty that accompanies an attempt to define democracy in a homogeneous manner, says that definition of democracy can be as difficult, and as no consensus-engendering as its application. For instance, there can be no knowing what "Western-style" democracy exactly means, fanciful as the term is. The United States and the United Kingdom, for example, have both very different democratic systems and quite different ideas of what makes a democracy work. Thomas Carothers says that "the principles of democracy are quite clear, but the principles of democracy are also breathtakingly few" (Carothers, 2004: 262). Barzun (1989) argues that democracy has no theory to export because it is not an ideology but a historical development. He argues that “at best, democracy has a theorem: that for people to be free they must also be sovereign, and the necessary conditions for sovereignty are political and social equality. How they exercise that sovereignty, what mechanisms they use to ensure equality and to distribute freedoms, is left to them to decide” (Barzun, 1989: 16-23) As a result, institutional forms of democracy vary significantly. In the late 1990s, it became popular to discuss the ascendancy of the “illiberal” strain of democracy over the “liberal”—the latter being defined in maximalist terms as “a political system marked not only by free and fair elections, but also by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion and property,” and the former being defined as the erosion of “basic constitutional practices” in countries where elections, paradoxically, “reflect the reality of popular participation in politics and support for those elected.” (Zakaria, 1997: 12).

But this line of argument invites our consideration of various characteristics of democracy. If democracy is only defined in terms of elections, it is possible to have an illiberal democracy—one in which the people freely choose a government that subsequently curtails and tramples on their rights without much recourse to them. This presupposes that constitutional liberalism and elections are two separable strands that make up democracy. But if democracy is defined in terms of a set of

indivisible institutions and processes based on the principles of choice, participation, rule of law, individual rights, etc., then illiberal democracy is simply a fallacy rather than a reality.

For democracy to be consolidated, argue Linz and Stephan (1996), five inter-related conditions must exist – i) free and lively civil society, ii) a relatively autonomous and valued political society, iii) the rule of law that guarantees citizens' freedoms and independent associational life, iv) functioning state bureaucracy at the disposal of the democratic government, and v) an institutionalized economic society. Democracy, they conclude is, therefore, 'a form of governance of a state and becomes consolidated in political situations where it is "the only game in town" - that is to say, those competing for power play by its rules.'

Despite the many differences in how democracy is defined, it can be argued that there are two fundamental underlying rationales of democracy—namely, that, in it, all people are equal (equality) and all people are free (liberty). In addition, and pursuant to the above rationales, certain minimum conditions must be met in order for a system to be labeled democratic. These include, respect for human rights and the rule of law; collective deliberation, choice and participation; and representative and accountable government. Thus, democratization is the process whereby democratic institutions, practices and beliefs are built and/or strengthened in a society. This includes fostering the participation of citizens in the democratic process - through formal mechanisms such as elections, and informal institutions such as the media and civil society organisations.

It has been argued (Manin, Przeworski and Stokes, 1999) that there are four reasons why representative governments may represent the interests of the people. These are: the public spirit of those who offer themselves to serve the public; citizens' use of their vote to select candidates with identical interests and devotion to public service while in office; citizens' use of their votes to remove those "who would stray from the path of virtue"; and the separation of government powers through a system of checks and balances in such ways that, together, they end up acting in the people's best interest.

The question, however, remains as to whether contested elections, widespread electoral participation and political liberties enjoyed by the people can ensure true representation of the people. The three argue that "citizens' control over politicians is at best highly imperfect in most democracies and that elections are not a sufficient mechanism to ensure that governments will do everything they can to maximize the citizens' welfare and a clear role for the opposition to oversee the media owned by the public sector (Manin, *et al*, and Stokes, 1999: 3-4). And, to complete this

raft of prerequisites, we need an independent judicial system that will ensure electoral disputes are adjudicated fairly and to the satisfaction of the electorate and the contest.

2.3 Conceptual framework

Media, democracy and good governance: a convergence for development

Free, fair and accurate media are essential to a healthy, functioning democracy. Media are required to enable the public make informed electoral choices; have effective input into public affairs; ensure that the rule of law is upheld; and that the mechanisms designed to check abuses of power function properly. Overall, as Edwards (2000) says, the media act as facilitators to check dictators, arrogant leaders and political elites that think they can get away with impropriety. Transparency and accountability, which refer to the political and institutional values of openness and readiness to account for one's actions, or lack thereof, are important pillars of political development. According to Balkan (1998), these two tenets of good governance are broad. They encompass three political virtues; informational, participatory and accountable. The media can make the political system more transparent by helping people understand the operations of government, participate in political decisions, and hold government officials accountable. It is, however, noteworthy that the media can be manipulated by diverting audience attention and supplement politics with new realities that crowd out and eventually displace real priorities.

All aspects of good governance are facilitated by a strong and independent media terrain in society. Only when journalists are free to responsibly monitor, investigate and criticize the public sector's policies and actions can good governance hold. Independent media are a beacon that should be welcomed when there is nothing to hide and much to improve. Indeed, this is the concrete link between the functioning of the media and good governance. Media facilitate checks and assessments by the population of government activities and assist in bringing public concerns and voices into the open by providing a platform for discussion.

Media participation is crucial for good governance in two ways: Firstly, enhanced participation by citizens in decision-making process allows greater transparency and can help ensure that political decisions are adapted to the needs of the people affected by them. Secondly, greater participation brings about democratic legitimacy, which depends on the investment people have as citizens in their own government. The role of independent and pluralistic media in fostering participation is

critical. They report on aspects of the decision-making process and give stakeholders a voice in that process. Freedom of the media allows for the formation of a public sphere in which a wide range of debates can take place and a variety of viewpoints be represented. The citizenry can thus use the media to give assent or express dissent, or explore issues not considered through official channels.

The media have a crucial function as the sector of society most able to promote vigilance towards the rule of law, through instituting investigative journalism, promoting openness of court, legislative and administrative proceedings, and access to officials and public documents. The government has a key role here in protecting the independence and pluralism of the media, especially during critical moments of these processes. The rule of law is implied in the existence of law and other judicial systems within societies and is enshrined in the texts of the law itself. The rule of law can be understood both as a set of practices which allow the law to perform a mediating role between various stakeholders in society and as a normative standard invoked by members of society that demonstrate their assent to this principle. The rule of law is fundamental to the stability and smooth functioning of society. Only when it is respected can citizens have confidence in democratic process over the long term and invest in the sustainable development of their society.

Actually, the real point of convergence is the fact that the media, democracy and good governance are supposed to work for the good of society: development thus becomes the common denominator. It is only when the three variables come together to bring about sustainable human development that we can say they have succeeded. After helping to institute a democratic government, the media must remain critical in evaluating what that government does. It is the journalists' duty to critically examine and evaluate the relevance of a development project to national and local needs, the difference between a planned scheme and its actual implementation, and the difference between its impact on people as claimed by government officials and as it actually is (Aggarwala 1979: 181). Kunczik thus argues that news on national and international events is only desirable if it constructively contributes to the development and improvement of the living standard" (Kunczik, 1995: 84). This convergence can be represented in the conceptual framework below:

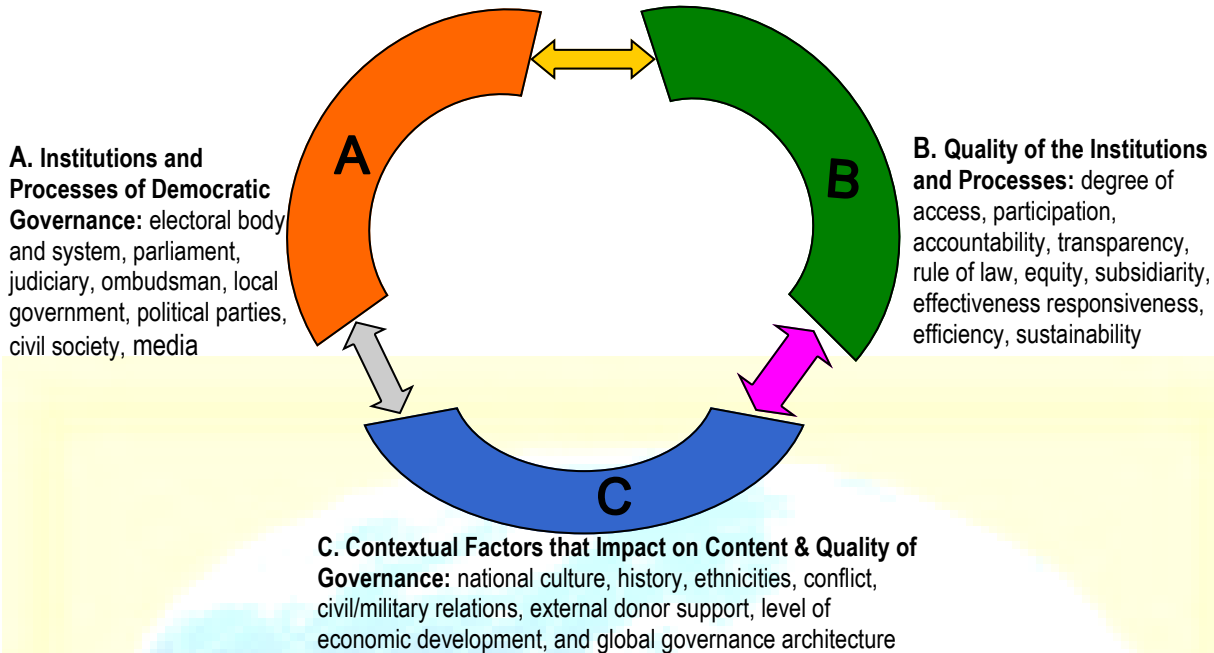


Figure 1: Good governance conceptual framework (Source: Shabir and Cheema, 2003: 15)

3.0 METHODOLOGY

Qualitative research method was used with six key informants representing different segments of the media viz. State media (*The Herald*), private weekly newspapers (*Financial Gazette*), private daily newspapers (*Daily News*) media regulators (Voluntary Media Council of Zimbabwe), media advocacy bodies (Media Institute of Southern Africa) and media trainer (a university lecturer), participating. An interview guide containing similar question was used in an in-depth interview. The findings were then broadly discussed under six key areas namely: media access to information, media freedom, media independence, media reach and penetration, internal capacity: equipment and facilities and internal capacity training and development.

4.0 RESULTS

As a key component of its findings the research affirmed the media's role as a vital player in the process of any society's democratisation and institutionalisation of good governance. However in the Zimbabwean situation performance of this role is frustrated by factors such as the legal stricture,

polarisation of the country on political party lines, poor terms and conditions of service for journalists, among others as outlined here.

4.1 Media access to information

The study found that the role of the media is curtailed by limited access to information. Whereas the act that deals with access to information (AIPPA) compels government official to give information to journalists on demand, this law is not fully obeyed and government officials still consider it a matter of discretion to give information to journalists. According to MISA director Nhlanhla Ngwenya, the government has instead only used sections of this law that deals with privacy. The study revealed that although public media journalists have access to senior public officials who give them information, they are hamstrung and cannot use public information for news or features that are critical of government. For, as *The Herald* editor says, “The public media have instead been lapdogs (and not watchdogs) when it comes to dealing with the executive. Except through their “moles” (people sympathetic to them) in public offices, the private media have no way of accessing information from government officials who view them as enemies rather than partners in fostering good governance.

The study revealed that access to information is not curtailed only through refusal to give it; there are also rules that ensure that “undesirable” media do not gather news in specific areas strategic to the ruling class. For instance, according to Gama of *Daily News*, the government has put restriction on areas like mines which are protected as sensitive areas. This ban apparently applies even to top government officials outside the ZANU-PF ranks. A tour by the Prime Minister Morgan Tsvangirai to Chiadzwa in June 2011 was reportedly cancelled when he realised that state security had been instructed to bar him from visiting people displaced by the government to give room for diamond mining (*The Standard* July 3-9, 2011). The government uses its discretion to decide which media housed to attend its functions. A case in point, according to Gama, was when the government of Zimbabwe refused to accredit private media journalists to cover the COMESA Summit held in Harare in 2005. Even after the latter obtained a court order compelling rebutting this action, state security organs still barred them from covering the function.

The key informants' views on access to information are supported by other Zimbabwean media practitioners and scholars. According to Moyo and Chiumbu, "recent legislation impinging on free flow of information includes: the Broadcasting Services Act (BSA), Public Order and Security Act (POSA), Access to Information and Protection of Privacy Act" (Moyo and Chiumbu, July 2002). BSA restrict flow of and access to information by giving the information minister unfettered power to determine who to license to broadcast and who not to license.

4.2 The Legal environment and media freedom

The study reveals that the existing legal instruments in Zimbabwe generally work against the operation of free media. According to Ngwenya several pieces of legislation enacted after 2000 are all basically meant to tame the media. He cites the AIPPA, POSA, BSA, Interception of Information Act, etc, as some of the laws that have hampered the media's operations in the country. All the six informants argue that AIPPA has stringent provisions which put immense powers in the hands of government controlled Media and Information Council. Media lecturer, Webster Mwomnwa says that both the previous and current governments have used "bad laws" to gag media. He cites the Law and Order Maintenance Act of 1970 and Broadcasting Services Act of 1957 which were used by the Ian Smith regime to hamstring the media. Then Rhodesian minister for information, PK van der Byl once said that he believed in getting as much control of the media as possible because the media were "inhabited by leftists and, so, he was remotely concerned with press freedom" (*Openspace* December 2006: 15). Mwonwa's and Ngwenya's arguments are further supported by Andrew Moyce of Media Monitoring Project – Zimbabwe, who argues that under AIPPA, 'the government has turned the gathering and dissemination of news into a privilege which can only be exercised by those who have been registered by government appointed MIC...Anybody "caught" practicing journalism without a license from MIC is committing an offence.' (*Openspace*, December 2006: 61).

But it is right to argue that having a regulatory system is not in itself a sign of media freedom curtailment and is not unique to Zimbabwe. What is intriguing, according to VMCZ director Zhangazha Takura, is the arbitrary manner in which MIC carries out its operations. Takura is supported by Moyce (*Watching the Watchdog: Monitoring the Media in Defence of Free Expression Openspace*, December 2006), who says that since its creation in 2002, MIC has closed

down four newspapers and denied registration to dozens of journalists. The fact that all the four newspapers were privately owned does not help MIC against its critics' charge that it is a government tool for silencing perceived anti-establishment publications and journalists.

According to editor Njabulo Ncube (Finance Gazette), the laming of all the recently enacted legislation related to media under criminal law has dealt the most debilitating blow to media freedom. For example, what would ordinarily be considered a civil case of defamation elsewhere is treated as a criminal offence in Zimbabwe, particularly when it touches the presidency and state security. Ncube's view is supported by Moyo and Chiumbu, who argues that "AIPPA unduly meddles in and penalizes what are otherwise civilly actionable breaches of media ethics" (Chiumbu and Moyo, July 2002: 48)

But, *The Herald's* Zharare argues that although AIPPA has some very good provisions which can help journalism grow in this country, it has been unduly vilified, to a point that only its bad side is known. The stipulation that government officials give information to the media is one such positive proviso, which, if adhered to, can open up the society and foster growth of democracy and good governance. According to him, the main problems with AIPPA and other pieces of legislation on media are, first, the overenthusiastic law enforcement agents, who use these laws to unnecessarily harass journalists, and second, the anti-establishment group of journalists who believe they can operate outside all the laws in the name of press freedom.

According to this study's findings, media freedom, or lack thereof, is not discernible only from the legal prism. The political landscape has also played an important part. The two private media managers (Ncube and Gama) complained about "hired goons", serving the specific political interests, who harass perceived pro-opposition journalists at will. Ncube says, for example, that private media reporters cannot set foot on Mbare, a high density suburb of Harare, lest they are killed. Gama on his part says that the security organs have further curtailed media freedom by unilaterally declaring some areas in the country as protected thus limiting media freedom in terms of access.

It is important to note that although state media are apparently free to operate, their freedom is limited to their ability to keep to the government script. Ncube call it a facade, since he say, the editorial desk of the state media has been “hijacked by the State House operatives”, something Zharare seems to admit, albeit tacitly, when he said that we “state media are lapdogs rather than watchdogs as far as dealing with the executive arm of the government is concerned.”

4.3 Media ownership, control and independence

The foregoing topic has focused on media freedom or lack of it as derived from the law. Emphasis was placed on the legal structures which deal with journalists’ day to day work of gathering, analysing, packaging and disseminating information to their audiences. Under media independence, as discussed with the media managers and scholars interviewed, the study dwelt on how the media navigates the economic political and social landscapes and relate with stakeholders in these fields. The study found that Zimbabwe media’s level of independence is low. All the informants admitted that the media – state or private - are beholden to their owners. Under the question “In your observation, to what extent does the editorial slant or leaning of various media houses reflect their ownership?” all the three editors said that they do. According to Zharare “The editorial slant of all media houses largely reflects the ownership of the press in Zimbabwe - both private and public.” Ngwenya put it even more ominously: “The media in Zimbabwe have been hijacked by political forces whose views they parrot everyday”. The state media, wholly owned by the government, is subservient to the latter. Private media also select and angle their news, especially political news, on the basis of their owners’ inclinations. Chuma supports this argument in an article: “Media ownership and funding patterns” when he says:

Since 2000, the content in the mainstream media in Zimbabwe has been highly polarized along ownership and political allegiance lines. State owned broadcast and print media have been overtly partisan in favour of ZANU-PF...On the other hand the private press has been a vocal critic (and a major victim) of the state and an outstanding supporter of the opposition, especially MDC. Parliamentary and presidential elections presented the media the opportunity to showcase their embeddedness to their owners or handlers. (*Openspace Vol. 1, Issue 5. December 2006: 27*)

Another factor found to considerably hamper the media independence in the country is advertising. The study revealed that media houses dare not antagonise their major advertisers. Gama said that

the issue is made more serious by the now fierce competition for dwindling advertising revenue. “The papers are run through adverts and editorial decisions have to be made with the advertisers in mind...anything that may rub our advertisers the wrong way has to be given due attention. It is a dilemma we have to live with...” This dilemma is aptly captured elsewhere by Bauer thus:

Since the media requires two markets to survive economically (audience and advertising), it has to be interested in financially successful management, but at the same time it must irritate the economic status quo because of its duty to research such themes as part of investigative journalism. So it may and often does happen that journalists are challenged to research subjects that may not be in the best interests of people or organisations which are stake or shareholders in the media. Economically speaking, media ownership is not an easy position. On one hand, media entrepreneurship is encouraged in a very difficult and complex market, and on the other hand, it is the source of independence problems, often negatively impacting freedom, the open media market, and above all, media culture. Ownership is the position at which economy, quality, money, and public communication values meet and where all those factors come into a difficult crux in a democratic culture (Brewer, "Guatemala press freedom alarm," *BBC News World Edition*, June 28, 2003, quoted in LaMay, 2006).

4.4 Media penetration, reach and pluralism

The study revealed that the media in Zimbabwe is concentrated in the cities and other urban centres. All the interviewees concurred that the rural areas of Zimbabwe are generally starved of media products. According to Gama, due to limited resources amid high cost of production, the media cannot afford to satisfy the entire country. They are therefore focusing only on areas with high potential sales. This scenario disadvantages the rural areas which have the double disadvantages of poor infrastructure and poor economic ability. Zharare explains further that media, as a business outfit, of necessity, will focus reach on economically viable areas. He surmises that: “as things stand now this blackout on the rural masses may continue unless and until, deliberate efforts are made to economically empower the rural communities... people in the rural areas do not have the money to buy newspapers, leave alone advertise. Moreover, our advertisers’ target populations are the city dwellers, not the rural folks.” This brings to the fore the concern over what then is the media’s *raison d’être* in society. A media fraternity that does not serve the larger segment of the society ceases to be relevance to growth of democracy and institutionalization of good governance. It is worth noting that when Thomas Jefferson said he would choose the press over government he

added a rider that "... I should mean that every man should receive those papers and be capable of reading them"

(<http://www.techdirt.com/article/shtml>).

But the rural folk are not just disadvantaged by the fact that media products do not reach them; due to lack of basic facilities, the reporters cannot easily reach the rural area. Thus even when the newspapers reach them, their contents do not address their aspirations, their fear, and their needs. Ncube says that the media have neglected the wider Zimbabwean society:

what we are reading in the papers are stories based on political and economic whims of powerful elite in the cities...State media are parroting views of ZANU-PF and President Mugabe, while the private media are beholden to Prime Minister Tsvangirai's and MDC at the expense of the villager who is very worried about where the next meal will come from.

But Gama brings in another angle: that in focusing their attention, they are following the masses' dictates. He says that media consumers in Zimbabwe are themselves so politically minded that they want nothing but politics. "Today, do a well-researched articles and put it as your flash and your paper will not sell... the people know that all their problems are politically generated."

It is, thus, not a question of reach and penetration; rather what must be addressed are the multiple problems of reach, affordability, content relevance, language and orientation. But, as the study found out, all these are lacking. The following statement by a veteran South African journalist, Mathatha Tsedu, about his country some time back perfectly depicts the situation in Zimbabwe today:

Since 1994 the news media in his South Africa have gone for well-off blacks and forgotten the poor. They no longer serve as watchdogs for the weak and the poor. The poor are not a market, but a liability. Nobody covers them. It is the same in the United States, but here the poor are a minority and the middle class is the majority. In South Africa, the poor are the majority. If no one is interested in them, how do we represent them? How are they part of our democracy? It is the dilemma of existence versus the need of the media to survive.... (Mathatha Tsedu, remarks at the Medill School of Journalism, Northwestern University, Evanston, Illinois, March 7, 2005, quoted by LaMay, 2006)

The interviewees agree that there is a void that could only be filled by community media. With the advent of modern technology, community radio is cheap to set up and run. But they aver that the government has been the greatest stumbling block to growth of community media in the country. Community media outlets established by the State under the state-owned news agency folded up due to lack of funding. Moreover these outlets ceased to serve communities' interests as they were controlled by the government. According to Takura, the stringent broadcasting regulations, as they stand now, cannot allow community radio to operate in the country. Mwonwa says that the government's reluctance to free airwaves has ensured that there is total lack of pluralism in the country. The people are therefore fed on one-sided views of only a section of the unity government. Ngwenya argues that the government is so scared of truly community media, especially radio that unless pressure is brought to bear, it will not allow them.

Due to this neglect by the mainstream media, and, apparently, because of lack of appeal by the state radio ZBC, the rural people have now turned to tuning to Voice of America in Zimbabwe which broadcasts in short wave frequency. Other radios (popularly referred to as "pirate radios"), operated by Zimbabweans journalists and entrepreneurs in neighbouring counties, are also becoming increasingly popular.

4.5 Internal capacity: tools, equipment and remuneration

The study reveals a general lack of important facilities and equipment in the media houses. Zharare says that newsrooms of the State media lack facilities like lap tops and vehicles. Ncube says that although private media newsrooms appear better, there is general lack of facilities. Gama concurs, saying that the situation is exacerbated by the fact that most equipment like recorders are not available locally and have to be imported from South Africa, making them expensive hence less affordable to most newsrooms. Takura said the problem is that media owners do not want to invest in the business. He compared the media to a cow which their owners want to milk without feeding. The lack of equipment was also reported in training institutions. Mwomwa revealed that most training institutions do not have enough modern facilities like up to date computers, a fact that has compromised the quality of their graduates.

On terms and condition for journalists the study discloses that the average Zimbabwean journalist is poorly paid. All the interviewees agreed that poor pay is the main reason for journalists' involvement in unethical conduct such as getting compromised by newsmakers for money and other

favours. Mwonwa said that the poor pay in the media has pushed the best brains, who could have made a positive mark in the field, to seek better deals in related areas like public relations or to work outside the country. The result of this is lack of serious journalism.

There is also general agreement among all those interviewed that the prevailing poor economic situation is responsible for the low morale among journalists. But Mwonwa also attributes the woes in the media today to mistakes of the past. He notes that while the new (post-independence) government set out to bring up all sectors of economy the media was not even considered part of the country's economic agenda. This, in his view was a serious mistake because "a country's media is an important tool of development."

4.6 Internal capacity: Journalists' qualifications and suitability

On media education and training the study revealed that the sector has a good number of mid level qualification holders – certificates and diplomas - as well as those trained on the job. However, all those interviewed said Zimbabwe's media industry is today impoverished at the higher levels of training and experience. The scarcity of qualified journalists at the bachelor's and master's levels has deprived journalism in the country of analytical minds that can tackle issues of democracy and governance and hold the ruling elite to account.

Two major factors have contributed to this scarcity. Ngwenya says that the harassment of non-conformist journalists by the government has forced many out of the country. At the same time, according to Takura, the media sector is not attractive due to poor pay. Whatever the case, the departure of veteran Zimbabwean journalists from the local media scene has deprived the young practitioners of would be valuable mentors. Mwonwa blames journalism training institutions for poor quality in the media today, arguing that they focus on training journalists at artisan level and not as critical thinkers. He says that at diploma and certificate levels, a journalist is trained to merely report events as they occur; not to reflect on the critical issues in society. His view is similar to that of Professor Jeanne Prinsloo, who, writing on journalism training in Southern Africa, said:

What counts as journalism education has been argued to have by and large abdicated its vision as watchdog over to one of conduit for maintenance of power by elite groups in society. The curricula tend to focus on certain literacy practices, like learning to write an inverted pyramid story, to acquiesce to a particular set of criteria of news values that privilege elite people and nations, to accept a particular version of objectivity, to seek only opinions from particularly people at the top... The existing curricula rehearse existing hegemonic patterns of thought and knowledge and are simply not adequate as a design for journalism for they reproduce a conservative imagination that is

ill-suited to the challenges that are faced” (Critical Media Literacy, *Openspace*, Vol. 1 Issue 5, December 2006:19)

5.0 CONCLUSION

The study reveals that the media in Zimbabwe are to varying degree incapacitated in performing their three fundamental duties to society, namely the watchdog role, the agenda-setter role and the civic educator role. Because the media are not free, they cannot properly scrutinise the government on whose hands the people have placed the instruments of governance.

The political polarisation means that the media have clearly defined camps from which they operate. Those in each one’s camp are prejudged as good, while those in the opposing one are bad. Both the state and private media have ceased to be neutral observers and guardians of the public good. There is clear lack of allegiance to the public but to other forces, a fact that may be inimical to the nurturing of good governance. They are now watchdogs for political camps. The state media lie in wait to see what wrongs the MDC camp is committing either as minister or party operatives. The private media, on their part, are working at the behest of the anti-ZANU-PF forces waiting to pounce on the earliest opportunity to malign the party.

Ordinarily, this arrangement would not be altogether bad, because, after all, there is some means of keeping tab on the leaders. However, the media houses run the risk of credibility crisis. It is not good for their image and professional standing when specific media houses acquire such labels as: “anti-establishment,” “pro-government or “opposition bashers” and so on.

The watchdog role of the media also suffers when they lose their freedom and independence to other forces outside the legal and political spheres. Such forces often dictate behind the scenes what the media carry or do not carry for favours that come in the nature of advertisements or other forms of patronage. This category includes media owners, advertisers and other influential members of the society. It is not only the government and political leaders that are crucial in the quest to nurture democracy and governance. The business community, the civil society, the NGO fraternity, the donor community, etc are all crucial in a holistic approach to national development – which is the concern of good governance. Thus, when the media remove the spotlight from this class for expediency, the wider Zimbabwean society stands to suffer.

Although the media can still be seen to set the agenda for society, this role is not adequately executed due to various factors. Firstly, the media have themselves become partisan agents of political players. They are thus not setting agenda based on society needs; rather, they are merely amplifying those of their political mentors. The trend is that political parties will orient the media towards their own narrow political agenda at the expense of pressing society-wide issues.

Secondly, the study finds that the level of media penetration in Zimbabwe is too low for them to make a meaningful impact on the public's psyche. For the media to influence the public thinking, there ought to be widespread readership, listenership and viewership across the various sections of the society. In Zimbabwe today, the most widespread segment of the media, which is broadcasting, reaches, at best, only 40% of the country's population, the multiplying nature of information notwithstanding. Thirdly, in addition to limited media reach, there is the other challenge of pluralism. The situation in the country today is that there is limited diversity of media ownership, particularly when it comes to electronic media, where the state is the sole player. An important component of the agenda setting role of the media is that there should be a wide variety of competing opinions; with the people being accorded an unfettered opportunity to weigh them and take what resonates with them.

Few people know about key elements of the policy process including the decision-making process, budgeting, and actual implementation phase. Civic education is also lacking in important areas like health, education, social welfare, culture, etc, where community workers in those sector can engage in dialogue with the populace in widespread media. Unfortunately for the Zimbabwean public, this role of the media is largely neglected as the mainstream media engage in politics. The situation is aggravated by the fact that community media which have become an effective tool of civic education in many developing countries are virtually non-existent in Zimbabwe.

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