

The African Media Barometer (AMB)

The Friedrich-Ebert-Stiftung's Southern African Media Project took the initiative together with the Media Institute for Southern Africa (MISA) to start the African Media Barometer in April 2005, a self assessment exercise done by Africans themselves according to home-grown criteria. The project is the first in-depth and comprehensive description and measurement system for national media environments on the African continent. The benchmarks are to a large extent taken from the African Commission for Human and Peoples' Rights (ACHPR)¹ "Declaration of Principles on Freedom of Expression in Africa", adopted in 2002. This declaration was largely inspired by the groundbreaking conferences in Windhoek/Namibia on the "Independence of the Media" (1992) and the "African Charter on Broadcasting" (2001). By the end of 2006, 19 sub-Saharan countries will be covered by the AMB. In 2007 those countries which started the exercise in 2005 will be revisited.

Methodology: A panel of experts is formed in each country, including representatives of media and civil society at large in equal numbers. They are serving as panel members in their personal capacities, not as representatives of their respective organisations. The panel should consist of not more than ten members. They will meet bi-annually for two days retreats to go in a self-assessment process through the indicators in a qualitative discussion and determine (quantitative) scores for each indicator. The meetings will be chaired by an FES consultant to ensure comparable results. The resulting reports are made public.

¹ The ACHPR is the authoritative organ of the African Union (AU) mandated to interpret the African Charter on Human and Peoples' Rights

Scoring system: Panel members are asked to allocate their individual scores to the respective indicators after the qualitative discussion in an anonymous vote according to the following scale:

- 1 Country does not meet indicator.
- 2 Country minimally meets aspects of the indicator.
- 3 Country meets many aspects of indicator but progress may be too recent to judge.
- 4 Country meets most aspects of indicator.
- 5 Country meets all aspects of the indicator and has been doing so over time.

Scores for each sector are determined as follows: Members of the panel will, after a qualitative group discussion, attach their individual point-score (1 - 5) to each sub-indicator of a sector. The sum of all individual scores will be divided by the number of panel members. The result will then be considered the final score for the sub-indicator.

This qualitative report, including the scores, serves the purpose of measuring over time (based on bi-annual repetitions of the panel meetings) the progress or otherwise of developments in the media landscape.

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AFRICAN MEDIA BAROMETER MALAWI

Sector 1: Freedom of expression, including freedom of the media, are effectively protected and promoted.

1.1 *Freedom of expression, including freedom of the media, is guaranteed in the constitution and protected by other pieces of legislation*

ANALYSIS:

Section 35 of the Republican Constitution guarantees freedom of expression:

“Every person shall have the right to freedom of expression”.

In particular, section 36 guarantees freedom of the press and facilitates access to information:

“The press shall have the right to report and publish freely, in Malawi and abroad, and to be accorded the fullest possible facilities for access to public information.”

Section 37 promotes access to information:

“Subject to any Act of Parliament, every person shall have the right to access all information held by the State or any of its organs at any level of Government in so far as such information is required for the exercise of his rights.”

No law or act of parliament in that respect, however, is yet in place - twelve years after the promulgation of the constitution in 1994.

Section 5 declares all legislation inconsistent with the Constitution to be null and void:

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“Any Act of Government or any law that is inconsistent with the provisions of this Constitution shall, to the extent of such inconsistency, be invalid.”

Section 44 of the constitution stipulates that there “shall be no derogation, restrictions or limitation” to fundamental human rights such as the right to life or the prohibition of torture - freedom of expression is not listed in this section. It can thus be limited by laws “which are reasonable, recognized by international human rights standards and necessary in an open and democratic society”.

There are still some 40 pieces of legislation on the statute books which seem to be unreasonable and not necessary in an open and democratic society. One example is the Protected Names, Flags and Emblems Act which has been used several times to limit freedom of expression of individuals such as an opposition leader or journalists critical of the state president. This act has recently been challenged in court to determine if it is limiting freedom of the press. Judgement in this regard is still outstanding as is the case in many other attempts of litigation: they are either dropped or drag on for a long time.

SCORES:

Individual scores: 3, 2, 3, 3, 3, 2, 2, 2, 3, 2

Average score: 2.5

1.2 *The right to freedom of expression is practised and citizens, including journalists, are asserting their rights without fear.*

ANALYSIS:

The majority of people simply do not know that they have the right to freedom of expression.

Cultural traditions limit freedom of expression. Most Malawians are deeply rooted in the beliefs of their fathers and forefathers. And they see themselves as a God-fearing people. This makes them strive to be “morally correct” at all times for fear of promoting “cultural decadence”.

Due to these sentiments many Malawians do not appreciate special forms of expression such as humour or satire which are met with hostility.

Since the demise of the former dictator Hastings Kamuzu Banda in 1997, society in Malawi has been polarised along party political lines. Many citizens fear being branded as being aligned to a certain political party simply for expressing critical views. Prior to the 2004 general elections it was “unfashionable” to be labeled a supporter of Banda’s former party Malawi Congress Party (MCP). Since then alignment with the United Democratic Front (UDF) - the party of Banda’s successor Bakili Muluzi - is seen as damaging in many circles. Being labeled could mean losing political patronage.

This goes for the media in particular. They exercise self-censorship for fear of a political backlash. Commercial considerations also lead to self-censorship: Unfavourable stories on certain companies are not published for fear of losing advertising.

When writing letters to the editor or participating in radio talk shows, people sometimes protect themselves by using pseudonyms or withholding their identities.

SCORES:

Individual scores: 2, 3, 4, 2, 2, 2, 3, 4, 2, 2

Average score: 2.6

- 1.3 *There are no laws restricting freedom of expression such as excessive official secrets or libel acts, or laws that unreasonably interfere with the responsibilities of the media.*
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ANALYSIS:

There are quite a number of laws restricting freedom of expression such as:

Censorship and Control of Entertainment Act, 1968 (Act 11 of 1968)

Section 3 of this act establishes a Board of Censors. Section 24 empowers this Board to declare the content of a publication to be “undesirable”. Section 23 (1) makes it an offence for any person to publish or distribute content that has been declared by the Board to be undesirable under section 24. Section 23 (2) empowers the Board to declare content to be undesirable if the Board adjudges it to be: indecent, obscene, offensive or harmful to public morals; or if it is likely to give offence to the religious convictions or feelings of any section of the public; or bring any member or section of the public into contempt; or harm relations between any sections of the public; or be contrary to the interest of public safety or public order.

Official Secrets Act, 1913 (sic!)

Section 3(1) c makes it an offence for any person to disclose any official state secret to a third party for any purpose prejudicial to the safety or interests of the state, where the disclosure is intended to be directly or indirectly useful to an “enemy”.

Section 4 makes it a misdemeanour for any person who is in possession or control of official secret state information to communicate such information to any person who is not authorised to receive it.

It is also a misdemeanour to use the information for the benefit of a foreign state or to use it in a manner that is prejudicial to the safety and interests of the state; to retain secret information or to fail to take reasonable care of it; to communicate information relating to munitions of war to a foreign state or otherwise use it in a manner that is prejudicial to the safety or interests of the state.

Public Security Regulations

Clause 5 (1) prohibits anyone from publishing anything that is likely to be prejudicial to public security; undermine the authority of, or public confidence in the government; or promote a feeling of ill-will or hostility between any sections or classes or races of inhabitants of Malawi.

Clause 10 empowers an authorised officer or a police officer to request any person to furnish or produce any information or papers in his/her possession which the officer considers to be necessary in order to preserve public security, with obvious negative implications for the protection of confidential sources of information for journalists.

These regulations are used quite often. After the Malawi Institute of Journalism (MIJ) radio station had interviewed an opposition spokesperson when election results were announced in 2004, it was closed down temporarily for the “preservation of public security”. The same reason is often cited when officials try to pressurize journalists into revealing the sources of their information - which they regularly refuse to do.

SCORES:

Individual scores: 1, 1, 1, 2, 2, 1, 1, 3, 5, 3

Average score: 2.0

1.4 *Entry into and practice of the journalistic profession is legally unrestricted.*

ANALYSIS:

There are no legal restrictions hindering entry into the profession of journalism.

Press Cards are issued by the media houses themselves. Government used to issue such identification documents and police still does not always recognise press cards issued by the media houses.

SCORES:

Individual scores: 5, 5, 5, 5, 5, 5, 5, 5, 5, 5

Average score: 5.0

1.5 *Protection of confidential sources of information is guaranteed by law.*

ANALYSIS:

There is no such protection by law of confidential sources. The Media Council of Malawi's Code of Ethics and Professional Conduct obliges all journalists to protect their confidential sources of information but this is not legally binding.

Cases where journalists refused to reveal sources of information are usually not followed through by state authorities. They would have the power to prosecute but the appropriate legal instruments "sleep quietly until they are needed in really serious cases".

SCORES:

Individual scores: 1, 1, 3, 4, 1, 2, 1, 4, 4, 3

Average score: 2.4

1.6 *Public information is easily accessible, guaranteed by law, to all citizens including journalists.*

ANALYSIS:

Access to information is guaranteed by the constitution which obliges the lawmakers to pass an appropriate act. This act is not in place yet.

Public information is slowly getting into the public domain through newly-established Public Relations Officers in the various departments. These officers, however, are not required to give any information. They usually use “dilly-dally” excuses. If journalists do manage to lay their hands on state documents, these are leaked by disgruntled civil servants.

Even figures on public expenditure are not available to the public. Politicians still operate on a need-to-know basis, a legacy from 30 years of oppression.

Access for ordinary citizens is further hampered by the fact that official documents are written in English, a language foreign to the majority of the people.

On a positive note, courts of law usually give easy access to their writs.

The National Media Institute of Southern Africa (NAMISA) is currently lobbying for an Access to Information Bill to be passed by parliament.

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SCORES:

Individual scores: 1, 1, 2, 2, 1, 1, 2, 4, 2, 2

Average score: 1.8

1.7 *Civil society in general and media lobby groups actively advance the cause of media freedom.*

ANALYSIS:

There are quite a number of civil society groups active in the media field. They include NAMISA, the Civil Liberties Committee (CILIC), the Malawi Economic and Justice Network (MEJN), the Women's Lobby Group and Church and Society. These groups work as partners.

They embark on various activities such as workshops with the media, the issuing of pastoral letters or advertisements in the media. They have also bought airtime to widely publicise their demands. Examples for successful campaigns were the call in 2004 for the public broadcasters Malawi Broadcasting Corporation (MBC) and Malawi television (TVM) to be licenced by the regulatory authority or for the dismissal of the Public Relations Officer in the Office of the President because of his hostile treatment of the media.

SCORES:

Individual scores: 5, 4, 4, 4, 3, 5, 5, 4, 3, 4

Average score: 4.1

OVERALL SCORE FOR SECTOR 1: 2.9

SECTOR 2: The media landscape is characterised by diversity, independence and sustainability.

2.1 *A wide range of sources of information (print, broadcasting, internet) is available and affordable to citizens.*

ANALYSIS:

Print media

Malawi has a mix of private and government print ownership. In the absence of an Audit Bureau of Circulation, it is not possible to establish actual circulation figures for the publications.

The major publications are the following:

- State owned - the Department of Information publishes the Weekly News in English with a circulation of 2,000; it carries no commercial adverts. The other is a vernacular (Chichewa) monthly, called Boma Lathu (Our Government) with a circulation of 50,000 which is circulated free of charge. It also does not carry any advertising. The department also publishes a glossy quarterly magazine, This is Malawi, in English, with a circulation of 5,000.
- The biggest private owner is the Chayamba Trust, a trust of the family of the late Dr Kamuzu Banda. As part of this trust, Blantyre Newspapers Limited publishes the Daily Times, the weekly Malawi News and the Sunday Times. The print-run of publications in this stable is estimated at around 20,000 for the daily and 40,000 for the weekenders, with a minimum of 5 readers per copy.
- Nation Publications Limited belongs to the family of politician-businessman Aleke Banda. It publishes the Daily

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Nation, Weekend Nation and Nation on Sunday. The print-run averages 15,000 for the daily and 30,000 for the weekenders.

- Jamieson Publications, another family-owned company, publishes the weekly Chronicle with a circulation of 5,000.
- The weekly Courier is owned by proxies of the Democratic Progressive Party and has a circulation of 3,000.
- The Guardian is owned by the State President's daughter and has a circulation of around 5,000.

The average cover price for a daily is Malawi kwacha 60 - the price of a loaf of bread or a pint of milk.

Broadcasting

Radio

Malawi has two state owned radio stations - MBC Radio 1 (general public) and MBC Radio 2 (commercial). The stations have a 90 per cent national coverage.

In addition to these, the country has four private stations - Capital Radio FM, Power Radio FM, both with 60 - 70 percent national coverage; Joy Radio FM with 10 per cent coverage and Zodiak Radio FM (coverage not determined, station set up in 2005).

There are three community radio licencees, namely MIJ Radio FM, Dzimwe Community Radio and Nkhotakota Community Radio.

There is also a growing number of religious radio stations, namely Radio Maria, Radio Alinafe, Radio Tigawane (all Catholic Church); Radio Islam; Calvary Radio (Calvary Family Church); Channel for All Nations (Assemblies of God); Africa Bible College Radio and Trans-

world Radio (run by a regional African Christian Church).

Television

Malawi Television (TVM) is the only free-to-air television broadcaster in the country with 70 per cent coverage.

In addition, affluent citizens can subscribe to the satellite service Multichoice South Africa. There are also free-to-air satellite decoders available which can receive the South African Broadcasting Corporation, the private South African TV channel e-TV as well as programmes from Namibia, Botswana and Zimbabwe.

Internet

The major internet service providers in Malawi are Malawinet, Globe Internet, Skyband and SDNP.

Internet is used by major businesses, the elite, the literate and the affluent. Most students and the middle class have access to internet services in cafes in the nation's cities. Access is very slow and expensive and payment is usually pegged to the United States Dollar.

SCORES:

Individual scores: 4, 2, 3, 3, 4, 2, 1, 2, 3, 2

Average score: 2.6

2.2 *Citizens' access to domestic and international media sources is not restricted by state authorities.*

ANALYSIS:

There is a Censorship and Control of Entertainment Act in place that empowers the Board of Censors to ban books and other publications, e.g. pornographic material.

In general, though, access to media sources is not restricted.

SCORES:

Individual scores: 3, 4, 4, 4, 3, 1, 2, 1, 1, 3

Average score: 2.6

2.3 *Efforts are undertaken to increase the scope of circulation of the media, particularly to rural communities.*

ANALYSIS:

Circulation of printed material is concentrated in urban communities. Efforts at expanding circulation to the rural areas are usually undertaken by civil society organisations and public libraries of human rights organisations: for example they regularly post clippings of important stories on their notice boards.

The government Chichewa publication Boma Lathu is widely distributed in rural areas. The Nation is also working at making steady progress in reaching rural communities although its cover price makes the paper hardly affordable for rural people and delivery can take up to five days.

SCORES:

Individual scores: 1, 2, 1, 2, 2, 1, 1, 1, 2, 2

Average score: 1.5

2.4 *Broadcasting legislation has been passed and is implemented that provides for a conducive environment for public, commercial and community broadcasting.*

ANALYSIS:

The Communications Act, 1998, established the Malawi Communications Regulatory Authority MACRA which regulates telecommunications, postal services and the broadcasting sector. Despite allegations that MACRA is amending and bending its own regulations at the whim of board members, nobody so far has been refused permission to start a radio station. Limiting factors are an annual licence fee of US\$ 5.000 to be paid to MACRA and a general lack of funds in the country that hampers investment in more radio or TV stations.

SCORES:

Individual scores: 3, 3, 4, 5, 3, 2, 3, 3, 3, 4

Average score: 3.3

2.5 *Community broadcasting enjoys special promotion given its potential to broaden access by poor and rural communities.*

ANALYSIS:

Community radio stations came on the scene in Malawi only seven years after the airwaves had been opened up. In the initial phase they depend heavily on international donors. Government seems to be suspicious of the idea of geographically based community radios,

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fearing that they will give communities a platform to speak out for themselves. In one case, the donor had to interfere to secure a licence for a community radio station.

In contrast, the number of religious radio stations is increasing, promoted by various faith communities.

SCORES:

Individual scores: 1, 1, 2, 1, 4, 4, 1, 1, 2, 2

Average score: 1.9

2.6 *The editorial independence of print media published by a public authority is protected adequately against undue political interference.*

ANALYSIS:

The publications Weekly News, Boma Lathu and This is Malawi are published by the Department of Information and Tourism. Their mandate is to carry government positions and they are controlled by the Minister who is also the spokesperson for government. Their employees are civil servants.

SCORES:

Individual scores: 2, 1, 4, 3, 1, 1, 1, 1, 1, 1

Average score: 1.6

2.7 *Independent news agencies gather and distribute information for all media.*

ANALYSIS:

There are no independent news agencies in Malawi.

The government news agency, Malawi News Agency (MANA), is operational but selling less and less material to subscribers because the copy is almost always stale.

The independent media use internet to access foreign news.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 1, 1

Average score: 1.0

2.8 *Media diversity is promoted through adequate competition regulation/legislation.*

ANALYSIS:

A new Fair Trading and Competition Act is in place. It establishes a Competition Commission under the Ministry of Trade which started work only in 2005. So far it is possible for everyone to start radio stations and/or newspapers without much effort to regulate competition.

SCORES:

Individual scores: 3, 1, 3, 1, 3, 1, 3, 1, 2, 3

Average score: 2.1

2.9 *Government promotes a political and economic environment which allows a diverse media landscape.*

ANALYSIS:

There is no conscious effort on the side of government to promote media diversity. The de facto diverse media landscape has evolved by default.

In the early nineties government removed import duties on newsprint and computers which are seen as communication tools, but not on broadcasting equipment. Publishers of print media that are registered with the Postmaster can apply for concessionary tariffs for distribution as printed matter. However, most of them prefer to do their own deliveries to selling points or to subscribers who pay directly to the publisher.

SCORES:

Individual scores: 3, 4, 5, 4, 4, 5, 3, 3, 3, 4

Average score: 3.8

2.10 *Private media outlets operate as efficient and professional businesses.*

ANALYSIS:

The private media's efficiency and professionalism in business terms is hard to fathom, except to say that the prudent and the ruthless ones seem to be surviving the competition and staying in the market.

At face value private media are indeed run as professional businesses. They are expected to register their businesses with the office of the Registrar General which demands a copy of audited accounts

at the end of each year. The same goes for broadcasting operators which are licenced by MACRA.

SCORES:

Individual scores: 4, 4, 4, 4, 4, 4, 4, 2, 4, 3

Average score: 3.7

2.11 *State media are not subsidized with tax payers' money.*

ANALYSIS:

The government run media- print and broadcasting - are financed from the state budget. They carry minimal or no commercial adverts.

SCORES:

Individual scores: 1, 1, 1, 5, 1, 4, 1, 1, 1, 5

Average score: 2.1

2.12 *Government does not use its power over the placement of advertisements as a means to interfere with media content.*

ANALYSIS:

There is no clear-cut policy in government regarding where to advertise and where not. The observable pattern is that most government advertising goes to the dailies because of the regularity of their publication and the spread of their target audiences. Politically aligned publications also get a modest flow of advertising from government. Ironically, there is a lack of substantial advertising in the government-owned publications.

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SCORES:

Individual scores: 3, 5, 5, 5, 1, 1, 5, 2, 3, 2

Average score: 3.2

2.13 *The advertising market is large enough to maintain a diversity of media outlets.*

ANALYSIS:

The advertising market is potentially large but de facto limited to a few advertisers, mainly government and international agencies. Without them, the ad market would collapse. The number of manufacturing companies in Malawi is dwindling and only a few of the surviving ones do place advertisements.

SCORES:

Individual scores: 2, 1, 3, 3, 2, 4, 1, 2, 2, 2

Average score: 2.2

OVERALL SCORE FOR SECTOR 2: 2.4

SECTOR 3: Broadcasting regulation is transparent and independent, the state broadcaster is transformed into a truly public broadcaster.

3.1 *Broadcasting is regulated by an independent body adequately protected against interference, particularly of a political and economic nature.*

ANALYSIS:

Broadcasting in Malawi is regulated by the Malawi Communications Regulatory Authority (MACRA) established by the Communications Act 1998. The Authority is nominally independent.

Members of the MACRA Board are, however, appointed by the State President while the Minister of Information appoints the Director General of the authority. The Secretary to the President and Cabinet and the Secretary for Information also sit on the board as ex-officio members.

The present chairperson of the board is an executive of the ruling party. Others are informally affiliated to political parties, being active without necessarily having a formal post. The language of the law allows this by excluding only persons who are “a member of a committee of a political party” from the eligibility as a board member. No board since 1999 has ever served its full tenure of four years. Instead members were dismissed by the State President without giving any substantial reasons.

SCORES:

Individual scores: 3, 2, 4, 1, 2, 2, 1, 1, 1, 1

Average score: 1.8

3.2 *The appointments procedure for members of the regulatory body is open and transparent and involves civil society.*

ANALYSIS:

As outlined under 3.1 the members of the board are appointed at the discretion of the President without any involvement of the public or civil society.

SCORES:

Individual scores: 2, 1, 1, 1, 1, 2, 1, 3, 1, 1

Average score: 1.4

3.3 *The body regulates broadcasting in the public interest and ensures fairness and diversity of views broadly representing society at large.*

ANALYSIS:

The Authority has licensed all broadcasters, including the state broadcasters MBC and TVM. All operators are expected to establish a mechanism to deal with complaints from the public. Complainants are also encouraged to lodge their grievances directly with the office of the Authority.

MACRA has recently acquired equipment for frequency spectrum monitoring but very little is known about what the authority does with its media monitoring reports or how it adjudicates on public complaints. Its meetings are held behind closed doors and its reports are not published.

SCORES:

Individual scores: 4, 3, 3, 2, 3, 4, 2, 3, 2, 2

Average score: 2.8

3.4 *The body's decisions on licensing in particular are informed by a broadcasting policy developed in a transparent and inclusive manner.*

ANALYSIS:

There is no broadcasting policy in place.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 1, 4, 1, 3

Average score: 1.6

3.5 *The public broadcaster is accountable to the public through a board representative of society at large and selected in an independent, open and transparent manner.*

ANALYSIS:

The boards of the MBC and TVM consist of a “Chairman”, appointed by the President, the Secretary of Information and “six other members” also appointed by the President “in consultation with the Public Appointments Committee”. This committee is appointed by the National Assembly with proportionate representation from all parties represented in the legislature (sections 89, 90).

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SCORES:

Individual scores: 2, 2, 1, 1, 1, 2, 1, 1, 1, 1

Average score: 1.3

3.6 *Persons who have vested interests of a political or commercial nature are excluded from possible membership in the board, i.e. office bearers with the state or political parties as well as those with a financial interest in the broadcasting industry.*

ANALYSIS:

As is the case with MACRA, political office bearers are officially excluded from board membership and therefore no-one is directly involved in party politics. Some of the members, however, are seen as proxies for politicians.

Licenses of any other broadcasting services are also disqualified from board membership. (Interestingly, the same does not apply for MACRA.)

SCORES:

Individual scores: 3, 3, 3, 1, 2, 2, 1, 2, 2, 2

Average score: 2.1

3.7 *The editorial independence of the public broadcaster from commercial pressure and political influence is guaranteed by law and practised.*

ANALYSIS:

According to section 87 (2) of the Communications Act, the MBC (and, by inference, also TVM) has “to function without any political bias and independently of any person or body of persons”.

Both operators, however, are open to political pressure through the appointment process for their boards, their duty to report to the Minister of Information and their dependence on state funding (“He who pays the piper ...”).

Anyone and everyone in the political hierarchy seem to be thinking that they have a say in MBC and TVM. Many regularly interfere with operations by directly or indirectly getting into contact with editors or staff. The result is a high level of self-censorship in order to please politicians in the ruling parties before they complain.

Opposition members of parliament protest that they are not being sufficiently covered. Indeed, whenever an opposition MP appears on TVM during live coverage of parliamentary sessions the sound bite is faded down and the content of what has been said is summarised by voice-over. On radio, the volume goes down whenever an opposition member speaks. And if such a speaker is hitting really hard, the signal is lost by coincidence. - It is only late at night that TVM broadcasts a full recording of the sessions.

Advertisers also exert pressure in terms of choice of content and choice of placement of their advertising and programming times. “Big spenders” are preferred when buying airtime for their programmes - to the disadvantage of civil society groups which cannot afford large payments.

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SCORES

Individual scores: 2, 2, 2, 2, 2, 1, 1, 2, 1, 1

Average score: 1.6

3.8 *The public broadcaster is adequately funded in a manner that protects it from arbitrary interference with its budget.*

ANALYSIS:

MBC and TVM get their revenue from a mix of advertisements and state subsidies and they never seem to be adequately funded. From time to time, government provides money to kick-start certain series of programmes which might then earn some income for the operator.

SCORES:

Individual scores: 1, 4, 3, 1, 3, 1, 1, 2, 1, 1

Average score: 1.8

3.9 *The public broadcaster is technically accessible in the entire country.*

ANALYSIS:

Both radio channels of the MBC are technically accessible in 90 per cent of the country while TVM claims to have 70 per cent coverage.

SCORES:

Individual scores: 4, 4, 4, 4, 4, 4, 3, 5, 4, 2

Average score: 3.8

3.10 *The public broadcaster offers diverse programming for all interests.*

ANALYSIS:

MBC radio carries news bulletins in all key languages of Malawi. Most of Radio One's programming is prerecorded and consists of, e.g., children's and cultural programmes, offerings for farmers and businesspeople and programmes sponsored by civil society groups. These tend to be rather monotonous and repetitive. Radio Two is a "commercial" station which offers mostly music.

TVM tries hard to offer diverse programming with a breakfast show in the morning, a current affairs show called "News Outlook", drama series for children, music programmes for young people and productions sponsored by civil society groups.

SCORES:

Individual scores: 4, 4, 4, 4, 3, 4, 4, 4, 4, 1

Average score: 3.6

3.11 *The public broadcaster offers balanced and fair information reflecting the full spectrum of diverse views and opinions.*

ANALYSIS:

Both operators, MBC and TVM, offer a certain diversity of views but

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deliberately, as it seems, exclude statements from opposition parties. The vast majority of stories covered are official statements from the President downwards (hierarchical news). If there is the odd item on an event organised by an opposition party it is always the last one in the bulletin.

SCORES:

Individual scores: 2, 3, 2, 2, 1, 3, 1, 2, 4, 1

Average score: 2.1

3.12 The public broadcaster offers as much diverse and creative local content as economically achievable.

ANALYSIS:

MBC's radio programming consists almost entirely of local content and tries to be creative.

TVM's output is predominantly feed from foreign services such as BBC or VoA. It does try, however, to produce approximately three hours of local content per day which is not bad given the economic circumstances.

SCORES:

Individual scores: 4, 3, 4, 4, 3, 3, 4, 2, 4, 1

Average score: 3.2

OVERALL SCORE FOR SECTOR 3: 2.3

SECTOR 4: The media practice high levels of professional standards.

4.1 *The media follow voluntary codes of professional standards which are enforced by self- regulatory bodies.*

ANALYSIS:

From 1995 to 1999, there was a Media Council in place which developed a Malawi Code of Ethics and Professional Conduct. This code served as a template for in-house codes which were worked out jointly by the management and staff of those houses, e.g. The Nation and Capital FM.

In 1999, funding for the Media Council dried up and several attempts to revive it have failed so far. Presently, an “Interim Task Force” of NAMISA and the National Editors Forum (NEFORM) is trying to set the Council up again and is expected to succeed shortly.

SCORES:

Individual scores: 4, 3, 3, 3, 3, 3, 2, 4, 2

Average score: 3.0

4.2 *The standard of reporting follows the basic principles of accuracy and fairness.*

ANALYSIS:

There is awareness of the need for accuracy and fairness among the media fraternity. This is evident when journalists regularly make a point of being seen to seek the other side of the story, reflected in the use of phrases like ‘attempts to get comment from XY proved futile’ or ‘his/her mobile went unanswered’ even when they may not have tried very hard to make such contact.

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There are many retractions of stories and corrigenda. Although at face value these corrections show professionalism, their frequency suggests sloppy work and most of them appear to be published under pressure from lawyers and the threat of law suits.

The lack of fairness and balance is caused by the temptation to sensationalise in order to sell copy. Editors want to out-scoop the competition and this leads to carelessness. Far too often editors are lax in checking copy for error due to their inexperience - it is not unusual to be promoted to the position of editor after two to three years in the profession. The situation is worsened by the fact that reporter and sub-editor are often one and the same person and owners employ very young reporters because they come cheap.

SCORES:

Individual scores: 3, 2, 2, 2, 2, 3, 4, 3, 2

Average score: 2.6

4.3 *The media cover the full spectrum of events, issues and cultures, including business/economics, cultural, local, and investigative stories.*

ANALYSIS:

The Malawi media has a preference for political news reporting and an eye for politicians generally who are frequently quoted for comments even outside political issues. Political developments and the performance of politicians, however, are rarely investigated, as most of the stories are simply on-the-record.

For example, the on-going conflict between the incumbent president and his predecessor always makes front-page news (“it’s like a permanent soap opera”) while a few weeks ago a terrible mini-bus accident with ten deaths made only page 4.

Issues of health, education, business, economics and culture get just about fair treatment but these stories lack depth because of journalists' limited ability to interpret data and concepts in a meaningful way. Most of these items are simply lifted from press releases without much editing. It is no wonder then that most important issues get published in the form of press releases or paid adverts. Some groundbreaking economic stories are treated as picture stories paid for by the industry.

Broadcasting fares better in this regard, with MBC radio being at pains to cover the full spectrum of events.

Investigative stories appear only once in a while, being very difficult to research. Because of a lack of transport (or sheer laziness) journalists mostly use of the phone for interviewing sources for such purposes and people are rarely willing to divulge information especially of a sensitive nature over the phone.

SCORES:

Individual score: 4, 2, 2, 3, 3, 4, 4, 5, 3

Average score: 3.3

4.4 *Gender mainstreaming is promoted in terms of equal participation of both sexes in the production process.*

ANALYSIS:

Although media houses claim to be equal opportunity employers, the print media in particular are seriously male dominated with only very few female journalists in senior positions.

Broadcasting media fare better with Capital FM having a 50:50 ratio. MBC has a female Deputy Director General and TVM boasts three women in top positions.

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MBC is the only media house to have a gender policy introduced one year ago.

SCORES:

Individual scores: 2, 2, 3, 2, 2, 3, 2, 3, 2

Average score: 2.3

4.5 *Gender mainstreaming is reflected in the editorial content.*

ANALYSIS:

According to the ‘Gender and Media Audience Study’ for Malawi released in 2006, women constitute 12 per cent of news sources nation-wide. The report further notes that men dominate the news on challenging topics while women appear on less important topics such as beauty and homemaking, and that women are treated as sex objects.

News do not, therefore, reflect the concerns of men and women equally and women are seldom accessed as news sources except in the role of “model/beauty contestant, victim, health worker, sex worker and as a (small) businessperson”.

Women themselves, however, seem reluctant to participate in the public debate. This is evidenced by the fact that only a few women take part in radio phone-in programmes even if gender-related issues are discussed.

SCORES:

Individual scores: 3, 2, 2, 2, 2, 2, 3, 3, 2

Average score: 2.3

4.6 *Journalists and editors do not practise self-censorship.*

ANALYSIS:

Journalists and editors want the world to believe that they guard their editorial independence jealously. But with Malawi being a small country, self-censorship is evident in many forms: journalists want to protect themselves against making enemies in the community; they act in the interests of the owner/employer; they decide in line with a tacit understanding of what constitutes ‘national interest’; they accept some form of gratification; they fear the loss of advertisements or law suits.

Most media in Malawi are owned by families with political ties. It is self-evident that the wishes of these owners reign supreme and exert pressure on journalists to censor themselves in the interest of these families.

SCORES:

Individual scores: 3, 3, 3, 2, 1, 2, 2, 2, 3

Average score: 2.3

4.7 *Owners of private media do not interfere with editorial independence.*

ANALYSIS:

Some of the owners of media houses are former or active journalists who take a keen editorial interest in their enterprises. Out of habit, as much as out of necessity, they find themselves interfering in the editorial decision-making of their outlets.

Where family members sit on the board of a media company, they ensure that family interests not least regarding their political ties

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are protected in editorial decisions.

Such interferences are seen as being justified by the size and vulnerability of the investment to which all editorial policies and concerns must come second.

SCORES:

Individual scores: 1, 2, 1, 2, 1, 1, 2, 3, 2

Average score: 1.7

4.8 *Salary levels and general working conditions for journalists and other media practitioners are adequate to discourage corruption.*

ANALYSIS:

There are different entry levels into the media in Malawi and different salary scales across media houses. These vary between Malawi Kwacha 12,000 and 20,000 (the minimum cost of living after tax for a five-member family currently stands at Malawi Kwacha 21,000).

For this reason, corruption is wide-spread. Journalists offer politicians to “kill” a story which could be damaging in return for money. Some stories find their way into the media also for money or gifts such as suits, cars or air tickets. A number of politicians have their “poodles” in the media industry who are dressed, housed and fed by them.

The situation is worsened by the bad examples set by government which uses patronage in promotions of civil servants to create a sympathetic following.

SCORES:

Individual scores: 1, 1, 1, 1, 1, 1, 1, 2, 1

Average score: 1.1

4.9 *Training facilities offer formal qualification programmes for journalists as well as opportunities to upgrade their skills.*

ANALYSIS:

Formal training is provided at tertiary level. The Malawi Polytechnic offers a Bachelors Degree and a Diploma in Journalism. There is also the Shareworld Open University which offers a Bachelor of Science degree and a Diploma in Mass Communications.

Other private training institutions offer various journalism qualifications such as the Certificate and Diploma in Journalism at the Malawi Institute of Journalism (MIJ) and thus give those who are not able to make it to university level a chance to enter the profession.

Training concentrates on formal qualifications. There are few chances for skills upgrading.

A point of concern are numerous fly-by-night “schools” which offer dubious training courses and “certificates”.

SCORES:

Individual scores: 4, 5, 5, 5, 5, 4, 4, 2, 5

Average score: 4.3

4.10 *Journalists and other media practitioners are organized in trade unions and/or professional associations.*

ANALYSIS:

Up to a few months ago, there was no national trade union for journalists in place. The Communication Workers Union of Malawi (COWUMA) has just been launched and is presently on a campaign to recruit members. MBC has its own Workers Union.

There are a number of media associations such as NAMISA (with 300 individual and 10 institutional members), the Nyika and Mzuzu Press Clubs in the Northern Region, the Lilongwe Press Club in the Central Region and the Kabula Press Club in the Southern Region. Other associations include the Malawi Women Media Association (MAMWA), Broadcasters Association of Malawi (BAMA), the Community Radio Association, the National Editors Forum (NEFORM) and the Malawi chapter of Gender and Media Southern Africa (GEMSA).

SCORES:

Individual scores: 4, 4, 4, 4, 4, 3, 3, 4, 3

Average score: 3.7

OVERALL SCORE FOR SECTOR 4: 2.7

The panel meeting took place at the Boadzulu Holiday Resort, Mangochi on 21 and 22 July 2006.

The Panel:

Mr Innocent Chitosi, media activist; Mrs Evelyn Kaminjolo-Pasanje, university lecturer; Mrs Janet Karim, gender activist; Mrs Linda Kawato-Ziyendam'manja, lawyer; Mr Levi Zeleza Manda, media analyst and trainer; Mr Felix Mponda, news agency correspondent; Mr Al Osman, owner of a private radio station; Mrs Miriam Kamoto, banker; Mr Mabvuto Bamusi, human rights and justice activist; Mrs Emma Kaliya, gender activist.

The Rapporteur:

Mr Costly Mtogolo

The Facilitator:

Mr Hendrik Bussiek

