

The Politics of Media Policy Making in a Contested Transition: The Case of Zimbabwe’s Government of National Unity, 2009–2013

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In February 2009, following a decade of economic and political crisis, leaders of Zimbabwe’s three major political parties formed a coalition government to oversee political and economic reforms and create enabling conditions for free and fair elections. Among the key sectors identified for reform was the media sector, which had been characterized by state domination, draconian legislation, and partisan journalism. This article explores the politics of media policy making in the context of this contested transition in Zimbabwe. It examines the key sites of contention and compromise among the political principals and their agents in the government, such as liberalization of airwaves, appointment of media regulatory authorities, and media law reform. Analysis of policy documents as well as in-depth interviews constitute the methodology of this study. The article argues that the policy-making process was characterized by the dominance of competing elites in government seeking to create a media system that could help individual political parties consolidate power in anticipation of the post-coalition government. There was more continuity than change in the policy processes and eventual outcomes.

Keywords: media policy, politics, Zimbabwe, government of national unity, elite continuity, transition

Between February 2009 and July 2013, Zimbabwe was ruled by the Government of National Unity (GNU), an outcome of protracted negotiations among the three major political parties to end the country’s political and economic crisis. In particular, the negotiations followed a disputed presidential election in 2008, a collapsing economy characterized by runaway inflation, excessive state-orchestrated violence as President Robert Mugabe’s Zimbabwe African National Union (Zanu-PF) party fought to retain power at all costs, and widespread shortages of basic commodities (see Raftopoulos, 2009). Brokered by the Southern Africa Development Community, a regional development body, the GNU was a tenuous power-sharing arrangement between Zanu-PF, the main opposition Movement for Democratic Change (MDC), led by Morgan Tsvangirai, and its splinter bearing the same name, led by Arthur Mutambara. Mugabe remained president, and Tsvangirai became prime minister. Mutambara was appointed one of two deputy prime ministers, posts created specifically for them at the time.

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For the nearly five years that it lasted, the GNU is credited with stabilizing the economy, ending political violence, and getting the country back on the path of recovery (see Mukuhani, 2014). However, for media policy reform, which was a key and highly contested subject during the pre-GNU negotiations and is the central subject of this article, the GNU period was characterized by complex strategic maneuvers among the key political protagonists in the government. These maneuvers resulted not in the Western-style liberalization that the former opposition parties (now in government) and allies in civil society had advocated and anticipated but in a thinly veiled retention of the status quo that benefited the old political elite in Zanu-PF.

How did this happen? In the context of a power-sharing arrangement where the participants made decisions based in principle on consensus, where the amended constitution empowered them to reform the media landscape in the country as a matter of urgency, and indeed where the main political principals for the most part enjoyed a cordial relationship cemented during their weekly Monday morning meetings over tea,¹ how does one explain the triumph of the ancien régime over change in media policy making during the GNU? By examining the political ecology of policy making and policy maneuvers during the nearly five-year period of the GNU, this article addresses these questions and more generally contributes to the burgeoning body of literature on policy making and the politics of media reforms in non-Western, so-called emerging or transitioning democracies.

A critical aspect of this literature is its exploration of the complexities attendant to reforming and democratizing the media in contexts where the authoritarian past looms large over the present. From Price, Rozumilowicz, and Verhulst's (2002) edited collection subtitled *Democratizing the Media, Democratizing the State* to Voltmer's (2013) more recent work on the media in transitional democracy, a consistent thread locates media reform and democratization in postauthoritarian societies as a highly contested terrain in which remnants of past politics refuse to simply die and make way for a neat and linear process of media reform in the interest of liberal democracy. This study locates the media policy-making process in Zimbabwe during the period under review from similar theoretical lenses.

Method

The article is based on a series of in-depth interviews I conducted in Zimbabwe between May 2009 and June 2010. This was a period of frenzied debate around media reforms in the country as well as around practical—albeit contested and sometimes circuitous—policy-making processes. The primary issue of interest was to explore in some detail the ecology of the policy-making process in the country during a period of contested transition. It is important to note that this was perhaps the first time in the country's history since independence in 1980 that the ruling Zanu-PF was not the sole driving force in media policy making in the country.

¹ The personal relationship between Mugabe and Tsvangirai attracted a lot of media interest during the course of the GNU. The weekly Monday meetings over tea were reported to be generally "cosy" by the media (e.g., Manavire, 2013), although infrequently the two principals would fall out after disagreements, mainly over senior government (see "Tsvangirai Says 'No,'" 2010).

The interviewees included members of the GNU from both the MDC and Zanu-PF sides, political advisers to the three parties, the chair of the Parliamentary Portfolio Committee for Communications, journalists, and civil society activists involved in advocacy activities around media reforms. Although some of the interviewees agreed to be identified by name, most of them preferred anonymity, in part because some were not authorized to speak on behalf of the government or their party's position on the subject, and in some cases they spoke in terms contrary to and critical of their party's official position.

The methodology selected for this study was informed to a large extent by Des Freedman's (2008) work on the dynamics of power in policy making in the United Kingdom and the United States, in which sustained interviews with key actors in the policy communities in both countries constituted the core method for his work. For this study, in-depth interviews were buttressed by document analysis, which included policy briefs, amendments to existing laws, related publications, and media reports.

Contextualizing the Media Reform Debate in Zimbabwe

Although it is outside the brief of this article to discuss, in its entirety, the media context in Zimbabwe since (or even before) independence from Britain in 1980, it is important for contextual purposes to highlight some key issues of policy interest that have a bearing on the activities during the period examined here. Although the media policies adopted during the GNU should be discussed and assessed on their own merits within a specific historical context, it goes without saying that they were shaped and informed by the policy decisions and realities that predate the GNU period. A substantial body of research has explored various aspects of Zimbabwean media history, policy, ethics, and performance (e.g., Chiumbu, 2013; Chuma, 2008; Mabweazara, 2011; Moyo, D, 2010; Saunders, 1991). Of interest to this article is the fact that, as Ronning and Kupe (2000) note, the Zimbabwean media policy context is characterized by a contradictory "dual legacy" of democracy and authoritarianism. The postcolonial policy regime established by the Zanu-PF government at independence was informed by, on one hand, a desire to break from the colonial past by deracializing the mainstream media and expanding its reach and mandate and, on the other hand, an attempt to construct the new political elite's political hegemony through the media by retaining certain authoritarian colonial forms of media control (Saunders, 1991).

With respect to broadcasting, which was and continues to be the truly "mass" medium in Zimbabwe and in most of Africa, the government in 1980 imposed total state control of the airwaves—which it presented to the public as a genuine public service broadcasting model along the lines of the BBC—a situation that was to change only marginally during the GNU period with the licensing of two commercial radio stations. In the print media sector, the new government adopted a two-pronged policy approach with free market private ownership of the independent media as well as an "independent" trust to run the affairs of the public print media sector. The public print media sector consisted of a listed company, Zimbabwe Newspapers (Zimpapers) Ltd; the Zimbabwe Inter-Africa News Agency; and Kingstons Books, the local books retailer. As Rusike (1990) correctly observes, the Zimbabwe Mass Media Trust (ZMMT) was, in practice, at the beck and call of the government, which exercised indirect editorial control over the public media.

The trust's lack of independence from the government was highlighted in the fact that, as Saunders (1991) notes, it was almost totally dependent on the Ministry of Information for operational funding. Further, ZMMT's founding trustees were professionals who were in some way associated with the ruling Zanu-PF party. The founding chair, Dr. Hope Sadza, for example, had been a contemporary and friend of then Prime Minister Mugabe at the University of Fort Hare (see Nyarota, 2006). In a policy document published in 1988 (Policy Statement 21; Government of Zimbabwe, 1988), the Ministry of Information described the ZMMT chairperson as being "not a politician, but enjoys the confidence of the ruling party" (p. 4). Published biographies of journalists and managers who worked under Zimpapers during the ZMMT era (e.g., Nyarota, 2006 Rusike, 1990; Saidi, 2011), among several other published research studies, demonstrate that the ZMMT was never independent from the start and that the government made all the important, if partisan, decisions, such as the firing and hiring of editors at Zimpapers.

Zimbabwe is an interesting case in that during the 1980s, when the one-party state was the model of choice for several African countries, the country was a multiparty electoral democracy.² In addition, when nationalization of the mainstream media was the trend, the country adopted the trust (albeit in practice not independent from the government) and free market models for newspapers and a public service broadcaster model for the broadcasting sector. In part because of these characteristics, the country did not experience the tectonic shifts in media (e.g., rapid liberalization, deregulation, privatization, and commercialization) that many African countries, including its neighbors Zambia and Malawi, experienced in the 1990s.

In Zambia, for example, Jere (2010) argues that the return of multiparty politics in 1991 gave rise to a slew of media reforms as well as

a number of new entrants into the media industry, particularly in the broadcasting arena, which had hitherto been a domain of the state . . . there was also a proliferation of newspapers and magazines, though many of the new titles folded up soon after being launched. (p. 149)

A report by German political foundation Konrad-Adenauer-Stiftung on the Malawian media in the 1990s noted that "the mid-1990s also heralded a new era of press freedom in Malawi, with independent newspapers and radio broadcasters flourishing in the urban centres" (Limpitlaw, 2012, p. 161). The advent of democracy in South Africa in 1994 also heralded a new era in both media policy and, to an extent, practice, with the new government repealing close to a hundred apartheid laws impinging on media freedom and substantially opening the airwaves to community, commercial, and public service broadcasting (see

² Although Zimbabwe was a de jure multiparty state from independence in 1980, in practice, Zanu-PF always "sought to institutionalise itself as the only legitimate and legal political party in Zimbabwe" (J. N. Moyo, 1992, p. 31). After its victory in the 1985 elections, the party moved to scrap the 20 parliamentary seats reserved for Whites (in 1986), and in 1987 the party signed the Unity Accord with PF Zapu, leading to the merger of the two parties. With these developments, Zanu-PF "took the most important step toward the creation of a one party state" (Herbst, 1990, p. 237). However, disagreements within the party hierarchies over the feasibility and usefulness of this political project in the face of changing regional and global geopolitics led to the party ditching the idea altogether.

Duncan & Glenn, 2010; Horwitz, 2001). Although all these developments in the Southern Africa region were far from perfect, they represented fairly dramatic shifts in the media ecologies in the different countries.

Zimbabwe did not experience this opening up of the media in the 1990s. To the contrary, the period following 2000 witnessed a systematic official agenda of closing the mediated public sphere. The period of the GNU was preceded by almost a decade of frenzied media policy making by a government faced with a profound political, legitimacy, and economic crisis (see Hammar, Raftopoulos & Jensen, 2003). The launch of the opposition MDC in 1999 presented Zanu-PF with the most formidable threat to its political security, while the government's decision to compulsorily acquire White-owned farms without compensation set off a series of political, economic, and diplomatic crises that attracted substantial media attention both at home and abroad.

In response, the government adopted a "shock and awe" communication policy designed to forestall dissent, mediated or otherwise. The policy consisted of hastily passed draconian laws such as the Access to Information and Protection of Privacy Act (2002), the Public Order and Security Act (2002), the Broadcasting Services Act (2001), and many others. The new laws introduced a state-controlled regime of registration for newspapers and journalists and resulted in the closure of about half a dozen privately owned newspapers. The government also closed down nearly all local bureaus of major Western media organizations, such as the BBC, CNN, and *The Guardian*. Journalists from the private media were routinely jailed or harassed, while the public and state-owned media were reoriented toward a more profound propaganda role (see Chiumbu & Moyo, 2009).

The GNU therefore existed in the challenging context of a polarized society and a polarized media environment characterized by, on one hand, a government-supporting state media and, on the other, the opposition-supporting private media. The Global Political Agreement (GPA), the founding document of the GNU, viewed media reform as integral to the GNU and to the "normalization" of the country.³ The document recognized "the importance of the right to freedom of expression and the role of the media in a multiparty democracy" (Global Political Agreement, 2008, p. 12). To that end, the signatories to the agreement promised that the Government of National Unity would "ensure the immediate processing by the appropriate authorities of all applications for re-registration and registration in terms of both the Broadcasting Services Act and the Access to Information and Protection of Privacy Act" (p. 12). The role of the GNU was to oversee a transition from authoritarian crisis toward a more open society ahead of a free and fair election.

What was, however, ambiguous and therefore open to multiple interpretations was the nature and content of that media reform and how comprehensive it was supposed to be. The highly contested areas included the constitution of the Broadcasting Authority of Zimbabwe (BAZ), the broadcasting regulator established under the Broadcasting Services Act (2001); the granting of new radio and television licenses; the control of the telecommunications regulator; how to reform the public media; and the question of how to handle the phenomenon of pirate radio stations. The latter were alternative radio stations that broadcast

³ The Global Political Agreement formed the core operational framework for the Government of National Unity. It was mediated by then South African president Thabo Mbeki and was signed by Mugabe, Tsvangirai, and Mutambara on September 15, 2008.

into Zimbabwe via shortwave and the Internet but were hosted from outside the country, mostly by former Zimbabwean journalists (see D. Moyo, 2010). The most prominent of them were Radio Voice of the People, Voice of America (*Studio 7*), and SW Radio Africa, which eventually closed shop in 2014.

The contention around the technical and regulatory aspects of media reform was itself a manifestation of the competing and conflicting understandings between the major political players about what media reform should entail at the broader policy level. It was clear that Zanu-PF preferred a slightly modified continuity of the policy status quo of state domination of especially the broadcasting sector, plus, most importantly, the closure of "hostile" pirate radio stations, which were irritants from time to time. For the MDC and its partners in civil society, a cocktail of liberal reforms consisting of liberalization, privatization, deregulation, and commercialization was preferable. Most urgently, the former opposition parties wanted a reformed public media to accord them access that was hitherto closed. But as one communication advisor to the MDC said in interview, the MDC discovered shortly into the GNU that it faced an uphill task in the policy terrain. He said:

We moved in, with very clear political goals for change and reform in a few sectors, not just the media. But our ministers soon found out that most of the civil service bureaucracy, including perm secs [permanent secretaries, or accounting officers for government departments], were part of the old guard. And they knew how to play the game, to frustrate our every effort. (personal interview, June 2010)

Theorizing Media Policy Making

This article approaches media policy making not as a detached, neutral, and predominantly technical process but rather, as Freedman (2008) has argued, as an inherently political process. Freedman further notes that:

While the form a media system assumes at any one time is by no means the direct expression of a state's political priorities, it makes little sense to ignore the impact of political actors and political values on the character of the wider media environment. (p. 1)

Highlighting issues of politics and power in policy making does not in any way take away the role and influence of other, nonstate actors—such as business, civil society, or the media—in policy making. But it does reflect the fact that, in the final analysis, political factors constitute the lion's share of the complexion of media policies in many cases, and certainly in Zimbabwe.

In addition to theorizing policy making as an inherently politics-driven process, this article adopts the elite continuity model as a framework for analyzing the experience of policy making in Zimbabwe during the period of the GNU. According to Sparks (2008), the elite continuity model "lays its primary stress upon the social continuity in societies in transition, rather than assuming that the process was essentially one of democratization" (p. 11). Based on a study of media systems in postcommunist countries—including Poland, Hungary, Slovakia, and the Czech Republic—Sparks places the conventional view of "transitology" (which assumes a linear and explicit change from dictatorship to democracy in "emerging democracies") under a

spotlight, highlighting its inadequacies in explaining the complex and “seemingly endless proliferation of different intermediate stages between democracy and dictatorship” (p. 9).

An alternative framework to transitology, the elite continuity approach emphasizes the complexity of transitions, especially the contradictions between political change and the continuity of both institutions and personnel of the ancien régime into the new dispensation. In the context of postcommunist, emerging democracies of Eastern Europe, for example, the old elite was able to transform itself

from one that rested upon the collective ownership of property, which it guaranteed through its political monopoly, to one that rests on private property, acquired formally or informally through the exercise of political power, but sustained economically in the manner familiar from western capitalist societies. (Sparks, 2008, p. 10)

Related studies on the political economy of transition in Africa have also highlighted the elite continuity aspect and how it shaped the transition itself. In South Africa, for example, Patrick Bond (2000) has written quite extensively about what he frames as the country’s “elite transition” from apartheid to democracy, while Hein Marais’ (1998) work on the political economy of transition in South Africa has also highlighted the tensions between continuity and change in the domain of policies.

In the Zimbabwean context, a sizable body of work dates back to the 1980s (e.g., Astrow, 1983; Mandaza, 1987) that focused on the subject of elite continuity in the new postcolony. In the specific area of media policy, a growing body of work—most of which emerged after 2000—addresses the ways in which the postcolonial state retained the colonial policy infrastructure to serve its hegemonic interests, in the process negating the cause for change (see, e.g., Chiumbu & Moyo, 2009; Chuma, 2010; D. Moyo, 2010; and, more recently, Ruhanya, 2014).

Approaching media policy making conceptually as both an inherently political process and policy making in the context of transition as a contested process in which elite continuity is a key factor helps us make sense of the Zimbabwean media policy making in the period under review in this article.

Finally, given that the policy-making process during the GNU was presented to the public as a transparent and consultative process, it is also important to reflect on the limits of the notion of multistakeholderism in policy making. Multistakeholderism is often considered the solution to the legitimate crisis of political institutions, both local and international. It is seen as a way of bridging the gap between the governed and the governing. But as Bart Cammaerts (2011) reminds us, the multistakeholder approach “is not as neutral as is often presented in policy documents” (p. 134). It is possible that the multistakeholder approach serves as a way to neutralize criticism of institutional actors. On the impact of multistakeholderism on policy outcomes, Cammaerts adds that it “might give civil society organisations (CSOs) more access to political processes, but by no means does it foster the capacity of civil society to have any genuine impact on their outcomes” (p. 134).

Along the same lines, Freedman (2006) notes that:

First, there is no necessary relationship between the number of participants in a decision-making process and the eventual decision that is taken. Being a "stakeholder," identifying yourself as someone who has an interest in the outcome of a decision, is in no way a statement about your power. The explosion of "stakeholders" is more likely related to the expansion of the media industries than it is to their ability to change the balance of power in a decision-making situation. (p. 912)

During the GNU, the government opened avenues of dialogue with both the media and civil society groups, including the Media Institute of Southern Africa, the Media Alliance of Zimbabwe, and several others. The government-convened "all-stakeholder" media conference in 2009 was ostensibly designed to create a platform for the forging of an inclusive media policy agenda. However, as this article argues, these engagements appear to have yielded little in terms of the nature of media reform that emerged. It could be argued that the veneer of multistakeholderism was designed for external (especially Southern Africa Development Community) consumption, while in reality the strategy was to retain the status quo with only cosmetic modifications. This explains the deliberate highlighting of the achievements of the Zimbabwe Media Commission as a constitutional body, although its responsibilities were not new and were perfunctory to any substantial media reform, while the crux of the reform agenda, broadcasting, was left nearly intact.

Discussion: The Policy Timeline

Media policy making during the GNU in Zimbabwe was a hotly contested affair in which forces of the status quo eventually emerged triumphant. The contestation revolved around several issues and sites, including the very question of what media policy reform entailed, the issue of broadcast licensing, the question of reforming the state-controlled media, and the issue of the fate of pirate radio stations. The ensuing discussion covers these sites of policy contestation, but first it is important to briefly summarize the policy timeline.

The policy period began with the signing of the GPA in September 2008. This was followed, in February 2009, by the Parliament's Communications Committee's national tour of the country, during which the committee solicited public views on the state of the media. Other notable developments during this period include the appointment of the Broadcasting Authority of Zimbabwe and the Zimbabwe Media Commission (ZMC), the transfer of the custodianship of the telephony regulatory authority from the Ministry of Information and Communication Technologies to the Transport Ministry, and the licensing of two private commercial radio stations, for the first time since independence in 1980. All these developments attracted a lot of debate and contestation in political and civil society circles.

The GNU period was a complex and contested moment for Zimbabwe's political elites. It was a period of transition—but from what, and to what? From the interviews I conducted, it emerged that the two major political parties in the GNU viewed this transition differently. For Zanu-PF, this was an important breathing space that would allow the party to mobilize, gain lost ground, and make its way back to unencumbered sole control of state. For the MDC, on the other hand, the GNU was a dry run or rehearsal in preparation for assumption of state power and, in the words of one of the party's top officials, "greater democratization." In an interview, he added:

We won the 2008 election. We have a majority in parliament. So for the party, it's a matter of using this space to consolidate this victory, push through democratic laws, get Zimbabweans to get a feel of what an MDC government would be like, and of course to win the 2013 elections. (personal interview, May 2010)

These competing visions of post-GNU Zimbabwe informed in large measure the media policy-making process.

Framing the Boundaries of Media Reform

The GNU was off to a tenuous start, and one of the key issues causing profound disagreement among the major parties was the subject of media reform.⁴ Interestingly, on the face of it, there was unanimity on the same urgent need for reform in the sector. For example, Article 19 of the Global Political Agreement, the founding document of the GNU, expresses the signatories' commitment to opening up the airwaves and facilitating other reforms.

To this end, the GPA mandated the government to "ensure the immediate processing by the authorities of all applications for re-registration and registration in terms of both the Broadcasting Services Act as well as the Access to Information and Protection of Privacy Act" (Global Political Agreement, 2008, Sec. 19a). It also urged the closure of pirate radio stations broadcasting from abroad, with the journalists operating them being invited to come back home. Finally, the GPA signatories also committed to "taking steps" to ensure that the public media provided balanced reporting to all political parties and that both public and private media would "refrain from using abusive language that . . . incites hostility, political intolerance and ethnic hatred or that unfairly undermines political parties and other organisations" (Global Political Agreement, 2008, 19e).

On paper, the GPA looks like a bold policy intervention most likely to create a new media dispensation, especially against the backdrop of an authoritarian media policy regime and a media environment characterized by profound polarization. On one hand, the key issues of opening the airwaves and the licensing and registration of new media houses seem to be immediately actionable. On the other hand, issues such as the cessation or relocation of external radio stations, hate speech in both private and public media, and biased reportage of the public media appear to depend more on good faith by all involved than on something more concrete.

⁴ There were several issues around which Zanu-PF and the MDC disagreed and debated for weeks before the GPA was eventually signed in September 2008. Among them were issues around European Union and U.S. sanctions against Zanu-PF, freedom of movement and expression, the role of the security sector, hate speech, the land question, and the national youth training program. The full text of the GPA is available online at https://www.pindula.co.zw/Global_Political_Agreement

What is important to note here is that, although there appears to be consensus among the political parties in the GNU about both opening up the airwaves and registering new print media organizations, there is silence about what a reformed media environment should look like, and the GPA assumes that the process of granting these licenses is going to be aboveboard. The GPA is also silent about the sort of licenses that would be granted for broadcasters, for example. A senior MDC official in the GNU, who was also involved in the GPA negotiations, explained the ambiguity thus:

The underlining spirit of the GPA is for a free media environment. But the letter is not necessarily in unison with the spirit. The spirit assumes, but the letter does not specify. This presents a policy challenge. Whoever reads the section on media reform in the GPA interprets it the way they want. (personal interview, June 2010)

The open-endedness and, in some cases, ambiguities of the GPA provisions on media reform left the terrain vulnerable to capture and control by more strategically positioned forces within the GNU,⁵ as discussed below for broadcasting licensing. The lack of a common and agreed framework for media reform was also apparent during the two-day All Stakeholder Conference for Media Reform convened by the GNU's Ministry of Information and Publicity in May 2009. Called by the newly formed government to solicit multistakeholder views on media reform, the conference was for the most part characterized by viciously polarized epistemic approaches to media reform between the authoritarian nationalist representatives of the status quo and a coalition of liberal pluralist media reformists. Commenting on the conference, Chuma (2011) wrote:

The presentations were spirited, if often theatrical. And so were interventions from the floor. Some presenters were cheered and jeered at almost in equal measure. They were drawn from a cross-section of public life: pastors, lawyers, academics, politicians, journalists, activists . . . the tension was palpable throughout the day. . . . As the proceedings of Day One drifted toward the end, it became clear that there was never going to be a common position on media reform among the "stakeholders." (para. 4)

At the core of the contention were two competing versions of a reformed media: The delegation affiliated with Zanu-PF highlighted the urgency of getting the pirate radio stations off the air, promoting a "patriotic" media regime to "safeguard" the gains of independence and sovereignty against the backdrop of a view within the party that the country was under siege from the West and therefore needed all available weapons, including the media, to help repel the "enemy." The MDC and its allies in civil society argued for a wholesale liberalization of the airwaves, the transformation of the state broadcaster into a public service broadcaster,

⁵ From interviews with key players as well as analysis of documents and media reports, it became clear that the policy process was a contest between Zanu-PF, whose most visible representatives were information and publicity minister Webster Shamu and his permanent secretary George Charamba, and the MDC, represented by the deputy minister of information and publicity, Jameson Timba. These visible faces of the policy process represented their respective political constituencies, and both had a fundamental stake in the policy outcome. As indicated in this article, both arguably wanted outcomes that would guarantee, or at the very least contribute to, their retention of power in the post-GNU period.

the lifting of the ban on international broadcasters in the country, and the repeal of restrictive media laws, especially the Access to Information and Protection of Privacy Act.

The Contest Around Broadcasting

The area of broadcasting policy reform was arguably the most contested during the GNU, no doubt given the pervasiveness of broadcasting as the de facto mass medium in predominantly rural Zimbabwe (D. Moyo, 2010). Historically, broadcasting in Zimbabwe emerged as an instrument of colonial control and propaganda, and the new postcolonial government maintained the same broadcasting architecture with little, if any, modification (Windrich, 2010). In the context of the GNU, Zanu-PF was aware of the potential of broadcasting, especially radio, to influence the outcome of any future election that would terminate the tenure of GNU.

George Charamba, the permanent secretary for the Ministry of Information and Publicity (and also President Mugabe's spokesman) wrote in the state-owned *Herald* newspaper in 2010 that any future election in the country would be fought in the airwaves, and he warned local mobile telephone company Econet Wireless to stop broadcasting MDC messages (via SMS) or risk losing its trading license (see "Zimbabwe Mobile Operator," 2010). The strategy of sending out regular SMS briefings was devised by the MDC prime minister's office to communicate directly with the public in an environment where broadcasting remained closed to voices other than those of Zanu-PF.⁶ Econet Wireless eventually discontinued the service in the wake of the government threats.

Although the struggle for broadcasting reform in Zimbabwe dates to the 1990s, it was in the new millennium that it gained substantial traction. In September 2000, the Supreme Court in Zimbabwe struck down the state broadcaster's monopoly over the airwaves as a violation of constitutionally guaranteed freedom of expression. The case was brought to court by privately owned Capital Radio, which wanted to set up a radio station in the country. This court decision set in motion a series of policy interventions from the state, starting with the invocation of the Presidential Powers (Temporary Measures) Act, which allows the president to enact emergency laws that are valid for a maximum of six months. As D. Moyo (2004) has noted about this legal intervention:

The resultant legislation, the Presidential Powers (Temporary Measures) (Broadcasting) Regulations, 2000, far from feeding the euphoria that had surrounded the nullification of monopoly broadcasting, further tightened the conditions of entry into the sector. What is apparent in the manner in which the government responded to the legal vacuum created by the Supreme Court ruling is that the government was determined to regain lost control of the change process and to ensure that whatever changes were made did not prejudice its stay in power. (p. 22)

⁶ The prime minister's office also launched a weekly newspaper called *The Changing Times* to tell the MDC's side of the story during the GNU. The paper was distributed for free nationally.

Indeed, Zanu-PF's determination to perpetuate state domination of the airwaves was reflected in the promulgation of the Broadcasting Services Act of 2001. The act, among other things, establishes a regulator, the Broadcasting Authority of Zimbabwe,⁷ which is responsible for licensing broadcasters but is accountable to the executive. The legislation also contains provisions on ownership and programming that make it nearly impossible for new entrants into the broadcasting sector. By 2009, when the GNU was inaugurated, the BAZ had not licensed a single private broadcaster. This is the context in which the GPA's Article 19 (provisions for freeing the airwaves, among other media reforms) was formulated.

A Tale of Two Regulators

One of the ways in which Zanu-PF outmaneuvered its partners in the GNU was to make a clever calculation of where to share control of regulation with its partners and where not to, even as it maintained the public appearance of being pro-reform (personal interview with a Zanu-PF MP, June 2010). The party actively supported the creation of the Zimbabwe Media Commission, a constitutional body that regulates mostly the print media and is accountable to Parliament, in which, at the time, Zanu-PF was a minority, having lost its majority in the 2008 election. The selection of ZMC commissioners was done through a horse-trading process between Zanu-PF and the main faction of the MDC, and within a year of its establishment, the ZMC had licensed several newspapers and magazines across the country. However, because of the perilous state of the economy and the fact that the print media in general reaches a tiny minority of Zimbabweans, several of these new publications either collapsed or simply failed to launch in the first place. In the final analysis, the ZMC, despite being a constitutional body, remained marginal to any substantial media reform process throughout the GNU period because its role was limited to the print media, which, in any case, had been liberalized terrain since independence in 1980.

It was in the constitution of the BAZ that Zanu-PF strategically kept sole control. The BAZ is a creation of the Broadcasting Services Act and is accountable to the president rather than to Parliament. Although Parliament nominates board members for BAZ and forwards the names to the president, it cannot dictate to the president whom to appoint from the list. Further, the president has discretionary powers to appoint other members (representing so-called sectoral interests such as the clergy and traditional chiefs) outside of the list submitted by Parliament. Although the GPA provided that the president should make important executive decisions in consultation with the prime minister, it did not oblige him to seek the latter's consent.

In May 2011, two years into the GNU, the BAZ invited applications for commercial radio licenses through advertisements placed in the innermost pages of state-owned newspapers. The deadline was set at just over a month (June 30), and the requirements for all applicants were stringent. These included an initial application fee of US\$2,500, "public inquiry" costs of US\$7,500, and an ownership structure for prospective broadcasters that dictated that foreign ownership can only be allowed to a maximum of 10%. If granted a license, the prospective broadcaster would also be subject to a US\$15,000 annual license fee plus a 1%

⁷ Although this legislation was promulgated in the pre-GNU period, it was neither amended nor repealed when the GNU was formed, and therefore remained the same law providing the framework for the licensing of new broadcasting players during the GNU period.

gross turnover per year for the license period. Added to this was a "frequency fee" of US\$30 per frequency per site per month. In a country that had been experiencing a continuous economic slide for over a decade, these requirements were arguably designed to discourage all but the most deep-pocketed elites to get into broadcasting.

Quite predictably, the winners of the two licenses for two commercial radio stations issued by the end of 2011 were companies with close proximity to Zanu-PF. These were Zimbabwe Newspapers, the state-controlled newspaper company (which decided to venture into commercial radio), and ZiFM, whose owner, Supa Mandiwanzira, was to become a Zanu-PF member of parliament and a minister of information and communications technologies only two years after getting the license. When the MDC in both government and Parliament cried foul over this outcome of the licensing and sought to reverse it, they were met with legal and bureaucratic hurdles. George Charamba, the permanent secretary in the Ministry of Information and Publicity, told the MDC-dominated Parliament:

Unlike the Zimbabwe Media Commission, BAZ is not a constitutional body. It's a creature of lower law or statute, therefore whatever its perceived shortcomings, it can never amount to an unconstitutional act for that reason. BAZ is an instrument of the Executive, its perceived demeanors can never be a matter for Parliament because Parliament created the law a long time ago and their role ended. Parliament is trying to swallow its child back into the womb after both; unfortunately the child has grown too big to be swallowed. (see Gumbo, 2011, p. 3)

When Prime Minister Tsvangirai criticized the BAZ licensing decision, Charamba accused him of being duplicitous because he was part of the executive, which controlled BAZ (see Gumbo, 2011).

The MDC did attempt to wrestle control of the BAZ and other key policy nerve centers to drive the media reform process during the GNU. Jameson Timba, the MDC's deputy minister of information and publicity in the GNU (his superior, the minister, was from Zanu-PF), said at the time that he and the minister were "running two separate ministries" (personal interview, May 2010). Where the minister relied predominantly on the seasoned (and pro-status quo) state bureaucracy to drag the reform process and shape it in the interest of Zanu-PF, his MDC deputy relied on what he termed "alternative forums." These included tabling some important policy issues through the prime minister for prior discussion with Mugabe to secure his consent before the matters were raised in the cabinet (personal interview, May 2010). The intention was to get the principals to the GNU (i.e., Mugabe, Tsvangirai, and Arthur Mutambara, the leader of a smaller faction of the MDC) to agree on a policy issue beforehand so that by the time it was brought to the cabinet, it would be adopted easily. This strategy, nevertheless, seems to have faltered, at least with broadcasting reform.

The other MDC strategy was to work closely with allies in civil society to keep the reform agenda on the GNU radar. Here the results were modest: The government dropped the 40% tax on imported newspapers and allowed international media groups back in the country on condition they would employ locals to staff their bureaus; several newspapers and magazines were licensed, as discussed earlier; and,

for a brief time, state-media relations seemed on the mend. But these were arguably more perfunctory changes when compared with the substantial reforms that the MDC and allies in civil society had anticipated.

Other Sites of Policy Contestation

In addition to the liberalization aspect of broadcasting reform, there were at least three other sites of contestation between the two major partners in the GNU. These included reform of the Zimbabwe Broadcasting Corporation, the state-controlled broadcaster; how to transform state-owned newspapers under the Zimpapers stable into public rather than partisan institutions; and, finally, the issue of control of the Postal and Telecommunications Regulatory Authority, the telephony regulator in the country. As noted earlier, the GPA document did not provide policy specifics for these issues; it only gave broad policy directions, which could be interpreted in myriad ways. These ambiguities worked in favor of the status quo.

For the Zimbabwe Broadcasting Corporation, nothing changed in its governance, programming, and editorial makeup. The broadcaster remained predominantly a Zanu-PF propaganda institution, although for a little while gave measured coverage to the MDC side of the GNU. The dominant editorial narratives remained as they had been pre-GNU—that is, framing the crisis in the country as an outcome of an uneven contest between bona fide nationalists and foreign-controlled puppets in the MDC. In policy debates, the MDC and its allies in civil society argued in favor of the transformation of both the Zimbabwe Broadcasting Corporation and Zimpapers into institutions accountable to the public rather than to the Zanu-PF party. The MDC's Jameson Timba even promised that his party, which enjoyed a parliamentary majority at the time, would push for two key laws to be passed: freedom of information and media practitioners legislation (personal interview, May 2010). These laws were never passed.

When political oversight of the Postal and Telecommunications Regulatory Authority's management fell to the newly created Ministry of Information and Communication Technologies (headed by an MDC minister), President Mugabe immediately transferred the custodianship of the regulator to the Ministry of Transport, headed by a Zanu-PF minister (Makumbe, 2009). Zimpapers publications remained unchanged for the duration of the government. As one journalist from the state-owned *Herald* newspaper noted during the interview, the only visible change in the state newspapers during the GNU period was that they ran a few more positive stories about the MDC and published more polished and statesmanlike photographs of Morgan Tsvangirai in some of their stories (personal interview, May 2010). In other words, continuity, rather than change, carried the day in the contest around the reform of public media and the telephony regulatory body. Naturally, this worked in favor of the status quo. A senior Zanu-PF government minister who had served since independence from colonial rule in 1980 said in an interview:

You don't get into government and, at the stroke of a pen, simply change laws and change the way things are done. There are parliamentary processes. There are consultations. There are entrenched interests. Many things. When we got into government in 1980, we were in so much hurry to delete everything Rhodesian but discovered that that that wasn't how things work, at least in a democracy. Change takes time. (personal interview, June 2010)

While this comes across as bureaucratic-speak in defense of due process, it is also clear that Zanu-PF was comfortable with the status quo in the media policy arena and therefore worked hard to ensure that only reforms acceptable to the party saw the light of day, at least during the GNU period.

Conclusion

There are several reasons the policy-making process during the GNU assumed the character it did and consequently resulted in the outcomes of nonreform. The first reason is that both of the major political parties in the GNU were fully aware that the life span of the unity government was short, and both parties were seeking reforms that would guarantee their power retention beyond the life of the GNU.⁸ This awareness rendered the policy process more about short-term political strategizing than anything else. Another factor is arguably that public participation in the entire process was minimal, despite the veneer of multistakeholderism that the political authorities gave the process. This was the case partly because of budget constraints, according to the interviewees. A third factor in the policy outcome might have been Zimbabwe's relatively weak organized civil society, which owes much of its existence to Western donors and is constrained in terms of resources and mandate.⁹ Although, to their credit, civic organizations such as the Media Institute of Southern Africa made efforts to shape the ongoing policy process through engaging with members of parliament and other politicians, they lacked the grassroots critical mass to constitute policy voices from below.

Yet another factor in the continuity of old policy rather than change is that the regulation process, at least in print, was characterized by political compromises and horse trading between the major political parties. A predominantly state-driven policy process characterized by the dominance of one major political party cutting deals with its junior partners in government was arguably always going to result in a policy outcome consistent with the elite continuity framework. It must be emphasized at the same time that while the MDC had more members of parliament and a nearly equal number of cabinet ministers (13 cabinet ministers and three from the splinter MDC (N) against Zanu-PF's 15), it was far from being an equal partner to Zanu-PF, which boasted three decades in power and an entrenched and partisan state bureaucracy, especially at the very senior levels. Given Zanu-PF's reluctance to embrace liberal reforms since the 1990s and even earlier, the party was determined to ensure that policy making during the GNU period would achieve only cosmetic reforms while leaving the party with virtual control over the most critical sectors—broadcasting and telephony regulation. If continuity is entrenched in a postrevolution environment (as Sparks, 2008, illustrates for post-Soviet Eastern Europe), it was perhaps hardly surprising in the context of an ambiguous GNU environment in Zimbabwe, where only a marginal power-sharing experience took place.

⁸ This point was repeated in interviews with members of parliament and politicians, from especially MDC (T) and Zanu-PF. The 'T' in 'MDC-T' represents the main faction of the MDC led by Morgan Tsvangirai, while the 'N' in 'MDC-N' represents the smaller faction led by Welshman Ncube, but whose main principal in the GNU was Deputy Prime Minister Arthur Mutambara.

⁹ In interviews, it emerged that civil society groups such as the Media Institute of Southern Africa and the Media Alliance of Zimbabwe provided important spaces for engagement with government to push for reform; at the same time, they were constrained by resources and, without a substantial critical mass, could only go so far.

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