

Malawi media faulted for mass killings

 By Gregory Gondwe: @Kalipochi

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A Commission of Enquiry instituted by the Malawi presidency to establish what prompted the police to kill 20 people during a mass demonstration in July 2011 has faulted the media for fanning the violence that led to the death of the people. The findings have however been dismissed by media bodies in the country.

Late president Bingu wa Mutharika instituted what he called 'The Commission of Enquiry into demonstration, riots, looting, arson, public disorder, deaths, injuries and loss of property'.

President Joyce Banda who made the report public when she symbolically presented it to Anthony Kasunda, chairperson of the Malawi chapter of the Media Institute of Southern Africa (MISA-Malawi), said media practitioners and regulators need to be professional and sensitive in dealing with their mandate.

During MISA-Malawi's earlier audience with president Banda, Kasunda described the events of July 2011 as another negative point of highlight in the period for the media which was only covering the anti-government demonstrations.

A constitutional violation by government

He said the media experience on the day was a nightmare and a reminder of the repressive environment the media were operating under.

"Journalists and members of the general public were subjected to unnecessary mental and physical harm which should not have been the case in a democratic state worth the name," Kasunda recalls.

He says the citizens, as well as the media, were merely exercising their constitutional right over the worsening economic and governance situation in the country.

"The constitutional violation by government was of great concern to MISA-Malawi and all media freedom and freedom of expression advocates across the region and indeed the entire world," says Kasunda.

During the commission hearing MISA-Malawi submitted a list of up to 23 victimized journalists assaulted during coverage of the demonstrations.

"We hope that the commission will not turn into a white elephant and that it will execute its duties with professionalism," he says.

Did media conduct themselves unprofessionally?

Nevertheless, the commission established that some media houses conducted themselves in an unprofessional manner and that contributed to the public disorder.

"For instance, the state broadcaster failed to broadcast accurate and balanced information to the public. This deliberate departure from the truth was contrary to the law and only helped to fuel the tension," the report observes.

It further states that the private media houses carried live coverage of the looting, arson and the consequent deaths and injuries as they unfolded, which in the opinion of the commission incited violence in other parts of the country.

"These broadcasts were done in contravention of the Communication Act which prohibits broadcasts that are likely to prejudice public order, safety and tranquillity," says the report, which seems to support the action of the Malawi Communication Regulatory Authority (MACRA) which shut down three radio stations at the time.

The commission seems to have taken on board sentiments expressed by the police during the inquiry which suggested that the media fuelled the escalation of violence during the demonstrations and the subsequent death.

A police officer in Mzuzu, is reported to have singled out Zodiak Broadcasting Station (ZBS) as one of the media institutions that fanned the demonstrations.

Senior assistant commissioner, Isaac Maluwa who is the regional operation commander for police in Malawi's northern region told the Presidential Commission that when people started chanting songs, the ZBS broadcasted it live thereby encouraging the situation to get out of hand.

During the Mzuzu hearing, another police officer, assistant commissioner Frank Kumukumu claimed the media was biased.

"The media, especially the private media, was siding with the demonstrators and the victims without even finding out how the security personnel had fared," Kumukumu said, adding that the private media never mentioned the injuries the police suffered.

He was of the view that live coverage of the event inflamed the situation because it was this that made multitudes of people throng to the cities and it was therefore unbearable for the police to handle the situation.

President Banda however, said it is most regrettable that Malawi lost those 20 people.

"And as government we had to know why, how and who took their lives as well as what lessons we could learn from the development," said Banda.

Matter investigated

The seven member commission of enquiry comprised religious leaders, retired police officers, lawyers, business personalities among others, investigated the matter for eight months.

President Banda said although she was not consulted when the commission of inquiry was being established, she thought it was important to have such an inquiry in order to get to the bottom of what happened and also to find answers to the way forward, and this is why she adopted and supported it when she took over the reins of power.

"As expected in such tasks, I cannot rule out the fact that the commission may have faced some challenges, logistical and otherwise. Probably one such challenge could be the fact that international observers from SADC and the UN who were supposed to be part of the commission did not come. But it is my hope that their absence did not compromise the neutrality of the commission and ultimately the credibility of the findings," said president Banda.

She said never again should Malawians die or even get injured in the course of exercising their rights: be it right to freedom of expression or right to association.

"That is not acceptable in the 21st century and 48 years after independence. The amount of live ammunition used was beyond necessity and resulted into deaths and injuries that could have been avoided. Such use of excessive force is not in tandem with the laws of Malawi and applicable international law. The police also demonstrated lack of sufficient human and material resources as well as lack of crowd management skills," she said.

Although it has however, been suggested that those involved be brought to book, no media practitioner has been targeted for prosecution.

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