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MEDIA COVERAGE OF GENDER AND THE CONSTITUTION-MAKING PROCESS

Gender an inconvenient sideshow: Media and the constitution-making exercise

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INTRODUCTION

A constitutional document embodies a society's highest aspirations. In the words of the former and late Chief Justice of South Africa, Justice Ismail Mohammed, a constitution is ***"... not simply a statute which mechanically defines the structures of government and relations between the government and the governed, it is a 'mirror of the national soul', the identification of the ideals and aspirations of a nation, the articulation of the values binding its people and disciplining its government"***.¹

As such, a constitution presents a powerful emancipatory tool in women's struggle to shatter the centuries-long "glass" ceilings of patriarchal oppression. This study examines the role played by the country's mainstream media as a key stakeholder in giving significance and visibility to Zimbabwean women's fight for gender equality in the on-going constitution-making exercise.

Zimbabwean women have certainly come a long way from their culturally imposed roles as housewives and homemakers. Previous studies have highlighted how women's oppression was entrenched by the colonial authority and perpetuated by the new black political elite (dominated by men) who, in the aftermath of the liberation war, called on women to resume their ***"respectable" roles as mothers***² in spite of their joint effort to liberate the country.

However, in large measure due to a vigilant women's movement for gender equality, Zimbabwean women have progressively clawed their way into the public sphere to lay claim on the national stake. Today, women represent a significant percentage of the professional workforce and are political office holders.

In a major highlight for female political representation, the country boasts of a female Vice-President, Joice Mujuru, and a female Deputy Prime Minister, Thokozani Khuphe - the politics around the appointments notwithstanding.

But the battle is far from over. Zimbabwe's current Lancaster House constitution was primarily to transfer power from the colonial authority to the black government. In a view echoed by other gender activists, Deputy Minister of Women Affairs, Gender and Community Development, Jessie Majome, has described the constitution as ***"one of the worst in the world"***³ in terms of women's rights and equality. Gender activists argue that Section 23 of the supreme law perpetuates the discrimination of women in issues to do with inheritance, death, marriage, divorce, and other 'customary' issues. This confirms observations by gender expert and policy strategist Janah Ncube that women's fight for constitutional justice is based on ***"the discriminative and exclusionary texts of the constitution"***⁴ and that Zimbabwean women's fight for a new constitution is a fight for fundamental rights.

However, in a major boost for the gender equality campaign, the coalition government committed itself to ensuring ***"full citizenship (for women) and gender equality"***⁵ in the on-going constitutional reform exercise that is informed by the desire for a ***"people-driven"*** constitution. The rewriting exercise therefore provides an important rallying point for women to

consolidate gains and plug all legal inadequacies that perpetuate their discrimination.

The media is a key stakeholder in the process as gender and media activists posit that the press cannot be truly free when almost 52% (women) of the population is muted. The research therefore assesses the Zimbabwean mainstream media's role in giving space and visibility to women's concerns, voices and participation in the constitution-making process to ensure the full realisation of their rights.

The three main phases in the rewriting exercise, which began in 2009, are: the public consultation phase, the drafting stage and the referendum where the proposed constitution will be put to a vote. At the time of compiling the research, the revisional exercise was at the writing stage where the views of people from the outreach process are being compiled into a draft.

JUSTIFICATION

The study serves a dual function. It is both a yardstick for measuring, and an advocacy tool for enhancing, the media's role in giving impetus to the gender equity principle in the constitution-making process for the full realisation of women's rights.

SCOPE AND METHODOLOGY

The research covers a three-month period from November 2011 to January 2012. The country's mainstream media, both print and electronic, were sampled and monitored. From the public media stable these included: ZTV television, *Radio Zimbabwe*, *The Herald* and *The Sunday Mail*. Publications monitored in the private media included: *SW Radio Africa*, *Radio VOP*, *NewsDay* and *The Standard*.

The study uses both quantitative and qualitative approaches. The quantitative methodology provides empirical and objective evidence of the research findings while the qualitative aspect facilitates the interpretation and contextualisation of the results.

GENDER REPRESENTATION IN COPAC

A gender-balanced structure at decision making level is one among a number of critical factors in ensuring women's concerns are adequately represented and get a sympathetic reception. Janah Ncube reinforces this point, arguing, ***“constitutional processes and frameworks are as important as the content of the constitution ... if the definition and framework ... excludes women, the final product will not include women's priorities and issues”***.

An analysis of the Copac structure shows that women are under-represented. For example, the Copac Technical Team is composed of 17 members, with only two of these being women. In the management committee, there is only one woman out of the six members. At the drafting level, there is one woman out of three drafters⁶.

RESEARCH FINDINGS

The research findings are presented in two sections: the first section presents the results of the content analysis, while the second section deals with the voice codes.

Gender loses out to politics in media constitutional debate

The reviewed media carried a total of 119 reports on the constitution-making process during the three-month period. Gender specific content only featured in three (two percent) of the reports.

An overwhelming majority (71 reports / 60%) of the stories reflect that politics dominated the media's coverage of the exercise. Administrative aspects of the rewriting effort were highlighted in 45 (38%) reports.

These results echo similar findings by MMPZ and the Global Media Monitoring Project as well as other organisations, that while coverage of gender issues has modestly improved, the media outlook is still mainly masculine and gender issues are largely subordinated to what are considered as 'hard-core' issues like politics and economics.

The table below provides a detailed breakdown of the performance of each news outlet monitored during the three-month period while, the pie charts facilitate an overall comparison of the state-controlled and privately owned media outlets' coverage.

Fig. 1: Breakdown of themes in media coverage of the topic

Medium	Total stories	Politicisation of constitutional debate	Administrative issues	Gender specific content
PUBLIC MEDIA				
<i>ZTV</i>	25	14	11	0
<i>Radio Zimbabwe</i>	22	9	11	2
<i>The Herald</i>	25	19	6	0
<i>The Sunday Mail</i>	8	3	5	0
Total	80	45	33	2
PRIVATE MEDIA				
<i>SW Radio Africa</i>	2	0	2	0
<i>Radio VOP</i>	7	5	2	0
<i>NewsDay</i>	22	15	7	0
<i>The Standard</i>	8	6	1	1
Total	39	26	12	1

Pie charts comparing the overall performance of the public and the private media

Fig. 2: Themes in the public media’s coverage of the CMP

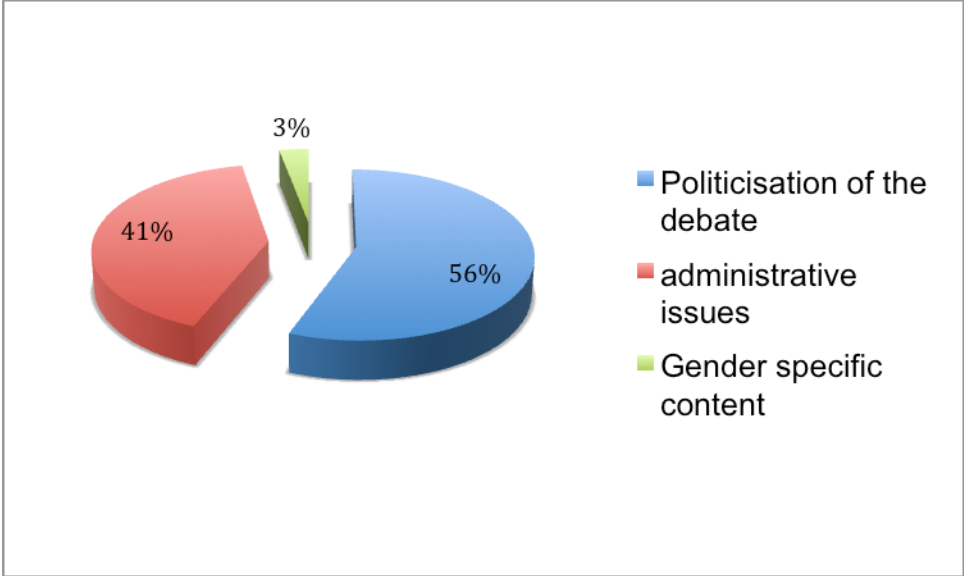
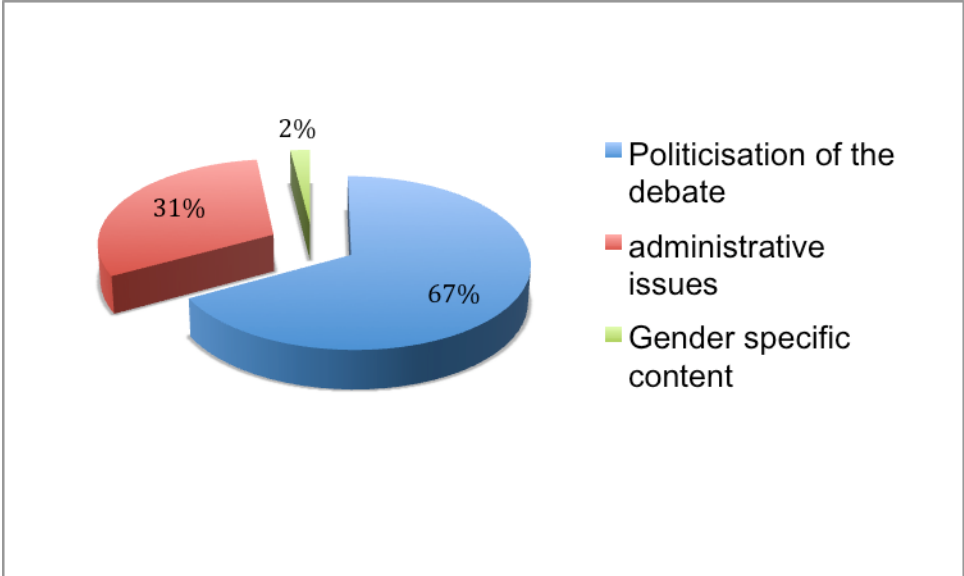


Fig. 3: Themes in the private media’s coverage of the CMP



Media coverage narrowed to political contestation in the constitutional-revision exercise

The most significant development during the period under review was the leakage of the “Copac national report” in the state media during the month of December. This sparked an animated media debate on the “significant” elements of the ‘draft’, its legitimacy and representativeness of the ‘people’s views’ as expressed in the outreach process. It is most telling that in the ensuing debate; gender issues did not feature in the media and opinion leaders’ critique of the issues considered to be at ‘stake’, particularly in the ‘draft’, and in general in the rewriting exercise.

The study findings show that gender issues were a big casualty of the polarised political forces competing to influence the process and content of the proposed constitution. This was evident in stories reflecting a political battle for ideological supremacy, mainly between ZANU PF and MDC-T, and to a lesser extent the MDC-N.

The media amplified this polarisation and exclusivity by extensively and narrowly relying on these parties’ representatives and mainly ‘partisan’ commentators for comment on the exercise.

Media coverage was dominated by disputes and counter-accusations of attempts to **“hijack”** the process and **“smuggle”** certain emotive aspects into the draft between ZANU PF and the MDC formations, particularly the Tsvangirai-led outfit. The debate revolved around the political parties’ views, mainly ZANU PF, on “hard-core” issues like executive powers, gay rights, land reform, citizenship, security sector reforms and the status of war veterans among other issues.

For instance, *The Herald* (21/12/11) quoted ZANU PF representative Paul Mangwana reiterating his **“right to withdraw his consent”** to the process if he was convinced **“that the process is prejudicial to ZANU PF’s interests”**.

In another example, the *NewsDay* (06/01/12) quoted MDC-T co-chair Douglas Mwonzora accusing ZANU PF of trying to **“smuggle”** its **“preferred standpoints”** into the draft charter: **“The drafting process was going on well until ZANU PF co-chair Paul Mangwana wrote a blistering letter to the drafters threatening them as the party wants its position to be dominant. This really is an attempt to change the people’s submissions ... and this is totally unacceptable”**.

This political debate was reflected in 71 stories, while 45 other stories provided updates on the administrative aspects of the exercise.

Qualifying the gender coverage

A closer analysis reveals that the media's limited stories on gender and constitutional advocacy barely scratched the surface. The three reports on the issues were either event-based, contained insufficient detail or simply publicised an official statement. For example, Radio Zimbabwe's "*Women's bodies meet Copac*" report (27/1, 8pm) highlighted that while the activists sought **"to get a clear understanding on issues pertaining to the representation of women in the new constitution"** there was no additional detail on the deliberations and the outcome. Neither did the station inform which other organisations attended the meeting besides the Women's Coalition of Zimbabwe.

Similarly, *The Standard's* (13/11) "*Constitution hobbles on*" report did not go beyond MDC-T co-chair Douglas Mwonozora's passing reference that the draft constitution provides for **"... gender equality and gender mainstreaming"** among other issues. The third report did not shed any light in connection with the inclusiveness of the gender principle in the drafting process. It simply highlighted concerns by the Women's Parliamentary Caucus that the Copac gender structure is biased against women as they are underrepresented.

MISSED OPPORTUNITIES

The process of constitution making cannot be divorced from the context in which it takes place. However, while the media's coverage may be a mirror of Zimbabwe's post-conflict climate characterised by increasing political rivalry and polarisation in the face of an impending "make-or-break" poll, this only serves to emphasise the media's amplified role in broadening the discourse to such critical issues as women's empowerment, which may not necessarily be a priority on the duelling parties' agendas.

This is in line with the media's duty to project a representative picture of the groups in society (Ronning, H. et al 2002)⁷.

The Standard's report "*Referendum is key to future*" (11/12) typifies the media's failure to frame their coverage of the constitution-making process beyond the "*political contestation*" framework. The article observes that political polarisation could result in the people's vote at the referendum being **"determined more by their political parties' preferred positions as opposed to what the constitution guarantees"**, without an extended analysis of the implications of such a development for women's interests.

As such, the study reveals that a gendered perspective is largely missing from the media's coverage of the constitution-making process.

VOICES IN THE CONSTITUTION-MAKING PROCESS

Women's voices sidelined

“For a constitution to be credible and durable, the voices of people from across society must be heard and incorporated in its creation”, opines Michelle Brandt, a constitutional lawyer⁸. However, this study's findings reveal that women's contributions to the constitution-making process continue to be marginalised, as the debate was overwhelmingly masculine. Female sources constituted only 17 (nine percent) of the 189 voices recorded in the period under review. The disparity was most pronounced in the private media, which only quoted female sources twice.

In contrast, male sources were the most dominant, being heard 165 times (87%) while the remaining seven (four percent) were anonymous voices.

For example, although the Constitutional Parliamentary Select Committee (Copac) charged with supervising the rewriting of Zimbabwe's Constitution has a female spokesperson, Jessie Majome, the media exclusively relied on the male trio of Paul Mangwana (ZANU PF), Douglas Mwonzora (MDC-T), and Edward Mkhosi (MDC-N) for official comment on the exercise.

“Who are the women?”

In as much as the study findings reveal that female sources are grossly underrepresented, it is equally critical to pose the question: “Who are the accessed women?” Although constitution making presents immense possibilities for women's empowerment, the study findings show that the media completely ignored ordinary women in preference of their influential counterparts. The few female sources quoted exclusively tended to be activists, government officials and politicians and to a limited extent war collaborators.

Functions of sources

Furthermore, while male sources were quoted in a wide spectrum of roles, female sources only appeared in narrow roles. For example, in both the state-controlled and private media, male sources were heard in their diverse roles such as politician, government officials, traditional leaders and professionals. However, female sources were only heard in restrictive roles, repetitively as government officials, and sparingly as war veterans, politicians and activists. The private media was the worst offender as females were only heard in two categories, that of rights' activist and war collaborator. This is illustrated in the two graphs below that contrast the media's performance.

Fig. 4: functions of sources in the government media

Function	Male	Female
Government	5	7
Politician	57	2
Alternative (Analyst/NGO)	16	2
War vets/Collaborators	13	4
Columnists	12	0
Traditional	1	
Professional	2	0
Unnamed	4	
Editorial	1	
Total	106	15

Fig. 5: Functions of sources in the private media

Function	Male	Female
Government	2	0
Politician	39	0
Alternative (Analyst/NGO)	11	1
War vets/Collaborators	5	1
Columnists	2	0
Traditional	0	0
Professional	0	0
Unnamed	3	
Editorial	2	
Total	59	2

No deliberate effort to engage female sources

The absence of women as experts and commentators and secondly, the fact that female sources were almost exclusively quoted in the context of event reports underline the media's apparent lack of appetite to deliberately, actively, and consciously engage female sources.

a). No female “experts”

Media analysts and commentators provide context and insight to news reports. During the period under review, female sources were completely missing in the category of “expert” voices in the public media as the 16 “analysts” quoted during the period were exclusively male. These included public media favourites like Jonathan Moyo, Jonathan Kadzura, Goodson Nguni, among others.

Of the private media’s 12 voices in this category, only one was female. Even then, the female source was simply quoted in a secondary role. Another report in the *NewsDay* (10/01/12) underlines the silencing of women in the media. The story is headlined ‘*ZANU PF against new constitution*’ and relies on the expert opinion of four male sources when the paper could have balanced this with equally competent opinion from female sources.

b) Women as sources in event reports.

With the exception of just one instance, the 17 female sources were quoted after events like graduation ceremonies, Copac meetings, press briefings and other meetings, such as the ZANU PF Politburo. Otherwise, most of the media’s reports lacked a gendered perspective as there was no follow-up comment from female sources.

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- ⁶ www.zbc.co.zw
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