

# **The Media as Agents of Democracy in Mauritius: Issues and challenges since independence**

Christina Chan-Meetoo

## **Introduction**

Journalism is deemed to play key roles in the functioning of all modern democracies. As part of the public sphere, the media purport to inform citizens about decisions that can affect their everyday life, to report and to act as watchdog on decision-makers to denounce abuse and scandals, as well as to sensitise and to educate the population about grand ideas and challenges. In practice however, such objectives are often not entirely fulfilled due to several obstacles and constraints, whether linked to the intrinsic setup of media houses which tend to be closely related to the wealthy because of their ownership structures and reliance on advertising revenues (Herman, E.S. & Chomsky, N., 1988 & Foley, M., 2000) or to external factors such as political interference, creation of pseudo-events by the marketing world (Boorstin, D., 1963), unwritten social and cultural guidelines (McQuail, D., 2000) inter alia. Further, the challenges faced by the journalistic profession in a changing technological world are constantly evolving and thus complicate matters (Wahl-Jorgensen, K., Williams, A., 2016), with increased fragmentation, polarization and partisanship (Hollander, B. A., 2008) & Leeper, T. 2014).

Mauritius is no exception. Yet, it is worth exploring the specificities of its mass media which operate in a particular context: that of a small African island state in the Indian Ocean which has been colonised by the French and the British successively, which has inherited and cultivated multicultural and multilingual legacies and whose modern history has been marked both by somewhat peaceful economic development and subtle socio-ethnic undercurrents. Many scholars have written about the hybrid nature of the Mauritian society (Boswell, R., 2005) and the dilemma of multi-culturalism associated with its polyethnic makeup<sup>1</sup> (Eriksen, T. H., 1998). This living paradox is what defines the country and the local mass media are an inherent part of the mix with their own share of ambivalence whether in terms of their history, actors or choice of editorial line.

This chapter thus seeks to explore the key evolutions, issues and challenges which are specific to the Mauritian media. I first focus on the key periods preceding independence in order to examine the position of significant media actors within the colonial plantation economy, from the first free newspapers associated with the economically dominant Franco-Mauritian minority, the introduction of titles associated with more diverse communities, and the growing popularity of pro-independence newspapers in the 1940-1960's period. I then examine the post-independence phase: the difficult periods for the written press which was subjected to heavy censorship in the early 1970's and governmental attempts at financial stifling in the 1980's but also the more positive periods of diversification of politically engaged media titles and subsequent state

---

<sup>1</sup> The Constitution of Mauritius refers to four communities for representation in the National Assembly as follows: (i) the Hindu community which constitutes the majority of the population with 51.8%, (ii) the Muslim community with 16.6%, (iii) the Sino-Mauritian community with 2.9% and (iv) the General Population, a residual category with 28.7%. These figures are drawn from the 1972 census and are used to allocate best loser seats for general elections in order to guarantee representation of the four groups in the National Assembly.

support for the training of media workers, followed by the introduction of private radio stations in 2002 and live parliamentary coverage in 2017.

The chapter highlights the ambivalent linkages which the private media entertains with both the political and corporate actors of the country: for the first through patronage and advertising revenue, and for the second through the strong affinities and regular nominations of advisers from the ranks of media workers. The chapter shows that the legal and regulatory frameworks within which the media operate are themselves flawed. Despite electoral pledges from governing parties, legislation related to access to information is still missing. The media have no agreed upon code of ethics nor any self-regulatory system to take care of unethical and unprofessional reporting, despite various commissioned reports recommending industry-led regulation. Yet, overall, the Mauritian democracy enjoys a relatively positive global outlook with honourable performances in indices relating to press freedom and the opportunities heralded by broadened participation of citizens in the public sphere.

### **The early days of free press in the colony: ethnic, economic and political linkages**

The first newspaper published on the island of Mauritius (then known as *Isle de France*) also happens to be the pioneer paper in the Southern hemisphere and on the African Continent (Chan-Meetoo, C., 2011). *Affiches, Annonces et Avis Divers (des Isles de France et de Bourbon)*<sup>2</sup> was launched in 1773 by the Frenchman Nicolas Lambert under the French colonial rule in

---

<sup>2</sup> [*Posters, Advertisements and Other Announcements of the Isles of France and Bourbon*] Translation is mine.

association with the French business venture, the *Compagnie des Indes*<sup>3</sup>. It was an official publication for both Isle de France and Bourbon (now known as Reunion Island, a neighbouring island which has remained a French overseas territory) and it contained primarily advertisements for freshly imported goods on sale including slaves as well as other official announcements by the colonial power and the *Compagnie des Indes*. The early media on the island thus targeted the economic and intellectual elites with commercial advertisements, later adding on literary and cultural pages.

The British colonial rule, which started in 1810 and lasted for 158 years, was marked by continuity in the public sphere for people of French origin for much of the time as the British preferred to keep the peace with the dominant sugar barons. In 1831, the lawyer Adrien d'Epinaï was sent by his peers to London to negotiate financial compensation for the abolition of slavery for plantation owners. He also negotiated for the creation of a Colonial Assembly to include Mauritian representatives (that is the descendants of the French colonisers<sup>4</sup>), obtained authorisation for the latter to work in the public administration and also freedom of the press, which was until then censored by the British administration. Upon his return to the island, d'Epinaï launched the daily newspaper *Le Cernéen* and also created the first private Bank of Mauritius which was subsequently replaced by the Mauritius Commercial Bank (Piat, D., 2002).<sup>5</sup>

---

3 The island was a French colony for almost a century between 1715 and 1810. It became a British colony after the Battle of Grand Port in August 1810. Independence was granted in March 1968.

4 The descendants of the French colonisers seem to have retained the appellation “*colons*” [French word for “colonisers”] in spite of the fact that the British were the new colonisers, aptly signalling the continuing domination of the community.

5 <http://www.association-france-maurice.net/spip.php?article8>

The history of the introduction of a free Mauritian press is marked by a strong linkage with sugar plantation owners and associated private banking, thus carrying a significant class and ethnic bias within the context of a colonial capitalist system<sup>6</sup>. Political participation and press freedom became more open thanks to (but also initially limited to) the White opinion leaders of French origin. A coloured man, belonging to the community known as the ‘gens de couleur’ as per Allen’s terminology (Allen, 1999, p 82), named Berquin established a newspaper called *La Balance* in 1832 in association with the secretaries of the Procureur and Advocate General John Jeremie, who had been entrusted with the task of the abolition of slavery in the colony. The paper however disappeared in 1835. Meanwhile, in 1833, *Le Mauricien* was founded by Jules Eugène Leclezio, another representative of the White community and director of the Mauritius Commercial Bank<sup>7</sup> (Toussaint, A., 1943)

In 1843, Rémy Ollier, a *métis*<sup>8</sup> (half-caste of mixed blood, son of a French captain and a former slave), founded his own paper when the prevailing papers associated with the White oligarchy, *Le Cernéen* and *Le Mauricien*, refused to publish his response to a critical review of a theatre play which had been printed in these anti-abolitionist papers. The initial review expressed indignation about the fact that authorisation had been given to stage *Antony*, a play by Alexandre Dumas, the famous mixed French writer with ‘negro’ blood in his veins, just like Ollier. The

---

6 According to the International Organization for Migration (IOM) 2013 Migration in Mauritius report, “When the British conquered Mauritius in 1810, the population was almost 100,000; however, more than 80 per cent were slaves. s. The abolition of slavery a quarter of a century later – in 1830 – reduced the size of the population, probably because most slaves returned to Madagascar or the African continent. More than 100,000 Indians were recruited to replace the slaves, which is the main reason why Mauritians of Indian origin still make up the largest segment of the population today” (p. 31).

7 Dictionnaire de biographie mauricienne – Dictionary of Mauritian Biography, n°8, mars 1943, p. 250-251.

8 The French term ‘métis’ is here retained to distinguish from the gens de couleur insofar as the person’s father is a White man, carries the paternal patronym, and visible phenotype.

latter's pamphlet, *La Sentinelle*, a scathing denunciation of racism, became a regular publication championing the cause of the “*gens de couleur*” and claiming seats for them in the Assembly.<sup>9</sup>

Newspapers associated with the other ethnic groups include *The Hindustani* launched in 1909 by Manilall Doctor to defend the cause of Indian migrants who were being ill-treated on sugar plantations as attested by the report submitted by Frere and Williamson in 1875<sup>10</sup>. The first papers in Mandarin for the Chinese migrants also appeared around 1920. As noted by Idelson (2007), as from the 1930s, newspapers became increasingly imbricated in the ethno-political discourse of the public sphere as represented by the four groups identified in the Constitution of Mauritius: Hindus, Muslims, Sino-Mauritians and General Population.

By the middle of the nineteenth century, it had become apparent that the demographic setup of the country had drastically changed with the numerical domination of people of Indian origin followed by those of African roots as evidenced by official censuses carried out in the period (see Table 1). According to the International Organization for Migration 2013 Migration in Mauritius report,

*“When the British conquered Mauritius in 1810, the population was almost 100,000; however, more than 80 per cent were slaves. s. The abolition of slavery a quarter of a century later – in 1830 – reduced the size of the population, probably because most slaves returned to Madagascar or the African continent. More than 100,000 Indians were*

---

<sup>9</sup> <http://histoiresmauriciennes.com/remy-ollier/>

<sup>10</sup> Report of the Royal Commissioners appointed to enquire into the treatment of immigrants in Mauritius : presented to both Houses of Parliament by command of Her Majesty, 6th February, 1875., pp. 420-463

*recruited to replace the slaves, which is the main reason why Mauritians of Indian origin still make up the largest segment of the population today” (p. 31).*

<b>Census Year</b>	<b>General population</b>	<b>Indo-Mauritian population</b>	<b>Chinese population</b>	<b>Total</b>	<b>Indo-Mauritian as % of population</b>
<b>1846</b>	102,217	56,245	-	158,462	35
<b>1851</b>	102,827	77,996	-	180,823	43
<b>1861</b>	115,864	192,634	1,552	310,050	62
<b>1871</b>	97,497	216,258	2,287	316,042	68
<b>1881</b>	107,323	248,993	3,558	359,874	69
<b>1891</b>	111,517	255,920	3,151	370,588	69
<b>1901</b>	108,422	259,086	3,515	371,023	70
<b>1911</b>	107,432	257,697	3,662	368,791	70
<b>1921</b>	104,216	265,524	6,745	376,485	71
<b>1931</b>	115,666	268,649	8,923	393,238	68
<b>1944</b>	143,056	265,247	10,882	419,185	63
<b>1952</b>	148,238	335,327	17,850	501,415	67

*Table 1: Census figures between 1846 and 1952 as published by the Central Statistics Office. The proportion of Indo-Mauritians first exceeded the 50% mark between 1851 and 1861.*

It became inevitable for the British Colonial Office that it had to reform the mode of suffrage, which it did only almost a century later by introducing voting rights for any citizen who could sign his/her name in 1947. This was the conclusion of a long series of evolutions involving a growing consciousness of the working class as an exploited group and marking the start of the process of decolonisation. Significant events during the period include the 1871 protests by Indian indentured labourers, the ability to purchase small plots of land due to the declining interest of the White in the sugar industry, the awakening of a Hindu conscience with the celebrations marking the arrival of the first coolies in 1935, the creation of the Labour Party by Dr Maurice Curé associated with massive strikes organised with Emmanuel Anquetil and Pandit

Sahadeo in 1936. The suffrage reform radically changed the face of Mauritian politics with the entrance of the first Hindu representative, Dr Seewoosagur Ramgoolam, who took over the Labour Party and led the negotiations for the conditions associated with the granting of independence to the island.<sup>11</sup> (Piat, D., 2002).

It is in this context that the newspaper *Advance* was created in 1940 by the Labour Party, and it quickly became an outlet for the growing demands of the Hindu community and a strong advocate of independence. Some of its illustrious protagonists such as the poet and novelist Marcel Cabon (Editor-in-Chief of *Advance* between 1958 and 1970) and the poet and artist Malcolm de Chazal were regarded as traitors to the Creole Community, which was, at that time, largely opposed to the idea of independence due to the fear of the “péril hindou” or “Hindu menace” (Callikhan-Proag, A., 1996 and Boudet, C., 2007 & 2012). According to Boudet (2007), the leitmotiv of the Hindu menace was initiated between 1953 and 1955 by Noël Marrier d’Unienville, Editor-in-Chief of *Le Cernéen*. On 4<sup>th</sup> June 1953, the latter wrote the following in an editorial:

*“Le suffrage universel ici veut dire, personne n’en doute, le suffrage hindou. Le suffrage hindou veut dire l’hégémonie hindoue. L’hégémonie hindoue signifie fatalement... l’annexion, dans un temps plus ou moins long, de l’île Maurice à l’Inde.”*

[“Nobody can deny that universal suffrage here means Hindu suffrage. Hindu suffrage means Hindu hegemony. Hindu hegemony inevitably means... annexation of Mauritius to India in the longer term.”]<sup>12</sup>

---

<sup>11</sup> <http://www.association-france-maurice.net/spip.php?article8>

<sup>12</sup> Translation is mine.



The modern-day paper *Le Mauricien*, then headed by famous writer and politician Raoul Rivet positioned itself against independence together with *Le Cernéen*, although it later rallied the cause. As for the paper *L'express*, it was created in 1963 by Sir Guy Forget, member of the Labour Party although it was touted as a distinct media house with a professional product which would demarcate itself from the more politically-oriented *Advance*. Forget subsequently distanced himself from the Labour Party after 1968 when the party agreed to form a coalition with the PMSD which had initially campaigned against independence. The linkage of the publication with the political sphere still remained though. Several members of MMM who became MPs and ministers were at some point editors at *L'express*.

### **Post-independence period: Tense relations between the press and the State**

After having obtained its independence from the British rulers, Mauritius went through very difficult economic and political periods which negatively impacted press freedom. On the economic front, the country had been experiencing declining real per capita income, high population growth and high unemployment rate since the 1950's (Yeung Lam Ko, 1998). Yeung Lam Ko notes that the government's diversification strategy failed due to "lack of capital, shortage of skilled workers and lack of enterprise and risktaking regarding new industrial activities (most probably due to the deeply ingrained sugar mentality in the country)" (p. 8).

On the political front, following the by-elections of 1970 which boosted the opposing MMM, government instituted a state of emergency and a moratorium on elections and arrested the

leaders of the MMM. Public gatherings were forbidden through a Public Order Act, MMM presses were confiscated while the whole written press was heavily censored in 1971 (Braütigam, D., 1997). Journalists needed to bring their texts to the Line Barracks (police headquarters) for vetting by the Police Commissioner and his team. *L'express* decided to publish blank spaces to show to the readers that texts had been censored. The state of emergency was subsequently lifted in 1972.

The rest of the 1970s and the 1980s saw the golden age of political media with a flurry of titles associated with particular parties such as *Le Populaire* for the PMSD, *The Sun* for the MSM, *Le Militant* for the MMM as well as the existing *Advance* of the Labour Party. In 1984, however, government proposed the introduction of a Newspaper and Periodicals (Amendment) Bill which would require large cash deposits of Rs 500,000 for newspapers to be allowed to operate. This was opposed by journalists through a sit-in protest in front of Parliament. 44 journalists were arrested and detained for four hours. The Bill was subsequently repealed in 1985 (Selvon, S., 2012).

A decade later, as if to atone for the harm done to the profession, the government introduced the Media Trust Act which provided for the institution of the Media Trust, whose main objective is to organise seminars, conferences, workshops and training courses for media professionals using primarily government funding. Its board mainly consists of elected representatives of the press although the chairperson is designated by government<sup>13</sup>. The organisation was however paralysed for more than ten years between 2004 and 2015 as no chairperson had been appointed by

<sup>13</sup> <http://attorneygeneral.govmu.org/English/Documents/A-Z%20Acts/M/Page%207/MEDIATRUST1.pdf>

government despite the holding of elections by the press corps to designate other board members. It was revived in 2015 with the change of government and it has since then launched several training courses for working journalists. The latest controversy pertains to the nomination of a chairperson who has never been in the private media and has instead been director of the Government Information Service. This is perceived as a move to punish the private media which have been overtly critical of the current government. Government's response has been that the law stipulates that the chairperson is appointed by the Minister and that no mention is made of a particular profile.

### **21<sup>st</sup> century developments**

The beginning of the twenty-first century was marked by a new era in the media landscape with the liberalisation of the airwaves although this event intervened at a very late stage in the history of a country which purports to be a democracy when compared with the history of other democracies. Indeed, until 2002, broadcast media was monopolised by the State through the Mauritius Broadcasting Corporation (MBC). Radio had initially been started as a private venture by the Mauritian citizen Charles Jolivet under the latter part of the British colonial rule (broadcasts were primarily in French despite being under the British rule). The venture was absorbed in the State company, the Mauritius Broadcasting Service (MBS), which subsequently became the MBC which is still an important player, especially in television broadcasting.

With the adoption of the Independent Broadcasting Act in 2002, three private radio stations, namely Radio One, Radio Plus and Top FM emerged. All are officially highly regulated (by the

IBA, the ICTA and MCML<sup>14</sup>) but there is in practice a limited scope of intervention, except at critical periods such as election campaigning. There is still no private television operator although the IBA law technically provides for broadcasting licences for private television<sup>15</sup>. This is probably due to the high capital investment required to operate a television station and the restrictive cap of 20% on foreign investment and shareholding. Interestingly, in the mainstream media and the public sphere, the prevailing perception is that the legislation does not provide for private television, thus fuelling the notion that the different governments have deliberately omitted the provision in order to oppose such a possibility. This is factually wrong. Part II of the IBA Act has clear provisions for the granting of private commercial television broadcasting licences. Section 22 of Part IV states that the duration of a licence would be for 5 years.

However, it is true to say that governing parties would prefer television to remain under State monopoly, especially after seeing the effects of private radio shows which have opened up their microphones to the public. When in power, all political leaders have systematically been critical of the radio stations and the private media in general for what they refer to as an abuse of airwaves, publication of false news, lack of fairness and impartiality, etc. Early 2004, shortly after the liberalisation of airwaves, the then Prime Minister Paul Bérenger expressed discontent about the alleged abuses by the private radio stations. He publicly announced the setting up of a special committee to investigate radio content and the introduction of a Broadcast Delay

---

14 The Independent Broadcasting Authority (IBA) was established in 2000 to regulate radio and television broadcasting. The Information and Communication Technologies Authority (ICTA) was created in 2001 to regulate the provision of telecommunications and ICT services. Multi-Carrier Mauritius Ltd (MCML) was set up in 2000 under the IBA Act as the sole Terrestrial Transmission Company in Mauritius which is responsible for the allocation of frequencies.

15 See the IBA Act (available at: [http://www.iba.mu/documents/IBA%20Act\\_2016.pdf](http://www.iba.mu/documents/IBA%20Act_2016.pdf))

Apparatus in all stations to prevent airing of unwarranted comments by audience members who participate in phone-in shows<sup>16</sup>.

On the positive side, it is worth noting that the government introduced Parliament TV in 2017, which is accessible both through a dedicated television channel and an online platform (<https://parliamenttv.govmu.org/>). This Parliament TV provides live coverage of National Assembly proceedings as well as access to archived coverage. This is actually a surprising move on the part of government given that there was no obligation to introduce Parliament TV as there was no such commitment in the winning coalition's electoral manifesto. Although there may be flaws with regard to the quality of the coverage (in particular the restrictive choice of camera angles and framing), this undoubtedly represents a major step towards access to information for all citizens.

### **Current state of the media: Incestuous links with the corporate and the political**

Beyond their tense relationships with political power, there are various systemic issues which continue to be faced by the so-called Mauritian Fourth Estate. Not least of those being their inherent structures and operations. The mainstream media tend to entertain strong links and incestuous dependency on the corporate world, mostly itself a legacy of the sugar industry barons. *La Sentinelle* which is advertised as the premier media group of the country, is currently run by a former CEO of the biggest private bank, the MCB, itself linked to the history of big sugar estates. As shown by Bagdikian (2004) on the international scene, the mainstream mass media tend to be characterised by economic concentration which includes both vertical and

---

<sup>16</sup> See 'Bérenger cible les radios privées' in 5 Plus Dimanche, <http://www.5plus.mu/node/19323>

horizontal integration. The same patterns can be observed in Mauritius as the big media houses such as *La Sentinelle* and the *Defi Media Group* expand their activities and member companies to cover pre-press, printing, publication, distribution, events management, billboard advertising, etc. Buy overs and mergers are used to absorb competing publications and consolidate a hegemonic presence by exploiting new market niches with high commercial potential. The market is currently dominated by two big media conglomerates, *La Sentinelle Ltd* and *Le Défi Media Group*, and a smaller one, *Le Mauricien Ltd*.

As mainstream media strive to improve their levels of profitability, investment in quality journalism is weakened and easy to replicate simplistic reporting and entertainment media become the norm to woo increasingly fragmented audiences, leading to more ‘He said, She said’ reporting<sup>17</sup>, sensationalist and magazine style content under the guise of infotainment and bordering on the voyeuristic style of reporting. The pursuit of likes and shares through social media and fad apps on technological platforms become an obsession and, instead of exploiting the possibilities of collective intelligence promised by the web 2.0, we are faced with a dumbing down on average with more click-bait journalism, native advertising, sponsored content, and a lack of in-depth investigation let alone serious fact-checking.

This is complicated by a high turnover rate in the profession and also another type of incestuous relationship: that of the press with the political world. Indeed, the majority of political communication advisers of ministers and parastatal bodies are drawn from the news desks of

<sup>17</sup> According to New York University Professor Jay Rosen, this refers to reporting which merely seeks to exploit a public dispute, especially in cases of polarised extremes which are exposed symmetrically without fact-checking any of the claims despite the possibility of doing so. (*He Said, She Said Journalism: Lame Formula in the Land of the Active User*, PressThink, 2009)

private media and are nominated shortly following the proclamation of election results and appointment of ministers. This seems to suggest that these professional journalists turned advisers had significant affinities with the ministers in order to obtain their appointments and puts a question mark on their claims of neutrality when they were in their respective news desks during election campaigns. Similarly, one can wonder how objective their subsequent coverage of political news is when they return to their respective employments as journalists. It should be noted that none of the journalists make any statement about their appointment as political advisers to their audiences at any moment whatsoever.

Cynically, as highlighted in the country report in the *Report on the State of Right to Information in Africa 2017* (Chan-Meetoo, C., 2017, pp. 164-173), one can say that within the ranks of journalists who have been political advisers, all mainstream political parties are represented, thus creating an artificial balance in coverage though arguably, the coverage of any particular regime tends to be more critical than positive given that those journalists who stay in the news desks are those who do not have the required level of affinity with the governing parties. Thus the critical role of oversight/reporting by the media is existent, albeit in an unorthodox manner.

As can be seen, ambiguity and ambivalence are present at all levels of the mainstream media. Media owners and managers essentially fray with the economic power whilst media workers do so with the political power.

## Legal and regulatory constraints

One could also argue that the legal and regulatory frameworks within which the media operate are themselves flawed. Whereas an increasing number of countries, including on the African continent and in less democratic states, have introduced legislation related to Freedom of Information (FOI) or Access to Information (ATI), Mauritius is still a long way towards achieving the same. There is, as yet, no legislation pertaining to FOI/ATI in Mauritius. Section 12 of the Constitution<sup>18</sup> does specifically guarantee freedom of expression which it defines as the freedom to impart ideas and information but it does not go any further in defining this freedom and in fact, refers to a long list of constraints such as national security, public safety, morality and health as well as the protection of reputation, privacy, court proceedings, confidential information and regulation of public communication channels. It also clearly refers to imposition of restrictions on public officers.

Indeed, civil servants of Mauritius are governed by the Official Secrets Act<sup>19</sup> and the Human Resource Management manual<sup>20</sup> (prepared by the Ministry of Civil Service and Administrative Reforms) which clearly prohibit the dissemination of information related to government matters without authorisation from supervisory levels. This creates a chilling effect on members of public administration who could act as potential whistle-blowers and conversely leads to an unhealthy reliance by the media on officious sources from inside who may be prone to hidden agendas and manipulative information leakages.

---

18 <http://mauritiusassembly.govmu.org/English/constitution/Pages/constitution2016.pdf>

19 <http://attorneygeneral.govmu.org/English/Documents/A-Z%20Acts/O/OFFICIAL%20SECRETS%20ACT.pdf>

20 [http://civilservice.govmu.org/English/Documents/HRM%20Directory/HRMM\\_o8042011.pdf](http://civilservice.govmu.org/English/Documents/HRM%20Directory/HRMM_o8042011.pdf)



## The ever-elusive Freedom of Information Act

All winning political parties and coalitions have regularly referred to freedom of information as a goal in their electoral manifestos prior to being elected. The earliest which can be documented is that of the 2005 *Alliance Sociale* comprising the Labour Party (Parti Travailleiste – PTr), the Parti Mauricien Xavier Duval (PMXD), the Mouvement Républicain (MR), Les Verts Fraternelles and the Mouvement Militant Socialiste Mauricien (MMSM). This winning coalition, with the Labour Party as the leading partner, specifically referred to freedom of information in its political manifesto<sup>21</sup>. This was subsequently transcribed in the official government programme 2005-2010<sup>22</sup> which was read by the President of the Republic in Parliament: “*My Government will provide citizens with a right of access to personal information held by State agencies and to information relating to government business by enacting a Freedom of Information Act.*”

However, no legislation was introduced. In fact, new elections took place in 2010 and the winning coalition called *L’Alliance de l’Avenir* comprised of, again the Labour Party, with the PMXD restyled as Parti Mauricien Social Démocrate (PMSD) and a new partner, the Mouvement Socialiste Militant (MSM). The manifesto for this winning coalition did not refer at all to the previous pledge for freedom of information.<sup>23</sup>

This can be explained by the confrontational relations which had prevailed during the 2005-2010 period between the political actors (ruling parties and opposition alike) and the press of the

---

21 <https://www.lexpress.mu/article/lalliance-sociale-%C3%A0-la-crois%C3%A9e-des-chemins>

22 <http://mauritiusassembly.govmu.org/English/Pages/Address%20by%20the%20President/Government-Programme-2005.aspx>

23 <https://web.archive.org/web/20100601212558/http://www.bleublancrouge.mu/files/Programme.pdf>

country. Confrontations have sometimes led to unpleasant attitudes and reactions on the part of the political actors such as intimidating interpellations by the police following broadcasting of news items related to the health of a Prime Minister in 2008, the symbolical burning of newspapers in 2009, the boycott of a group's papers at press conferences in 2010, and the temporary ban of one journalist to the National Assembly in 2016. On the other hand, the press often have recourse to their editorial content and even selective reporting and agenda setting tools to retaliate against specific political actors and parties depending upon their own prevailing interests, affinities or biases.

We have currently reached a stage where such confrontations have become part of the system and are even secretly enjoyed by the press (as these are conducive to sensationalist content and thus heighten their media's reach and sales) and this is undoubtedly unhealthy and constitutes an impediment to the realization of a more mature democracy. Furthermore, political parties have become accustomed to having undisputed hierarchies within their own ranks (party leaders have never been replaced except by their own progeny despite claims of having democratic elections within the party structures). A Freedom of Information Act is thus a very difficult step to take for political parties as such legislation could result in constant scrutiny and questioning of decision-making at state level by the mass media and by ordinary citizens.

As the government of the day was very unhappy with the coverage it was being given by the privately owned media, Prof. Geoffrey Robertson, a high profile human rights barrister, academic, author and broadcaster, was specially appointed in 2013 as consultant to review the media sector and to consolidate all media laws and introduce regulation of the media through the

institution of a Media Commission. However, the consultant went beyond the mandate and made three main recommendations in April 2013 in his preliminary report “Media Law and Ethics in Mauritius”<sup>24</sup>, namely:

- the review of all laws related to the media (sedition, defamation, contempt of court, etc.),
- the introduction of a code of ethics for the media and a Media Commission to regulate the media,
- the introduction of Freedom of Information legislation.

At the last general elections organised at the end of 2014, the Alliance Lepep comprising the MSM as leading partner in coalition with the PMSD and a new party called Mouvement Libérateur (ML) won. Surprisingly, the pledge for a Freedom of Information Act resurfaced in this coalition’s manifesto<sup>25</sup>:

*“Un ‘Freedom of Information Act’ sera introduit pour garantir la transparence et permettre la libre circulation des informations” [A Freedom of Information Act will be introduced to guarantee transparency and allow the free circulation of information.]*<sup>26</sup>

This was again transcribed in the official government programme 2015-2019 which was read by the President of the Republic in Parliament:

*“254. The Constitution of Mauritius guarantees fundamental rights and freedom of a citizen of the country, such as: freedom of expression and speech, political opinion, assembly and association. Government is determined to protect these rights and widen the contours of our democracy.”* (Government Programme 2015-2019, p. 56).

---

<sup>24</sup> <http://gis.govmu.org/English/Documents/Media%20Law%20-%20Preliminary%20Report.pdf>

<sup>25</sup> <http://pages.intnet.mu/meetoo/elections2014/programmes/programme-16.pdf>

<sup>26</sup> Translation is mine.

And further:

*“258. A Freedom of Information Act will be brought forward to promote transparency and accountability in public administration and more particularly in contract allocations.”* (p. 57).

All political coalitions which have been in power have pledged at some point in time to introduce such legislation under the appellation of Freedom of Information Act but none have made much visible significant progress. Under the present government, there has been a slight progress as the decision to introduce FOI was announced at the level of Cabinet as the very first item on 22 January 2016<sup>27</sup>:

*“1. Cabinet has taken note that the Freedom of Information Bill, as announced in the Government Programme 2015-2019, is being prepared. The main objective of the Bill will be to promote transparency and accountability in public administration.”* (Cabinet Decisions, 22 January 2016, p. 1).

The commitment has been reiterated within the last ACHPR Mauritius country report for 2009-2015 submitted in March 2016. The section on implementation of recommendations from previous periodic reports comprises the following item:

*“20.0 To finalise the drafting of the Freedom of Information legislation and pass it into law. In the Government Programme 2015-2019, it is stated that a Freedom of Information Act will be enacted to promote transparency and accountability in public administration in contract allocations. Given that the nature and scope of such legislation is an evolving one,*

---

<sup>27</sup> <http://mauritiusassembly.govmu.org/English/Documents/Add%20president/govprog2015.pdf>

*Government is presently doing the necessary groundwork for the preparation of a legislation which will adopt innovative processes to improve access to information. Once this initial process is completed drafting instructions will be given to the Attorney-General's Office to proceed with the preparation of the Bill.*"<sup>28</sup> (p. 76)

It is thus possible that the groundwork for the law is indeed currently being done at the level of the State Law Office in order to propose a draft but there is no further information about the status of the work being done.

The last ACHPR country report also states that:

*"42.0 Section 12 of the Constitution provides for freedom of expression, that is freedom to hold opinions and to receive and impart ideas and information without interference, and freedom from interference with his correspondence. The local media enjoy a long tradition of freedom and pluralism with a number of dailies, weeklies, fortnightlies and monthlies whilst the audiovisual landscape consists of the national radio and television, the Mauritius Broadcasting Corporation and equally private radio stations. Freedom of the press is guaranteed and is an essential component of the right to freedom of expression provided for under section 12 of the Constitution."* (p. 14)

All in all, it is true to say that there is relative diversity in the Mauritian media landscape if we consider that all factions are more or less represented (ethnic, economic, political, etc.) albeit in incomplete ways.

### **Lack of consensus on professional standards**

One can however hardly rejoice about such a situation as all of those stakeholders (media, corporate actors and politicians alike) derive some kind of benefit but at the expense of democracy and the general public. It is the latter which suffers the most from the incestuous relationships between the press and economic and political powers, which are aggravated by the obvious lack of professional standards. The absence of a unified ethical framework for the journalistic profession has been highlighted by many observers and official reports have been commissioned to address the issue, one by Kenneth Morgan, former director of the former British Press Complaints Commission, and the other by Prof. Geoffrey Robertson.

Morgan was entrusted by the Media Trust (then under the direction of the editor-in-chief of *L'express*) in 1998 to formulate proposals for the local media. He strongly recommended the setting up of a self-regulatory system by media houses who would be represented on a board instituted under a revised version of the Media Trust Act. But, the recommendations were never adopted as the rival editor-in-chief of *Le Mauricien* and other media houses opposed the idea on the basis that self-regulation was supposed to be already in place within individual media houses and that there was no need for a common self-regulation system. Competing egos thus stood in the way of a proposed attempt at rationalised industry-led regulation (Chan-Meetoo, C., 2013, p.

17). Similarly, ego wars have impeded the sustainability of associations and unions of media workers. Some of them (AJM, NEPA, USEP<sup>29</sup>) have been launched with much hope and hype especially in times of harsh criticism against the media industry but none have survived the lack of solidarity on core issues for media workers and puerile turf wars.

Fifteen years after the Morgan report, the idea of a regulatory system was further developed by Robertson who had been employed as consultant by the government. In his preliminary report, he proposed a broad spectrum of measures to sanitise but also consolidate the professional practice of journalism. These included the review of all laws affecting the media (such as on defamation, sedition, publication of false news, inter alia), the appointment of an independent Ombudsperson and a Media Commission under a consolidated Media Trust that would be co-financed by the State and the industry for a regulatory system involving participation of civil society, as well as the introduction of Freedom of Information Act. To date, the final report has not been published and it is not known whether it has been effectively submitted or just cast aside by government.

### **The paradox of a globally positive outlook**

Overall, despite the absence of FOI in Mauritius, the country fares well in terms of governance trends with commendable performance in freedoms for political rights and civil liberties, average performance for press freedom and transparency. It has been categorized as generally free by

---

<sup>29</sup> The Association des Journalistes Mauriciens (AJM), an association for Mauritian journalists, was created in 2006. The Newspapers Editors and Publishers Association (NEPA) was set up by editors-in-chief and newspaper publishers in 2007. The Union Syndicale des Employés de Presse (USEP), a trade union for media workers, was created in 2012.

Freedom House. The latest Freedom House 2017 survey classified Mauritius as a "free" country with a score of 89% placing it within the top 50 countries of the world. Mauritius has also performed honourably in the Reporters Without Borders Press Freedom index despite a decline in absolute scores. For Reporters Without Borders, the country is ranked 56th, thus gaining 5 places since 2016 but there has been loss in its score due to a decline in respect for freedom of information following some threats from governing parties, a jail sentence against a print media editor-in-chief and warnings to state media journalists who expressed their opinion about their media house during public debates.

Under the different political regimes over the past two decades, the private media have been regularly criticized and sometimes verbally threatened by governing coalitions but there have never been direct repression, arrests or outrageous abuses against the local media. In spite of the absence of FOI/ATI laws, the State does release a wealth of data, albeit not always complete, user-friendly or well organised. The State does provide extensive information on its official portal at <http://govmu.org/> whereby all ministries, departments, parastatal and other government bodies are present and produce a website as part of the domain. There is no outright censorship (except for an unfortunate day in 2007 when the Information and Communication Technology Authority blocked access to Facebook because of a fake profile of the then Prime Minister). The media landscape is also quite well developed in comparison with other island states, especially in the sector of print media which has been in existence since nearly 250 years and with a diversity of media titles over the years after independence. The official figures from Statistics Mauritius count an average of 40 publications every year, a surprising figure for a small country with a population of around 1.3 million inhabitants.



Finally, opportunities and new trends, in particular related to new entrants, new digital tools and new journalistic practices do exist. Online platforms have recently allowed for a flurry of new entrants, bloggers, citizen journalists and tiny media companies, some serious, others less so. The upcoming configuration heralds what could be termed in French a '*joyeux désordre*' [joyful disorder], further spiced up by the possibilities offered by the participation of 'The People Formerly Known as the Audience' as famously coined by Prof. Jay Rosen from NYU. The 'Paul Lismore' phenomenon, a mysterious and anonymous whistleblower and commentator, is but one of its manifestations. Mainstream papers and politicians alike have obsessed over his/her identity in vain and seem fearful of the impact of such lone runners who are able to command the attention of the many. Such thorns in the side may perhaps incite media actors and decision-makers alike to try and get their acts right.

## Bibliography

- 5 Plus Dimanche (2004), *Bérenger cible les radios privées*. Available at <http://www.5plus.mu/node/19323> [Accessed 1 October 2017].
- Allen, R. (1999). *Slaves, Freedmen and Indentured Laborers in Colonial Mauritius*, Cambridge University Press.
- Alliance de l'Avenir (2010). *Programme gouvernemental de l'Alliance de l'Avenir*. Available at: <https://web.archive.org/web/20100601212558/http://www.bleublancrouge.mu/files/Programme.pdf> [Accessed 1 October 2017].
- Bagdikian, B. (2004). *The New Media Monopoly*. Beacon Press.
- Barbeau, V. (2002). 'Presse écrite et télévision à Maurice : espace de débats ou enjeu communautaire ?', *Communautés périphériques et espaces publics émergents. Les médias dans les îles de l'Océan Indien*, (ed. J. Simonin). L'Harmattan, Paris : 75-87.
- Boswell, R. (2006). 'Unraveling Le Malaise Créole: Hybridity and Marginalisation in Mauritius', *Identities: Global Studies in Culture and Power* 12(2) : 195-221.
- Boudet, C. (2007), 'Les Franco-Mauriciens : une diaspora pollinisée', *Migrations internationales et vulnérabilités* 23(3) : 109-132.

- Boudet, C. (2012). 'Le rôle du "péril hindou" dans la mise en place de la démocratie consociative à l'île Maurice (1947–73)', *Canadian Journal of African Studies / Revue canadienne des études africaines* 46(2) : 177-193.
- Brautigam, D. (1997) 'Institutions, Economic Reform, and Democratic Consolidation in Mauritius', *Comparative Politics* 30(1): 45–62.
- Cabinet Decisions, 22 January 2016. Available at:  
<http://pmo.govmu.org/English/News/Pages/Cabinet-Decisions---22-January-2016.aspx>  
[Accessed 5 September 2017].
- Callikhan-Proag, A. (1996). 'De Marcel Cabon à Malcolm de Chazal. Deux perdi bande', *Sur Malcolm*. Vizavi/Ether Vague, Maurice/Toulouse : 31-54.
- Chan-Meetoo, C. (2017). 'Mauritius country report', *Report on the State of Right to Information in Africa 2017*, Africa Freedom of Information Centre (AFIC) : 164-173
- Chan-Meetoo, C. & Kasenally, R. (2011). *Enhancing Democratic Systems: The Media in Mauritius. A Dialogue Session*. African Books Collective.
- Chan-Meetoo, C. (2013). *Media Ethics and Regulation. Insights from Africa*. African Books Collective.
- Chan-Meetoo, C. (2013). 'Improving Democracy in Mauritius. The need to remove information boundaries and enhance the media', *OSSREA Journal of Social Policies and Development OSSREA Mauritius Chapter Special Issue: 21-27*
- Eriksen. T. H. (1998). *Common Denominators. Ethnicity, Nation-Building and Compromise in Mauritius*. Berg Publishers.

- Foley, M. (2000). 'Press regulation', *Administration*, 48(1) : 40-51.
- *Government Programme 2005-2010*, Address by the President of the Republic, Available at: <http://mauritiusassembly.govmu.org/English/Pages/Address%20by%20the%20President/Government-Programme-2005.aspx> [ Accessed 5 September 2017].
- *Government Programme 2015-2019, Achieving Meaningful Change*, Address by the President of the Republic of Mauritius (2015). Available at: <http://mauritiusassembly.govmu.org/English/Documents/Add%20president/govprog2015.pdf>
- Herman, E.S., Chomsky, N. (1988). *Manufacturing Consent*. Pantheon Books, New York.
- Histoires Mauriciennes (2015) [Website]. *Remy Ollier, le métis flamboyant*. Available at: <http://histoiresmauriciennes.com/remy-ollier/> [Accessed 5 October 2017].
- Hollander, B. A. (2008). 'Tuning out or tuning elsewhere? Partisanship, polarization, and media migration from 1998 to 2006', *Journalism & Mass Communication Quarterly* 85(1) : 23-40.
- International Organization for Migration IOM, (2013). *Migration in Mauritius, A Country Profile*. 2013
- Idelson, B. (2007). 'La presse réunionnaise et mauricienne au moment des décolonisations', *La Réunion dans l'océan Indien. De la décolonisation au XXIe siècle, Revue Historique de l'Océan Indien AHIOI* 3 : 131-143.

- L'Alliance Lepep (2014). *Manifeste Electoral*. Available at: <http://pages.intnet.mu/meetoo/elections2014/programmes/programme-16.pdf> [Accessed 5 October 2017].
- Leeper. T. (2014). 'The Informational Basis for Mass Polarization', *Public Opinion Quarterly* 78(1) : 27-46.
- L'express (2007). *L'alliance sociale à la croisée des chemins*. Available at: <https://www.lexpress.mu/article/lalliance-sociale-%C3%A0-la-crois%C3%A9e-des-chemins> [Accessed 5 October 2017].
- *Mauritius: 6th to 8th Combined Periodic Report, 2009-2015*, submitted: 5 May 2016 at 59th Ordinary Session of the African Commission on Human and Peoples' Rights, 21 October - 4 November 2016.
- Mauritius National Assembly, March 2016, *The Constitution of the Republic of Mauritius*. Available at: <http://mauritiusassembly.govmu.org/English/constitution/Pages/constitution2016.pdf> [Accessed 1 October 2017]
- *Media Trust Act*. Available at: <http://attorneygeneral.govmu.org/English/Documents/A-Z/%20Acts/M/Page%207/MEDIATRUST1.pdf> [Accessed 25 September 2017].
- Ministry of Civil Service and Administrative Reforms (2011). *Human Resource Management Manual*. Available at: [http://civilservice.govmu.org/English/Documents/HRM%20Directory/HRMM\\_08042011.pdf](http://civilservice.govmu.org/English/Documents/HRM%20Directory/HRMM_08042011.pdf) [Accessed 5 October 2017].

- *Official Secrets Act*. Available at:  
<http://attorneygeneral.govmu.org/English/Documents/A-Z%20Acts/O/OFFICIAL%20SECRETS%20ACT.pdf> [Accessed 20 October 2017].
- Piat, D., (2002). Association France Maurice [Website]. ‘*Résumé de l’histoire de l’île Maurice*’. Available at: <http://www.association-france-maurice.net/spip.php?article8> [Accessed 5 October 2017].
- *Report of the Royal Commissioners appointed to enquire into the treatment of immigrants in Mauritius : presented to both Houses of Parliament by command of Her Majesty*, 6th February, 1875., London : William Clowes and Sons, 1875.
- Robertson, G. (2013). *Media Law and Ethics in Mauritius. Preliminary Report*. Available at: <http://gis.govmu.org/English/Documents/Media%20Law%20-%20Preliminary%20Report.pdf> [Accessed 1 October 2017].
- Rosen, J. (2009). PressThink [Blog]. ‘*He Said, She Said Journalism: Lame Formula in the Land of the Active User*’. Available at:  
[http://archive.pressthink.org/2009/04/12/hesaid\\_shesaid.html](http://archive.pressthink.org/2009/04/12/hesaid_shesaid.html) [Accessed 30 October 2017].
- Selvon, S. (2012). *A New Comprehensive History of Mauritius Vol I*. MD Selvon edition.
- Toussaint, A. (1943). *Dictionnaire de biographie mauricienne – Dictionary of Mauritian Biography*, n°8, mars 1943, p. 250-251.
- *The Independent Broadcasting Authority Act 2000*. Available at:  
[http://www.iba.mu/documents/IBA%20Act\\_2016.pdf](http://www.iba.mu/documents/IBA%20Act_2016.pdf) [Accessed 10 October 2017].

- Wahl-Jorgensen, K., Williams, A. et alii (2016). 'The Future of Journalism. Risks, threats and opportunities', *Digital Journalism* 4(7) : 809-815.
- Yeung Kam Lo, L. (1998), *The Economic Development of Mauritius Since Independence*, Working Paper, School of Economics, University of New South Wales, Australia.