

Standard bearers, oasis seekers and wily contestants: Socio-cultural aspects of the right to information in Malta

By Fr Joseph Borg

1. The right to information can be looked at from a normative point of view. This covers the legal and constitutional aspects covering this right in the Maltese Islands⁽¹⁾. These aspects are discussed in Dr Kevin Aquilina's paper called "Freedom of Information under Maltese Law". While legislation is very important it gives us only one part of the scenario. There are also societal and cultural factors which influence, if not determine, the degree to which it is actually possible to receive and impart information. These aspects are discussed in this paper.

The "Babel" of the Maltese mediascape

2. One can argue that the best *de facto* guarantee for the safeguarding both aspects of the right to information, i.e. the reception and imparting of information, is the presence of many media organisations with diverse content and ownership structures. The media are important to society because of their close connection to democracy (Lichtenberg, 1990, Keane, 1991). In this respect the Mediterranean island of Malta - a surface area of 316 km. sq. and a population of 381,000 - is so media rich that it can be said that the right to information is well respected.
3. The number of media outlets in Malta is vast – a prima facie satisfaction of the people's right to receive information. There are four daily newspapers and ten weeklies; six Maltese TV stations, twelve national radio stations and 21 community radio stations. There is a Maltese TV station for every 51,000 persons aged 16 years and over; and a national or community radio station for every 9000 persons. There is a radio station for every 9 square km!
4. Out of the three main media i.e. newspapers, TV and radio the last one is the most interactive. The programme structure of most radio stations gives listeners the possibility of airing their views. The phone-in format is one of the most popular genres. It is very commonly used in discussion programmes – all discussion programmes are of the phone in type - thus giving the people an economically cheap and easy way to publicly express their opinions. Besides, people in authority are made accountable and can be criticised, argued with, told off etc while live on air.
5. As a result of the phone-in format the listener becomes an intermittent broadcaster who has an opportunity of influencing the radio text by making an actual contribution to it. This presence eventually develops into a kind of partnership with the presenter-producer who eventually develops into "listener-centred" and in several cases "listener-controlled" programmes.
6. This is perhaps the greatest political and cultural effect of the introduction of broadcasting pluralism in the beginning of the nineties (Borg, 1997). My hypothesis is that this mentality associated with the radio genre – change from listener to broadcaster - is also becoming a cultural phenomenon – change from a culture of compliant citizens to a culture of demanding and questioning citizens.

7. The existence of a large number of media organisations guarantees the quantitative aspect of the right to information but not necessarily its qualitative dimension. Ownership structure can give us an indication whether this dimension is being served or not.

Do standard bearers respect the right to information?

8. The relationship between ownership structures and content has been studied and debated in many fora (Croteau and Hoynes, 2003; Bagdigian, 1997; McQuail, 2000). The presence of anti trust legislation in many countries is evidence of the belief that the media are too powerful for society to let them be monopolized. When, and if this happens, the people's right to be informed and their right to communicate their views will be at risk. A balanced system of ownership structures is needed.
9. A distinctive aspect of the Maltese mediascape, which has a direct implication for the qualitative dimension of the right to information, is the massive presence of opinion-oriented institutions in the ownership structure of media organisations. I define opinion-oriented organisations as those which are in the sector of broadcasting or print media mainly to disseminate a message more than as a means of financially enhancing their investment. The state, the three political parties and the Catholic Church own radio and/or television stations. Together they dominate the audio and audiovisual media. The Maltese spend 78% of their radio listening time following a radio station owned by one of these institutions (Vassallo, 2002b). The major share - 42% - is taken by the stations of the three political parties. During the same period the Maltese devoted 69% of their prime time viewing (between 7.00p.m. and midnight) watching stations owned by the political parties or the state. The share occupied by the two main political parties is 37% of all viewing time for the prime time slot (Vassallo, 2002b).
10. The political parties and the Church have always had a very strong presence in the print media. Maltese politicians spearheaded the struggle for freedom of the press as part of their struggle for a greater freedom from the British colonialisers (Frendo, 1994). To-day all newspapers published in Maltese (two dailies and five weeklies) are owned and published by an opinion oriented organisation: a political party, a trade union or the church. On the other hand commercial or semi-commercial interests publish the seven English language newspapers.
11. It is generally agreed that the right to information should belong to the audience and the media are there to serve it. In 1969 the US Supreme Court stated that "the right of the viewers and listeners, not the right of broadcasters is paramount" (Hamelink, 1995). Is it realistic to expect opinion oriented organisations, especially political parties, to use their media to defend the rights of viewers and listeners more than to use their media to project their needs and agendas, especially in politically sensitive times e.g. election campaigns?
12. An analysis of the schedules of the stations of the political parties shows use their media as their standard bearers more than information servers, and push their agenda, generally at the exclusion of every other agenda. They act as if they are

the owners and not the servers of the right to information. The media are their standard bearers. The information passed is, at best, partial and partisan. Generally one expects news bulletins to fulfil the role of the surveillance of the environment more than the editorialising role (Wright, 1986). In the case of the politically owned media the opposite is true. Facts are twisted and opinions are projected as facts. The sensation that viewers of Net TV (owned by the party in government) get is that they are living in a different country than that which Super One TV (the station owned by the opposition party) reports on, and vice versa.

13. There are two silver linings to the cloud trust upon the right to information by this ownership structure. The first one is that the media owned by the political parties are more daring than the rest of the media to ferret corruption and abuse stories when their party is not in government. So they are, at least, partially fulfilling the media's watchdog role. The second silver lining is that audiences' level of credibility is in proportion to the level of credibility enjoyed by the owners of the station. An opinion survey published in February 2003 shows that people are much more satisfied with what is being said by news bulleting of the public service media than by that of the stations owned by the political parties (The Sunday Times, 23 February 2003).
14. The Maltese situation is, therefore, different from that prevailing in several Western countries. In several of these countries the threat to the right to information lies in the situation where the normative concept of news is challenged by the market-driven concepts. In this scenario the concomitant danger lies in the reduction of news to entertainment and the possible inhibition of the dissemination of political news required in a democratic society (McManus, 1994; O'Neill, 1992). In the Maltese mediascape the main danger to the right to information is different: it lies in its potential reduction of news to propaganda or, at best, its over-politicisation. In both cases news does not serve the citizens' right to be informed.
15. An important question is: Are citizens interested enough in their right to information and as a consequence try to be informed in a full, impartial and balanced way or do they prefer, especially in times of political tension, to have the media assure them more than inform them?

Oasis seekers and their right to information

16. Those people who expose themselves only to the news bulletins or pages of a newspaper owned by an opinion oriented organisation are in actual fact voluntarily limiting their right to information as they get only a partial and imbalanced picture of what is happening around us. They use the media in an analogous way to the use that desert dwellers make of an oasis (Borg, 2002). Desert dwellers use an oasis for shelter and to get refreshed before braving the hot, hard desert. The readers, listeners and viewers use the political owned media use them to satisfy their needs as party followers more than the information needs they have as citizens. They use the party media to confirm their belief that their party is right, expel fear that they can be on the losing side and armour themselves with arguments to answer opponents.

17. Audience figures show that there are thousands who do not mind such limitations while other thousands prefer not to limit their right. When people were asked on which TV station they watched the news on the day before the interview there were 31% of viewers who said they watched them on the political TV stations while 27% watched them on the public service station (Vassallo, 2002b). Table 5.4 of the same study seems to indicate that 22% watch the news on more than one station. It is interesting to note that when people were asked what is their preferred time slot for the main TV news bulletin 64% said the time slot occupied by the public service station while 18.7% mentioned the time slot occupied by the political stations (Vassallo, 2002b). So in fact the majority prefer not to limit their right for information.
18. Newspaper readers are almost divided in half between those who read the English language press, which is not politically affiliated, and those who read the Maltese language press which is tied (directly or indirectly) to a political party (MISCO, 2001b). There are many people who read more than one newspaper.
19. Which media do the people turn to in order to satisfy their right to information? If we consider local news to be the main source of the satisfaction of this right from the perspective of people's role as citizens then it is clear that TV is the winner.

Table 1: Preferred source for local news

Year	Radio	Television	Newspapers	
1994	41%	31.4%	24.7	(Broadcasting Authority 1994)
1995	20%	63%	12%	(Broadcasting Authority 1995)
2000	12%	77%	6 %	(Vassallo 2000b)
2002	10%	77%	7.6%	(Vassallo 2002b)

20. While the number of people who identify TV as their preferred source of news is increasing, Table 2 shows that the number of people who do not watch news on television is quite high. It is legitimate to ask: Are the citizens being informed when they do not use the source which they themselves consider as their main source for their information?

Table 2: Preferences compared to watching

Year	Prefer TV for news	Did not watch TV news day before	Source
1999	73.6%	60%	Vassallo 1999b
2000	77%	64.5%	Vassallo 2000b
2001	85%	52%	Vassallo 2001b
2002	77%	62%	Vassallo 2002b

Wily contestant in an oral-aural culture

21. While the dominant position of institutions in the media structures places pressures and, in a certain sense, limits the actualisation of the right to information, other aspects of Maltese culture tend to protect it from the dominance of some institutions and counter balance the mass media. The scenario is such that it enables Maltese media users to be both oasis seekers and wily contestants.

22. Western European countries passed from an aural-aural society to a literate one and then finally to one dominated by broadcasting and electronic media (McLuhan, 1969; Ong, 1970). Maltese society had a different kind of development. Broadcasting and literacy became mass media almost within one decade. As a result Malta is today still an oral-aural culture (Borg, 2000). Rumour, verbal communication and the grapevine are still very important means of information.
23. The role that these oral aural media played when democracy was under threat throughout the eighties is different in several aspects than they are playing today – though they had and still have an important role in both instances.
24. In Graff (1983) I analysed the reportage of the incident in August 1980 when a Libyan gunboat forced the stoppage of oil exploration commissioned by the Maltese government in the seas around the Medina bank. Rumours were rife by August 22nd, two full days before two Sunday papers published a very guarded and mild report about the incident. The story broke on the international media on the 25th and government admitted to it on the 27th August.
25. When a Maltese member of parliament was arrested in Italy in 1987 everyone knew within a few days but weeks passed before a paper dared publish the story. He was later acquitted and the European Court of Human Rights declared the arrest as an illegal one.
26. The introduction of pluralism and the development of a more democratic environment would make the above scenario much more difficult today. Even today the grapevine continually produces both juicy (e.g. incidents about private lives of public persons) and valid pieces of information (e.g. accusations about corruption; real opinions of public figures in contrast to what they actually say in public).
27. The relationship between the mass media and the aural oral media from the perspective of the satisfaction of people's right to information can be described in the following way:
 - When people's right to information is not satisfied through the mass media or official sources it will be satisfied through these oral media. This is more possible because of Malta's small size.
 - While the media can be controlled, one can hardly envisage the control of rumour and the grapevine. The power of the mass media is therefore balanced; and abuses can be checked.
 - The reportage of a news item on the mass media gives it a stature and perhaps more credibility. On the other hand the oral aural media can give an enlarged, embellished and sometimes distorted version of the original news item. It also enhance the status of opinion leadership of the person giving the "secret" information.

28. On the other hand the country's small size can put particular strains on the right to information. In such a small country where everyone knows everyone else – and very many are related to many others - it can sometimes be problematic for journalists to cover and expose certain stories. The grapevine is effective to ferret out information but it can also be effective to stop the spread of information.

The digital divide and the RTI

29. While the established media e.g. newspapers, radio and TV are universally available at a very reasonable cost, the new media e.g. Internet, are not so diffused and are also more costly. The new media can thus make the diffusion of information more selective and can limit people's right to information by establishing a new division between those who have access and those who don't. When and where this digital divide is not checked a division between the information rich and poor can develop and the actualisation of the right to information weakened.
30. Internet use depends on computer use. Basing oneself on the figures collected during 2002 one finds that 34% of the population or 105,000 people were using computers (NSO, 2003). This shows a slight increase over the use made during 2000 when one finds that 32.2% of the Maltese or 99,000 use a personal computer (NSO, 2002). On the other hand there was a considerable increase in the number of people using the Internet. The same studies show that Internet users increased from 61,000 (20% of the population) in 2000 to 82,880 (26.8% of the population) during 2002.
31. The existence of a digital divide is evident. There are indications of regional, age, gender and educational facets to this divide. There is also a financial aspect though only a minority of respondents give a financial reason for not having access to the Internet. While households whose income is on the higher side have much more access to the Internet than the rest only 9.7% give a financial reason – expensive hardware or expensive access - for not having access. The rest give a “cultural” reason. Most (58.8%) say that such access is not required or that content is not useful while 21.6% say that they lack confidence or skills (NSO, 2003).
32. It seem that the possible threats of the digital divide to the right to information are more culturally than financially based. In October 2000 Government published a white paper setting its vision and goals for its programme of e-government and its plans to bridge the digital divide. Through its eMalta Commission a number of concrete measures are being taken with the aim of attacking the “cultural” reasons put forward by most of those who do not use the Internet. Thousands are participating in Internet and computer literacy courses which government is organising free of charge. Government is also offering a free e-mail address to each person who wants one. It is also setting up free public Internet access points all over the Island.
33. The development of an advanced system of e-government has the potential to undermine the culture of secrecy that bureaucrats are usually famous for. In fact more and more government information as well as government services are being

made available on the Internet. A particular service empowers people to lodge suggestions, complaints or information request and also enables them to keep track of their requests and any progress registered.

Conclusion

34. The interaction between societal and cultural factors as well as the influence of technology give a particular dimension to the exercise of the right to information in the island state of Malta. The power of the mass media and their potential gate keeping role of the RTI is balanced by the aural oral media which tend to be more democratic as their “owners” are the people. The traditionally powerful institutions jumped on the bandwagon of broadcasting pluralism hoping to increase their presence and power. To a certain extent this proved successful and enhanced their grip on the actualisation of the RTI. On the other hand it is possible that the same broadcasting technology as well as the new media are offering citizens the possibility to alternate between the role of oasis seekers, especially in times of political tension, to the role of wily contestants of the power of the same institutions. In the end will the standard bearers become a Trojan horse?

Endnote

1. The Mediterranean Islands of Malta with a surface area of 316 km. sq. and a population of 381,000 are one of the smallest countries in the world, though one of the most densely populated. The country is made of the main island, Malta and a secondary island, Gozo. There are two political parties represented in Parliament. The Partit Nazzjonalista, a member of the European Popular Party, is in government. The Malta Labour Party, a member of the European Socialist Party, is in opposition. One of the main differences between both political parties is their position about the European Union. The Partit Nazzjonalista is in favour of joining the Union while the MLP is against. A referendum held on March 8 gave a majority of almost 54% in favour of accession. The main religion of Malta is Catholicism with more than 95% of its inhabitants baptised in that religion and about two thirds going to mass on Sunday. There are 2 dioceses, Malta and Gozo.

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