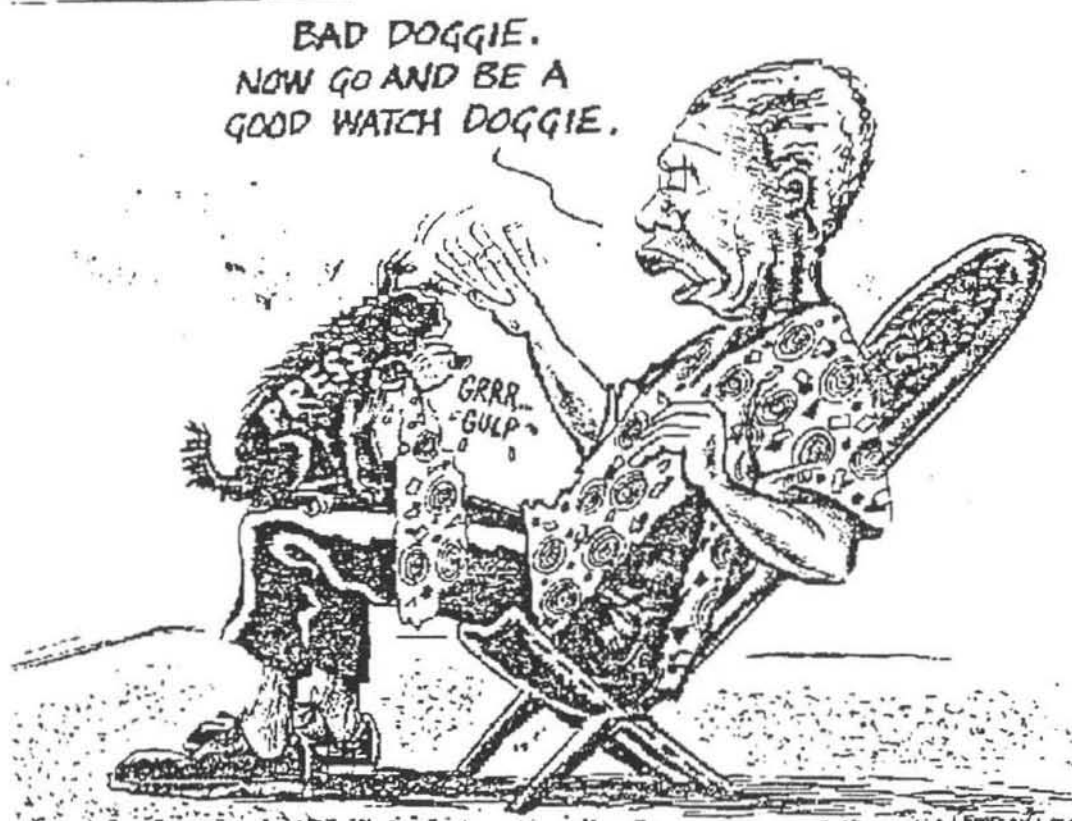


Responsible watchdogs? Normative theories of the press in post-apartheid South Africa

A discourse analysis of 102 newspaper articles
1996–99

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Declaration

I, Terje Steinulfsson Skjerdal, do hereby declare that the work presented in this treatise is my own. Any work done by other persons has been duly acknowledged.

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Terje Steinulfsson Skjerdal

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Abstract

This treatise is a study of media-related articles in the South African press February 1996 to April 1999. Through a discourse analysis approach, the treatise identifies two main discourses relating to normative press models: the watchdog discourse and the nation-building discourse. It is argued that the watchdog discourse largely resembles classical libertarian press ideals, while the nation-building discourse resembles social responsibility ideals. The analysis contains numerous examples of the tensions between the government and the newspaper industry in terms of normative press models. Finally, the treatise challenges the assumed tensions that exist between nation-building and watchdog discourses, and suggests communitarianism as an ideology which upholds the crucial interests of both the press and the government.

Abbreviations

ABASA: The Association of Black Accountants of South Africa

ANC: The African National Congress

BEF: Black Editors' Forum

BLA: Black Lawyers Association

Comtask: The Task Group on Government Communications

DP: The Democratic Party

FBJ: Forum for Black Journalists

FXI: The Freedom of Expression Institute

GCIS: The Government's Communication and Information System

Idasa: The Institute for a Democratic Alternative for South Africa

IFP: The Inkatha Freedom Party

KZN: KwaZulu-Natal

MP: Member of Parliament

MPL: Member of Provincial Legislature

NASA: The Newspaper Association of South Africa

NGO: Non-governmental organization

NP: The National Party (changed name in 1999 to NNP, the New National Party)

PAC: The Pan-Africanist Congress

SACS: The South African Communication Service

SAHRC: The South African Human Rights Commission

Sanef: The South African National Editors' Forum

Sapa: The South African Press Association

TML: Times Media Limited

TRC: The Truth and Reconciliation Commission

Foreword

Foreigners in South Africa frequently report that to their surprise, South Africa is not really one country, but two or more. They are surprised to learn that the 'new' South Africa is not a melting-pot which has forgotten all about apartheid. On the contrary, blacks and whites still live in different parts of the city, they watch different sports, they vote for different political parties – and they read different newspapers. It would appear that South Africa is not only a diverse country, but a fragmented one. A reading of any South African newspaper is proof of this fragmentation.

My background as a journalist for various newspapers and publications in Norway led me to ask how South African newspapers viewed their responsibilities within the transitional period of the country. Are South African newspapers like their Western European counterparts impressed with libertarian ideals? Are they merely critical towards the government, or do they wish to cooperate with the government to convey information and promote nation-building? Is the government itself critical towards the press? I was delighted to learn that both the press and the government actively participated in this debate. A high number of articles dealt with the topic. I was also motivated by the fact that high profile South African public figures, like archbishop Desmond Tutu, President Nelson Mandela and Deputy President Thabo Mbeki, participated in the discussions. I soon began to collect articles on the topic, and this formed the basis for this treatise.

The findings in a 25% MA treatise are limited, but it is my hope that this effort can contribute to the critical thinking around press ideals in South Africa after apartheid. Also, the collection of articles contained in this treatise can be of help to others who wish to do similar studies.

Oslo/Durban, January 2001,

Terje Steinulfsson Skjerdal

Chapter 1: Introduction

"Show me a government that is satisfied with its press, and I will show you an autocracy. Show me a press that is satisfied with its government, and I will show you a lifeless and ill-informed people."

Ben Bradlee, editor of the *Washington Post* at the time of the Watergate scandal, at a gala dinner hosted for delegates at the Commonwealth Press Union in Somerset West October 1996 (quoted in Streek, 21 October 1996).

The chances are that in a democratic society the press and the government have colliding interests. The government wants to see positive coverage of its achievements, though not through a curbed press, while the press aims at critical reporting on the government, though not through sensationalist journalism. Both institutions need to maintain their credibility. Editor Nigel Bruce of *Financial Mail* writes: "All governments have an uneasy relationship with the media, unless they are censored and restricted as they were under P W Botha" (Threatened by –, 14 June 1996). There are reasons to believe that the relationship between the government and the press is particularly interesting to study in a post-apartheid community like South Africa, where the media have been so widely criticized – and celebrated – for their role in the political transformation. An interesting question is whether the uneasy relationship between the government and the press in South Africa is a reflection of Western political models? In other words, is the contested government-press relationship really part of a dominant discourse which seeks to legitimize the role of certain ideologies, among which *libertarianism* has been most predominant in contemporary Western press practice? (Akhavan-Majid & Wolf 1991).

This treatise argues that the dominating discourse in the public debate of the role of the South African press is the *libertarian press model* as it has emerged in modern Western societies. To the extent that the alternative *social responsibility model* is seen in certain quarters as an ideal for the press, it is limited to a few statements by media commentators and politicians. Furthermore, although freedom of the press is generally considered a fundamental value in democratic societies, it is rarely defined and given a more profound meaning.

In line with these observations, this treatise seeks (1) to investigate and specify the values which are at the core of the dominant discourse of South African newspaper journalism; (2) to analyse these values as they appear in the context of the contemporary newspaper debate; and (3) towards this backdrop, to determine whether *communitarian journalism* is an emerging 'paradigm' of journalism in South African.

1.1. Background for the treatise

This study started as an exploration of the public debate of the South African media. Many people, especially media professionals and politicians, frequently raise their voices to express what role the media should occupy in the 'new South Africa'. Clearly, most of the opinions in this debate have been concerned with the role of the media in relation to political interests, such as freedom of expression and media ownership, rather than professional journalism topics like code of ethics for the media or source criticism, which are perhaps more prevalent topics in politically more stabilized countries. It is likely that the big interest in the political role of the South African media is a result of the political uncertainty that has caused much public debate after the abolishment of apartheid in 1994. These factors combined – political uncertainty and emerging democracy – make an analysis of the public debate of the South African media timely and stimulating.

Why study normative models of the South African press? Some would argue that there are more pressing concerns, such as the study of racism in the media commissioned by the South African Human Rights Commission (SAHRC, November 1999). However, there are normative preferences which underlie all media performance, including coverage of racism or race-related issues. Only a sufficient agreement on normative models can inform a fruitful discussion on the performance of the media. It is therefore of interest to investigate whether journalists and government representatives agree on what role the media should play in a democratic South Africa, or whether the viewpoints of the two groups are so different that a more fundamental debate on normative ethics is needed.¹ Further, because of the racial divisions of South Africa's past, it is interesting to find out whether the different viewpoints (as statement in different discourses) are determined by the traditional journalist/politician divide, or if there are other division lines (pertaining to race) which are more predominant.

The apartheid past clearly forms a backdrop for the media debate: To what extent are the preferred normative models of the press a sheer reaction to the restrictions that the press had to come to grips with under apartheid? Does the ANC government adopt a Western understanding of the press, or are these challenged? Does the South African government want a more liberal, a more cooperative, or a more close-knit relationship with the press than do their Western counterparts? All of these are questions which belong to studies of normative media models.

This treatise deals with the public debate, i.e. the debate which is openly enacted in the public sphere. However, the public sphere is not one big market place where ideas and opinions are openly exchanged in front of everyone's eyes, as the allegory would first imply. The public sphere should rather be seen as *a number of arenas* with different attributes and different participants. This study is concerned with one particular arena of the public sphere: the newspaper columns. Newspapers have a number of characteristics that distinguish them from electronic media and other media. Faithful newspaper readers are generally higher educated than the average citizen; the participants in the newspaper debate often hold high-profile positions in the private or civil society; and the format of the newspaper medium provides space for lengthy argumentation. These factors prove that the newspaper as a public sphere medium has its limitations, because the views expressed will not necessarily be the views held by the population at large. However, the advantage of studying the newspaper debate is that the debate reflects the views of the policy makers and the so-called opinion leaders. To the extent that there is a publicly agreed media ideology, we can expect to find traces of this in the newspaper columns.

When politicians criticize the press, or when journalists criticize political interference with the media, they each advocate a certain *normative model of the media*. A normative model, or theory, expresses what the media's role should be in relation to the state. For instance, a journalist would often argue for the need for clear boundaries between the media and the state, thus expressing a libertarian normative model, whereas a politician may argue for closer cooperation between the media and the state, thus expressing a normative preference which aligns the social responsibility model. It is the starting position of this study that all views expressed in the public media debate can be identified as declarations of normative theories. It is therefore necessary to analyse the debate in order to identify the dominant normative press ideals which are predominant in the South African media.

1.2. Confining the study

This study is comprised by an analysis of 102 newspaper articles which appeared in English-language South African newspapers February 1996 to April 1999. The articles have been selected from a total of approximately 6.500 articles contained in the "Media, post and telecommunications" clipping archive prepared by Die Instituut vir Eietydse Geskiedenis, Universiteit van die Oranje-Vrystaat.² Also, the World Wide Web has been used to search for relevant material. The source of articles was initially planned to be limited to two newspapers only, *The Mail & Guardian* and *The Sunday Independent*. However, it soon became clear that it was more fruitful to draw from a broader range of newspapers, since the aim of the project was to map out the dominant discourses of the entire South African media debate. The debate is spread over almost all major South African newspapers, as the study will show. Also, some articles are published in more than one newspaper (like the Sapa material), which makes it pointless to focus on the newspaper (the production source) instead of the author (the creative source). A topical selection appeared to be more fruitful than a strict source selection.

The main criterion for selection is that each article should express an opinion on the normative role of the press in South Africa. Particular attention has been paid to articles that deal explicitly with the relationship between the state and the press, in terms of what obligations and freedoms the press should have before the state, and vice versa. An effort has also been made to project the diversity of opinions that exists in the debate. In cases where several articles are found to express nearly the same view, and the source of opinion is the same, one or more articles may have been excluded from the analysis. However, caution has been made to ensure that the total array of articles reflects the overall debate on the topic.

1.3. Limitations of the treatise

A thorough analysis of an argument would have to include both written and spoken communication, as well as an examination of the events that preceded the argument. To this end, it appears that a newspaper article presents only a small portion of the total argument. For instance, when Deputy President Thabo Mbeki held a speech on the alleged poor training of South African journalists, only extracts of his speech were referred to in the press (SA press dogged -, 25 July 1996). What if the deputy president gave crucial arguments in his speech that were excluded in

the newspaper article? Should we not look up the archives of the Deputy President Office to obtain the full version of his address?

This analysis does not seek to investigate the accuracy of reportage. Rather, it examines the social discourse as it is *publicly known* and *contested*. Since few people have access to the full length of Mbeki's address, it is not likely to inform the public discourse considerably. The focus of the analysis in this treatise is therefore on the published material only.

For similar reasons, this study does not entail newsroom practices. Certainly, conversations on journalism in the newsroom are relevant to the understanding of normative press discourses in South Africa. Also, a study of newsroom talk could help us discern certain discourses as well as the flaws in these. But again, it is the *public discourse* which is the focus of this study. How it originated, and whether there are gaps in the discourses from their birth in the newsroom to the printed version in the newspaper, is not considered.³

A weakness of the treatise is that it comprises only English-language material. If the study claims to be a comprehensive treatment of the debate between the press and the government in South Africa, then it would have to include other language newspapers as well, such as Afrikaans (e.g. *Die Burger* and *Beeld*), Zulu (e.g. *Ilanga*) and Xhosa (e.g. *Imvo Zabantsundu*). However, I assume here that the most significant debates on the press occurred in the English-language press. Also, most South African newspapers (confirmed by circulation figures) publish in English. Also, as the tensions between the ANC government and media professionals were to be debated on common language grounds, English served as the most equitable medium.

Supporting the latter is the debate prior to the Truth and Reconciliation Commission media hearings in September 1997, where black journalists directed their criticism towards the English press and only to a limited extent to the Afrikaans press. I have previously suggested that this was partly due to the fact that the English-language press has a broader black readership and is therefore more obliged to this readership group than are Afrikaans newspapers (Skjerdal 1997). Likewise, we must expect that the debate between the government and the media industry takes place mainly in English-medium newspapers. Despite this modification, I would not argue that a government/press study is exhaustive without considering the debate which occurs in the languages as well. Perhaps other discourses could be identified in, say, *Die Burger*.

The chosen time span is always subject for critique in a research project. This study covers February 1996 – April 1999. The critical question is: Are the findings relevant when the research results are published only two years later? In response to this I would like to mention two concerns. The first is that the years 1996 – 99 represent the period when the political situation had stabilized after the first free elections in 1994. Professional practice in both the media and the government was expected to follow democratic procedures, and we can expect that the same basic thinking informs the debate also in the following years.⁴

The second concern is that the apartheid era was still close enough to have an influence on the media debate. What makes this particularly interesting with regard to normative press models is that media professionals, politicians and academics frequently refer to the failures of authoritarian and communist ideologies when arguing for more democratic press models. It is then interesting to see to what extent the first few years after apartheid were still informed by the apartheid discourse (but then as an oppositional discourse).

Perhaps South Africa's history of heavy media restraints has led opinion leaders to uncritically accept the other extreme. No matter the conclusion, the findings will be relevant for other regions in the world where regimes transform into democracies. On a more personal note, I would like to add that the years 1996 - 99 are particularly interesting because one of the best-known world leaders – President Nelson Mandela – was directly involved in the debate, particularly from late 1996 to late 1997.

A possible critique of this study is that its findings appear to be obvious and therefore insignificant. It demonstrates that the libertarian, or 'watchdog', discourse is a major driving force in the South African media debate. The identification of non-negotiable libertarian ideals is perhaps not surprising given the heavily regulated history of South African media industry. This study motivates other areas of study, such as the usefulness of Western media models in radically changing political climates.

1.4. How the treatise is structured

The body of this study is divided into four parts: (1) Methodology; (2) The relevance of normative press theories; (3) Research and observations; and (4) A model of press ideologies in post-apartheid South Africa.

The first part (chapter 2) concerns the choice of method. An in-depth study of this kind must aim at a more structured analysis than what a regular newspaper reader would exercise (although there is a degree of analysis in daily newspaper reading as well). For the identification of normative press ideals, a social constructionist presuppositional analysis of news discourse was chosen as the primary method. This method attempts to do more than simply analyse the words of a printed text, but attempts to steer somewhere between an inadequate pragmatism and a more sophisticated discourse analysis.

Chapter 3 reviews normative theories of the press, particularly libertarian and social responsibility theories, since these traditionally have been regarded the dominant models for the Western media. The communitarian model, which is a more recent theory, will then be introduced,

Chapter 4 concerns the actual analysis of the sample of newspaper articles selected. The analysis of the articles also contains findings and comments which are necessary to the understanding of the overall conclusions. The findings are grouped into a series of *observations*, which is also an attribute of the analysis, since the totality of observations rather than a number of set categories make up the conclusions. Corresponding with the normative press ideals, the analysis of the articles will be grouped into three main discourses: 'the watchdog discourse', 'the nation-building discourse' and 'the alternative discourse' (the communitarian perspective).

Chapter 5 is where the differences between the various normative theories of the press are put into perspective. The traditional way to understand normative models is challenged in this concluding part of the treatise, and a new graphic model is proposed. The model illustrates that the obligations of the press should be seen in two dimensions, not one, as some media theorists suggest.

¹ Whether the media industry and politicians disagree on particular issues is not the concern here. Rather, I want to point to differences in the understanding of the fundamental role of the media. A politician may disagree strongly with a newspaper on a particular political issue, but can still agree that the media ought to be critical and independent.

² The clippings archive, which is the most extensive resource of the South African print media, is available on the World Wide Web from January 1997. It covers more than 120 publications. See <http://inch.uovs.ac.za>.

³ The framework to be used here are the recognized normative theories of the press that are generally used when relating media policies to political preferences. These are in particular the libertarian and social responsibility theories, and to a lesser extent Marxist, authoritarian and development theories. It is of course a potential weakness of the project that settled,

and possibly outdated theories, are used. However, it is certainly also a strength because the use of familiar theoretical frameworks makes it easier for the reader to critically assess the findings. Also, the study will conclude with an attempt to bring new insights to both the usefulness and limitations of traditional normative media models. It is thus not a threat to the integrity of the research to employ familiar categories.

⁴ This is why I will write the treatise mostly in the present tense (e.g. "the ANC government *favours* a free press"), unless referring to particular incidents which are of historical interest. The assumption is that the views expressed on behalf of the newspaper industry and the government 1996 – 1999 persist unless reason to believe otherwise.

Chapter 2: Method and theory

The analytical method used in this treatise situates largely a 'pragmatic' study of presupposition within a critical theory of discourse. This theoretical articulation is positioned here within a social constructionist framework. In this respect, the study is neither a *pragmatic* analysis of text, nor a *discourse analysis*, as each term ought properly to be understood. In this respect, I would prefer to provisionally contend that this treatise is a *social constructionist study of presuppositions in media discourse* texts concerning normative theories of the press in post-apartheid South Africa. This chapter explains what this means, and how it is applied in subsequent chapters.⁵

2.1. Social constructionism

This treatise is situated within social constructionism, which Terre Blanche and Durrheim (1999:148) define as "the research approach that seeks to analyse how signs and images have powers to create particular representations of people and objects." Social constructionism has much in common with interpretive methods of analysis. However, while interpretive research focuses on the subjective perceptions of individuals or groups, social constructionist research seeks to explain how these perceptions are derived from larger discourses. Interpretive research generally studies subjects/individuals as sources of knowledge, whereas Social constructionist research views people from the point of view of knowledge produced on the social level rather than at the level of the individual (*ibid.*). This agrees largely with a Foucauldian position, insofar as structures of discourse are understood to prevail over human agency (Foucault 1972: 95-96).

Interpretive and social constructionist approaches view language use differently. Interpretive research views language as a referential 'window' to reality. Language can still be an object for study, but then with the aim of pointing to meanings outside of language itself. Constructionism, by contrast, has as its very precondition that the world is constructed by language, and it warns that language is never neutral or transparent. Since language constructs reality, it can and should be a primary object of study, with the aim to interpret the social world as a kind of language (Fairclough 1995: 7; Foucault 1972: 21-27). Social constructionist research acknowledges that it cannot neutrally reflect social reality through empirical facts.

Beyond the attention linguistics (in a restricted sense of the discipline) gives to the technical structures of language use, social constructionism looks at broader patterns of meaning conveyed in language.

2.2. Broad theoretical considerations

Presuppositions are those meanings in texts that are subsumed by a particular wording in the sense that interpretation is conditional upon the tacit acceptance of meanings implied, if not taken for granted, in the discourses in which the texts circulate. For instance, a statement such as "the relationship between government and the media should preferably be an adversarial one" (Mulholland, 11 July 1998) appears on the surface to cohere within a libertarian discourse of the press, and presupposes the ideological tenets of that 'naturalised' language use, or discourse. In yet another sense, any text fragment has a metonymic relation to that discourse.

The study of presuppositions belongs properly to the text-linguistic sub-field of pragmatics, which studies the relations between language use and users in situational contexts. The analysis of presuppositions concentrates on dimensions of meaning that are taken-for-granted in the text, and offers a useful research tool to examine links between discourse and ideology (Fairclough 1995: 6). In this case, the method is used to study language use and journalists in a context of writing that topicalises their contested relations to the state, government, publics, and so on.

To connect pragmatics with (poststructuralist) discourse theory does not come without its difficulties. For this reason, the methodology of this treatise only draws out the aspect of presuppositional study from pragmatics. From a critical point of view, the emphasis pragmatics gives to 'actions' as "emanating wholly from the individual" to achieve certain 'intentions' "underestimates the extent to which people are caught up in, constrained by, and indeed derive their individual identities from social conventions" (Fairclough 1995: 9). Paddy Scannel (1998: 257-60) has a more scornful view of the field when he says,

It is parsimonious in respect of Theory, preferring to go about its task without preconceptions other than the firm conviction that the procedural regulation of talk are there to be found by those with eyes to see and ears to hear (ibid.: 259).

By extracting presuppositional analysis from its pragmatic home, and investing it with a poststructuralist outlook in discourse theory, this study attempts to abide by Norman Fairclough's suggestion that "what one needs is a theory of social action –

social practice – which accounts for both the determining effect of conventions and the strategic creativity of individual [writers], without reducing practice to one or the other” (Fairclough 1995: 9-10). In agreement with Scannel, Fairclough finds that pragmatic approaches are too blunt when used to tackle discourse. “Social context is acknowledged but kept in its place, which does it less than justice” (*ibid.*: 10).

2.3. Presuppositions and discursive context

A study of discourse is a study of the context in which a fragment of text occurs. This section discusses some aspects of contextual description required in a discursive study of presuppositions that eschews any pretence at either pragmatics or discourse analysis. The first approach is inadequate, for reasons already noted. Discourse analysis would require a scope quite beyond the limitations imposed on this treatise. Nevertheless, a disciplined focus on presuppositions (and related concepts) in analysing a sample of journalism texts can alert the reader to both their sense and their contested meanings.

The concept of presupposition is usually used in relation to three related concepts: *reference*, *implicature* and *inference*. *Reference* usually denotes the meanings of ‘things in the world’ that are invested in a text. It is the action of the writer rather than “something the expression does” (Brown & Yule 1983: 28).

Presuppositions are defined “in terms of assumptions the [writer] makes about what the [reader] is likely to accept without challenge”, or as ‘true’ (Givón, in Brown & Yule 1983: 29). As such, a common ground is established between the two parties, or, in this case, a contested ground in relation to others who participate in oppositional discourses.

The term *implicature* is associated with the work of philosopher Paul Grice (1975), where he endeavours to establish general principles of how language users communicate indirect meanings; or, in Gillian Brown and George Yule (1983: 31), account for what the writer “can imply, suggest, or mean, as distinct from what the [writer] literally says.”

A focus on implicature is closely associated with an often-used journalistic device – irony. This is a particularly useful concept in analysing presuppositions in media texts because in irony “the very language intended to differentiate fact from value becomes the means to unify fact and value” (Ettema & Glasser 1998: 89). However, in any analysis conducted without the benefit of in-depth interviews, “any claim

regarding the implications identified will have the status of interpretations" (Brown & Yule 1983: 33).

Inferences usually come into play here, where reading becomes something like 'gap-filling' through background knowledge in a process of interpretation that becomes highly context-dependent. For this reason, presupposition remains the more useful concept; not least for the way it opens for a connection with the discourse concept, and a shift away from the more atomistic tendencies of pragmatics. The connection may be made through the related concept of 'presupposition pools' (Brown & Yule 1983: 79-81).

Each participant in a discourse has a presupposition pool that is shared, more or less, by all other participants in that discourse. Each discourse contains a set of subjects such as 'free speech', 'patriotism', 'the people', and so on. These subjects, or statements, are commonsensical and need no assertion in the discourse in which they circulate and cohere. But how in actual analysis one might reconstitute any pool is never easy and remains only ever partial. "[T]he relevant 'discourse subjects' for a particular discourse fragment must be those to which reference is made in the text of the discourse" (Brown & Yule 1983: 80-81).

2.4. A basic theory of discourse

The concept of discourse has been liberally used until now, but requires further discussion if it is to be used more significantly as a *contextual* backdrop in this treatise. The concept can be defined generally as the *institutionalized use of language as social practice* (Cameron 1993: 82-83; Fairclough 1995: 7). *Discourse* refers to both surface forms of text (or *parole*, in Saussurean terms) and socially-contextualised systems of representation, or *langue*, by means of which text is produced and consumed (Fiske 1992: 301). The concept is, however, weighted here towards *langue* insofar as discourse is understood as 'deep structure', whereas a text fragment (*parole*) is a linguistic object dependent upon those underlying culturally-shared structures for its interpretation.

Roland Barthes (1981: 182) would put it that writers (and readers) use the "cultural code" found not in the text, but in "the world that makes use of the text." This code may also be understood as a "code of context" shared by users of the text (Fiske 1990: 35-37). The distinction between *parole* and *langue* is academic, however, because naturally occurring discourse always embodies and unifies both. This point is made in Valentin Vološinov's critique of Saussure where he posits

discourse as a process that articulates an interdependence between language and writing: where *langue* is both the instrument and product of parole (Vološinov's 1980: 149). The distinction remains a useful one in that it prevents the researcher from falling into the pragmatic 'errors' noted above.

The discourse concept points to all types of social and political practice insofar as the social world is an 'already always' pre-interpreted domain; and that while events certainly occur 'extra-discursively' (concretely), their sense is only ever supplied within the presuppositional pools language users 'have' – or the discourses in which they participate. I draw a close relation, if not an equation, between the two concepts here because discourse includes the assumptions that lie behind actual language use.

The question of assumptions leads to another of ideology. I would prefer to leave aside epistemological issues of truth and untruth that cause Michel Foucault to reject the ideology concept altogether (Barrett 1991: 160). Despite the erosions the concept has suffered, it does retain a useful core as *mystification*, which means any process whereby meaning is made to appear natural or commonsensical (*ibid.*).

When a discourse becomes coterminous with a society's common sense, we can say that the discourse functions ideologically.

That is, particular significations are ideological when they serve to reproduce power relations between social groups. This way the discourse of a dominant group is legitimised and unequal power relations between social groups are sustained (Fairclough 1995: 17-18; Thompson 1990: 56, 67). This process of mystification includes "discursive and signifiatory mechanisms that may occlude, legitimate, naturalise or universalize" (Thompson 1990: 54) discourse resources, thus making dominant power relations appear legitimate by concealing its contingent system of representation as natural and universal (Barrett 1991: 166-67). In this view, the meanings found in a discourse serve the interests of the community within which that discourse originates, and work ideologically to naturalise those meanings as common sense (Fiske 1989: 15). The analysis of ideology thus becomes an investigation of how 'symbolic forms intersect with relations of power' (Thompson 1990: 56).

Ideology functions primarily in and through language, which is the primary means by which power is 'carried' in discourse (Hall 1982: 69-70; Vološinov 1981: 145). But the ideology concept's other usage (as a 'system of ideas') also remains useful. By using a discourse, the ideology embedded in it is reproduced and the

"terrain on which different sectional ideologies can contend" is naturalised (Hartley 1982: 61-62). However, as discourse is constructed from various currents of ideology, discourse also becomes a 'battleground' upon which ideological struggles for power are waged in and over language (Edgar 1992: 112-14; Fairclough 1989: 77, 84-85; Hall 1982: 80-81).

Ideology is therefore implicated in processes of social homogenization typical of struggles between the press and governments to secure their own viewpoints as representative for all. This leads to questions of domination and subordination – or *hegemony*. In its Gramscian usage, hegemony denotes the cultural and ideological means by which elites struggle to secure the consent of subordinate groups to the point where conflicts of interest are barely apparent, and elite power is legitimized (Hartley, in O'Sullivan 1994: 133). Hegemony is never complete, and requires perpetual 'reinvention' in order to be sustained. Power is always "won, exercised, sustained, and lost in the course of social struggle" (Fairclough 1989: 172).

Resistances are "the social points at which the power of the subordinate are most clearly expressed" (Fiske 1987: 316).

The above description paints, in broad strokes, a way of seeing struggles over different models of the press in terms of key concepts in media studies – the central one being discourse. But the canvas would be incomplete without saying a little more about *discourse* and *power*. The two terms are unequivocally linked in Foucault's seminal work, which draws a further connection between these concepts and *knowledge*.

There is no power relation without the correlative constitution of a field of knowledge, nor any knowledge that does not presuppose and constitute ... power relations (Foucault 1980: 27).

Foucault was writing more specifically about institutionalized discourses of medicine and the like, but his insights apply equally to general and more ephemeral arenas like editors having to explain themselves to state bodies that do not quite share their libertarian ambitions. Power is exercised by using the concepts that circulate in a discourse, and by occupying the various subject positions (e.g. editor, cabinet minister, etc.) that each discourse empowers to speak its 'truth' accordingly. In other words, these 'constraints' prescribe what statements may be used, in what circumstances, and from what subject positions (Foucault 1980: 51-52). And these statements have their power only within (and by virtue of) the discourse in which

they circulate (Foucault 1972: 94). The connection can be made back to that of ideology:

Each society has its own regime of truth: that is the type of discourse which it accepts and make function as true; the mechanisms and distances which enable one to distinguish true from false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts as true (Foucault 1980: 131).

The "regime" Foucault refers to is not necessarily vested in a single discourse, but is more likely to subsist in a configuration of intersecting discourses, each with its different and contested knowledges. Ernesto Laclau (1988: 254) allows for such a view in his definition of discourse as "a decentred structure in which meaning is constantly negotiated and constructed."⁶ The Gramscian influence here is unmistakable. While hegemonic practices shape and reshape discourse, discourse provides the conditions for hegemonic articulation (Laclau & Mouffe 1985).

2.5. Textuality and discourse

To this point this chapter has briefly explained the concepts of social constructivism, presuppositions (and related concepts) and discourse; has related the latter to ideology and hegemony; and has drawn some of the more pertinent relations between each of these concepts. This material forms the basis for analyzing news discourse at the macro-level. This section examines some theory that pertains to analyzing discourse at a micro level, particularly the presuppositions in text.

Within a social constructivist framework, an analysis of presuppositions in news discourse may be considered in terms provided by two theorists, Norman Fairclough and Teun van Dijk, whose work on the discourse analysis of news media is considerable. This treatise, of course, does not emulate their methods as much as it draws from certain aspects of them.

Fairclough takes a Foucauldian approach to news media texts by considering them in terms of discourse, ideology and power. Van Dijk's approach differs somewhat in that he focuses on the mediation in discourse of 'society' and cognitive processes; making his approach more 'socio-cognitive' if not entirely 'psycho-linguistic' (Van Dijk 1977: 191-93; 1991: 45-47) Fairclough compares the two approaches:

Van Dijk's main motivation for linking media texts to context is to show in detail how social relationships and processes ... are accomplished at a micro-level through routine practices, whereas my main concern is to show how

shifting language and discursive practices in the media constitute social and cultural change (Fairclough 1995b: 29).

It would be an oversimplification to position each author on different sides of a micro-macro divide, as Fairclough appears to suggest, as both recognize the importance of these different levels of analysis in their respective programmes.

Van Dijk assumes, as does Fairclough, that journalists are part of a cultural elite to maintain dominant social discourses through media production. To unravel the totality of social and cultural processes that influence news production, a thorough study would include a complex set of analyses of internal institutional routines, news production as social interaction, external goals of the news organization, etc. An exhaustive study of this kind is beyond the scope of this treatise. Van Dijk affirms, however, that even a narrow study of selected media texts can give valuable insight into the understanding of media discourses.

Van Dijk begins by asking the question: How are societal structures related to discourse structures? His argument is that they cannot be linked directly. If so, there would be no place for ideology, and there would be total agreement between all social actors. Van Dijk argues that societal structures can only be related to discourses through social actors and their mental models, which mediate between ideology and discourse (Van Dijk 1977: 3; 1991: 45-47). Three components then become necessary in discursive theory: social functions, cognitive structures, and discursive expressions and reproduction. Towards this end, Van Dijk differentiates between micro and macro level of analysis, both of which are important for understanding how discourses are produced and reproduced in a larger societal context.

On the micro level, textual analysis operates on two planes: as isolated sentences (words, syntax, etc.), and as structures of sentences. On the macro level, one is concerned with conveyed discourses of meaning (Van Dijk, 1998a). In contrast to a traditional textual analysis, whose concern is on the micro level alone, a typical discourse analysis seeks to use the micro level as a basis for understanding the macro level (Van Dijk, 1998a: 3-7).

By comparison, Fairclough argues in support of a detailed analysis of text on the grounds that "texts constitute a major source of evidence for grounding claims about social structures, relations and processes", and "provide evidence of ongoing processes such as the redefinition of social relationships ... or the reconstitution of knowledge and ideology" (1995: 209). He hereby acknowledges that the surface

forms of texts are not only emanations of underlying discourses, but also provide evidence of a restructuring of those discourses by re-accentuating their linguistic resources (*ibid.*: 189). That is, texts also transform the resources out of which they are constructed. They display not only (determined) patterns of regularity, but also a (creative) disruption of that regularity. It is in seeking evidence of this disruption that textual analysis becomes particularly useful.

2.6. Analyzing presuppositions in text

A focus on presuppositions in discourse draws on certain elements proper to discourse analysis, which entails "showing how certain discourses are deployed to achieve particular effects in specific contexts" (Terre Blanche & Durrheim 1999: 154). Discourses become the context by which texts are an *effect*. To a large extent, identifying discourses "involves a way of reading that is made possible by our immersion in a particular culture, which provides us with a rich tapestry of 'ways of speaking' that we can recognise, 'read' and dialogue with" (*ibid.*: 158). It follows that cultural awareness is a prerequisite for recognizing discourses. However, this is not anything like an 'analysis by osmosis', but requires of the researcher a critical distance to the text, so as to "extract ourselves (to a degree) from living *in* culture to reflecting *on* culture" (*ibid.*).

Nonetheless, the researcher begins by looking for textual clues that help identify specific discourses. In accordance with the discussion above, the social constructionist researcher is more interested in the effects of the discourse than with their truthfulness; and to clarify which social underpinnings are active in the text to privilege one particular discourse or another. To this end, the analysis of presuppositions uses four 'types' of textual analysis:

Content analysis

Content analysis is perhaps the most widely used starting point in analysing media texts. This type of research is concerned with the frequency of words and expressions in selected texts, and the task for the researcher is to categorize and count the words systematically in order to reveal bias in the text material. It is frequently assumed that content analysis is exclusively quantitative, but the method is used for qualitative purposes as well. Teun A. van Dijk (1988a) has used content analysis extensively towards the formation of discursive hypotheses. Likewise, while in this project no tables on systematic content analysis will be provided, elements of

content analysis will assist to identify discourses (such as the recurrent use of the expression 'freedom of expression' as an indication of libertarian preferences).

Textual analysis

Textual analysis is a linguistic method of working on the surface forms of text, and is found as an initial procedure in a wide range of analytic methods such as conversation analysis and discourse analysis. Textual analysis is concerned with the relation between the various elements of the text (e.g. syntax, coherence) and will be used here to determine how certain sentence structures represent a discursive 'flow of thought' which appears natural to the reader (see Brown & Yule 1980).

Rhetorical analysis

Rhetorical analysis is concerned with the sequence of reasons that leads to an argument. The aim of rhetorical analysis is to assess the reasoning that the discussant uses to prove evidence for a particular argument. Both logos (the logical argument), pathos (the emotional argument) and ethos (the credibility of the discussant) can be part of a rhetorical analysis, as well as the flaws that the argumentation is troubled with. For instance, consider the following argumentative line:

Media should serve as the public's watchdog. The media under apartheid were restricted by the government. Therefore, the media must not cooperate with the government in order to act as a watchdog in the new South Africa.

This is not a valid argument as the conclusion does not follow from the premises. Also, the conclusion is a statement of opinion and not a logical argument irrespective of whether it 'coheres' within a specific discursive formation. The importance in rhetorical analysis is to acknowledge that every discourse will have subsequent reasons which favour that particular discourse. However, the reasons are often a collection of common sense statements and linked in a seemingly logical, yet prejudiced fashion. I hope to indicate some of these argumentative flaws through rhetorical analysis.

Political analysis

Finally, I will draw on political analysis, which investigates the operation of ideologies in day-to-day political practice. The application of political analysis in this study is twofold: firstly, with regard to press ideologies and their equivalents on the political spectrum (libertarianism, socialism/social responsibility and communitarianism), and secondly, with regard to "how power, language, and ideology are related" in political language (Hacker 1996: 38). Of particular interest

are propaganda, political metaphors and ideological generalizations through language. They can all be observed in the discussion around the role of the media in post-apartheid South Africa.

2.7. Identifying discourses

This treatise seeks to answer the question: What are the contending discourses that prescribe normative press ideals in post-apartheid South Africa? More specifically, is a communitarian discourse emerging together with, or in opposition to, the traditional libertarian model, and what could be called a 'nation-building' or 'nationalist' variation of the social responsibility model?⁷

The first step is to identify from the various textual cues the different discursive resources, or deep structures, in which each media text coheres, or draws its sense. However, it is unlikely that any particular fragment is going to draw from a discrete discourse type. Norman Fairclough points out that accounts of individual discourses "appear to be largely accounts of ideal types, for actual texts are generally to a greater or lesser degree constituted through mixing these types" (1995: 189).

The problem of how to assign a statement to one discourse rather than to another has important implications for an analysis of media discourse in post-apartheid South Africa, where different ideological strands (if not separate discourses) are found weaved into a single text (*ibid.*). John Fiske addresses this problem by proposing that a statement be attributed to a particular discourse on the basis of its "reference to the area of social experience that it makes sense of" (1992: 301). However, wherever there is evidence of destructuring and restructuring of orders of discourse, it may be more realistic to locate the statement in an interdiscursive dependency rather than within any single discourse type. These orders exist in hierarchical relations which are usually compatible or contradictory, and seldom neutral (Fairclough 1989: 29). In addition, these hierarchical relations (not least the dominant discourse) restructure the discourses of all social institutions in the discursive realm. This implies that a topic is "spoken about" in not one, but in a network of discourses, being "an area of political dialogue" (Price 1994: 88).

Following Fiske's view that an analysis of discourse "must include its topic area, its social origin, and its ideological work" (1989: 15), a way forward lies in seeing in any text a mix of discourses. A text thus becomes the nexus at which struggles between contesting representations of a topic area mediate the relation between the

wider context of social relations, and the way those relations are 'spoken' in each discourse (Fairclough 1995: 37).

The core question remains: How do we identify, say, libertarian and social responsibility discourses? Certainly, very few of the discussants apply these terms in the debate, let alone refer to theories and academic research. This is indeed where discourse analysis comes to the fore. Simply put, this analysis attempts to read between the lines. Instead of looking for particular expressions that can be easily categorised, it approaches each text in such a manner that the intention *behind* the text is foregrounded. It is then necessary to take into account the cultural background from which the text is derived, as well as the context in which it is presented. For instance, the use of the term "freedom of expression" is likely to vary from one context to the next, from a parliamentary situation to a furious letter to the editor, and that is why a simple word count will not suffice in analysis.

Nevertheless, there are clusters of expressions that signify allegiance to one ideology above the other, and which tend to be socially (though not universally) agreed upon. These expressions are of considerable importance at this stage of the research process, although they will never be treated as numbers prepared for accumulation. Some of the terms which will be paid particular attention to are (all are examples from the actual analysis):

Libertarianism: freedom of the press, watchdog, independent journalism, fourth estate, guardians, liberal, transparency, separate, etc.

Social responsibility: responsible, positive reporting, information, general good, accountable, trustworthy, understanding, transparency, nation-building, etc.

Equally interesting is the identification of antagonistic expressions from which the discussants wish to distance themselves. Interestingly, media debates tend to attract what some rhetoric analysts call 'negativism', or the tendency to denigrate the opposing view rather than arguing positively for one's own (Fairclough 1989: 154-55). This results in disapproving statements, which are of special interest for the discourse analyst. Examples of such statements are:

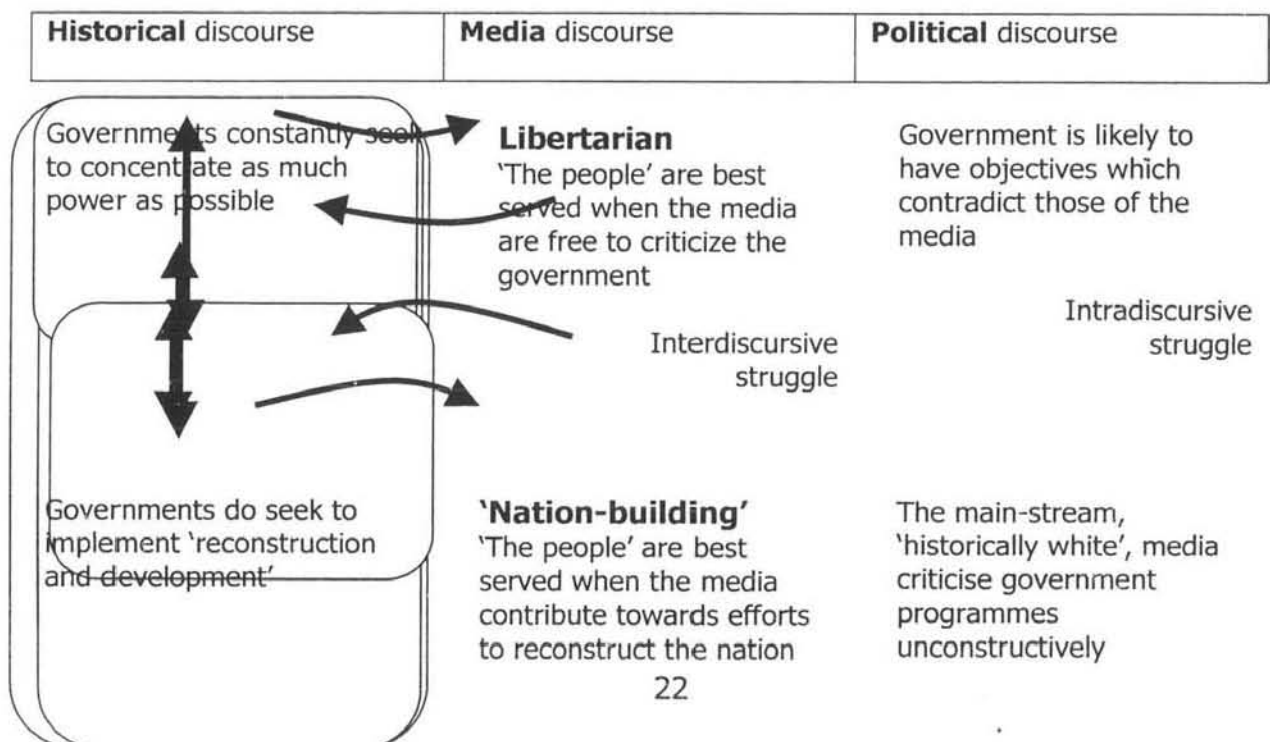
Libertarianism: state regulations, intolerant officialdom, sunshine journalism, dictatorship, patriotism, nation-building

Social responsibility: rights over responsibilities, hate speech, dictatorship, self-reliant, divided

Thus, a terminology which is deemed positive for one theory can be negative for the other (e.g. "nation-building"). Likewise, some terminology will be shared by several theories (e.g. "transparency"). The task for the analyst is therefore not to categorize the terminology into fixed clusters, but to locate it in the overall discourse, taking into consideration the cultural and contextual conditions which inform the discourse.

While the analysis to this point operates mainly on the micro level (cf. Van Dijk, 1988a), it shifts focus to what Van Dijk (1980) calls the "semantic macrostructure", to reveal the links between the elements of the text (expressions, sequence of sentences) and the overall themes that each text conveys. Without these structures, the reader would not be able to put the text (the article) into its cultural context. It would be like reading an article with so many unknown abbreviations that the meaning of the text is lost. The grammatical meaning is intact (micro level), but the overall meaning is foreign (macro level). Semantic macrostructures, then, connect words within their global context.

At this stage the analysis tries to foreground the preferred reading the discourse behind the text 'asks' of the relationship between the media and the state. Analysis at this stage must combine insights from discourse theory, media theory and political theory in a critical manner. There are namely reasons to believe that people do take shortcuts when relating one discourse to another.



For example, it is frequently assumed in a restructuring libertarian discursive domain that a free press cannot exist under governmental supervision. This assumption intersects with at least three other discourse types: a media discourse, a political discourse and an historical discourse. Insofar as each type is a site of *intradiscursive* struggle (i.e. a struggle over which sign prevails as common sense), or *interdiscursive* struggle (i.e. a struggle between different discourses over the sign), the libertarian 'type' says *'the people' are best served when the media are free to criticize the government*. A similar type in a political discourse would claim that *the government is likely to have objectives which contradict those of the media*. A similar historical discourse may proffer as knowledge that *history 'proves' that governments constantly seek to concentrate as much power as possible*. Similarly, a 'nation-building' media discourse would display a similar set of *inter-*, if not *intradiscursive*, relations. And these are counterposed in relation to the libertarian discourses, as the diagram above illustrates. (Note: the double arrows denote antonymic, or oppositional, relations [struggle], whereas the single arrows denote metonymic relations of cohesion).

Finally, this analysis revisits the discourses which were assumed to inform culturally accumulated knowledge, and asks whether these discourses really are the best way to understand the cultural synthesis. Perhaps – and this will form the concluding part of this treatise – a new understanding is needed in terms of how the discourses are related to each other. Perhaps libertarian media discourses are a predetermined outcome of a post-apartheid society that has experienced oppression under other discourses. Perhaps the assumed fallacies of social responsibility discourses and communitarian discourses are so visible in an emerging democracy like South Africa that they only serve to strengthen the superiority of the libertarian discourse. These questions will be addressed on the final stage of analysis, although it would be spurious to claim that a study as limited as this one can reach any definitive answers to these questions.

2.8. An analysis of an article

The following notes serves as an example of how each article was analysed by means of means of a presuppositional analysis before they were put together in general observations in chapter 4.

Headline: Attacks on the media a sign of democracy in SA. Author: Stephen Mulholland. Date: 11 January 1998. Medium: Sunday Times. Type of article: Opinion

The layout

This column, "Another voice", by Stephen Mulholland appears every Sunday in business section of *Sunday Times*. The title of the column denotes that the author is not afraid to speak against mainstream opinion. Mulholland has worked as a journalist and editor for many years in liberal South African newspapers. The readership of *Sunday Times* is largely white middle-class.

Structure of the article

1. Introduction: Free press is a necessity of a healthy democracy.
2. Specifying topic: Recent attacks by leading ANC politicians on the South African press.
3. Reference to history: The malfunctioning press/government relationship under PW Botha.
4. Intermediate conclusion: Newspapers are private investments. Economic independence from the government is necessary.
5. Historical parallel: The Watergate affair (negative/positive example).
6. Contemporary parallel: Cuba and Zimbabwe (negative examples).
7. Returning to local topic: Mandela is mistaken; black editors want to protect their editorial independence.
8. Conclusion: Journalists will not give up their integrity and independence from the state.

Key phrase

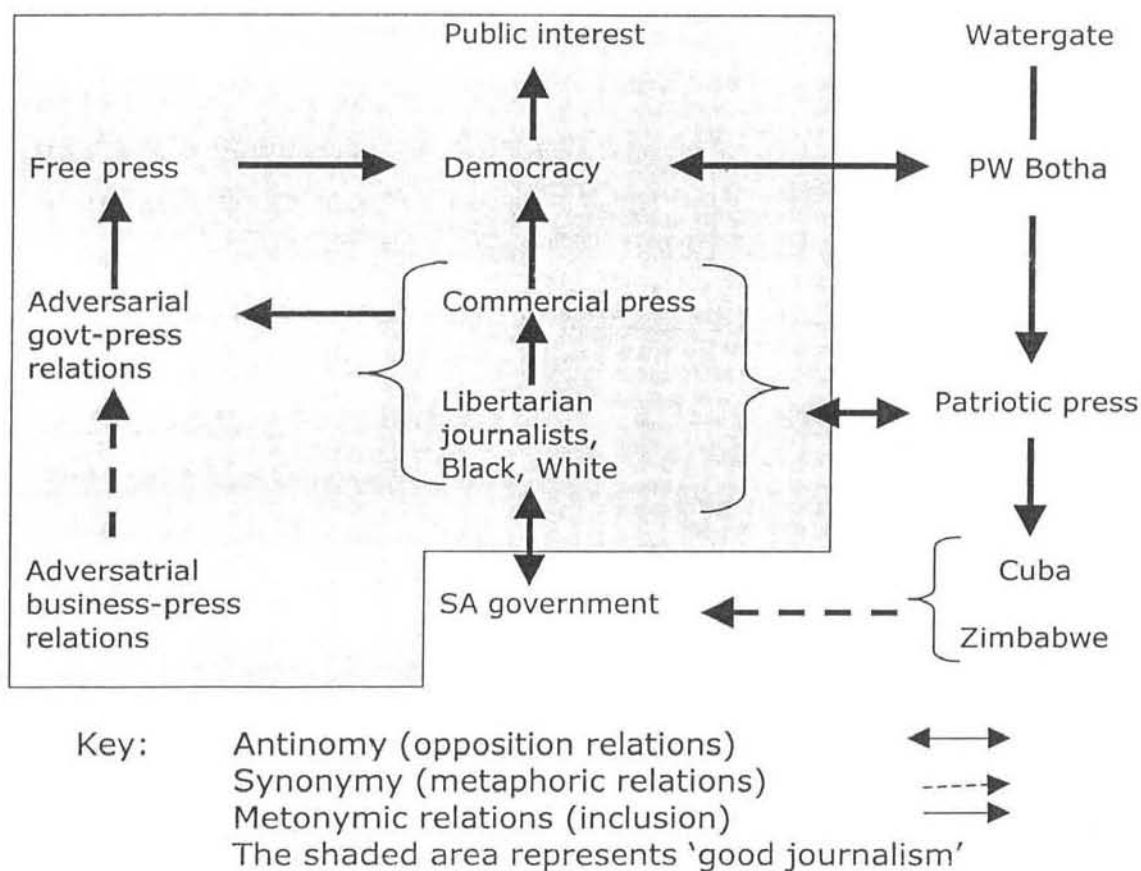
"By and large the relationship between government and the media should preferably be an adversarial one." (paragraph 4)

Positively loaded words:	Negatively loaded words:
healthy – democracy/democratic (5) – free and cantankerous press – survival of democracy – good corporate governance – adversarial – service to a public – fine investments – great public trust – favour – the interests of the people – stronger than ever – flourished mightily – good journalism equals good business – credibility – independence (2) – treasure and protect – editorial independence – sacrificing – proud tradition	hysterical attacks – dangerous – cosy relationship – too friendly – 'patriotic' press – damage – megalomaniac – fiercely – lapdogs – out of touch – flatter – delusions – insulted – force – distort

Overall observation

Overall observation

By using contrasting words and images, Stephen Mulholland sets up a contestation between the press and the government. The press is connected with positive values, and the government is constantly representing a threat to those values. The key word is 'democracy' (see the title and the introduction). Interestingly, two words that are usually negative, "cantankerous" and "adversarial", are used to imply positive values. This underscores the libertarian discourse, which believes that growth comes through competition rather than cooperation. The author uses historical and geographical parallels to show that the South African government is threatening democratic values. Following is a sequential organization of the article (method adapted from Thompson 1990: 299).



Detailed analysis

The title – "Attacks on the media a sign of democracy in SA" – is actually an interpretation of recent South African history. It assumes that democracy is still not fully in place in the newly transformed country, yet there are 'signs' (he assumes) that indicate the transformation process is

inform the article. It is assumed in the title that democracy cannot exist without the media, and vice versa.

The preferred reading of "democracy" continues in the introductory paragraph, where the author opens with a truth claim ("tension between governments of the day and the media is a healthy characteristic of democratic society"). The author here exploits the liberal Western myth of democracy, which assumes a society built up by three different institutions (the state, the corporate society and the private society) with clearly differing duties. Rather than offering an alternative to this understanding of democracy, the author makes use of a truth claim ("is") and affirms that the media constitute one institution and the government another. There is no option that there can be overlaps in the duties between the two. The next sentence qualifies the truth claim ("it can be argued"), but the title and the introduction have already assumed the common-sense understanding of "democracy", and the qualification serves more as a sign of trustworthiness on behalf of the author than a qualification *per se*. The introduction sets the agenda for the rest of the article. "Democracy" or "democratic" is used five times in the article, and is the most noteworthy symbol in the text.

The author goes on to name his enemies. Until this point, the author has appeared unbiased in his use of generally acceptable truth claims, but now he suddenly deploys a highly loaded phrase, "hysterical attacks". The construction of the article legitimates and strengthens the phrase, as the author builds up confidence through his seemingly impartial and non-provocative statements in the opening paragraph.

When he suddenly changes writing style from a denotative to a connotative type and condemns Mandela and Mbeki's treatment of the media as "hysterical attacks", the reader is urged to believe these accusations are justified. Mulholland particularly refers to the Mafikeng speech that Mandela held a few weeks earlier (December 1997), but he simultaneously conveys the impression that the political leadership is *constantly* attacking the media on false grounds. The article exploits the unfavourable image that the public has of President Mandela after his outburst a few weeks earlier, and turns this impression into a general claim.

It is important for the author to draw parallels between the current South African government and authoritarian regimes. He first compares Mandela with former president PW Botha, for calling for a "patriotic press" in South Africa. The comparison is incomplete for a number of reasons, but the author argues that there are

similarities between the current and the apartheid governments, which also encouraged a negative public view of the press (see Hachten & Giffard 1984). The author presses on, referring to two liberal white bogeymen – Cuba and Zimbabwe -- both of which have been less not comfortable with press freedom. Thus, he uses a ‘public’ sentiment against South Africa’s leaders which is largely a media construction. Mulholland also refers to the infamous Watergate scandal, comparing Mandela to the disgraced Richard Nixon. The key: transparency.

In a rhetorical twist, Mulholland goes on to use the Watergate scandal as a proof that “good journalism equals good business”. This is because “advertisers and readers want credibility and credibility comes from independence”. What the author actually does here is to use a circular argumentation to argue for both structural and editorial independence. To him, independence equals independence from state intervention only, which is another trait of classic libertarianism. The problem of commercial constraints is left silent.

Towards the end of the article, a discourse of race is introduced and perhaps reinforced. Mulholland argues that Mandela is wrong when he claims that black editors are token appointments. In line with the rest of the article, the he refers to “editorial independence” and “proud tradition” when arguing that black journalists are just as much part of the journalism community as are white journalists. It seems that race is not an issue in journalism; the journalistic mind is driven by “independence” rather than by the racial interests that appear to threaten journalistic integrity.

Mulholland thus succeeds in exchanging white versus black image for a press versus government image. He leaves no option on behalf of black journalists -- they must stop cooperating with the ANC if they want to protect the “proud tradition” they have inherited. It is questionable, however, if Mulholland would have to refer explicitly to this tradition if everyone took for granted that black journalists actually are part of the liberal press tradition. Arguably, the article therefore functions as a subtle confirmation of the supremacy of white journalists. It is all in the unspoken discourse in the article, which cannot be ascertained by a technical analysis alone.

Overall, Mulholland confirms the liberal watchdog discourse through positive connotations, and smashes the “lapdog” or “nation-building” discourse through negative connotations and carefully constructed (if not biased) historical parallels. The structure of the article gives the impression that these two discourses are competing on equal grounds, but the author is aware that the discursive community

he writes for, is largely informed by Western liberal values. The article therefore appears to function as a negotiation of discourses on the surface, but is more likely a reinforcement of certain discursive practices which are motivated by the particular socio-political context which confines post-apartheid South Africa.

The following observations can be gleaned from this analysis. The identifications in brackets refer to the analysis in Chapter four.

- Democracy cannot exist without a free press (Observation #1).
- An independent press in South Africa must be seen against the backdrop of the apartheid years (Observation #13).
- An adversarial relationship between government and the press is healthy (Observation #14).
- The strong libertarian preference is informed by US American media discourses (Observation #15).
- The press criticizes all initiatives by the government that could possibly infringe on the freedom of the press (Observation #20).

⁵ The notion of presuppositions in discourse analysis was the method used by the Media Monitoring Project (MMP) (1999) in its research for the South African Human Rights Commission's inquiry into racism and the media. This approach was seriously discredited by Tomaselli (2001) who argued that propositional analysis as used by MMP is based on *a priori* assumptions via which MMP set out to find and prove what they already 'knew'. My conclusions and propositions, in contrast, are not *a priori*, nor analysis. They are generalised *outcomes* of systematic interpretive readings of press reports. They do not exist prior to the analysis.

⁶ Jacob Torfing (1999) outlines the disputes between Laclau/Mouffe and Foucault on theoretical issues of discourse, for instance in terms of the relation between discourse, power and authority. However, there appears to be no conflict between the scholars on the importance of how discourses operate meaningfully in relation to each other. Both a Gramscian approach (Laclau and Mouffe) and a post-structuralist approach (Foucault) would agree on the necessity to undertake studies of the relationships between discourses.

⁷ The framework to be used here is the recognized normative theories of the press which are generally used when relating media policies to political preferences. These are in particular libertarian and social responsibility theories, and to a lesser extent Marxist, authoritarian and development theories. It is of course a potential weakness of the project that settled, and possibly outdated theories are used; however, it is certainly also a strength because the use of familiar theoretical frameworks makes it easier for the reader to critically assess the findings. Also, the study will conclude with an attempt to bring new insights to both the usefulness and limitations of traditional normative media models. It is thus not a threat to the integrity of the research to employ familiar categories.

Chapter 3: Normative models of the press

This chapter introduces normative models of the press and outlines the libertarian model, the social responsibility model and the communitarian model.

3.1. The relevance of normative press models

Normative press models seek to define what the press *should do* in society. Rather than providing a descriptive account of the performance of the press, or criticizing the press, a normative press theory attempts to argue for a certain press system as the prime arrangement. A normative press theory rarely correlates with actual conditions – that is indeed why the theory is *normative*. As such, a normative press theory should not be judged as to what extent it corresponds with the actual socio-political environment, but rather on a fundamental ideological basis, much the same way as one would argue for a political system that is not extant.

Tradition has it that each normative press theory is linked to a certain political system or a political ideology. For instance, the social responsibility theory is related to Western social democratic ideals, whereas the libertarian press theory is related to classic liberalism. Normative press models must therefore not be disconnected from the socio-political conditions they grew out of. This is evident when studying libertarian press ideals in South Africa, because their popularity can be seen both as a reaction to the authoritarian traits of apartheid and an aspiration for Western liberal thinking.

The most well-known attempt to outline normative models of the press was done by Frederick S. Siebert, Theodore Peterson and Wilbur Schramm in their seminal *Four Theories of the Press* (1963; first edition 1956).⁸ Siebert et al. suggested the authoritarian theory, the libertarian theory, the Soviet theory and the social responsibility theory as the chief normative models of the press.⁹ Denis McQuail (1983) later suggested two additional models: the development model and the democratic-participant model. Various other models have been suggested (Merrill, 1975; Altschull, 1984), but they are all variations of the disputations between libertarian, social democratic and authoritarian political systems. Most recently, communitarianism has motivated new models of the press in terms of public journalism, participant journalism, etc.

The main contestation in democratic media systems appears to be between libertarian and social responsibility preferences. This treatise concludes that these

two models frame the South African media discussion as well. In addition, there are some calls for communitarian ethics within the media, thus communitarianism is added as the third perspective in the following briefing of normative press models.

3.2. The libertarian¹⁰ model

It is frequently reported that the Western private media are libertarian, meaning that they enjoy full independence from the government. This model is therefore also called the free press model. The model rests on the idea that each individual should be free to publish anything he or she likes, as long it does not infringe on the freedom of others. Its history is usually traced back to 17th century philosopher John Milton, who asserted that competition between choices would eventually bring about the best possible order, both for the individual and society at large. This 'free will' principle applies to the press as well. A full-grown libertarian system encourages the press to challenge official government policies. As Siebert *et al* (1963: 70) summarizes., there should be no restrictions on import or export of media messages across the national frontiers. Moreover, journalists and media professionals ought to have full autonomy within the media organization.

Several media scholars point out that it is no accident that the American society has become the norm of libertarian media practices (Skogerbø, 1991). A libertarian media demand full freedom of expression and no bans on hate speech etc., which in its ultimate sense is probably not practised anywhere but in the USA. Also, most Western countries (except the USA) have some kind of state or public broadcasting system which is not congruent with classic libertarian principles. The newspaper industry, on the other hand, usually functions according to libertarian principles. Libertarianism is often associated with free market ideologies (cf. Adam Smith, 1776), but it must be carried in mind that the media are a totality of form and content. It is not enough to consider the newspaper *industry* (the form). One must also consider the newspaper itself (the content).

On an historical note, when libertarianism defeated authoritarianism as a model for press policies in the late 1700s, it was an outcome of the Enlightenment. The philosophy of the Enlightenment, with its positive view of human nature and human freedom, had a direct influence on the thinking of the role of the press in society. At the heart of Enlightenment philosophies are three assumptions, according to Grossberg, Wartella and Whitney (1998): (1) Human beings are rational creatures who can set aside base emotions and choose between right and wrong, true and

false. (2) True liberty is defined as individual freedom from government intrusion. (3) There is such a thing as truth, and it is discoverable through a process of reasoning. The latter also includes the central idea of competition. Only through free competition of ideas can truth come to the surface. The libertarian press model is thus deeply rooted in a certain human and moral philosophy.

3.3. The social responsibility model

The social responsibility model, as outlined by McQuail (1994), emphasizes that the media have obligations to society. The news media should be truthful, accurate, fair and objective (to the extent that objectivity is attainable). In conflict with libertarian ideals, the government has the right to intervene in the public interest under some circumstances. Nevertheless, the social responsibility model encourages the press to be critical towards its government, like its libertarian counterpart. The most significant tension between the two models is perhaps their view of the role-division between the press and the government. While libertarianism champions distinct roles between the two institutions, with the press serving primarily through its watchdog functions towards the government, the social responsibility model is not foreign to the idea that both the press and the government have a nation-building function, thus cooperation between the two institutions is sometimes desirable and necessary.

Siebert (1963), writing in the American tradition, gives credit to the US Commission on the Freedom of the Press (also known as the Hutchins Commission (1947)) for the advent of the social responsibility model. The model grew out of a dissatisfaction with the libertarian press, and the commission criticized contemporary American media for separating media messages from their context and giving people what they wanted for their personal gain rather than what they needed for their societal commitment. The commission called for a 'socially responsible' press. But social responsibility subsequently became to be much more prevalent in Western European countries than in the USA.

Philosophically, the social responsibility theory has a less optimistic view of human behaviour than does libertarianism. Social responsibility ethics assume that the human being is a composition of its particular cultural background and preferences, and the human free will does not guarantee ultimate good for everyone. The liberty concept in social responsibility is rooted in *society*, not only in the autonomous human being.

3.4. The communitarian model

Communitarianism is a fairly new philosophy even though, as Amitai Etzioni (1998) points out, the term was coined already in 1841 (and even extends back to political philosophy in ancient Greece). Communitarian principles are *inter alia* found in Catholic social thought and among early sociologists such as Ferdinand Tönnies and Emile Durkheim. More recently, a group of political philosophers in the 1980s – Charles Taylor, Michael J. Sandel and Michael Walzer – challenged individualist liberal opposition to the concept of a common good and thus formed the basis for a new communitarian philosophy. The efforts culminated in *The Responsive Communitarian Platform: Rights and Responsibilities* (1994), which was signed by a number of American academics and public figures.

Communitarians assume a common ground across all societies and all ages, namely the community. The community ought to secure the proper balance between common good and individual autonomy, avoiding a society which leans towards social anarchy or conformism. Etzioni (1998) maintains that there is a difference between what he calls the old and the new communitarianism. The old stressed the opposition between the private sector (the commercial market) and the public sector (the state/government).

However, this dichotomy left out a major realm: that of society, and the importance of social bonds and the moral voice. Consequently, the public debate has been concerned with issues of economy and the role of the government in relation to the individual, ignoring the informal web of social relations. The new communitarianism, argues Etzioni, must look beyond the modern conception of the public sphere. This is particularly important in a diverse country like South Africa, where large portions of the population are left out of the public debate since the 'codes' of the public sphere assumes education and training in public behaviour, so to speak. We can speak of a loss of the public sphere which has motivated the communitarian alternative.

The media soon became an inherent part of the communitarian project. It was concluded that the press had failed its societal duties, and a new journalism based on local participation was framed (Christians et al., 1993; Merritt, 1995; Rosen, 1996). This type of journalism is called public journalism, civic journalism, responsible journalism, communitarian journalism, etc. Public journalism is firmly based on normative ethics which rejects both libertarian normative ethics based on

the autonomous self, and post-modern relativist ethics based on an understanding of opposing discourses at any given time.

Public journalism advocate Jay Rosen (1996) brings the point further and asserts that the classical terms of accuracy, objectivity and fairness have robbed journalists of their potential to influence society (read: the community) in a positive and holistic manner. There is a pressing need, he argues, to "getting the connections right ... particularly the primal connection between journalism and the public" (Rosen, 1996: 134).¹¹

Communitarians also wish to have a say in the manner the media are structured. It is clear from a number of studies and reports that various media institutions are tied together in conglomerates and cooperative networks (Herman, 1995; Curran & Seaton, 1991), and also that information in the world is unequally distributed (MacBride Report, 1980). Communitarians claim that such findings prove that information systems are not only undemocratic in themselves, but also serve to threaten democracy at large. On the basis of this argument, Christians et al. (1993: 75) claim that "the inclusiveness of community clearly implies institutional and intellectual restructuring."

Although public journalism was a reaction to particular American struggles with democracy, communitarians claim that this kind of journalism can be exported to other parts of the world as well, since the communitarian fundamentals are assumed to be universal (Black, 1997).

3.5. Normative models of the press in the South African context

The prime exponent of normative press theory in South Africa is Arnold De Beer (1989). His very extensive work has also applied Siebert et al's typology in a series of articles on the post-apartheid media, in which he developed post-apartheid scenarios based on each (De Beer 1986, 1989). This scenario-building exercise attracted a critical response from Keyan Tomaselli (1994), but the debate was unfortunately not continued at the time. The problem more generally would appear to be a lack of real discussion between, and even within, particular paradigms within the journalist educator community (see De Beer and Tomaselli, 2000). De Beer and Tomaselli appear to be exceptions to this, constantly engaging each other's ideas and theories, with De Beer's (1995) arguments for a science of journalism, which

included discussions on normativity, being challenged by Tomaselli's historical materialist perspectives.

Normative press models are often associated with functionalist approaches to journalism and media studies, which see the media as essentially self-directing and self-correcting. The functionalist paradigm has been heavily criticized from different academic traditions for its attempt to uncritically adopt positivist research traditions in the human sciences. This, in part, is one of the reasons that normative media theories only to a limited extent have been applied to the South African context. The neo-Marxist school and the alternative-left practical school (media units at University of Natal and Rhodes University, among others) have approached media studies from the critical tradition and have been sceptical to the functionalist school (De Beer & Tomaselli 2000). Therefore, when Arnold S. De Beer applied the four press theories to South African conditions in a paper characteristically called "The press in South Africa: A functional paradigm" (1989), he induced a fierce academic dispute on the overall subject of media research approaches (Tomaselli & Louw, 1990; De Beer, 1990). The dispute did not concern normative press theories as such, but comprehensive approaches to understanding media and their political environment.¹²

An earlier attempt to criticize normative press models within the South African (apartheid) context was performed by P. Eric Louw (1984). Louw referred to Siebert *et al.* and identified the libertarian press theory as the favoured model among liberal journalists in South Africa. His concern was in particular that the libertarian model falsely gave the impression that journalists were able to stay objective and provide an unbiased view of South African society (Louw called this "the myth of the unbiased journalist"). He also criticized some of the economically inspired myths of libertarianism: the myth that a private enterprise press is an uncontrolled press, and the myth of consumer sovereignty over the news. Louw concluded that the liberal press, through the libertarian press theory, "serves the *status quo*" (Louw, 1984: 36). Louw's criticism is relevant for the contemporary South African media as well, which I shall return to in the following research chapter.

¹² I would like to make a comment on the use of *theory* and *model*. Siebert et al. (1963) spoke of "four theories of the press". It has subsequently been common to speak of *press theories* and *press models* interchangeably, although I wish to argue that the latter is a more precise term when referring to the normative aspects of the media. When using *model*, we point to a framework which does not necessarily exist in its 'perfect' sense; it is rather the archetype that the media are aiming at. When using *theory*, on the other hand, most people, both in

academia and elsewhere, think of *a proposed explanation of a particular phenomenon*, thus a theory explains that which already exists (descriptively), not that which only exists as an ideal (normatively). I will therefore distinguish between *theory* and *model* in this treatise, and subsequently use *model* only in the normative sense, thus opposing Siebert et al.'s normative use of *theories of the press*.

⁹ For a critique of Siebert's four press theories, see for instance Curran (1991), Skogerbø (1991) and Skjerdal (1994).

¹⁰ I wish to distinguish between *liberal* and *libertarian* in this treatise. *Liberal* is a more inclusive term than *libertarian*, and denotes freedom for the individual. It is not necessarily associated with a certain political preference, as one can be liberal in one area (say, the right to exercise press freedom) and restrictive in another area (say, the right to exercise environmental freedom). A *libertarian*, on the other hand, is someone who subscribes to a certain ideological tradition, *libertarianism*, which is historically connected with the ideas of John Stuart Mill and Adam Smith in particular. Libertarianism advocates consequent freedom for the individual, to the extent that the state performs the role of a necessary evil. The difference between *liberal* and *libertarian* is obvious when we look at media ideologies: *Liberal* principles (the view that the media should be free to express their ideas without governmental intervention) are championed in both libertarian and social responsibility models of the media. It is sometimes assumed that favouring a liberal press means that one necessarily subscribes to libertarian press principles. That is not so. We need to distinguish between ideological preferences (libertarian vs. social responsibility) and ethical preferences (liberal vs. restrictive).

¹¹ For a discussion on the differences and similarities between communitarianism and social responsibility, see Gunaratne (1996) and Skjerdal (1998).

¹² The discussion on black empowerment in the press had a sequel in the academic arena. The prime protagonists were Keyan Tomaselli (1997), supported by Gibson Boloka and Ron Krabill (2000) on the one hand, and opposed by Guy Berger (1999) on the other. The discussion related to the question of whether structural change had occurred within the post-apartheid media in relation to issues of black empowerment, ownership and control. Thus do the textual narratives in the newspapers play out in the broader arena. Berger's (1999) anecdotal descriptions, apparently from the perspective of Independent Newspapers, contrasts with the much more incisive theoretically grounded political economy/cultural studies approach offered by Tomaselli, and Boloka and Krabill.

Chapter 4: Analysis and observations

This chapter contains the actual article analyses. The discussion is divided into two main discourses ('the watchdog discourse' and 'the nation-building discourse') and one alternative discourse ('the communitarian discourse').

The article analysis contained in this chapter is organized according to the two main normative models of the press: libertarian models and social responsibility models. The findings suggest that the models can be translated into a 'watchdog discourse' (libertarianism) and a 'nation-building discourse' (social responsibility). The first emphasizes *rights*, the second *responsibilities*. As expected, representatives of newspapers and the media industry are more likely to promote the rights of the press than are politicians. Therefore, the watchdog discourse is dominated by press representatives. The second discourse, nation-building, is equally dominated by government representatives. However, there are interesting exceptions in the composition of advocates on both sides, which will be commented on.

In addition to libertarianism and social responsibility, communitarianism is added as a third perspective, suggesting that it represents a press model which departs from the two dominating models. Only one article is found to contain an extensive communitarian perspective (Lansink, 7 May 1998). However, there are articles which promote ideas that *include* communitarian thinking (for instance Makgoba, 22 November 1996, and "Freedom and –", 20 October 1996), but which are categorized under social responsibility (the nation-building discourse) as they are mainly proponents for this model.

Effort has been put into making the findings readable. Therefore, rather than being analysed one by one, the articles are arranged according to their topical relevance. The topics follow a reasonable flow under each main heading (the watchdog discourse, the nation-building discourse, the alternative discourse). The analyses of the articles are in turn categorized into 'observations', which are stated at the end of the corresponding analysis. Each observation is directly linked to the particular article(s) under scrutiny, however, *the observations are worded in such a way that they represent statements which are valid for the entire treatise*. The purpose of the article analysis is not to provide a thorough analysis of each article, but to point to findings which are of interest to the treatise. Some articles have extensive comments, others are used as mere examples. Some are relevant for more

than one topic and are referred to repeatedly. In cases where there are many examples of the same observation (for instance the use of the 'watchdog' metaphor), only a selection of the articles are referred to.

4.1. The libertarian model:

'the watchdog discourse' (observations #1–34)

The 'watchdog discourse' is by far the most dominant discourse treated in this study. It is characterized by the duty of the press to criticize the government, almost to the extent that the press and the government should encourage rivalry. Keywords used to recognize the watchdog discourse are for instance 'critical journalism', 'freedom of the press', 'individual rights' and 'independence from government intervention'. Our examples of watchdog metaphors start with a public statement made by Archbishop Desmond Tutu.

Tutu, through his position as the chairperson of the Truth and Reconciliation Commission and an international symbol of democratic transformation, has frequently lent his voice to opinions on the welfare of the new South Africa, including the situation of the media. In his words (and with a little wit), "we need a sycophantic kowtowing, lick-spittle media as much as we need a hole in the head" (Streek, 10 October 1996). This comment is typical of the liberal view of the media. The understanding is not only that democracy cannot exist without a free media, but also that society should actively prevent close ties between the media and the state. Tutu goes on to share his own experience, and he ensures that he feels free to criticize the ANC government, and that they accept his criticism. To understand this particular discourse, we have to take into consideration the occasion on which the speech was delivered, namely a gathering of the Commonwealth Press Union editors' forum. It is likely that the Archbishop primarily felt a need to assure the editors that he favoured a free press, and second, in line with his reconciliation function, aimed to convince the editors that the ANC government is not as sensitive to criticism as commonly thought. Tutu's speech therefore serves as a correction to the mediated perception that the present South African government contravenes the proper state/media relationship.

However, our concern is to identify the normative discourse behind this dispute. Interestingly, despite the differing view of the government's performance with the media, the normative model that informs the debate is clearly the watchdog model. In Tutu's words: "Our democracy would soon become moribund and would

disintegrate without a vigilant and free press" (Streek, 10 October 1996). The reasoning behind this opinion is worth paying some attention, as the referred article contains an interesting public assumption which is restated by Tutu: "Everywhere in the world those in power [are] always tempted to dabble in the abuse of power." This statement assumes that those in power (the government) are the 'bad guys' and constantly seek ways to gain more power, while the media, performing the watchdog role, are the 'good guys'! Interestingly enough, the reporter chose to use the statement from Tutu with no quotation marks, as to assume that this is a statement of truth. This observation indicates that the watchdog discourse sometimes assumes subdiscourses (that is, discourses which serve to back the main discourse) which are built on generalized public assumptions rather than on socio-historical facts, and these subdiscourses are sometimes even likely to contradict empirical research.

- **Observation #1: The general assumption is that democracy cannot exist without a free press.**

(Articles supporting the observation: Streek, 10 October 1996; Leon, 15 February 1996; Nyatumba, 20 November 1996; Mulholland, 11 January 1998)

- **Observation #2: The watchdog discourse is sometimes accompanied by subdiscourses which are built on unproven public assumptions.**

(Articles supporting the observation: Streek, 10 October 1996; Bunsee, 11 September 1996; "Free press –", 19 November 1996)

The political leadership in South Africa has shown great interest in the government–press debate, even with the direct participation of the former State President, Nelson Mandela. His involvement is worthy of attention since it outlines the main disagreements between the government and the press. It also demonstrates that the government finds it difficult to cope with a watchdog discourse when taken to task on the issue of press freedom.

The allegation put forth by the ANC leadership¹³ is that the press has not managed to adjust to the conditions of post-apartheid South Africa. President Mandela induced two such attacks on the press during the 1996–98 period in particular. The first occurred in October/November 1996 when he criticized unnamed senior black journalists for being lapdogs for their white owners ("Mandela summons ...", 21 October 1996, "Mandela accuses ...", 12 November 1996; "Black journalists",

13 November 1996). The second attack took place at the 50th ANC congress in Mafikeng December 1997, where Mandela repeated his criticism of black 'token' appointments and also suggested that the so-called white media were part of a counter-revolutionary force ("How the papers ...", 18 December 1997). Both occasions prompted heated debates between journalists and government representatives, and interestingly, between black journalists and the ANC.

President Mandela's critique can be summarized as attacks on the alleged failures of the media to transform themselves to the conditions of the 'new South Africa'. However, the critique was directed at black journalists in particular, and there are indications that the president expected a better understanding for his concerns by black journalists than by white journalists. For instance, black *City Press* editor Khulu Sibiya reported the following after having met with Mandela to discuss *City Press'* critical attitude towards Mandela's support of Justice Ismail Mahomed for the position of Chief Justice: "[Mandela] was very upset – he thought I should have understood the circumstances much better, especially as a black journalist" ("Mandela summons ...", 21 October 1996). From this and other examples, it appears that the political leadership demands a certain sympathy from black journalists that it doesn't demand from white journalists. This observation complicates the discourses considerably: Does the South African government demand one standard – one normative model – for black journalists and another for white journalists?¹⁴

Role-players within the media industry itself raised this concern with Mandela and the ANC leadership. The outcome of the debate was, in short, a reinforcement of the watchdog discourse. Mandela was asked to specify who he had in mind when he accused some senior black journalists for having a secret agenda, but declined to name any ("Mandela accuses ...", 12 November 1996). Similarly, he declined to specify which media he had in mind when he a year later accused the so-called 'white media' to be part of a counter-revolutionary force (the accusation was uttered twice, first in a TV interview and subsequently in the Mafikeng speech; "How the papers ...", 18 December 1997). On the contrary, Mandela assured that the ANC was committed to a free press and urged South African journalists to "continue being the watchdogs of the country's infant democracy" (Burbidge, 19 November 1996). Said Mandela, "We don't want you to be an ANC mouthpiece. We don't want you to be lapdogs. All I want for the Press is to be robust and fearless in protecting our democracy" (Burbidge, 19 November 1996). This was quoted from a meeting with 22 senior black journalists and editors. The overall indication is that Mandela reinforced

the fourth estate paradigm (the watchdog discourse), since he both affirmed the critical role of the press and indicated that the press and the government should not confuse each others' duties. However, Mandela also maintained that the press is controlled by "conservative whites" (O'Grady, 19 November 1996; also repeated in his Mafikeng speech, "Black editors tokens", 18 December 1997). This allegation indicates a peculiar discourse which sees the entire media as one unit with common goal and interests. Within this discourse, it becomes legitimate for the government to attack the media on a general basis, claiming that the *entire* media industry has a secret agenda which seeks to "undermine and destroy the democratically-elected government" (Mandela in Durban 13 November 1996; "Black journalists ...", 13 November 1996).

An interesting aspect of Mandela's attack is that it contains an alternatively libertarian discourse. Mandela's message in both instances at hand was that the press should not align itself with conservatism (through "the white press"). This, no matter the validity of Mandela's accusation, is another way to speak for the integrity of the press, although it refers to integrity from private ideological forces, not governmental. The discourse is therefore, again, a reinforcement of the libertarian understanding that the press ought to disband itself from ideological alliances.

- **Observation #3: When taken to task on the issue, the government ends up reaffirming the watchdog discourse.**

(Articles supporting the observation: Yengeni, 15 November 1996; "Free press", 19 November 1996; Makhaye, 20 February 1998)

- **Observation #4: The government tends to see the press as a homogeneous industry with common goals and interests.**

(Articles supporting the observation: "Phosa says ...", 30 May 1996; Niehaus, 15 November 1996; Yengeni, 15 November 1996)

Another central government spokesperson on media policies, namely Posts, Telecommunications and Broadcasting Minister Jay Naidoo, strongly supported the independence of the South African press. Addressing reporters at a national media seminar, he said: "What is needed in South Africa [...] is a fiercely independent press committed to thorough, impartial, accurate reporting" ("Media answerable ...", 22 October 1996). Furthermore, Naidoo confirmed that the watchdog metaphor is relevant when describing the normative role of the press. In the same speech, the

minister acknowledged that tensions between the state and the media are healthy for South Africa's democracy. The remarks of Naidoo are not untypical of what seems to be the official government attitude towards the commercial media, including the press.

- **Observation #5: The government frequently acknowledges that it must expect to be watched by the press.**

(Articles supporting the observation: "Media answerable ...", 22 October 1996; Makhaye, 20 February 1998)

Prior to Mandela's first attack on the press in 1996, there was a meeting between himself and the South African National Editors' Forum (Sanef), in which the two parties agreed to meet every three months to improve communication between the press and the government. Sanef chairman Thami Mazwai led the meeting on behalf of the editors. His assurance after the meeting is in line with libertarian thinking on the role of the media: "This relationship [between the press and the government] will never be cosy. We are not going to abdicate our responsibility to our readers to tell them what the government is doing in an objective manner as possible" ("Mandela editors ...", 2 November 1996). It is particularly important for a black journalist like Mazwai to assure that the press is not associated with the ANC government.

- **Observation #6: The press is constantly wary that a closer relationship with the government must not ease the role of critical reporting. The independence of the press is a non-negotiable principle.**

(Articles supporting the observation: "Mandela editors ...", 2 November 1996; Nyatumba, 20 November 1996; "We're watchdogs ...", 26 January 1998)

Interestingly, but not surprisingly, government attacks on the press give the press an opportunity to remind politicians and the public of its boundaries, and the climate between the two institutions becomes only less cooperative after such confrontations. This is illustrated by the fact that all newspapers which commented on Mandela's attack on the press at Mafikeng agreed that the attack was unjustified (the newspapers include *Business Day*, *The Citizen*, *The Star*, *The Natal Witness*, *The*

Mail & Guardian, *Cape Argus* and *The Cape Times*, quoted in "How the papers ...", 18 December 1997; see also Sole, 25 January 1998; and "Press freedom ...", 27 January 1998). For instance, *The Natal Witness* commented that "it is churlish, and even suggestive of a totalitarian mindset, to equate normal democratic criticism with disloyalty and subversion" ("How the papers ...", 18 December 1997). The implicit accusation is that the government suffers from a lack of understanding of what the role of the press is all about in a democratic society. This accusation, or discourse, is actually based on the view that the ANC government is a liberation movement which still needs time to learn democratic principles, as illustrated by two comments which succeeded Mandela's attacks on the press in 1996 and 1997. Both comments suggest that the government is out of line with healthy democratic principles.

The first comment was penned by Freedom of Expression Institute (FXI) chairman Raymond Louw. A sharp critic of media politics, Louw called Mandela's attack on black journalists "the most serious allegation yet levelled against the SA press by a political leader" (Louw, 19 November 1996). Louw found it 'bizarre' that a state president could produce such allegations against the press, as it was inconceivable that former freedom fighters would suddenly be hostile to the ANC government. Interestingly, Louw suggests that the best way to explain Mandela's attack on the press is that the ANC has not yet fully transformed itself from a liberation movement to a democratic government. The organization still carries with it authoritarian features, argues Louw, and that is why direct attacks on the press are allowed. The underlying assumption is that the codes of democracy, including press freedom, are not inherent to someone coming from an oppressive background. Democracy must be learnt before it can be practised, and the ANC's history as a radical liberation movement (according to Louw, "by its very nature authoritarian"; Louw, 19 November 1996) is an obstacle for adopting a full understanding of democracy. Consequently, state attacks on the media are generally deemed authoritarian and a threat to democracy.

- **Observation #7: The press regards state attacks on the media as authoritarian.**

(Articles supporting the observation: Louw, 19 November 1996; "Free press", 19 November 1996; "How the papers ...", 18 December 1997)

In scrutinizing Louw's discourse – and his reasoning here is similar to many others who comment on the relationship between the government and the press – we note that the words *democracy* and *democratic* are often used to endorse libertarian press models, and likewise, to disapprove social responsibility press models. However, such a selective use of *democratic principles* could be heavily criticized in other discourses, as *democracy* usually pertains to the principle that the people should have the right to vote for an agency (a government, an organization). But press houses are rarely democratically elected; it would even be in conflict with libertarian principles to overrule economic laws through 'one person, one vote' principles. The use of 'democracy' to support libertarian discourses, as illustrated by the comment at stake, is therefore an example of selective use of positive connotations.

Although freedom of the press is generally seen as a necessity of democracy, the reasoning behind the link between 'democracy' and 'free press' remains unexplored. An editorial in *The Natal Witness* serves as an example ("Government and media", 30 November 1996). The assumption is that a true democracy inevitably entails a free media. The editor writes: "The best way the media can serve democracy is to adopt the role of a constructive adversary." Furthermore, "in a democracy the people must constantly watch the government they have created, and the media are the eyes of the people" ("Government and media", 30 November 1996). The understanding is that the media are teaming up with the people, in opposition to the government. This corresponds well with the fundamental idea of democracy, 'people's rule'. The press thus uses a non-controversial common good, democracy, to argue for its independence from the government.

However, how is the link between freedom of the press and democracy justified? An editorial in *Sowetan* gives a common response to this question, typical of the media profession: "The media are an important element of any democracy – the mirror by which society sees itself and the source of information for citizens" ("Comment", 20 November 1996). Two responsibilities are outlined here, both of which pertain to the overall advancement of society. First is the assumed role of the media as a mirror of society (see also Nyatumba, 20 November 1996). The idea behind this statement is that society cannot assess itself without the media, and that the media reflect reality as it is. The idea is questionable for various reasons, notably because the media interpret reality according to social conventions rather than simply mirror it. The second outlined responsibility of the media and the free press is that of information. It is generally agreed that the government should depend on the

as the media is regarded as a mirror.

press as a channel of information (consult for instance GCIS's strategy of newspaper announcements; www.gcis.gov.za). However, the emphasis on the press as a conveyor of democratic information must be questioned in a country where only 14 percent of the adult population reads newspapers on a regular basis (Fallon, 21 April 1996). A message communicated through the newspapers will only reach a small segment of the population. It is therefore doubtful to assume an unqualified link between freedom of the press and democracy.

- **Observation #8: Libertarian discourses are often linked with the use of 'democracy', but the link is rarely explained.**

(Articles supporting the observation: Fallon, 21 April 1996; Louw, 19 November 1996; "Comment", 20 November 1996; "Press freedom", 27 January 1998)

- **Observation #9: The press frequently emphasizes its role as a defender of democratic communication. The role is rarely questioned, even in a society like South Africa where the population has diverse media habits.**

(Articles supporting the observation: Fallon, 21 April 1996; "Threatened by ...", 14 June 1996)

The second comment which questioned the ANC's democratic competence after Mandela's attacks on the press, is by Wilmot James, executive director of Idasa (The Institute for a Democratic Alternative for South Africa). James (8 January 1998) strongly objects to President Mandela's one-sided attack on the media. His argument is that Mandela treats the entire media industry as if it was one undifferentiated mass with common interests. Responding to Mandela's critique that the press is threatening democracy, James argues that the press is doing exactly the opposite, namely legitimizing the democratically elected government. But, "What the media has not done," writes James (8 January 1998), "is approve of every aspect of government's wide-ranging policies." The latter is seen as a strength of the press rather than a weakness. However, although the press has succeeded in criticizing the government, James suggests that this is a criticism that operates only at the surface level. On the deeper level, the newspaper industry has aligned with the ANC government to legitimize a capitalist hegemony. This is inevitable, contends James, but the implication is that if the normative role of the press is restricted to the

watchdog metaphor of libertarianism alone, it is perhaps failing to strike at more profound issues. The Idasa director is here entering a more substantive critique of press/government relationships, but he doesn't develop his argument further. The overall observation is that commentaries which touch on more fundamental issues with regard to the normative role of the press, are almost non-existent in the material that is examined in this treatise. Instead, the debate, both from media and government representatives, is concerned with specific issues rather than underlying ideological dilemmas. It is then no surprise that also the fourth estate role of the press is seen in this light, implying that the press should watch over the government in day-to-day performances (delivery, corruption, etc.) rather than criticizing more profound ideological concerns.

- **Observation #10: The watchdog metaphor is almost exclusively linked to the assumed role of the press to criticize the government on day-to-day performances rather than ideology.**

(Article supporting the observation: James, 8 January 1998)

A typical debate between the press and the government opens with a general attack on the press by a politician and is followed by a response from a press representative who argues that the attack was unjustified and that it is not the task of the press to praise the government. An example of this is the dispute between Trade and Industry Minister Alec Erwin and Financial Mail editor Peter Bruce in October 1998. The minister directed a general attack on the media in which he claimed that the media were "overwhelmed by cynicism" and had failed to come to terms with the past ("Media overwhelmed ...", 14 October 1998). Editor Peter Bruce of *Financial Mail* was quick to respond that transformation has indeed taken place in the media and that the government should not expect the media to applaud all its actions. "We are not praise singers and neither do we have a role to play in so-called 'nation-building'," writes Bruce, and continues, "our role is to act as watchdog" (Bruce, 15 October 1998).¹⁵ As expected, the editor refers firmly to the duty of the press to inspect the government. By referring to this duty – which no one will dispute – the editor draws a simplified picture in which the options are either full criticism of the government or no criticism at all. The latter option is equated with the nation-building role, which Bruce strongly rejects. As a rhetorical device, the debate is then left to either/or positions where there seems to be no middle ground. The

government comes out unfavourably in this dichotomy. However, also the government, in this case represented by Trade and Industry Minister Erwin, uses rhetorical devices to gain support for its negative attitude toward the mainstream media. The rhetoric of the government representative is one of generalizations, for instance in not specifying 'the media' when he claims that "the media [have] failed to develop a new psyche" ("Media overwhelmed ...", 14 October 1998). This generalization ignores the so-called 'black empowerment' in the media industry, or the fact that different newspapers take different positions on the actions of the government.

- **Observation #11: The press tends to dichotomize the positions on media politics. Within this either/or discourse, the only alternative to the watchdog role seems to be uncritical reporting.**

(Article supporting the observation: Bruce, 15 October 1998; Mulholland, 31 January 1999)

- **Observation #12: The government appeals to generalizations when criticizing 'the media', thereby giving the impression that there is a fundamental defect inherent in the media industry.**

(Article supporting the observation: Ramatlhodi, 6 April 1998; "Media overwhelmed ...", 14 October 1998)

Many commentators speaking on behalf of the media contends that it is healthy for democracy to nurture an adversarial relationship between the media and the government. Stephen Mulholland, former managing director of Times Media Limited (TML), writes: "There is very little that can be more dangerous to the survival of democracy than a cosy relationship between government and the media" (Mulholland, 11 January 1998). Only in rare instances, claims Mulholland, can it be justified that the media should cooperate with government, such as in "clear cases of the national interest". The nation-building process, which some politicians have called for the media to take part in, is in other words not a 'clear case of national interest' in Mulholland's view. What this discourse reveals, is that liberal commentators like Mulholland do not see the South African nation-building process as a process everyone agrees on, thus the media should have a critical rather than supporting function in this process. This view contradicts government officials and some media professionals, as we shall observe later. Also, to prove the unhealthiness

of a close relationship between the media and the government, Mulholland refers to the conditions under apartheid. He compares the attitudes of Mandela and Mbeki with those of former president PW Botha, who demanded a 'patriotic press'. This comparison between the present government and the apartheid government is common when media representatives argue against the media politics of the new government. This is another indication that the strong call for libertarian media politics in South Africa is a reaction to the apartheid discourse.

- **Observation #13: The strong call for an entirely independent press in South Africa must be seen towards the backdrop of the apartheid years.**

(Articles supporting the observation: Molefe, 23 February 1996; Mulholland, 11 January 1998; Van der Walt, 17 June 1998; "Landmark ruling", 6 October 1998)

- **Observation #14: The common perception among journalists is that an adversarial relationship between government and the press is healthy.**

(Articles supporting the observation: Mulholland, 11 January 1998; "We're watchdogs ...", 26 January 1998)

It is interesting to note that the libertarian understanding of media politics in post-apartheid South Africa is informed by the media debate in the USA. One example is the commentary by Stephen Mulholland (11 January 1998) which is referred to above; "Attacks on the media a sign of democracy in SA". In illustrating the dilemma the newspapers are facing when criticizing the government, Mulholland refers to the Watergate scandal, which put in danger economic benefits that Washington Post had from the US government. The Washington Post still chose to pursue the Watergate investigation, which to Mulholland is an example of a brave and critical press. That is the kind of press Mulholland wants for South Africa. His normative models are drawn from the USA, and this is not the only instance in which American libertarian media models are applied directly to South African conditions (e.g. Leon, 15 February 1996; Rickard, 18 February 1996; Nyatumba, 20 November 1996). The US parallels are sometimes used as 'evidence' of how advanced media economies should function – without further substantiation. For instance, in an argument for full freedom of speech, Carmel Rickard (18 February 1996) writes: "it is now a well-established

principle in the US that a democracy cannot flourish unless its citizens are free to criticise officials". It can be argued that this discourse entails an underlying 'the US knows best, we should look to them' attitude. (Yet omitted from the argument is that the USA is the only country in the world which does not prohibit 'hate speech'; Louw, 15 April 1996.) It is difficult to say why American libertarian discourses seem to have impacted the South African media debate more than Western European ones, but one theory is that discourses tend to be simplified over distance and time, and that those which 'win' are those which appear most consistent (extreme liberalism rather than qualified liberalism) and are most concordant with other dominant discourses. The latter would imply that any discourse which would appear 'progressive' (contra-apartheid) tend to be predominant over discourses which could be deemed reactionary in any way. But this theory is only a suggestion.

- **Observation #15: The strong libertarian preference appears to be informed by US American media discourses.**

(Articles supporting the observation: Leon, 15 February 1996; Rickard, 18 February 1996; Nyatumba, 20 November 1996; Mulholland, 11 January 1998)

On the basis of the last observation, it is no surprise that Ben Bradlee, editor of the Washington Post at the time of the Watergate scandal, was invited to speak at a Commonwealth Press Union dinner in Cape Town in October 1996. According to the media report, Bradlee was uncompromising in his view that the press and the government should remain adversaries forever: "Show me a government that is satisfied with its press, and I will show you an autocracy. [...] Show me a press that is satisfied with its government, and I will show you a lifeless and ill-informed people" (Streek, 21 October 1996). This quote summarizes most of the opinions which are analysed in this treatise, especially from a journalist point of view. Only isolated comments oppose this view.

- **Observation #16: It is a journalistic truism that the relationship between the press and the government should always be contentious.**

(Articles supporting the observation: Streek, 21 October 1996; "Government and media", 30 November 1996; "Black editors ...", 19 December 1997;

"Entrenching ...", 4 May 1998)

(Article contravening the observation: Lansink 07-05-98)

A critical question to the last observation would be: Can the press not be critical and constructive at the same time? Libertarianism as understood in the dominant South African media discourse says *no*. A press that tries to be 'constructive' or 'positive' ends up neglecting its critical role, and the inevitable result would be uncritical 'sunny-skies journalism'. This view is held by for instance William Saunderson-Meyer (7 February 1998), a columnist for *The Saturday Paper*. In a libertarian manner, Saunderson-Meyer maintains that it is a misunderstanding to think that the commercial press should solve the problems of society. He concludes: "The media does get in the way of society solving its problems. But that is inevitable. Politicians also get in the way; so does organised religion, the aged, the unemployed, big business and every entrenched sector of society, which is jockeying for advantage. It is the nature of society" (Saunderson-Meyer, 7 February 1998). Almost with a social Darwinist twist on normative media theories, Saunderson-Meyer here presents a discourse which assumes that an unleashed media will inevitably lead to a better society. In his view, it is only a matter of removing the obstacles which organized civil society has put there, one of them being the false encouragement to do 'positive' reporting.

- **Observation #17: Most journalists are convinced that positive and critical reporting are mutually exclusive.**

(Articles supporting the observation: "A free press ...", 17 March 1996; Saunderson-Meyer, 7 February 1998)

The media industry frequently refers to libertarian self-justifiable principles when arguing for a free press. An example drawn from an editorial in *City Press* (17 March 1996) will suffice. The editorial blames the ANC government for not understanding the need for "a free and robust press". The necessity of a free press is called a "self-evident truth". No further argument is given as to why a free press is important. The argument that *City Press* uses – an argument based on a call for common sense (self-evidence) – is one of the two most common ways of arguing for press freedom and freedom of expression. The other argument is a pragmatic one: A free press is

important because it ensures the spread of information that the authorities would otherwise hide.

- **Observation #18: In lack of arguments, the press tends to assume that the freedom of the press is a self-evident truth.**

(Articles supporting the observation: "A free press ...", 17 March 1996; Louw, 15 April 1996)

Frequently, the media industry gives the impression that the government not only encourages positive reporting, but also actively opposes press freedom. In an editorial named "A free press has to tell it how it is", *City Press* (17 March 1996) claims that the ANC would like to see an uncritical press. But, says the editorial, "Sunshine journalism will not help this country". The assumption is that the government prefers an uncritical media which shuts up when things go wrong. To this end, *City Press* (as do other newspapers) builds its argument for a free press on a popular assumption that is probably not grounded in actual circumstances. Even though the press industry contends that the government 'muffles the watchdog' (Lidovho, 22 April 1998), there are many indications that the government favours an open dialogue discourse, even an explicit libertarian discourse, as demonstrated earlier.

- **Observation #19: In order to give the impression that they have an important role to play in the democratic South Africa, the newspapers frequently draws a picture of the government as being against press freedom.**

(Articles supporting the observation: "A free press ...", 17 March 1996; Lidovho, 22 April 1998)

In line with all of the above, the press has turned to strong reactions whenever there have been attempts of government intervention with the media. One such instance, which did not at first appear as a direct intervention of the media industry as such, was the South African Human Rights Commission's (SAHRC) plan to investigate racism in the media. On request from the Black Lawyers Association (BLA) and the Association of Black Accountants of South Africa (ABASA), SAHRC decided to undertake a study of racism in the media (SAHRC, November 1999). The initiative

was immediately attacked by a range of media professionals – as well as politicians of the opposition parties – who claimed that the investigation was in essence a threat to press freedom (Bruce, 20 November 1998; “Feebly disguised ...”, 20 November 1998; Banda, 17 November 1998; Louw, 17 November 1998; “Free press ...”, 17 November 1998). Former TML managing director Stephen Mulholland compared the proposed investigation into the media with conditions in Zimbabwe, and said the investigation could proclaim “the beginning of the end for press freedom in SA” (Mulholland, 31 January 1999). The racism inquiry itself is beyond the study of this treatise, but the heated debate prior to the inquiry serves as an illustration of the anxiety on behalf of the South African media to let the government overstep its domain. The bottom line is clear: The newspaper profession forbids any act by the government that could possibly represent a threat to press freedom.

- **Observation #20: The newspaper profession criticizes all initiatives by the government that could possibly infringe on the freedom of the press.**

(Articles supporting the observation: Louw, 17 November 1998; Bruce, 20 November 1998; “Feebly disguised ...”, 20 November 1998; Mulholland, 31 January 1999)

The initiative to reconstruct government communications between 1995 and 1998 is another example where the tensions between the press and the government came to the fore. The Task Group on Government Communications (Comtask), which was set up in 1995 and produced its report in 1996, found that there was a fruitless relationship between the press and the government. The government complained that its message didn’t get adequate media coverage, and the news was often distorted. The press in turn complained that government communications were incomplete and untransparent. This led Comtask to suggest a number of recommendations which could improve communications between the press and the government (Communications 2000, October 1996). However, many media representatives saw the recommendations as a threat to the freedom of the press. Chris Moerdyk, for one, was highly critical of a more government-oriented press. Moerdyk (12 October 1996) concludes: “Credibility would come into question and resistance and criticism would increase. The impartiality that is needed to support credibility would probably not exist.” Moerdyk is here pointing to the criterion of

political impartiality, which is generally accepted in the contemporary libertarian press discourse. However, this is also an example of discursive changes within a political tradition. Libertarian ideas as they were expressed and enacted in the 19th century did not include the principle of political impartiality. A politically aligned press was in fact the order of the day in late 19th century and onwards. It is only in recent decades, as European and North American press houses have loosened their political bounds, that political impartiality has become a libertarian ideal. What seems as inherent principles within a discourse (e.g. the libertarian), can therefore be subjective interpretations of that discourse under specific social and cultural conditions. The principles of a free, libertarian press are therefore not so unchangeable as they may first seem. The discourse changes.

- **Observation #21: In the media debate, it is often assumed that the libertarian tradition contains 'natural' and unchanging principles. However, the libertarian discourse is subject to change, as are other discourses.**

(Articles supporting the observation: Louw, 15 April 1996; Moerdyk, 12 October 1996)

It is well-known that the South African government during the apartheid years passed a number of laws which restricted the freedom of the press (Merrett, 1994). Only to be expected, the media industry demanded these laws abolished after the fall of apartheid. Particularly criticized was Section 205 of the Criminal Procedures Act, which concerns the right of the state to claim that journalists disclose their sources. The section was attempted used even after the democratic government came in power, as the police tried to force journalists to disclose important information relating to the shooting of Hard Livings gang leader Rashaad Staggie in 1996. It was therefore no surprise when one of the first concerns of the new SA National Editors' Forum (Sanef) was to remove Section 205 ("Editors ask Mandela ...", 29 April 1998). The discussions around Section 205 illustrates how democracy and total independence of the media are seen as indispensable. President Mandela confirmed this view in a meeting with 20 editors and reassured that the media is a "pillar of democracy" ("Editors Forum ...", 29 April 1998).

The discourse of the total independence of the press appears to be self-evident, but it is indeed a discourse which has grown out of a particular culture – the modern

Western society. It is difficult to defend rationally why the press should be treated differently from all other societal institutions when it comes to concealment of information. Why, for instance, can the court demand that an NGO disclose source information, while the press is expected to protect the same information? This reflects the Western understanding of liberal democracy, where the media have attained a peculiar position as an institution which is separate both from the general public and state institutions. This division of responsibilities within the public square appears to have been elevated to a type of natural law, which is confirmed in the talks between the media and the presidency on Section 205 on the Criminal Procedures Act.

- **Observation #22: High on the agenda for journalists in post-apartheid South Africa is the dismissal of laws which restrict freedom of the press. Press freedom takes the form of natural law.**
(Articles supporting the observation: "Editors Forum ...", 29 April 1998; "Editors ask Mandela ...", 29 April 1998; Lund, 14 August 1998; "In the interests ...", 22 February 1999)

In a comment on International Press Freedom Day 4 May 1998, ombudsman for *The Star*, John Patten, reviews the transformation of the press after apartheid. His chief concern remains, four years into democracy, that newspapers are yet to gain full independence from the government. Especially, he says, the newly appointed black editors are grappling to detach themselves from the government. For example, editor and Sanef leader Thami Mazwai censured *The Sunday Independent* when the newspaper revealed a Denel arms contract with Saudi Arabia in August 1997 (see Edmunds, 25 July 1997). The editor put political correctness above press freedom, which led to his resignation as the chairman of Sanef. The lesson, indicates John Patten, is that the transforming South African press suffers from a misunderstanding of what press freedom entails, both on behalf of the government and the press itself. The ombudsman thus confirms the watchdog discourse, and implies that libertarian principles and democracy are interchangeable.

- **Observation #23: The perception among some commentators is that the government, but also to a lesser extent the press itself, does not**

comprehend what an independent press entails.

(Article supporting the observation: Patten, 4 May 1998)

It appears from the analysis so far that discussions on the freedom of the press tend to have the interests of the media as their starting-point, neglecting the interests of the government. (To the extent that the interests of the government are referred to, they are usually assumed to be a threat to an open democracy.) However, there are also a few examples of media commentators who do not explicitly defend one of the sides and denounce the other. For instance, journalism professor Guy Berger (7 March 1996) discusses the disputes between the government and the press with reference to the 'Zuma affair', where Health Minister Nkosazana Zuma denounced the press openly in Parliament after she faced harsh criticism for her handling of the AIDS play *Sarafina 2*. Berger's conclusion is that in a democracy, the press and the government have different roles to play, and both roles have to be respected and understood. On behalf of the press, Berger underlines that a critical press is the best way to serve a democratic government: "Ironically, negative press coverage, when it occurs, can often be a truly positive thing. Highlighting problems in government is arguably one of the major contributions that the press can make to a new South Africa" (7 March 1996). He goes on to state that politicians fail to see the purpose of the press, stressing only one-sidedness, conspiracy and distortion. Similarly, the press tends only to take notice of the negative criticism from the politicians, stressing only attacks which are an onslaught on press freedom. On the contrary, the journalism professor sees the relationship between the press and the government as a symbiosis. The two institutions appear to be enemies, but are actually dependent on each other. It is no coincidence that this observation comes from a commentator on the sideline and not from one of the contestants in the stormy debate between the press and the government.

- **Observation #24: Although there can be vast disagreements between the press and the government, they live in a symbiotic relationship in which they both are dependent on each other.**

(Article supporting the observation: Berger, 7 March 1996)

Criticism on the government's media performance comes not only from the media industry itself. As one would expect, the political opposition joins the industry in this

criticism. For instance, after Northern Province Premier Ngoako Ramatlhodi criticized the press for negative reporting on the so-called McBride affair (Ramatlhodi, 6 April 1998), Nanga Lidovho of the PAC lamented his disappointment with the ANC's inability to take criticism. In a critical comment, Lidovho accuses the ANC leadership for not having understood the role of a critical press. "The media is a watchdog in the employ of ordinary citizens and it will be a disservice to the country were the media to be what Ramatlhodi envisages," writes the former PAC secretary for legal and constitutional affairs (Lidovho, 22 April 1998). Lidovho thus affirms both the watchdog role of the media and the impression that the media side with the people to 'protect' them from the government.¹⁶

- **Observation #25: The political opposition joins the newspaper industry in accusing the ANC for not having understood the role of a critical press.**

(Articles supporting the observation: Bunsee, 11 September 1996; "Free press ...", 17 November 1998; Lidovho, 22 April 1998)

Libertarianism is closely linked with 'the philosophy of the markets', as indicated in the previous chapter on the background of the libertarian press theory. The free flow of economy and information is seen as the guardian of a free, liberal society. Interestingly, the discussion in South African newspapers reflects exactly this unqualified belief in 'the philosophy of the markets', which assumes that economic models are easily transferable to media practice. We have already seen that the media industry is alert whenever the government is likely to delimit any aspect of press freedom. How this view is grounded in classic liberal market thinking, became clear with the discussion on the Green Paper on Broadcasting. The proposed regulation gave the Newspaper Association of South Africa (NASA) an opportunity to raise concerns about the government's attitude towards the watchdog role of the press. Chairman Hennie van Deventer explained that a free society needs a vigorous free press, and that "without an unrestricted flow of information and ideas, there can be no informed public opinion and no informed decision making" (Integrated Communications, 10 March 1998). Again, the perception is that the commercial press is determined to guarantee an 'unrestricted' information flow. The sound belief in free enterprise once more confirms the world view which underscores the libertarian press model.

Libertarian practices, materialized in commercialism, are sometimes used by the press to explain or excuse why the government does not receive more positive reporting. The key word for the press is 'news value', maintains *Financial Mail* in an editorial (14 June 1996). The editor defends the press' right to go by what is newsworthy rather than by what is seen as important by public authorities. In his words, "the print media evaluate what is to be published on the basis of its news value, not on whether it promotes patriotism" ("Threatened by Mbeki ...", 14 June 1996). Commercialism and free enterprise are thus viewed as compatible with democratic press practices. This observation seems to represent the general attitude among media representatives.

- **Observation #26: The newspaper industry assumes the libertarian view that the 'free flow of information' is best secured through free enterprise.**

(Articles supporting the observation: "Threatened by Mbeki ...", 14 June 1996; "NASA pushes ...", 10 March 1998)

A critical reading of the libertarian discourse must point out that there are incidents where press responsibilities collide with commercial interests. It is therefore surprising that a considerable part of the discussion, like the items referred to above, seems to ignore this dilemma of the libertarian media discourse. Ivan Fallon, on the other hand, who is editorial director of Independent Newspapers, brought up the dilemma in a lecture delivered at Rhodes University 18 April 1996. (The lecture was referred in *The Sunday Independent* 21 April 1996 and is therefore part of the public discourse which is analysed in this study.) Fallon is straightforward and maintains that the press do not have a responsibility to cover every deed of the government. He says: "Newspapers in fact are commercial, profit-making concerns, just like any other businesses. They have their own constituencies and their responsibility is to them rather than to an abstract group of potential readers whom the government needs to communicate with" (Fallon, 21 April 1996). Fallon here makes clear that newspapers are primarily accountable to their owners, not to the government or society at large. This illustrates one of the difficulties when the government wants the media to inform on state projects and so forth, namely that the post-apartheid media industry is driven by commercial interests rather than idealism. Ironically, one

can suggest that it is the government and not the media which encourages idealistic values in a liberalistic society.

- **Observation #27: Notwithstanding its frequently expressed commitment to democracy, the media's duty to enhance democratic communication often comes in conflict with its commitment to owners.**

(Articles supporting the observation: Fallon, 21 April 1996; "Threatened by Mbeki ...", 14 June 1996)

An excerpt from Times Media Ltd.'s proposed editorial charter clearly illustrates how the media industry exports libertarian ideology to media thinking. At the same time, the charter illustrates the tensions within libertarianism:

1.2 Each newspaper shall not be bound to or unduly favour any commercial, political, social or personal interests. It shall exercise and be seen to exercise independent judgement on public affairs to advance the general good of South Africa and its people.

2.2 The basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same restraints as that of the individual and rests on the public's fundamental right to be informed and freely to receive and to disseminate opinions. Each newspaper shall uphold the highest standards of integrity and of professional, independent, honest and responsible journalism.
(From the proposed Times Media Ltd. editorial charter; *Business Day* 11 July 1996)¹⁷

The charter clearly underlines the importance of editorial independence, be it commercial, political, social or personal (1.2). This is in line with libertarian principles: No infringement should be made on individual freedoms. Interestingly, when transferred to newspaper businesses, individual freedom is in reality exchanged with corporate freedom. In order for individual freedoms to be exercised on a corporate level, there must be a great sense of consensus in the practice of news production.

- **Observation #28: South African newspaper businesses have, like their Western counterparts, exported the libertarian principles of individual freedom into corporate freedoms.**

(Article supporting the observation: Times Media Ltd. editorial charter, 11 July 1996)

'Freedom of speech' or 'freedom of expression' is generally considered one of the most predominant traits of modern democracies. It is therefore no surprise that freedom of speech is one of the most quoted arguments in favour of a free press in post-apartheid South Africa. Exactly what this right entails, is less clear. Representatives of the press and of the opposition uses 'freedom of speech' to connote a number of rights, even to the extent that this right becomes an end in itself. For instance, PAC administrative officer Bennie Bunsee proclaims that "it is press freedom that will guarantee ultimate freedom" (Bunsee, 11 September 1996). Bunsee demands that the government scraps Section 205 of the Criminal Procedures Act, and reinforces the impression that the party in power, the ANC, is not all for freedom of the press: "However much it might irk the ANC government that the media does not truthfully portray its achievements, let it acknowledge the absolute right of the freedom of speech and the media" (Bunsee, 11 September 1996). In typical manner, the PAC officer meshes the two concepts of the freedom of speech and the freedom of the media/press into one without distinction. The freedoms are portrayed as prerequisites for 'truth' and 'democracy'. The overall observation is that the libertarian assumption of an imminent link between press freedom and access to truth has gained dominance.

That unconditional freedom of speech is considered a fundamental right in the new South Africa, became especially clear in the debate concerning the proposed ban on hate speech in the new constitution. Raymond Louw of the Freedom of Expression Institute (FXI) displayed one of the most uncompromising attitudes with regard to absolute freedom of speech. He argued that "freedom of expression is the most important of all human rights" (Louw, 15 April 1996). His argument must be seen towards the backdrop of apartheid, where ban on hate speech was used to curb the right of the citizens to express criticism with the oppressor. DP leader Tony Leon argued likewise, and supported the FXI's liberal stand on issues of freedom of expression¹⁸ (Leon, 15 February 1996). Both Louw and Leon advocated a classic libertarian philosophy, which assumes that moral good can only be secured through liberal individual freedoms.

- **Observation #29: 'Freedom of speech' and 'freedom of the press' are used in favour of a libertarian media model. However, the concepts are rarely defined.**

(Articles supporting the observation: Leon, 15 February 1996; Louw, 15 April 1996; Bunsee, 11 September 1996)

The limits of freedom of expression was tested March 1999 when *Ilanga* editor Amos Maphumulo attacked whites and Indians in an editorial¹⁹. The editor accused whites of nurturing Indians, who would in turn incite violence between the ANC and the IFP. The editorial concluded that what South Africa needs, is another Idi Amin who could deal with the Indian population. Not surprisingly, the editorial was condemned by all political parties and newspaper commentators, and Maphumulo eventually had to leave his editorial position at *Ilanga*.

The subsequent discussion was also an indication of how freedom of expression is interpreted five years into South Africa's democracy. Characteristically, the discussion turned out to be another evidence of the dominance of libertarian understanding of human freedoms. A typical comment to this end is Nicola Jones' defence of full freedom of expression (Jones, 5 April 1999). Jones, who is a communications lecturer at the University of Zululand, admits that full freedom of expression will lead to some harm, however, the firm conviction is that only through a competition of different opinions will the greater good prevail. This line of thought questions the new bill of rights, which – although ensuring freedom of expression – prohibits the advocacy of hatred based on race, ethnicity, gender or religion. The argument of Jones and other media commentators is based on two conditions that are genuinely libertarian: First, the conviction that the greater good is best secured through individual freedom, and second, that the state is in principle a threat to individual freedom.

- **Observation #30: 'The strong emphasis on freedom of expression in the public debate is a clear pronouncement of libertarian preferences.**

(Articles supporting the observation: Leon, 15 February 1996; Jones, 5 April 1999)

Several editorials elevate the principles of press freedom to an end in itself. A characteristic example is taken from an editorial in *Weekend Argus* ("A celebration ...", 16 March 1996). The editorial celebrates the openness of the new South African press, where everybody can freely express their views. The specific issue is a debate

surrounding the controversial viewpoints of Jon Qwelane, one of the *Argus'* columnists. White readers have accused Qwelane of racism and distortions of the truth, and the newspaper has been encouraged to dismiss him as a commentator. However, the *Argus* assures that its columns will remain wide open for Qwelane and other writers who may not agree with the majority of the newspaper's readership.

In its argumentation, the newspaper expresses two familiar views on democratic openness: that freedom of speech stands in contrast to apartheid South Africa, and that this freedom has become an end in itself. That freedom of speech "stands in stark contrast to the dismal years of apartheid repression" is a non-controversial statement. Underlying this statement is the conviction that it was a deliberate strategy by the previous government to suppress freedom of speech in order to control the formation of opinions. More interesting, however, is the way the Weekend Argus implies that freedom of speech is an end in itself. In the newspaper's opinion, it is less important that the allegations that are printed are valid than that the people are given the right to come forth with the allegations. Writes the editor: "What is of far greater importance [than the validity of the allegations] is the fact that Mr Qwelane's detractors, as much as Mr Qwelane himself, are free publicly to express their views" ("A celebration ...", 16 March 1996). This statement represents a remarkable shift in the legitimacy of the press. While social responsibility models of the press teach that the press and other media are means towards wider societal goals, libertarianism declines to give such justifications. To the libertarian, the existence of the press is based on the conviction that a free press represents a good in itself. A libertarian stance on press freedom thus sometimes results in the lack of justification apart from the libertarian principle itself.

- **Observation #31: Freedom of the press often becomes an end in itself within the libertarian paradigm.**

(Article supporting the observation: "A celebration ...", 16 March 1996)

Drawn further, a popular version of the libertarian standpoint disregards good and bad as a basis for ethics. Jeanette Minnie, executive director of the FXI, represents an extreme when she replies to the ANC initiative to ban hate speech: "One cannot deal with freedom of expression in this way. Fundamental to understanding freedom of expression is to realize that it is not made up of different parts—such as good speech and bad speech. It is both, and if you believe in it, you have to allow both"

(Minnie, 17 March 1996). The practical implication in this statement is that one is no longer able to decide on what is good and what is bad. Since there is no longer any foundation for universal ethics, it becomes increasingly difficult to agree on a common ground for punishing evil deeds. "Goods" and "bads" are seen as negotiated entities within the social discourse, and only actions rooted in the individual can be universally justified. Any infringement on the right of the individual to express personal opinions is seen as an infringement on human kind itself. Ultimately, this view represents an extreme individualism, that is, the individual has become the measurement of all things.

- **Observation #32: Some defenders of press freedom draw the libertarian discourse to extreme individualism, in which the individual becomes the only trustworthy measure for ethics.**

(Article supporting the observation: Minnie, 17 March 1996)

Very few of the articles scrutinized in this study comments directly on 'responsible journalism' or similar journalism practices which challenges libertarian journalism. Those who do, are overwhelmingly negative. Journalist Kaizer Nyatsumba (20 November 1996), for one, rejects the practice altogether. His well-argued article deserves attention as it outlines the general sceptic attitude towards 'responsible journalism'. He writes: "Responsible journalism [is] the kind of journalism which would see our publications transformed from being *newspapers* to being propaganda organs of the ruling party and Government" (Nyatsumba, 20 November 1996). According to this definition of non-libertarian journalism, journalists are no longer entitled to criticize government. Unnecessary to say, no media theorist will agree on this one-sided definition of responsible journalism (Lambeth, 1992; see discussion below). Nyatsumba is more subtle, however, when he attributes to responsible journalism the idea that the media should "build rather than destroy". This constructive role of the media is at the core of social responsibility theories of the press, in contrast to libertarian theories which reject any nation-building responsibility. Nyatsumba is utterly clear in his preference for libertarian journalism as he continues:

The role of the media is the exact opposite of the view taken by adherents of that brand of "responsible journalism". The media's role must of necessity be to empower the public to make informed decisions by providing it with accurate

and reliable news; to serve as custodians of the country's constitution and as a watchdog over Government; to insist on the public's constitutionally entrenched right to know; and generally to serve as the eyes and the ears of the public.

(Nyatsumba, 20 November 1996; also repeated in Nyatsumba, May 1998)

Nyatsumba here expresses great confidence in essential libertarian thinking. The perception is that the government is less suited to inform the public than the media. Only the free media, the thinking goes, can be trusted to communicate "accurate and reliable news". The implication is that the government is more likely to distort information than the media. This is in line with classic libertarianism, which conveys a sceptical view of the state. On the contrary, since the press is commercial rather than governmental, it gains greater reliability than the state. In order to argue for this positive view of the media and the press, Nyatsumba rhetorically paints an image of the media as being on the public's side (its role is to "serve as the eyes and the ears of the public"). Again, the argument can only be valid if one holds together libertarianism's negative view of the government and positive view of the public. The positive view of the public is rooted in a positive view of the individual; only the individual's possibility to make the right choices will lead to advancement of society.

- **Observation #33: The argument for an independent press is firmly rooted in libertarian philosophy which implies a positive view of the individual and a negative view of the state. 'Responsible journalism' is portrayed as a threat to the independent press.**

(Article supporting the observation: Nyatsumba, 20 November 1996)

In line with the observations above, the national leadership of South Africa does not want to be associated with measures that oppose a critical media. To this end, there have been instances when the government finds itself misrepresented by the press. For instance, Deputy President Thabo Mbeki was quoted in *The Sunday Independent* as saying that the democratic press "should perhaps not be so critical of our democratic government" (Seleoane, 21 September 1997). The quote was a misrepresentation of Mbeki's view, contended information director Thami Ntentsi (28 September 1997) in a letter to the editor, as the deputy president was clearly in favour of a critical press. What Mbeki did say, however, was that the press should proceed from "a false position that [it] had a principled responsibility to report government activity negatively" (Ntentsi, 28 September 1997).

It is thus important for the deputy president to disapprove of the right of the press to be *negative* while approve of the right to be *critical*. While the indirect criticism embodied in the referred statement is that the press has not grasped the difference between reporting negatively and reporting critically, the issue at stake is probably where the government and the press draw the lines between the two kinds of reporting. The government is likely to deem some reporting as negative whereas the press would view the same reporting as critical, since there are overlaps between the two terms depending on the view of what is inherently destructive to the public debate. 'Negative' is associated with attitudes which are inherently destructive, for instance a reporting style which aims to harm the government. 'Critical' points to the attitude of not accepting an issue at surface value, however, a scrutiny into the issue may lead to either approval (positive response) or disapproval (negative response). Both 'negative' and 'critical' involve value judgements and therefore represent sites of contention between the government and the press.

All this said, the distinction between 'critical' and 'negative' can be present in both libertarian and social responsibility theories of the press. The final observation which is categorized within the watchdog discourse therefore represents a transition to the next section, which will deal with social responsibility preferences.

- **Observation #34: The official view of the government is that it approves of critical reporting while disapproves of negative reporting. However, the government is likely to disagree with the press on what is critical and what is negative.**

(Articles supporting the observation: Mbeki, 8 April 1996; Ntentsi, 28 September 1997; Ramatlhodi, 6 April 1998)

4.2. The social responsibility model:

The 'nation-building discourse' (observations #35–50)

We have so far been concerned with articles that primarily express a watchdog approach to the media. Advocating libertarian ideals, most of the participants in the debate emphasize that the media ought to strive for a critical role. As we move to the second main category, the social responsibility model, we shall see that the critical role is not altogether suspended, but it is less emphasized. Advocates of social responsibility emphasize that the press is part of a larger societal complex; it is not seen as a separate institution, as libertarianism does. In the context of contemporary

South Africa, the social responsibility role of the media is one of *nation-building*. There are some media representatives who acknowledges the nation-building aspect of the media, but government officials are far more active in stressing this duty. The following section starts with the dissatisfaction that the politicians express in this regard, and continues with an analysis of how politicians and media representatives argues that the South African press has a role to play in the nation-building process.

Our examples begin with Mpumalanga Premier Mathews Phosa, who publicly expressed his outcry over what he thought was poor performances by the press. At a business conference in Swaziland 29 May 1996, the premier was asked why journalists preferred to highlight negative developments rather than cooperating with government initiatives. Phosa replied: "The press are all bastards who make money out of our names and activities. They never let facts stand in the way of a good story and always concentrate on the negative issues" ("Phosa says ...", 30 May 1996). Mathews Phosa's censure represents a common prejudice towards the press: that the press always report on negative issues rather than positive ones. It is not the task of this treatise to decide on the extent of negative reporting in the South African press, however, when the press is officially criticized for massive negative reporting, the criticism is seldom accompanied by factual data.

Similar criticism from local government officials was raised in Eastern Cape, where ANC MPL Nat Serache and others claimed that the press was boycotting activities of the local government. Among the negative reporting was an article in the Weekend Post which listed MPLs who regularly missed committee meetings without good reason. Such reporting, claimed Serache, did not belong to the duties of the press. As expected, journalists reacted strongly to Serache's criticism, arguing that it was exactly one of the newspapers' duty to inform the electorate on the performance of elected representatives (Roberts, 31 May 1996). The incident is a characteristic clash between the press and politicians, though politicians increasingly seem to agree that the press does have a right to investigate matters that may threaten political life. Incidental outbursts from politicians such as this one in Eastern Cape in 1996 appear to be more and more isolate – perhaps because of an increasing agreement on the necessity of a free press.²⁰

- **Observation #35: A common perception among government officials is that the coverage of the government is overwhelmingly negative.**

(Articles supporting the observation: "Phosa says ...", 30 May 1996; Roberts, 31 May 1996; Ramatlhodi, 6 April 1998)

Not only is the press negative towards the government, it is also against transformation, is a common attitude on behalf of government officials. ANC KwaZulu-Natal spokesman Dumisani Makhaye points out in a letter to the editor that transformation is the trademark of the ANC, while the press works against it. He maintains that it is the ANC's gratitude that South Africa now enjoys freedom of the press. Makhaye says that freedom of the press is "part of greater freedoms that we were ready to sacrifice our lives for" (Makhaye, 20 February 1998), thus implying that it is absurd to argue that the current government could possibly be against press freedom in any form. On the contrary, it is the press itself which represents the greatest threat to media freedom. The press, claims Makhaye, is against the transformation process in the country: "Unfortunately, the bulk of the mainstream media stands in direct conflict with [...] the process of decolonisation and deracialisation" (Makhaye, 20 February 1998). To this end, Makhaye argues that the ANC has become the primary target of the press.

It is outside the scope of this treatise to decide whether this description holds water or not; however, it will only be mentioned in passing that prior to the 1999 elections, most newspapers and editors which endorsed a political party came out in favour of the ANC (*The Mail & Guardian*, *Business Day*, *Sunday Times* and *The Sunday Independent*; see Vanderhaeghen, 15 May 1999). Most likely, this is an indication that newspapers which are seen as targeting the ANC, in reality only act out their roles as critical analysts of government policies.

- **Observation #36: The ANC leadership alleges that the mainstream press is against transformation. However, the allegations are general and not accompanied with evidence.**

(Article supporting the observation: "Media in ...", 8 February 1998; Makhaye, 20 February 1998)

Among the efforts of the first democratic ANC government was to replace the old South African Communication Service (SACS) with the new Government Communications and Information System (GCIS). The official restructuring took place on 18 May 1998. A report produced by the Task Group on Government

Communications (Comtask) paved the way for the new governmental communications office. The report is relevant for the government's view of normative press models, as it expresses dissatisfaction with the South African newspaper industry. The government was unhappy "with its treatment at the hands of the mainstream commercial media"; it had become "the victims of journalists driven by a perhaps subconscious instinct to indulge in ANC-bashing" (Sawyer, 7 October 1996). On this basis, Comtask recommended less concentration in media ownership and more professionalism in the media.

Political correspondent Clive Sawyer comments on Comtask and suggests two reasons behind the appointment of Comtask: Firstly, the failure of the government to inform the South African public on its activities, and secondly, the unhappiness with the way the government is treated by the mainstream commercial media. The second concern was put on the agenda after the government faced negative coverage on certain issues, such as the unsuccessful aids play *Sarafina 2*, which, according to many commentators in the media, revealed how amateurish the new ANC bureaucracy was. From the ANC's point of view, the *Sarafina 2* coverage was typical of the negative image that the media created of the government. In line with this, Comtask concluded that the perspectives of the government did not get enough coverage, and that reports were often "superficial and distorted, and important government communication was often selectively ignored" (Communications 2000, August 1996). The task group also found, however, that the frustration of the relationship between the government and the media went both ways. The media complained about government information, claiming it was incomplete and non-transparent. Comtask therefore called on both the media and the government to improve their respective standards.

- **Observation #37: The restructuring of the government information system was partly explained as a result of the government's frustration with the press. The government wanted to see more positive coverage on its work.**

(Articles supporting the observation: Sawyer, 7 October 1996; Moerdyk, 12 October 1996)

Joel Netshitenzhe became the first executive officer of the new GCIS. His view on government communications brought about a new understanding of the role of the

media in the democratic South Africa. He argued that the media cannot be seen apart from the broader transformation process. This, of course, is not contradictory with the view of many journalists (as observed in section a), but the significant difference is that journalists tend to argue that the transformation takes place through *conflict*, while the GCIS executive officer maintains that the same transformation can take place through *consensus*. By the consensus approach, Netshitenzhe argues for the harmonization of government and media interests to improve mutual understanding. Journalists should approve of their role as active participants of change, argues the GCIS head (Netshitenzhe, 22 March 1998). The consensus approach has many similarities with social responsibility models of the media. Netshitenzhe does not scrap the critical obligation, but contends that criticism and consensus can coexist.

- **Observation #38: As opposed to the conflict approach, the consensus approach suggested by some government officials requires the press to harmonize transformation efforts with the government.**

(Articles supporting the observation: Mkhondo, 15 July 1997; Netshitenzhe, 22 March 1998)

In contrast to the watchdog discourse, the nation-building discourse tends to suggest that the responsibilities of the press and the government are ultimately the same. The institutions work together towards the same goal, and are seen as cooperatives rather than competitors. The South African government frequently conveys this understanding of the role of the media. For example, on one occasion President Nelson Mandela directly intervened after a critical editorial appeared on an op-ed page in *City Press* in October 1996. It was editor Khulu Sibiya of *City Press* who wrote the editorial, in which he criticized Mandela's public support of justice Ismail Mahomed for the position of Chief Justice. The editor was subsequently called to ANC headquarters by the president himself to discuss the editorial. According to Sibiya, President Mandela was "very upset – he thought I should have understood the circumstances better, especially as a black journalist" ("Mandela summons ...", 21 October 1996).

The interesting observation here is that it seems that the ANC leadership expects a more positive treatment by black journalists than by white journalists. This

is further indicated by Mandela's own choice of words when he said he called Sibiya in "as a brother". Together with similar observations, notably in Thabo Mbeki's (21 October 1996) speech to black and white editors, this reinforces the view that the government wants to convey the impression that the press and the state are in reality team-mates. A convention of this team image is that it is only to be expected that the government calls on the media profession to discuss a common strategy. However, the government is drawn between two forces on this issue. It also wants to favour an independent press, which, according to Mandela, is "a pillar of democracy" (the same assurance has been given to Sanef; "Mandela editors ...", 2 November 1996). There is only one way to harmonize these attitudes towards the press: In the government's view, there is no contradiction between an independent press and a press that can meet with the political leadership to discuss its own role.

- **Observation #39: The government is more likely than the press to neglect a clear division of responsibilities between the two institutions.**

(Articles supporting the observation: "Mandela summons ...", 21 October 1996; Mkhondo, 15 July 1997; Mazwai, 29 May 1998)

It becomes increasingly clear from these observations that the government wants to have a say in the role of the South African press. A particular concern of the government is to point out that the freedom of the press comes with responsibilities. The press seems to forget this, says the government and appears to give journalists a lesson in proper codes of ethics. What these reactions show, is that the government has clear preferences in terms of normative press models. We shall look at one example where ANC officials denounced the press on a particular issue, but which was actually a profound attack on the media's watchdog role.

During the autumn of 1996, *The Star* carried a short series of articles which looked critically at the ANC leadership. This led ANC MP Carl Niehaus to write a letter to the editor in which he argued that the articles were based on misinformed opinion and distorted facts, and that they were only intended to smear the image of the ANC. He wrote that it is "the lifeblood of a democracy" that the press is given the right to criticize the government. However, he continued, "this right is accompanied by responsibilities" (Niehaus, 15 November 1996). A similar view was expressed by ANC MP Tony Yengeni in response to the same *Star* articles. Yengeni made the point

that the press seems to be very good at criticizing others, but very poor at being at the receiving end of criticism. In his words, "the SA press believes they are the only watchdogs and nobody else should play the role of watchdog over them" (Yengeni, 15 November 1996).

What this reversed watchdog metaphor signals, is that the public debate in South Africa is expected to be of such openness that no one is above criticism, neither the government nor the press. This belongs to the general discourse of democratic rights, namely that the right to criticize others should not be questioned. It is the argument of the ANC, however, that the press has not understood that the criticism must go both ways.

- **Observation #40: When commenting on press standards, the ANC leadership affirms the right of newspapers to criticize the government. However, it is usually pointed out that the freedom of the press also comes with responsibilities.**

(Articles supporting the observation: Niehaus, 15 November 1996; Yengeni, 15 November 1996)

The arguments for a nation-building agenda on behalf of the press have so far been derived from the government and its officials. However, not only the government and politicians argue that the media should have a role beyond the watchdog role. Constitutional Court president Arthur Chaskalson, who played a pivotal role in the formation of the new South African constitution, advocated a two-dimensional obligation of the media. In a speech to the Commonwealth Press Union's Rainbow '96 conference in Cape Town, the Constitutional Court president unravelled the concept of 'the freedom of the press'. Although he affirmed that "a free press is an indispensable pillar of democracy", the judge went on to argue that the principle of the freedom of the press is not as straightforward as many media people would like it to be (Chaskalson, 17 October 1996). On the contrary, the rights of the press must be balanced towards other rights and interests, such as privacy and defamation. Chaskalson concludes that "rights are never absolute and press freedom is no exception to this rule" (Chaskalson, 17 October 1996).

Chaskalson's problematization of the freedom of the press illustrates a general challenge whenever an individual right is made a universal principle, namely that individuality can never be non-negotiable in a democratic society. This is evident

when the judiciary assesses the freedom of the press, for instance during the writing of the constitution. The government must necessarily keep all rights and responsibilities in mind when making the law, while the press can allow itself to elevate one right above all other rights.²¹

- **Observation #41: Some of the tensions between the press and the government on issues of press freedom can be explained by the fact that the government must consider a complexity of democratic rights and responsibilities while the press can focus on one right alone.**

(Article supporting the observation: Chaskalson, 17 October 1996)

The government's view of the press depends on the occasion on which the view is expressed. As shown in the first section, there are occasions where the government affirms the watchdog discourse, as least partly. On other occasions, the government emphasizes the social responsibility role of the press. These views need not be contradictory, they are rather proofs that discourses operate on various levels. It is the argument of this treatise that the underlying discourse of the government emphasizes the nation-building role of the press, even when watchdog functions are paid attention to. When Deputy President Thabo Mbeki spoke at the founding meeting of the South African National Editors' Forum (Sanef), he wisely paid attention to both functions of the press (Mbeki, 21 October 1996). However, the underlying discourse remains one of nation-building.

In his speech, the deputy president addressed the issue of freedom of the press and how the press has a role in the wider development of society. Although the speech was delivered on an occasion where words of encouragement were more appropriate than words of criticism, it did express the general understanding on behalf of the ANC leadership what the role of the press should be in relation to government. Mbeki had two messages in his speech: that press freedom is not under threat in South Africa, and that the press should take part in fighting for non-racialism (the latter is of course a direct response to the occasion, which is the merger between white and black editor forums). Notably, Mbeki put great emphasis on the concept "one nation" in his speech, thus denoting that the press has responsibilities also in this regard. The nation-building role of any public or civil institution, including the commercial media, is therefore inescapable. Interestingly,

Mbeki spoke in first person ("we") when referring to the forming of Sanef, as if politicians belong to the same team as editors. For instance: "Sitting together in Sanef as black and white South Africans *we* have the rare possibility to influence one another" (italics added). This confirms what we have observed earlier; that from a politician's point of view, it is less important to draw a sharp distinction between the press and the political environment.

The deputy president gave similar views on another occasion, at a banquet to celebrate the 120th anniversary of The Cape Times. In that particular speech, Mbeki advised journalists to contribute to the overall nation-building enterprise. Among the important issues in this enterprise is the construction of a "common sense of patriotism" (Mbeki, 8 April 1996). This resembles Mbeki's later appeal for an African renaissance, which encouraged African patriotism. Mbeki says the press must understand its role in this process of nation-building, or continent-building. In his words, the media should "become an important element in the engine that will take us till our destination" (Mbeki, 8 April 1996). Put differently, the ANC leadership sees no contradiction between an independent press and a press which is part of the nation-building process. Specifically, and in tune with Mbeki's call for a reconciliation process in the country, he advises the press to be "one which is capable of moving away from stereotypes and one which is not embarrassed to be passionately and uncompromisingly in favour of some things, especially our new-born democracy" (Mbeki, 8 April 1996).

The appeal for a more nation-minded press sometimes includes direct attacks on libertarian values. ANC parliamentary caucus Baleka Kgositsile thus provoked the media industry when he said in an interview: "If the media wants to be seen as being truly committed to the process of transforming parliament into an effective tool of social change, it must desist from being a perpetual messenger of bad news" (Mgxashe, 25 February 1996). Intensely provocative, Kgositsile's statement is another confirmation of the nation-building role that the government wants the press to have. Kgositsile draws the nation-building role to the extreme that only good news has a legitimate place in the media. This is perhaps the scenario journalists fear when they are being presented with the nation-building agenda. When the press is included in this agenda, the nation-building discourse appears to strongly contradict libertarian ideals. This explains in part the South African press' hostility towards the social responsibility model.

- **Observation #42: Politicians are more likely to emphasize the nation-building role of the press than the press itself.**
(Articles supporting the observation: "Govt, media ...", 28 May 1996; Mbeki, 21 October 1996; Netshitenzhe, 22 March 1998)
- **Observation #43: In contrast to most media representatives, the ANC leadership sees no contradiction between an independent press and a press which is part of the nation-building process.**
(Articles supporting the observation: Mbeki, 8 April 1996; Mkhondo, 15 July 1997)

It is imperative to the ANC that all groups are committed to nation-building. The perception is that South Africa is under transition to a 'new society' where democracy and equality is becoming the norm. These ideas are profoundly outlined in ANC's statement on ethical transformation, in which the media are also asked to take part. The statement presents both a criticism and a challenge to the media industry: "Some newspapers appear to find it easier to play a destructive role in the transition process. Can all the media have a constructive role in nation-building?" (ANC Commission for Religious Affairs, 17 October 1998). This rhetorical question leaves no alternatives to the media, as no responsible organization would wish to be destructive rather than constructive.

- **Observation #44: The official view of the ANC leadership is that the media are constructive only if they actively commit themselves to nation-building.**
(Article/document supporting the observation: ANC Commission for Religious Affairs, 17 October 1998)

How does the social responsibility model of the media correspond with African philosophies? Some have addressed the question, like Thabo Mbeki through his African renaissance concept, as we have already mentioned. Another central figure in the public debate 1996–99 who had strong opinions on the question, was Prof. William Makgoba. Makgoba took a different route than most other academics in questions of the press and the government. Like the national leadership, Makgoba urged the press to take part in the nation-building process.

In a *New Nation* article, Makgoba outlines two roles of the press in this process: its role as an educator and its role as a democracy builder. According to Makgoba, "the media should take lead in debates and in challenging our emerging democracy to be forward-looking and nation-oriented" (Makgoba, 22 November 1996). The nation-building agenda is thus of utmost importance to Makgoba, as he has expressed in various other contexts (Makgoba, 1997). Within this line of thought, it is insufficient to outline the normative role of the press without referring to overall social goals. The overall social goal for Makgoba is what is vaguely defined as the 'African spirit', which leads him to argue that even the media should promote "the community spirit that is so characteristic of African societies" (Makgoba, 22 November 1996). How this is done in practical journalism is somewhat unclear. Makgoba argues that today's media fail to convey the African spirit as they "perpetuate predominantly Eurocentric values, ethos, ideologies and norms at the expense of African ones". Makgoba's description will not be evaluated here. The interesting observation is that his normative role of the media is inescapably linked to the rediscovery of genuine African values.²²

- **Observation #45: Within the nation-building discourse, the normative role of the press is sometimes seen as linked to African community philosophies.**

(Articles supporting the observation: Makgoba, 22 November 1996; Molebeledi, 30 September 1998)

Echoing William Makgoba, the ANC Women's League president Winnie Madikizela-Mandela called for a more African press at a meeting at the Johannesburg Press Club. Like Thabo Mbeki, Nelson Mandela and others, Madikizela-Mandela accuses the press for being stuck in a "dying, European, conservative liberalism" (Molebeledi, 18 February 1998). The better alternative for the South African press, she claims, is to adopt "an assertive, emerging African renaissance". In terms of press standards, she says that the press "always cried for freedom of the press but never for responsibility, objectivity, sensitivity, thorough investigative journalism or analytical and informative reporting".²³ The assumption is that objectivity, analytical reporting, etc. are not compatible with generally acknowledged standards of the liberal press. However, the media profession itself and educators seem to convey the opposite (see for instance Diederichs, 11 January 1998; TML editorial charter, 11 July 1996).

- **Observation #46: Leading ANC politicians are convinced that the South African press will not be truly African unless it exchanges so-called European liberalism for the African renaissance. However, the politicians do not spell out how the African renaissance can be imported into journalism.**

(Articles supporting the observation: Makgoba, 22 November 1996; Molebeledi, 18 February 1998; Molebeledi, 30 September 1998)

There are of course also journalists and editors who accept the social responsibility model of the press, though to a lesser extent than do politicians. The editor of Cape Argus, for one, admits that the challenges of transformation belongs to the press as much as it does to the rest of civil society. One of the difficulties with the South African press, according to an editorial in relation to the International Press Freedom day, is that large sections of the press does not correlate with the society they serve ("Entrenching ...", 4 May 1998). This concern is raised by both media professionals and politicians. That the press is in need of transformation, reflects a social responsibility discourse. According to the referred editorial, the needed transformation entails both staff demography (that the newsroom must reflect the demographics of society) and media content (that the columns in the newspapers should reflect all of society, not only the established, middle-class segment).

- **Observation #47: Concerns are raised by both the media profession and politicians that the South African press is not reflecting the society it seeks to serve.**

(Articles supporting the observation: Mbeki, 21 October 1996; Diederichs, 11 January 1998; "Entrenching ...", 4 May 1998)

We have earlier seen that the proposed Times Media Ltd. editorial charter reflects libertarian values because of its uncompromising attitude towards the independence of the media. However, and this observation is particularly worthwhile since it is taken from an editorial charter, the charter also proves that the newspaper group commits itself to improving the conditions of South Africa, or, in the group's wording: "to advance the general good of South Africa and its people" (TML editorial charter, 11 July 1996). Also, the newspaper group "shall endeavour to reflect [...] the views,

aspirations and needs of all South Africans". These statements, notably placed already at the preamble of the charter, reflects a desire on behalf of the newspaper group to be accountable not only to its owners and its internal standards, but also to the standards of the country as a whole. Though this is perhaps a somewhat diffuse commitment (a much clearer commitment would be that of economic prosperity on behalf of the owners), it does project a socially responsible role of the press that the press itself chooses to adopt. Whether the press actually succeeds in its commitment to "the general good of South Africa and its people" is difficult to decide, partly because 'the general good' is not defined.

- **Observation #48: In principle, the newspaper industry expresses a commitment to social responsibility.**

(Article supporting the observation: TML editorial charter, 11 July 1996)



Nation-building is linked to consensus, which is often seen as an enemy to the independent press. An interesting exception is the editorial standards of *The Sunday Independent*, whose pronounced goal is "to be part of the process of creating a national consensus" in post-apartheid South Africa (Ball, 20 February 1998). Editor John Battersby has repeatedly made clear that his newspaper has responsibilities also in the overall shaping of the new nation, which implies that it intends to go beyond the traditional rights-oriented libertarian paradigm. One editorial states: "We [*The Sunday Independent*] also believe that with rights come responsibilities. We are accountable to our readers and the society in all its diversity" ("Let's learn ...", 21 September 1997). Rather than looking inwardly to protect press rights, the editorial turns its focus on the population at large. The largest threat to the responsibility of newspapers, according to *The Sunday Independent*, is not restriction of press freedom but the fact that only a small portion of the population has a real opportunity to participate in the public debate. Participation is restricted by illiteracy as well as racial, cultural and socio-economic divides. Through this train of thought, the editorial shifts the focus of the role of the press from being one of independence (liberty from state regulation, commercial interests, etc.) to being one of interdependence (cooperation across the web of social formations). The libertarian view of the role of the press is challenged. It needs to be emphasized that *The Sunday Independent* departs from most other newspapers in its acclamation of nation-building responsibilities.

- **Observation #49: A few newspapers declare that building a national consensus belongs to their obligations. This view presupposes that the role of the press is best seen in light of responsibilities rather than rights.**

(Articles supporting the observation: Sullivan, 15 July 1996; "Let's learn ...", 21 September 1997; Ball, 20 February 1998)

* A similar comment that is worth attention, is Peter Sullivan's "Let's try and find our high road" (Sullivan, 15 July 1996). Sullivan, who is the editor of *The Star*, elaborates on the vision to crave for more responsible standards than just sheer watchdog journalism. After affirming that newspapers do play a watchdog role in society, "a role which demands that we criticise, expose, attack, lead public indignation, follow up on investigative reportage", Sullivan goes on to expand the role of the press to involve the invention of "a new national culture". Interestingly, the editor implies that this role of the press is of particular importance in South Africa, although it might not represent a universal standard for journalism. He writes: "In our emergent democracy, in our unequal society, we also have a role to lead the population towards good things as well as away from evil" (Sullivan, 15 July 1996). The watchdog role thus connotes that which repels evil, which of course is an honourable duty, but Sullivan indicates that if journalism only aims at 'anti-evil', it can only reach so far. On the contrary, if journalism commits itself to "good things", it will expand beyond the traditional paradigm. Sullivan's comment therefore challenges the classical libertarian paradigm which is not associated with responsibilities ("good things").

To explain what good journalism entails, the editor uses various metaphors which are worth studying. The well-known metaphor of "the rainbow nation" is used to locate the newspaper in the wider cultural setting of the multicultural South Africa. The metaphor is a non-controversial one, and it is arguably expressing a diffuse vision rather than actual circumstances. The commentator continues: "It is The Star's task to be a *guiding light* for our nation, inspired by our leaders and readers" (Sullivan, 15 July 1996; italics added). This is the enlightenment discourse writ large. Within this discourse, the role of the press is one of illumination. The public has to be guided through the social maze, and the task of the press is to educate and inform. However, the press does not operate in a newsroom vacuum, as the libertarian discourse sometimes seems to suggest, but is dependent on input from "our leaders

and readers". The latter involves the realisation that the press is part of a negotiated social arrangement.

Rather than emphasizing the critical role of the newspaper, Peter Sullivan proclaims that his newspaper "will promote the positive aspects of our society". Such a commitment to transmitting good news is relatively uncommon when editors speak of their responsibilities. However, the editor of The Star clearly does not see any contradiction between reporting on positive news and being critical: "We will be supportive of the good, teach tolerance of everyone's best attempts and be kindly in criticism, while preaching intolerance of crime in communities or corruption in governance" (Sullivan, 15 July 1996). As a model for journalism, Sullivan's comment therefore represents a compromise between libertarianism and social responsibility.

* A final example of a journalist who departs from the watchdog discourse, is Independent Newspapers parliamentary editor Zubeida Jaffer. She stresses that journalists must "provide information within a context which will deepen the knowledge of citizens and communities" (Jaffer, 5 February 1998). The understanding is that journalists should be accountable to communities more than individuals, in other words, the individualistic libertarian hypothesis is challenged. Jaffer draws a significant distinction between cynicism – which many people see as the chief trait of the press – and healthy scepticism. Only if the newspaper industry eradicates itself of the cynicist image, contends Jaffer, can it make a contribution 'as we try to rebuild our country'. The responsibility of parliamentary journalists is then, at least partly, to contribute to the nation-building process.²⁴

- **Observation #50: When challenged on the responsibilities of the press, some press representatives depart from classical libertarian values and acknowledges nation-building responsibilities.**

(Articles supporting the observation: Sullivan, 15 July 1996; "Let's try ...", 21 September 1997; Jaffer, 5 February 1998)

4.3. The communitarian model:

The 'alternative discourse' (observation #51)

As we move to the last section of observations, we need to be reminded that there is a diffuse line between social responsibility and communitarianism. Some would argue that the two approaches are essentially the same (Gunaratne, 1996; Howard Schneier quoted in Dennis & Merrill, 1996: 156–57). Some of the observations

categorized in the previous section, particularly those regarding African philosophies, carry communitarian traits. However, during the period studied in this treatise, February 1996–April 1999, there appears to have been only one article which argues directly for a truly communitarian media. The article carries the indicative title “Media’s role more than watchdogging”, and the author is Annette Lansink, lecturer of public law at the University of Venda (Lansink, 7 May 1998).

The responsibilities of the media must be seen in close connection with the overall transformation of the country, argues Lansink. Central to her argument is a fundamental critique of liberal concepts of democracy. She explains that alternative models of democracy are excluded in today’s westernized South Africa: “Other conceptions of democracy, such as an African-oriented concept of democracy in which notions of rights and duties to the community, a communitarian approach and consensual decision-making are central elements, are brushed aside” (Lansink, 7 May 1998). Lansink reports that the liberal model of democracy, which South Africa is imitating, aims to limit the state and dichotomize the roles of the government and the commercial sector, such as the media. In her view, the liberal model of democracy reinforces socio-economic imbalances. However, the new South African constitution has paved the way for “a more substantive notion of democracy”, particularly with regard to economic equality. Lansink subsequently argues that the government must offer alternatives to the liberal understanding of rights and responsibilities in order to ensure transformation and nation-building. The media have an important role to play in this transition, but it differs from the traditional watchdog role. Lansink concludes: “The role of the media should extend beyond being a watchdog; the media should play its role in the effort to create a national consciousness of substantive democracy” (Lansink, 7 May 1998). Notably, the watchdog role is not abandoned, but it is only one among a wider range of responsibilities of the media.

The normative media theory outlined by Lansink comes close to familiar descriptions of communitarianism. The article is, as already mentioned, the only instance in which communitarian ideas are developed as a model for the South African commercial media.²⁵

- **Observation #51: In only one instance have commentators applied communitarianism as a resource for thinking around the role of the**

¹³ It is difficult to distinguish between the ANC and the government on this issue, which is *inter alia* evident from the November 1996 dispute. President Mandela receives support from the ANC head quarters for his critical view on the media (Niehaus, 15 November 1996; Yengeni, 15 November 1996), and he does not distinguish between 'ANC mouthpiece' and 'government mouthpiece', for instance ("Black pressmen ...", 19 November 1996).

¹⁴ This concern led a majority of the black journalism profession to proclaim that they identified themselves with a professional journalist community rather than with a racial community. Journalists, both black and white, strongly rejected that they were controlled by forces which are against democracy and transformation. In response to Mandela, non-white journalists denied that they represented token appointments (e.g. *Sunday Times* editor Mike Robertson, *Cape Argus* editor Moegsien Williams, *Sowetan* editor Mike Siluma; "Black editors ...", 19 December 1997).

¹⁵ Bruce's letter is rebutted by Steuart Pennington (23 October 1998). Pennington argues that it is a failure of the media to reject its nation-building role, and that the media should stop hiding itself behind the "commercial rationale".

¹⁶ To justify the government, it is of course in the opposition's interest to make the impression that the government is against press freedom. Nevertheless, indications are that the opposition is valid in its concerns since the ANC on several occasions has failed to prove that its handling of particular cases is faultless. A case in point is the mentioned McBride affair, which caused ANC Premier Ngoako Ramatlhodi (6 April 1998) to react with disgust on the attitude of the press. His reaction is not primarily a defence of ANC's treatment of the case, but a general criticism of the press which supposedly fails to report on the positive achievements of government. That the press allows too much negative reporting, is therefore not sufficiently proven.

¹⁷ The editorial charter caused much debate within the company. Journalists said the charter was compiled by the leadership without consulting the staff.

¹⁸ The DP later accepted ANC's proposal that freedom of expression should not extend to "advocacy based on race, ethnicity, gender or religion that constitutes incitement to cause harm". The reasoning was that the racial tensions of the past made it necessary to send a message through the constitution that certain kinds of speech would not be tolerated (Madlala, 24 March 1996).

¹⁹ I have not been able to find the exact *Ilanga* reference, but the editorial at hand was published in the middle of March 1999.

²⁰ Another characteristic example of government representatives who have accused the press for inappropriate government coverage, includes Northern Province Premier Ngoako Ramatlhodi, who criticized the press for "the under-reporting of government initiatives or successes" (Ramatlhodi, 6 April 1998).

²¹ In an editorial reply to judge Chaskalson, *The Sunday Independent* expressed concerns that the judge in his speech "was more preoccupied with how to limit the definition of press freedom than with how to entrench and expand on it" ("Freedom and responsibility ...", 20 October 1996). However, the newspaper failed to look into any of the issues raised by the judge with regard to troubles with unlimited press freedom. Perhaps the failure to address concrete issues illustrates the general failure of the press to defend full freedom of the press when faced with actual situations.

²² Makgoba is supported by intellectuals from other African countries who have argued for a journalism practice that differ from the so-called Eurocentric journalism. One is Nigerian author and publisher Dr. Chinweizu, who claims there is "a need to develop an African

renaissance media philosophy with clear goals, operational principles, criteria and professional ethics" (Molebeledi, 30 September 1998). Of particular importance to Chinweizu is to rectify Africa's false image of African civilization, an image which the mainstream media supposedly upholds.

²³ These words, together with other extracts that are attributed to Winnie Madikizela-Mandela, are in reality derived word by word from William Makgoba's comment in *New Nation* 22 November 1996.

²⁴ William Saunderson-Meyer (7 February 1998) is critical of the views of Zubeida Jaffer. In typical libertarian manner, he maintains that the only option for the media is to stay critical rather than 'constructive'.

²⁵ Arguably, there are also other media critics who propose communitarian ideals. North-West Premier Popo Molefe claims that only a community-based media can ensure participatory democracy ("Molefe says ...", 13 March 1998). The type of 'black journalism' that developed during apartheid, also resembles a people-driven communitarian approach to the media (Molefe, 23 February 1996). Such examples are still not developed instances of communitarian journalism as the term is understood in contemporary journalism.

Chapter 5: A model of contending press ideologies in post-apartheid South Africa

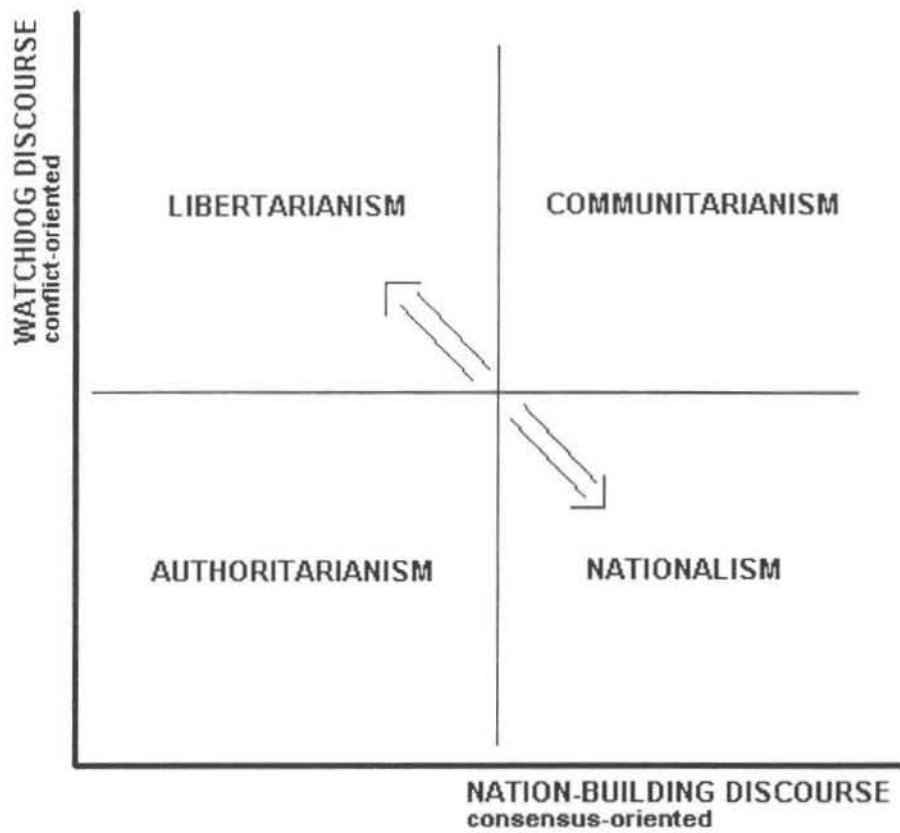
This chapter proposes a way to understand normative press models based on the research presented in the previous chapter. Although the model is inspired by post-apartheid South Africa, it brings insights that are applicable to other modern media societies as well. It represents a challenge to the classic division that Siebert et al. proposed in their "Four theories of the press" (1963).

From the research just presented, one is left with the impression that the press debate in South Africa is dichotomized. One is either for a libertarian model or for a social responsibility model. The media industry argues for libertarianism, while politicians and the government argues for social responsibility. It is as if the two views are mutually exclusive. Even when government officials attempt to reconcile the watchdog function and the nation-building function, they imply that there are inherent tensions between the two; they cannot truly coexist.

The following model illustrates the dichotomy that seems to inform the South African media debate. However, rather than presenting the opposing views on a continuum with 'watchdogging' as one extreme and nation-building as the other, the model suggests that the two positions operate on two dimensions. In other words, 'watchdogging' and nation-building are not mutually exclusive. It is the argument of this model that the discourse which informs the media debate, falsely upholds an imagined dichotomy between the interests of the press and the interests of the government.

Figure 1:

A new model of press ideologies in light of post-apartheid South Africa



(Note: The arrows represent the tensions in the public debate.)

* **Libertarianism** is characterized by a high degree of conflict. That the libertarian discourse is conflict-oriented means that it sees tensions between the media and the government as healthy. The total independence of the press is a necessity. Any cooperation between the media and the government is seen as unfruitful and damaging, not only to the press, but to society at large. It follows that libertarianism cherishes the watchdog metaphor, which maintains that the foremost function of the media is to be critical towards the government. The libertarian discourse is by far the most favoured discourse among South African journalists, as we have observed.

Authoritarianism carries a low degree of both conflict and consensus. There is no room for the press to challenge or negotiate with the government. Though Siebert's (1963) authoritarian media theory was largely based on the experiences of past

regimes, it is a possibility that the apartheid state displayed authoritarian attitudes towards the press. This reality – or at least the *fear* of such a reality – is perhaps an explanation as to why many commentators today favour either a strongly conflict- or consensus-oriented press.

* **Nationalism** is not a press model per se, but the concept is timely in the current South African media debate. The diagram suggests that the social responsibility model is in reality exchanged for a nationalistic framework. The purpose of the press is to serve the nation, not just society as such. To this end, it is remarkable how often images of 'the nation' are used when ANC politicians addresses the role of the media. We saw for instance that Deputy President Thabo Mbeki focused on "one nation" when he spoke at the founding meeting of Sanef (Mbeki, 21 October 1996), and he encouraged the press to share "a common sense of patriotism" (Mbeki, 8 April 1996). The purpose of the press is, once more, to take part in the nation-building process. These efforts require a high degree of consensus between the press and the government. In the nationalistic discourse, open conflict is seen as a direct threat to the advancement of the country, thus we get the kind of reactions from government officials like Trade Minister Alec Erwin who said the South African press was "overwhelmed by cynicism" ("Media overwhelmed ...", 14 October 1998). The nationalistic media model which is attributed to the new South African leadership, is undoubtedly motivated by the desire to break with South Africa's past. The ANC uses the imagery of the split country to motivate every institution of society to work together towards 'one people' and 'one nation' (cf. ANC Commission for Religious Affairs, 17 October 1998). The press is not justified as an independent institution within this paradigm. Consensus, not conflict, is the keyword. Conflict is destructive and should therefore be avoided, is the underlying credo of a nationalistic normative press model.

Communitarianism, as it is located within the proposed model, challenges the view that the watchdog and the nation-building discourses are contradictory. It also challenges the view that the media must be either conflict-oriented or consensus-oriented. On the contrary, since watchdog/conflict and nation-building/consensus operate on two different dimensions, the two can coexist. The background for communitarian ethics is exactly the realization that the libertarian press serves neither the nation (nation-building has failed; Etzioni, 1998) nor democracy (Fallows,

1997). A new media model, based on community involvement, but not disregarding the critical perspective, is needed. Lansink (7 May 1998) did an attempt to outline how this model can operate in today's South Africa. She maintains that the communitarian understanding is based on both national consciousness and democratic values like social justice and fundamental rights. Unlike the politicized nation-building discourse, communitarianism denies the necessity to control the media through top-down regulations.

Chapter 6: Conclusion

6.1. Main findings

The analysis in this treatise shows that the South African press is highly informed by Western libertarian ideologies. Both journalists and politicians agree that a free press is a necessity for democracy. The particular function of the press is to watch over the government, which induces the watchdog discourse. The watchdog discourse establishes the press as a homogeneous industry with common interests and goals. Libertarian ideals within the press frequently intermingle with ideals of freedom of expression, but the ideals are rarely explored or questioned. The libertarian ideology and freedom of expression are assumed to be self-evident and unchangeable. Libertarian dilemmas such as ownership commitment, are discussed only to a very limited degree.

The government is more likely than the press to favour the social responsibility model, but the model is seldom referred to by that name. Rather, images of nation-building are used, thus social responsibility is exchanged for nationalism. The nationalistic model of the press must not be seen as a detrimental, us vs. them typology, but is rather a framework which grows out of the efforts to develop social structures in a country that for many years has been split by apartheid. Nonetheless, the nationalistic model that the government generates, tends to censure critical reporting. The analysis shows that the distinction between 'critical' and 'negative' is blurred.

The treatise has suggested an alternative press model to libertarianism and social responsibility, namely communitarianism. It is argued that this ideology encourages both critical reporting and nation-building. Its starting-point is a people-driven journalism differing from immediate professional or administrative (governmental) preferences. However, the treatise has not dealt with communitarianism as a journalistic discipline other than on the superficial, ideological level. The article analysis shows that communitarian ideals are absent within the current South African journalism debate, although some calls for social responsibility ethics resembles the essence of communitarianism.

6.2. Further research

This treatise is mainly a descriptive study, and it lacks a closer theoretical analysis of the identified press models. In particular, the libertarian ideals need to be analysed further within the South African context. It is an open question why these ideals are guarded so tightly by the press and the NGOs in South Africa. Is it because of the country's past and its experiences with heavy restrictions on press freedom? Also, the relationship between a robust media and freedom of expression needs to be problematized. It is all too often taken for granted that freedom of expression and other libertarian 'necessities' inevitably leads to a more open and healthy democracy (cf. chapter 4). A closer study would reveal that the complexities of a modern democracy go far beyond freedom of expression and similar libertarian virtues.

Finally, communitarianism and public journalism opens up for an array of studies within the South African context. This 'people-driven' media ideology originated under certain conditions in the USA, but it is not unlikely that it corresponds with African community philosophies as well. Foremost, communitarianism is an ideology of practice, and it cannot be studied in the academic institution alone.

6.3. Limitations of theory and analysis

While the method used in this treatise was adopted (or constructed) with a view to avoiding the limitations of pragmatics, it nonetheless shares some of the limitations of discourse analysis; which it also attempted as far as possible not to emulate.

There are inherent fallacies within much discourse theory which need to be addressed in terms of ontology, epistemology and methodology.

Firstly, with regard to ontology, i.e. the view of the nature of reality, discourse theory struggles particularly with two fallacies: idealism and relativism. Social constructionism veers dangerously close to elevating language to the primary component of reality. The world is a construction of the words and expressions we choose, as it were. Such a view can lead to idealism, which tends to reduce the world to the ideas we have of it. A possible result is the trivialization of social phenomena -- such as hunger and oppression -- which hardly can be thoroughly researched through the analysis of language. Needless to say, an ontology which downplays the reality which exists beyond language mediation runs the danger of belittling social and natural misfortunes. A human tragedy is not only a matter of unfortunate discourse. Some Marxists scholars have been particularly hard on this

critique, as they uphold that the world is defined by economic forces rather than by discourses (Terre Blanche & Durrheim 1999: 168). It would be detrimental to let discourse theory slip into idealism.

Another potential fallacy of discourse theory, which also belongs to the ontological criticism, is the tendency to subscribe to some sort of relativism. Relativism is a philosophical conviction which grows out of an empirical social fact: pluralism. Since there are so many 'truths' coexisting, and since each of them seem to be the result of a personal conviction, it appears impossible to decide which one is better. It is easy to see that discourse theory, which is concerned with the construction of discourses rather than establishing their truth, can easily be trapped in reducing the world to merely accounts and constructions with no moral obligations.

Furthermore, if our interpretation of the text material is as relative as the texts themselves, then we are rendered morally indifferent to our research as well. To avoid this misuse of discourse theory, the researcher needs to clarify her perception of language as the chief component of reality. Perhaps a more fruitful ontology would rest on the notion that one's preferred view of reality hardly has any impact on other coexisting realities. Such an ontological view would not come in conflict with discourse theory.

Secondly, with regard to epistemology, i.e. the theory of how we achieve knowledge, discourse theory is troubled with its privilege of discourse mediation over other social activity. The external world cannot be accessed independently of language, and our knowledge of the world comes through the active use of language. However, although language is more than a passive reflection of the external world, it does not follow that all knowledge is purely a reflection of linguistic mediation alone.

This fallacy of some social constructionists is what Baerveldt and Verheggen (1997: 5) call 'aboutism', i.e. the phenomenon that social constructionism tends to limit itself "to what is said about human feeling, thinking and acting." To avoid this pitfall, we must be clear on the difference between knowledge, truth and discourse. We must not mesh truth and discourse, and assume that an analysis such as this treatise (or even discourse analysis proper) is the only method to study epistemology.

We must rather acknowledge that there are both individual and social epistemologies, i.e. epistemologies that are both concerned with single and multiple

agents, and that analysis is mainly concerned with the study of social practices of multiple agents (social epistemology). We therefore maintain that what we do in media analysis is to study the dominating discourses of larger social groups, and our epistemological preference is not based on a belief that discourse is a reproduction of individual or social truth. We will keep the measures of truth outside of this study, yet – and this is the main point of this epistemological clarification – we are not consequently discarding truth as a meaningful standard in other types of research. Thus, this study maintains that veritistic epistemology (the epistemological tradition which puts a heavy emphasis on truth analysis (Goldman, 1999) is not necessarily contradictory to discourse theory.

Another weakness in an analysis of news discourse is the selection of appropriate texts, and a selection of the right cues which are paid attention to in each article. How can the reader know that the selected articles are not included on purpose to back the researcher's argument? Unfortunately, there is no practical way to examine this, since as many as 6000 articles were surveyed in the selection process. One must to a large extent trust the integrity of the researcher.

In the analysis of each article, however, it is easy to read through the article to inspect whether the selected – and omitted – phrases and discourses are relevant for analysis. Nevertheless, because the method lacks a tradition of systematic academic practice, it can easily be exploited to carry out the researcher's political or personal agenda.

Because this analysis relies on the subjective identification of the link between words and discourses, it is easy to confuse the confirmation for one's own views with actual analysis. The discourses which can be identified under one subject heading (say, normative press theories) can be numerous and contradictory, but the study is not invaluable for that matter. The researcher must be open for contradictory findings, and that principle is particularly important to retain when applying subjective approaches such as social constructionism.

This treatise does have its limitations, and these are perhaps more evident than what the holistic approach of social constructionism seems to be. Perhaps a full-blown discourse analysis would have produced a different result; or perhaps the same result. This treatise pretends by no means to provide the last word on this subject. Hopefully it opens a way for many more detailed analyses by future students.

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Appendix A: Article overview

Date	Name of article	Source	Type of article	Author	Informants
15-02-96	In defence of free speech in SA	The Cape Times	Speech extract	Tony Leon	Tony Leon
16-02-96	Freedom redefined	The Star	Editorial		Editor
18-02-96	New era in fight for press freedom	Sunday Times	Opinion	Carmel Rickard	Carmel Rickard
23-02-96	Sowetan survived hard times	Sowetan	Background	Themba Molefe	Sowetan
24-02-96	Media told: 'Be positive on parliament'	Weekend Argus	News	Mxolisi Mgxashe	ANC parliamentary caucus
07-03-96	Public has a stake in press row	The Cape Times	Opinion	Guy Berger	Guy Berger
16-03-96	A celebration of newfound wisdom	Weekend Argus	Editorial		Editor
17-03-96	Freedom of speech becomes a mirage	Sunday Times	Opinion	Jeanette Minnie	Jeanette Minnie
17-03-96	The transformation of newspapers is easier said than done	The Sunday Independent	News	Elizabeth Kinghorn	Rhodes Journalism Review: Guy Berger, Thami Mazwai, John Patten, Moegsien Williams
17-03-96	A free press has to tell it how it is!	City Press	Editorial		Editor
24-03-96	DP accepts new hate-speech provision	Sunday Times	News	Cyril Madlala	ANC, DP
08-04-96	'Do battle with racist thinking'	The Cape Times	Speech	Thabo Mbeki	Thabo Mbeki
15-04-96	Intolerable dissent?	Democracy in Action	Opinion	Raymond Louw	Raymond Louw
21-04-96	The SA press may be free at last, but freedom is only the beginning	The Sunday Independent	Speech extract	Ivan Fallon	Ivan Fallon
28-05-96	Govt, media duty to inform public: Mac	The Citizen/Sapa	News		Mac Maharaj
30-05-96	Phosa says Press are all 'bastards'	The Citizen/Sapa	News		Mathews Phosa
31-05-96	Role of Press in E Cape finds support	Eastern Province Herald	News	Bronwen Roberts	ANC, editors
31-05-96	Don't blame the messenger	Eastern Province Herald	Editorial		Editor
14-06-96	Threatened by Mbeki and admonished by Chaskalson	Financial Mail	Opinion		Editor

11-07-96	Times Media Ltd. editorial charter	Business Day	Information		Editorial charter
13-07-96	Mandela does his best, but mainstream press chides 'future' president Also published as: Pen which maligns Mbeki was once poisoned with treachery	Weekend Argus Also in: Saturday Star	Opinion	Jon Qwelane	Jon Qwelane
15-07-96	Let's try and find our high road	The Star	Opinion	Peter Sullivan	Peter Sullivan
23-07-96	Media study results released	Business Day/Sapa	News		MMP
25-07-96	SA press dogged by poor training, says Mbeki	The Argus (Cape Argus)	News	Peter Fabricius	Thabo Mbeki
11-09-96	Press freedom as vital as ever	The Cape Times	Opinion	Bennie Bunsee	Bennie Bunsee (PAC)
30-09-96	Is the media too hard on govt?	Mayibuye	News		MMP
07-10-96	From the tower of Babel, a new message	Cape Argus	News	Clive Sawyer	Comtask
10-10-96	Tutu champions free press	The Cape Times	News	Barry Streek	Desmond Tutu
12-10-96	The spanner in Comtask's works	Saturday Star	Opinion	Chris Moerdyk	Chris Moerdyk
17-10-96	Striking a balance on SA Press freedom	Business Day	Speech extract	Arthur Chaskalson	Arthur Chaskalson
20-10-96	Freedom and responsibility in the media	The Sunday Independent	Editorial		Editor
21-10-96	A milestone in building a nonracial media	Cape Argus	Speech extract	Thabo Mbeki	Thabo Mbeki
21-10-96	Govt and press 'at odds forever'	The Cape Times	News	Barry Streek	Ben Bradlee
21-10-96	Mandela summons City Press editor	The Cape Times	News		Nelson Mandela, Khulu Sibiya
22-10-96	Media answerable to society: Min	The Citizen/Sapa	News		Jay Naidoo
26-10-96	Defining the transformation will be a serious challenge	Weekend Argus	Opinion	Ace Mgxashe	Ace Mgxashe
02-11-96	Mandela editors agree to talk	The Citizen/Sapa	News		Nelson Mandela/Thami Mazwai

12-11-96	Mandela accuses unnamed senior black journalists	Sapa	News		Nelson Mandela
13-11-96	Black journalists used by minority to undermine government: Mandela	Sapa	News		Nelson Mandela
14-11-96	DP slams Mandela's attack on the press	Sapa	News		Dene Smuts
15-11-96	The Star accused of gutter journalism	The Star	Opinion	Carl Niehaus	Carl Niehaus
15-11-96	Journalists should carry out their duties to the letter, but responsibly	The Star	Opinion	Tony Yengeni	Tony Yengeni
19-11-96	Black pressmen, pres end row	The Citizen/Sapa	News	Matthew Burbidge	Nelson Mandela
19-11-96	Mandela, journalists resolve differences	Business Day	News	Kevin O'Grady	Nelson Mandela, Thami Mazwai
19-11-96	Mandela's bizarre attack on journalists reflects ANC insecurity	Business Day	Opinion	Raymond Louw	Raymond Louw
19-11-96	Free Press	The Citizen	Editorial		Editor
20-11-96	Comment	Sowetan	Editorial		Editor
24-11-96	Wagging fingers old and new put press freedom in its place	Sunday Times	Opinion	David Bullard	David Bullard
20-11-96	Free press in all our interests	The Star	Opinion	Kaizer Nyatsumba	Kaizer Nyatsumba
22-11-96	Free Press: perception and reality	The New Nation	Opinion	William Makgoba	William Makgoba
30-11-96	Government and media	The Natal Witness	Editorial		Editor
15-07-97	State and media developing smart relationship despite the fall-outs	The Daily News	News	Rich Mkhondo	Cyril Ramaphosa, Ivan Fallon
21-09-97	Let's learn to speak our minds and build a new nation	The Sunday Independent	Editorial		Editor
28-09-97	Seleoane misrepresented Mbeki's view of the media	The Sunday Independent	Opinion	Thami Ntteni	Thami Ntteni
18-12-97	Black editors tokens, says Mandela	Sapa	News		Nelson Mandela
18-12-97	How the papers see it: press comment on Mandela's speech	Sapa	News		Sowetan, Business Day, The Citizen, The Star, Cape Argus, The Cape Times, Die Burger

19-12-97	Black editors reject tokenism claims by Mandela	Sapa	News		Mike Robertson, Moegsien Williams, Mike Siluma
19-12-97	ANC can't handle media/opponents' criticism: DP	Sapa	News		Tony Leon
08-01-98	Frankly, the media should not be condemned	The Cape Times	Opinion	Wilmot James	Wilmot James
11-01-98	Only accurate reporting and fair reflection will redeem the press	The Sunday Independent	Opinion	Pedro Diederichs	Pedro Diederichs
11-01-98	Attacks on the media a sign of democracy in SA	Sunday Times	Opinion	Stephen Mulholland	Stephen Mulholland
25-01-98	ANC calculated in approach to media, says head of editors forum	Sunday Tribune	News	Sam Sole	Moegsien Williams
26-01-98	We're watchdogs, editors warn govt	The Citizen/Sapa	News		Sanef
26-01-98	Mandela's media attack to top editors' agenda	The Star	News	Eddie Javiya	Mike Siluma (Sanef/Sowetan)
27-01-98	Press freedom	The Natal Witness	Editorial		Editor
05-02-98	No magic blueprint for journalists	The Daily News	Opinion	Zubeida Jaffer	Zubeida Jaffer (journalist)
07-02-98	Sunny skies journalism is not the answer	The Saturday Paper	Opinion	William Saunderson-Meyer	William Saunderson-Meyer (columnist)
08-02-98	Media in destabilisation plan: Mandela	Sapa	News		Nelson Mandela (ANC)
18-02-98	Lack of black language press impedes participatory democracy	Business Day	News	Pule Molebeledi	Winnie Madikizela-Mandela (ANC)
20-02-98	SA media in process of transformation	ECN	News	David Ball	John Battersby (The Sunday Independent), Ryland Fisher (The Cape Times)
20-02-98	Press freedom is one of the freedoms ANC fought for	Business Day	Opinion	Dumisani Makhaye	Dumisani Makhaye (ANC)
10-03-98	NASA pushes for press freedom	Integrated Communications	News		Hennie van Deventer (NASA)

13-03-98	Molefe says media still represents old dispensation	Sapa	News		Popo Molefe (North-West Premier)
22-03-98	With the right spirit, the media can help to shape a new SA consensus	The Sunday Independent	Opinion	Joel Netshitenzhe	Joel Netshitenzhe (GCIS)
06-04-98	Fair shake from media is wanted	The Star	Opinion	Ngoako Ramatlhodi	Ngoako Ramatlhodi (Northern Province Premier)
22-04-98	Trying to muffle the watchdog	The Star	Opinion	Nanga Lidovho	Nanga Lidovho (PAC)
29-04-98	Editors ask Mandela to axe Nat press law	Cape Argus	News		Sanef
29-04-98	Editors Forum raises concerns	The Daily News	News		Sanef
May 98	The looking-glass war	The Leadership Magazine	Opinion	Kaizer Nyatsumba	Kaizer Nyatsumba
04-05-98	Entrenching press freedom	Cape Argus	Editorial		Editor
04-05-98	A long walk to freedom for SA press	Cape Argus	Opinion	John Patten	John Patten (The Star ombudsman)
07-05-98	Media's role more than watchdogging	Sowetan	Opinion	Annette Lansink	Annette Lansink (public law lecturer, Univ. of Venda)
29-05-98	Media needs intervention to foster diversification	Business Day	Opinion	Thami Mazwai	Thami Mazwai
17-06-98	Hiding apartheid's abuse of power	The Star	Opinion	Johan van der Walt	Johan van der Walt (law professor)
14-08-98	Govt, editors decide to 'work together'	The Star	News	Troye Lund	Sanef, gov. ministers
30-09-98	Media needs transformation, says publisher	Business Day	News	Pule Molebeledi	Dr. Chinweizu (Nigerian author)
06-10-98	Landmark ruling	The Natal Witness	Editorial		Editor
14-10-98	Media overwhelmed by cynicism – Erwin	Business Day	News		Alec Erwin (Trade Minister)
15-10-98	Govt's failure not media's fault	Business Day	Opinion	Peter Bruce	Peter Bruce (Financial Mail)
21-10-98	Well said, Netshitenzhe	The Citizen	Opinion	Jethro Goko	Jethro Goko (Sapa)

23-10-98	Media should handle its influence responsibly	Business Day	Opinion	Steuart Pennington	Steuart Pennington
12-11-98	HRC to probe media racism	Sapa	News		HRC
17-11-98	Free press essential: Leon	Sapa	News		Tony Leon (DP)
17-11-98	Mixed reaction to probe into media	The Star	News	Raphael Banda	Barney Pityana (HRC), Jake Molo (BLA), Joel Netshitenzhe (GCIS), Peter Sullivan (The Star)
17-11-98	Probe will harm Mandela's efforts at reconciliation	Business Day	Opinion	Raymond Louw	Raymond Louw (FXI)
20-11-98	Feebly disguised assault on press	The Mail & Guardian	Editorial		Editor
20-11-98	Editor's note	Financial Mail	Editorial	Peter Bruce	Peter Bruce (editor)
31-01-99	The beginning of the end for press freedom in SA?	Sunday Times	Opinion	Stephen Mulholland	Stephen Mulholland (journalist)
17-02-99	Government looks at broader spread of media ownership	The Star	News	Jovial Rantao	GCIS
22-02-99	In the interests of freedom	The Cape Times	Editorial		Editor
05-04-99	Press freedom in the spotlight	The Daily News	Opinion	Nicola Jones	Nicola Jones (communications lecturer)

Appendix B

Sample of articles in chronological order

Bron nr
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Datum
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Onderwerp
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Knipsel nr
537

The Cape Times

Jg..... Nr..... P. 8 Dat 15 2 1996

will be familiar with this area because of its strenuous and ultimately (at this stage) successful representations made by this Conference to ensure that the limitations clause did not simply protect political free speech and leave other forms of free speech more vulnerable.

But a new battleground has arisen. It is an insidious one because it is being fuelled by elements (and I stress elements rather than the entire corporate entity) of the ANC who are trying to use the crime wave which they have so conspicuously failed to hold back in SA, as an attempt to weaken and narrow the "necessity" test in the limitations clause.

Briefly put, the limitations of rights clause in s.35 of the draft constitution, sets forth the rules of authorisations for limitations on fundamental rights in some circumstances.

Rights are subject to limitations that are either going to be "reasonable and justifiable", "reasonable and necessary", or "necessary/justifiable" in an open and democratic society based on freedom and quality.

The key battleground here is about the retention of the word "necessary" in respect of fundamental rights, especially free expression. The use of the words "reasonable" and "necessary" is intended to reflect the varying levels of scrutiny used in the American Constitutional jurisprudence. In a word, "necessity" is a higher test which any proposed limitation or curtailment of a right must pass, before it is constitutional.

The importance of a necessity test in respect of free speech and every other fundamental right is clearly stated by the Technical Committee to the Constitutional Assembly. It states (on page 236 of its memorandum):

"A higher standard of necessity is applied to some rights considered to be more basic than others. Here the government must show that the restriction is of overriding government concern: It is not designed to impair the right more than is necessary: And is strictly proportionate to the objective pursued."

"Necessary" implies that there was no alternative to the means chosen. I believe it will be no feat of political argument to convince an audience such as today's that free speech is foundational to any worthwhile democratic order. The task of persuading the Constitutional Assembly of this issue might prove more problematic.

Bron

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Onderwerp

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The Star

Jg..... Nr..... P. 18 Dat. 16 FEB 1996

The Star

Friday February 16 1996

Established 1887

47 Sauer Street, Johannesburg

Freedom redefined

We are obviously pleased with the landmark ruling on press freedom handed down by Mr Justice Edwin Cameron. The Star

believes that freedom is something worth fighting for. It is for this reason that we turned to the constitution, now the supreme law of the country.

Newspapers do not seek more protection from the law than is offered to the man in the street. But at the same time the onus of proof on the media should not be greater.

A further principle at stake is the role of the media in public debate, especially as regards freedom of expression and speech as it relates to free and fair political activity.

In the matter before the courts, Deputy Environment Affairs Minister Bantu Holomisa is claiming R100 000 from The Star for defamation. The article to which he objects dealt with his alleged activities while he was military ruler of Transkei.

Cameron has concluded: "In a system of democracy dedicated to openness and accountability, as ours is, the especially important role of the media, both publicly and privately owned, must be recognised. The success of our constitutional venture depends upon robust criticism of the exercise of power. This requires alert and critical citizens. But strong and independent newspapers, journals and broadcast media are

voiced, and if they are to be informed with the factual content and critical perspectives that investigative journalism may provide."

The upshot of this constitutional approach – as opposed the common law view previously prevailing – is that public figures cannot merely prove publication and then expect to succeed with a claim. They will, as Holomisa must now do, have to show the defamation to have been published unreasonably.

It remains to be seen whether all our courts will give this judgment the respect it deserves.

Common sense.

Impossible to disagree

Underlying rhetoric: "It follows that the press must be actively free of state interference."

Bron nr
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Datum
9.6.02 18.04.9

Onderwerp
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Knipsel
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Sunday Times

Jg..... Nr..... P. 26 Dat. 18.2.1994

26 Media

WITH his signature on the Bantu Holomisa judgment this week, Constitutional Court judge Edwin Cameron ended a long era of court-proclaimed, media-inhibiting defamation laws.

His judgment was handed down on a crucial preliminary point raised against a legal claim by Mr Holomisa, who is suing The Star.

Judge Cameron's decision achieved three remarkable ends.

In demonstrating how the values of the constitution should influence and change the common law, he found and proclaimed a legal justification for effectively overruling previous judgments of the Appeal Court.

He devised a method of weighing two competing rights guaranteed in the constitution: Freedom of speech and the right to dignity.

And, of most immediate importance to the media, he crafted a new rule laying down the test for a court to apply in deciding whether someone may sue for defamation even when the material published turns out to be false.

The case concerns a 1994 article claiming Mr Holomisa had been involved with infiltrating armed men into northern Natal to "kill whites".

Fifteen months after publication, Mr Holomisa launched his application.

Before the case was heard, however, the paper raised the question of whether, under the new constitution, a public official such as the general could claim damages for defamation on the same basis as ordinary litigants.

Johannesburg advocate Gilbert Marcus said the new constitutional guarantee of freedom of speech and expression changed the old order in which the right to dignity and reputation had been given a far higher value than the protection of speech rights. Mr Marcus urged that the court adopt the criterion used in the US to decide when a public official may sue for defamation.

These tests have made it far easier for those in authority to be criticised, and it is now a well-established principle in the US that a democracy cannot flourish unless its citizens are free to criticise officials.



The old common law rules on defamation have been trumped by South Africa's new values, writes **CARMEL RICKARD**

New era in fight for press freedom

To succeed in his argument, Mr Marcus had to persuade Judge Cameron to jettison years of decisions in which the South African courts set themselves in quite the opposite direction, inhibiting criticism of government and public officials in the name of protecting the right to reputation.

The only way for Judge Cameron to make such a fundamental shift from previous judgments was for him to decide that the constitution permitted and required that he should do so.

After reviewing key Appeal Court defamation decisions, Judge Cameron

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indicated that he felt obliged to go in a different direction.

If the constitution was designed to create a new legal order, and if the common law has to be "developed" in the light of the new values enshrined in the constitution, then "even the high authority of pre-constitution judicial determinations" may be superseded, Judge Cameron said.

The Appeal Court's decisions weighing the relative value of free speech had been made when the legal system "did not treasure at its core a democratic ideal".

The new system depends on "vigorous mechanisms of public scrutiny and public debate, not only to nurture the new structures, but to guard against excesses in their exercise".

He concluded that the new values must trump common law rules.

Judge Cameron's next task was to re-balance the competing demands of free speech and the right to reputation — but this time using the values of the constitution as the scale.

During this exercise he criticised the controversial Appeal Court decision which found against the Vrye Weekblad and in favour of General Lothar Neethling. Judge Cameron said vital

concepts of that judgment were incompatible with the principles of the new constitution.

A successful democracy, he said, depended upon "robust criticism of the exercise of power". This in turn required "alert and critical citizens" as well as a strong and independent media to voice these criticisms.

He concluded that someone who wanted to sue for defamation and thus to inhibit "political" speech, should have to prove that the media had "forfeited entitlement to constitutional protection".

This is a new departure. In the past, if a newspaper was sued, the person who complained of defamation had very little to do beyond proving that the published material in fact referred to him or her, and that it was libellous.

Now someone suing the press will have a far harder task.

Judge Cameron also took into account the realities of publication in which some degree of error is an occupational hazard.

In the Vrye Weekblad case, Judge Gus Hoexter said that, since a newspaper freely elected to vilify someone, "justice demands he should do so at his peril and that in an action for defamation he should have to establish what he should have troubled to verify before he maligned the plaintiff".

Judge Cameron, however, said that if protection of free speech was to mean anything, there had to be some protection for "erroneous statements", at least when the subject matter concerns "free and fair political activity", otherwise the public would be afraid to speak out and the media fearful to publish, lest they be unable to prove each allegation true in all details.

On the other hand, he acknowledged the need for protection from gratuitous abuse, and suggested that the solution lay with a test of "reasonableness" used in countries such as Australia.

Judge Cameron's wording of this test dramatically changes the ground rules of the relationship between the media and litigious public officials: "A defamatory statement which relates to 'free and fair political activity' is constitutionally protected, even if false, unless the plaintiff shows that, in all the circumstances of its publication, it was unreasonably made."

The rule recognises the importance of permitting vigorous "political speech". But it provides protection against unprofessional journalism in which defamatory material is published "recklessly or negligently".

His test challenges the media to ensure high standards of reporting. At the same time, his defence of the media's role in society should allow a robust and critical media to flourish.

SOWETAN

Jg. Nr. P. 24 Dat. 2 3. 2. 199

Sowetan survived hard times

Medra 24

By Themba Molefe

SOWETAN looks back 15 years today and like an athlete at the end of a searing marathon, wipes the sweat from its brow.

It is not from exhaustion that the newspaper pauses to reflect, but from a certain pride – that of survival first and of acceptance by the majority of South Africa's reading population.

"Sowetan has become a monument," an observer once remarked. "It is part of the black thing," said another.

Fifteen years ago Sowetan, then a free sheet delivered to every house in Soweto, hence the name, became a real newspaper and filled the void left earlier by the disappearance from the black readership market of *Post Transvaal*.

Post had itself succeeded the *World* and *Weekend World* which on October 1977 were banned by Jimmy Kruger, Minister of Justice in the BJ Vorster Cabinet.

Under the editorship of Percy Qoboza, the *World* and *Weekend World* had established a pattern which saw black journalism take a different and bolder direction. Qoboza and Aggrey Klaaste were among the dozens of activists detained without trial in the swoop that followed the bannings which included 17 other black organisations.

Alas, today some black scribes of that genre say there's nothing like black journalism anymore. But this is a matter for a different platform.

Just to recap, suffices it to say that reporting the June 16 1976 Soweto pupils' uprising made sense only because black journalists from the *World* and those from white newspapers covered the story. They were part of the story because they were black and came from the burning debris.

Until the uprising, black newspapers were known for reporting sex, witchcraft

The paper stood the test of time

and soccer. Things had changed when Sowetan was born.

Reporters had begun questioning the "system" and were prepared to pay the supreme price and face the wrath of the National Party Government's repressive laws – of detention without trial and the banning of opponents of apartheid.

Therefore, Sowetan was born after uncertainty forced *Post*'s registration to lapse. In 1981 the country had found itself in another phase both politically and socially. Resistance to apartheid was at its peak and was more focused.

A frantic Government blindly responded to the breed of black journalism that was taking the "struggle" forward at the time.

Sowetan was hardly crawling when several of its key writers were either banned or jailed because of their crusading pens.

Those who were slapped with banning orders of up to five years by Kruger included Mathatha Tsedu, now Sowetan political editor; Zwelakhe Sisulu, now chief executive officer of the South African Broadcasting Corporation (SABC); Joe Thlolo, Sowetan's former managing editor and now an SABC executive; Thami Mazwai, former news editor and day editor and now editorial director of *Enterprise* Publications.

Mazwai was sentenced to two years' imprisonment for refusing to divulge his sources during the Khotso Seathlolo political trial in 1981. Mazwai was arrested with Seathlolo, a former Soweto Students Representative Council (SSRC) leader. Police had been tipped off about the clandestine meeting of the two after Seathlolo secretly re-entered South Africa from exile.

Sowetan lived through the turbulent early to middle 1980s of student unrest

SOWETAN

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and fierce resistance to the imposition of the Black Local Authorities Act of 1984 (BLA). It was indeed the BLA that saw the fiercest political unrest in black townships since 1976.

The Vaal Triangle exploded first. *Sowetan* carried front page coverage of the first local councillor Caesar Motjeane to die of the necklache in Sebokeng. Subsequent gory details of Maki Skhosana's gruesome death at the hands of a mob in Duduza, Nigel, marked the turn of the struggle.

A week previously, Bishop Desmond Tutu saved a man from certain death by necklache at the same Duduza Cemetery where young Maki was murdered.

Sowetan recorded the consternation and alarm when an aggrieved Tutu threatened to leave this country if the violence among black people did not end. "Political funerals" were common as the white Press referred to the killings as "black-on-black" violence.

The newspaper also survived two states of emergency in 1985 and had to muster all its creative acumen to dance through the myriad of regulations aimed at restricting the Press.

A particularly restricting clause in the emergency regulations was the one which made it illegal for reporters to be present at "the scene of unrest". Unrest had a long and ambiguous definition which, at the end of the day, meant newspapers should not cover any event where there were more than two people.

A vivid reminder, which today might bring a chuckle to many a reader, is of *Sowetan* editor Aggrey Klaaste being summoned to the then Minister of Law and Order Adriaan Vlok's office in Pretoria.

Klaaste's crime was publishing blank spaces of "unrest scenes", usually with a caption that read, "Something happened at this place yesterday, but to comply with emergency regulations we will not tell you what or where it happened".

Sowetan's lawyers also had to fill in as editors. What they said was illegal was replaced by a blank space. This irked the Government.

In 1989 F.W. de Klerk came to power in the dramatic ousting of P.W. Botha as State President and National Party leader.

In 1990 *Sowetan* was present on February 2 when De Klerk set in motion the release of Nelson Mandela and subsequent multiparty negotiations.

The historic April 27 1994 happened. The world's longest-serving political prisoner became South Africa's first democratically-elected head of state.

On a lighter note and lest it be forgotten, *Sowetan* christened Amabakabaka, Amabokoboko and Bafana Bafana - all champions - thus entrenching itself as a legend. Now for the national cricket squad.

The rest, as they say, is history as *Sowetan* continues to tell the story...

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WEEKEND ARGUS

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Media told: 'Be positive on parliament'

MXOLISI MGXASHE

Staff Reporter

24 Media
If the media wants be seen as being truly committed to the process of transforming parliament into an effective tool of social change, it must desist from being a perpetual messenger of bad news.

This view was expressed by chairperson of the African National Congress parliamentary caucus Baleka Kgositsile in an interview with SATURDAY Argus on the ANC's role in transforming parliament from an apartheid-inherited institution into a true "people's parliament".

A move towards these goals occurred two weeks ago when portraits, busts, paintings and other artifacts that had decorated the national assembly during the days of apartheid were removed and replaced by artworks inspired by the resistance to apartheid.

The changes in the environment of parliament have been given boost by President Nelson Mandela's "transformation" opening address to parliament and by the draft bills tabled by various ministries spelling out their plans for radical social change in the years to come.

Ms Kgositsile, who holds a powerful position, presiding over about 326 men and a substantial number of women in the ANC caucus, has an important part to play in quickening the pace at which things are done in parliament. She said the media, which she believed should be playing a more positive role in presenting the real situation faced by the new members of parliament, was not

doing its work as an important vehicle for public education and democracy.

"Instead we are being bombarded left and right and the problems we have inherited from apartheid are being ignored and we are expected to perform miracles where our predecessors failed disastrously to build democracy in the country.

"What the media seems to have concentrated mainly is the so-called 'grave train' tune which has almost become a song-of-sixpence. It was quite understandable for people living in the squatter camps and those who are poor and sick to perceive us as passengers in this train.

"But, for others who have for decades monopolised wealth and affluence up till this day, I think it is sheer malice and hypocrisy to talk of the 'grave train' when they refer to the new MPs and senators."

Ms Kgositsile said there were basically two functions the ANC caucus was focusing on in the process of transformation and these meant improving the work and efficiency of parliament and turning it into a "true people's parliament".

Right now, she said, a number of ANC MPs were setting up constituency offices throughout the country which are going to serve as "branches of parliament at the grassroots".

People from various walks of life would have the opportunity to discuss any issue with their members in parliament and their staff.

Ms Kgositsile said in addition to the setting up of constituency offices, portfolio committees, w

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now be able to go to the people and seek their views on a number of issues being raised in draft bills.

She said these public hearings would also be another way of dealing with a great risk MPs faced of being lobbied by big companies which paid them "handsome monies" in order to raise certain questions in parliament.

Ms Kgositse said the portfolio committees would listen to the general concerns of constituents and residents.

She said the committee's views would not necessarily represent the views of any specific party.

She said the process of legislating was quite new to many people in parliament and a great deal of patience, teaching and explanation was needed in meetings preceding the tabling of draft bills in order to reach consensus among ANC members, including those who did not understand English and Afrikaans.

She said what had amazed her in the media's coverage of parliament was its overemphasis of "the so-called absenteeism," and the occasional failure by parliament to meet the quorum requirement.

This was not anything unique to the new parliament in this country. Other parliaments overseas, including Britain and Australia, faced these problems too because of the wide responsibilities of members of parliament. "We are not saying we should not be criticised for any mistakes. That is what a democracy is about."

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17. 3. 1996

Public has a stake in press row

HEALTH MINISTER Nkosazana Zuma is the latest politician to berate the press, but by no means the last. The public has a stake in the developing row, says contributing editor **GUY BERGER**, Professor of Journalism and Media Studies at Rhodes University.

IT USED be that the bad old government would hit out at the press, and the press would retaliate. Former president P W Botha and his boys would ban a ton of information. The newspapers would protest and try to get round the restrictions.

Today, things seem the other way around. The press hits first, then the government responds.

Latest example is the exposé of Health Minister Nkosazana Zuma for her R14-million Aids play sponsorship. In return, she forcefully denounced the press, especially the Cape Times, in Parliament last week.

Botha and his band did not like the press. They acted like they expected it to give them trouble — hence their controls. President Mandela's team is different. As a democratic "good guys" government — and one that presides over press freedom — its members seem to expect sympathetic support from the media.

That is where the politicians are coming from — something that the press does not always understand.

But the other side of the coin is whether the government grasps where the press is coming from. The way some ministers

speak, it seems that they believe that changing the colour of journalists would get rid of the criticism.

Another question that is sometimes hard to understand is not only where the government and press are coming from, but where they are going to. The way the rhetoric goes sometimes, one might think they're about to go to war with each other. That scenario can be avoided by trying to see the issues from both points of view.

People in government, understandably, expect a sympathetic press. Many observers make a good case that this is, in fact, exactly what the government gets — most of the time. But it is the exceptions, the cases of critical media coverage, that seem to overshadow this reality for many politicians.

Ironically, negative press coverage, when it occurs, can often be a truly positive thing. Highlighting problems in government is arguably one of the major contributions that the press can make to a new South Africa.

News about positive developments is heart-warming. News of negative happenings means that problems are brought to light. The result: their crippling potential can be halted.

Zuma and others in government don't see it this way. For them, there is a systematic media campaign to undermine their well-intentioned efforts. The Health Minister is so sure she's trying to combat Aids that she misses the point about the cost-effectiveness of different strategies.

As a result, many politicians accuse the press of conspiracy, distortion, one-sidedness and sheer anti-government prejudice.

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The Cape Times

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Some of the more sensitive officials even seem to see the Fourth Estate as a Fifth Column these days.

In the face of the government's criticisms, some journalists fear the worst. They see the attacks as an onslaught on press freedom as such. When the government slams the press for publicising the recent Idasa survey showing low public trust of politicians, it comes across as a straight case of the messenger being blamed for the message.

In this context, many journalists interpret ministerial remarks as portents of pressures and restrictions to come. Strong editorials are written condemning the criticism and calling on government to respect press freedom.

A polarisation of positions appears to be developing. Neither side seems to recognise what's driving the other. Is anyone right, and anyone wrong? In this unseemly spectacle of government and press at each other's throats?

The fact of the matter is that in some cases, and not least the Zuma affair, critical press coverage appears completely justified. In addition to questionable tender procedures, blowing most of a small budget on a high-cost and dubious drama ought to come under critical scrutiny.

In other cases the government's criticisms of the press have been entirely legitimate. It is true that some journalism about the "gravy train" has been poorly researched. Likewise, much critical coverage of changes to Model C schools has been based on the narrow interests of the white community. The point is that the press sometimes forgets that it is not above criticism

itself — and over-reacts with unnecessary defensiveness. On the other side, too, government members sometimes forget the point of a free press — and they over-react with ominous criticism. This is where the public comes in. These two contending groups may need some reminding of the bigger picture.

Part of democracy is, indeed, a healthy slugging it out between ministers and the media. It goes with the turf. The press watchdog barks and incurs a curse for its pains.

But the people outside these two camps of press and government — that is us — should not take this normal situation for granted. Press freedom is not a privilege of journalists, nor is it a favour from the government. It is a right of the people.

If the citizenry is the beneficiary of press freedom, it needs to take an interest when media gets careless and government gets gung-ho. Right now, there is reason for the public to speak out. Government annoyance with the press is becoming more frequent and more menacing. And at precisely the same time, the press seems to be missing some of the real dangers and the opportunities of the present.

● Shrill reaction emanates from editorial pages in response to government complaints. But there was resounding media silence last year when the draft constitution was published along with problematic provisions for outlawing "hate speech" and weak protection of freedom of expression. If there was ever something the press might have criticised, it was these provisions. But on this occasion the media watchdog apparently dozed away, notwithstanding that its

editors had earlier engaged in extensive lobbying to secure a hearing at the Constituent Assembly.

● The press has also kept mum in the face of government moves towards a freedom of information dispensation. Here a voice ought have been one of celebration not criticism — but scarcely a peep has been heard.

The government — the very grouping one would expect to be pro-secrecy — has been driving the freedom of information deal. The press — the grouping one most would expect to be campaigning for openness — has hardly participated in this opportunity.

This press negligence has seen a slower momentum around the proposed Open Democracy Act — a law that would allow access to state information and to official meetings, as well protect civil servant "whistle-blowers" and individuals concerned about their personal data held by the state.

The press is often found lacking when it comes to demonstrating its right to act as a watchdog on the government. In turn many people in government fall short when it comes to tolerating the press.

The public needs to watch both these groups. That means standing up for the right of each side to criticise the other — and demanding that each supports this principle as well.

The alternative is a scenario where the watchdog continues barking ... and government responds not in kind, but with a kick.

That outcome would land South Africa back in the bad old pattern. It might be something P W Botha would like; it ought to be something Zuma would loathe.

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SATURDAY WEEKEND Argus

Editor: JONATHAN HOBBS

122 St George's Mall Cape Town 8000

A celebration of newfound freedom

20 Feb

FOR weeks, columnist Jon Qwelane has faced a deluge of criticism from, almost exclusively, white readers of SATURDAY Argus. He has been accused of racial bias, recklessness, of not telling the whole truth, of distortion and insensitivity.

There is a revealing irony in the fact that, without Mr Qwelane's column, his critics may not have had the opportunity to be heard to the extent that they have been for, on average, they have enjoyed far more space and attention than he has.

Their criticism may, or may not, be valid. But what is of far greater importance is the fact that Mr Qwelane's detractors, as much as Mr Qwelane himself, are free publicly to express their views and, in doing so, to stimulate public debate and influence public opinion.

This freedom of speech stands in stark contrast to the dismal years of apartheid repression when voices of vigorous dissent were all too often silenced by an intolerant officialdom.

It is those years, perhaps, which have induced in South African society a distaste for controversy and a belief that censorship and restrictions are an effective response to the passions and hopes that surge in the country at large.

One of the most striking, and encouraging, developments in the new South Africa is the commitment of all major players to upholding civil liberties, including freedom of speech.

It is a society where all voices can be heard and where the rightness or wrongness of what is said and written can be debated and disputed more freely and openly.

Jon Qwelane symbolises that new society — as do each and every critic who has responded to his views.

To silence or censor Mr Qwelane, as some critics have suggested, would be to slide back into the murky morass of an oppressive past.

It was a past which, most would now agree, brought all in South Africa perilously close to disaster — in no small measure because the views and ideas, the feelings and aspirations, of so many people were suppressed for so long and by so few.

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THE ANC has made repeated protestations of its support for freedom of expression and access to information — but now it faces the test of its commitment. With the final formulation in the new constitution of the clauses on access to information and freedom of expression, and the final draft Bill on Film and Publication, the country will know whether our ANC-led government is truly committed to upholding these fundamental rights.

The Freedom of Expression Institute has been watching these developments in the corridors of power with a deep sense of foreboding that the politicians may yet fail the country.

Why should the institute feel this way? Firstly, in the last week, the ANC has done a volte-face in its stance on access to information.

The original clause in the working draft of the constitution gives citizens the right to know; in other words, an unqualified right of access to information held by the government.

In the interim constitution this right is limited by the 'need to know' — citizens have to explain to the government why they need the information requested. Only if the government agrees will the citizen be given the information.

The institute and many other members of civil society therefore welcomed the reformulation of the clause in the new constitution on the basis of the right to know.

This reformulation was undisputed — until last week, when the ANC suddenly introduced, without any notice or public debate, a new formulation again qualifying the right of access on a need-to-know basis.

This turnabout is amazing, given that Deputy President Thabo Mbeki appointed a task group 18 months ago to draft an Open Democracy Bill which would provide the legal framework in which this right would be exercised. This task group recently completed the final draft of the Bill.

Although not without problems, the Bill is a remarkable piece of legislation — and, importantly, it is clearly premised on a right to know.



The government appears to have a disturbing new attitude towards freedom of expression, writes
JEANETTE MINNIE

Freedom of speech becomes a mirage

So, on the one hand, a prominent ANC leader has produced a remarkable piece of draft legislation based on the people's right to know, and on the other, a fundamental tenet of this Bill is being opposed by ANC MPs in the Constitutional Assembly.

Those MPs, it would appear, are also wholly ignorant of the elaborate consultations involved in the development of this Bill. An Open Democracy Advisory Forum involving many organisations, was established so that interested members of society could help

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shape the development of this Bill.

The forum liaises with the task group and has also contacted the parliamentary committee on communications to ensure that public hearings are held before the Bill is promulgated.

The task group itself held a number of consultative seminars before it began drafting the Bill, and two conferences, one organised by the institute, were held to address issues of debate around the Bill.

To now learn, after all this effort in time, money and energy by both the government task group and various other organisation and non-governmental organisations, that the ANC has at the last moment reversed its position on the people's right to know, comes as a profound shock.

Secondly, the ANC is also significantly amending the constitutional clause on freedom of expression, to remove constitutional protection from certain forms of speech including racial, ethnic, gender and religious hate speech, propaganda for war and incitement to imminent violence.

This clause, at least, was identified in the media as one of the few remaining clauses about which there was disagreement among the various

The point is that anyone can use the law against anyone else. Should black people berate whites for the crimes of apartheid, they could easily fall foul of the constitution in terms of hate speech.

This attempted solution to dealing with the downside of free speech, in our view, is to indulge in classic censorship.

What it amounts to is that MPs supporting the constitutional limitation on hate speech will allow us constitutional protection for saying the things they agree with, but not for the things they do not agree with.

One cannot deal with freedom of expression in this way. Fundamental to understanding freedom of expression is to realise that it is not made up of different parts — such as good speech and bad speech. It is both, and if you believe in it, you have to allow both.

The third issue causing the institute disquiet is the draft Bill on Film and Publication. This Bill, too, has positive qualities, but it still makes provision for the banning of material and for scenes to be cut from films.

Together with the constitutional clauses on access to information and freedom of expression, this Bill will provide South Africa with a barometer to gauge the level of commitment of this government to the values of free speech.

Members of the government have often given verbal support for these values. But now laws are being made, and the government has entered a critical testing period on precisely where it stands on these matters.

● Ms MINNIE is the executive director of the Freedom of Expression Institute

parties. This in itself shows how uncomfortable our politicians are with the concept of freedom of expression.

They are, apparently at the suggestion of Democratic Party MP Dene Smuts, trying to curtail the damage caused by this limitation to freedom of expression by introducing a harms test to hate speech. This means that constitutional protection will not exist for hate speech if such speech constitutes incitement to cause harm.

Advocate Gilbert Marcus, one of South Africa's leading freedom of speech litigators, recently prepared a detailed paper which shows that many forms of legislation were enacted by the apartheid government and its colonial predecessor to curb racial hate speech. With few exceptions, these laws were applied to black leaders to prevent them from advocating the freedom of black people.

In other countries, such as the US, similar laws have been used to stifle minority groups.

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The transformation of news papers is easier said than don

As Rhodes University's journalism Review points out, there are sensitive issues of staffing, not to mention existing markets

The latest issue of *Rhodes Journalism Review* gives some insight into the challenges facing South African journalism and the media industry.

While revealing some gloomy facts and sombre prospects, it gives its own small ray of hope for the industry by boasting of some quality journalism as well as exemplary design and production.

While the special focus in this eleventh issue of *Review* is on the Internet, "the wired blue yonder", other features highlight the impending threats to press freedom and the need to safeguard it. Indeed, the potential of the information super-highway in this country pales in the light of the potential disaster looming for the traditional media.

Millions of young people in our own country will never surf the Internet, yet they will be influenced by what the traditional media broadcast and print.

The indications are that the government could increasingly control, either directly or indirectly, the information the media disseminate. The more the powers-that-be pressure

media owners to transform their businesses, the freedom of the press and its profitability will suffer.

In an article titled *Now for the really bad news*, Professor Guy Berger, head of journalism and media studies at Rhodes University, points out that, while the draft constitution improves our right to information, it has not yet accepted press representations for strengthening the freedom of expression.

The draft constitution appears to ignore the well-researched submission made by the Conference of Editors to the constitutional assembly.

The worst aspect of this flaw in the draft constitution, he writes, is that the media have failed to draw attention to it.

While Berger points out that the constitution could create problems for journalists doing their job, he accuses the media of failing to inform people about the possible press freedom scenario and says that "if things don't change, the press will get the pressures it deserves; the public will be the one to suffer".

Also in this issue of *Review*, heavyweights in the media ownership, control and affirmative-action debate

have their say on the issues of transformation, revealing that the issues are more complex than many players will admit.

Thami Mazwai, editor-in-chief of *Enterprise* magazine and chairman of the Black Editors' Forum, calls for the speeding up of the process of changing media ownership and control.

"The fact that the media is top-heavy white male in all respects," he writes, "must be corrected because it impacts negatively on our democracy."

He says all South Africans do not have easy access to the media, all shades of opinion are not reflected in the media, debate is not encouraged on sensitive issues, the African way of life is not given the respect that the western way is, the media is not gender sensitive and its composition and management structure do not reflect the demographics of the country.

"The deconcentration of ownership of the media is crucial if our democracy is to blossom," writes Mazwai.

While John Patten, former editor of the *Mercury* and past acting chairman of the Conference of Editors, agrees that transformation is impera-

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The Sunday Independent

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17.3.1995

MEDIA VIEW



ELIZABETH KINGHORN

tive, the practicalities of managing change in the media will take time. It will not be a quick or easy process to achieve the changes, because "ownerships and editorships of newspapers reflect the market position of newspapers fairly accurately, even though they may be out of line with overall population statistics.

"In terms of newspaper viability," he writes, "the market speaks more strongly than a population that does not buy, advertise in, or read newspapers.

"Customer care is a buzzword of the market, and the media have stopped serving customers' needs in their agitation to conform to political correctness."

He also cites, as one of the "real problems of fast-tracking black journalists into top positions, the effect it has on the morale of white journalists who have worked their way up the ladder to middle-ranking positions and who would expect to be rewarded with promotion for hard work and good service".

And yet publications did survive, because, in spite of limited press freedom, they catered for their markets. Once more black readers and advertisers are found, print media owners will have financial incentives, in addition to political and moral reasons, for employing black staff and changing editorial content.

Moggsien Williams, editor of the *Cape Times*, points out in his guest editorial that the sins of the fathers are borne by today's journalists. "South Africa's mass media has helped to change our world, but internally it has done too little about changing itself."

While the heated debate rages at

political, management and editorial levels, its effects filter down to the newsroom.

Around the country, newsrooms buzz with the talk of affirmative action. Many talented and experienced white newsmen are heard saying they see their futures written on the wall. They have worked hard and served their bosses well. Yet they have received no acknowledgement for their efforts and never will.

Now they are expected to step aside and train affirmative-action appointees for positions and salaries to which they themselves aspired. Ultimately it is the quality of editorial, the future of the media and freedom of the press that will suffer.

The current politics and dynamics of the media are part of a necessary process of transformation. Yet if political forces push change too quickly, there will be casualties and we could end up like other African states where there are no independent newspapers and all are government controlled.

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Press

Jg..... Nr..... P. 16 Dat. 17 MAR 1995

comment

A free press has to tell it how it is!

16 Med

FOUR country is to develop into a full-blown democracy the importance of a free and robust press cannot be overstated.

The need to remind our politicians about this self-evident truth has been brought about by allegations that the mainstream press - which includes this newspaper - is less than fair towards the ANC.

On the opposite page ANC Transport Minister Mac Maharaj takes issue with some articles which have appeared in City Press and makes sweeping statements about our disposition towards the government.

And the minister's sentiments seem to be gaining currency within the upper echelons of the ANC, especially among those members who are in government or parastatals.

Two issues in particular seem to anger these ANC luminaries. These are claims that the government has failed to deliver on some of their major election promises - and the gray train issue.

The ANC can easily tot up a long list of what has been done in the past two years - but no amount of specious arguing can hide the fact the government has failed rather than to build those houses which were promised our people.

The perception that ANC members are on the gray train is not an

fabrication. People are complaining about it daily and it doesn't help to shift the blame elsewhere.

The ANC must face up to these challenges instead of blaming the press or burying their heads in the sand hoping complaints against the government will go away.

Sunshine journalism will not help this country. It would be the easiest thing on earth for the media to become the government's praise singers and keep quiet when things go wrong.

But the consequences could be devastating for the media as well as the government. The media would lose credibility while the government would be in the dark about the feelings of the people.

It's for this reason that the government must praise and not chide the media when it criticises Health Minister Nkosazana Zuma for wasting public funds by awarding R14 million to Sarafina II.

The ANC must not fall into the trap of assuming that because President Mandela is so immensely popular that therefore they are all infallible.

We therefore say it for the umpteenth time, the press must continue to be the public's watchdog.

If our leaders are wallowing in the gray train, these things must be reported without fear or favour.

watchdog

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DP accepts new hate-speech provision

By CYRIL MADLALA

HATE speech will not be protected by the constitution, if it causes harm, constitutional negotiators agreed this week.

The ANC has proposed that the right to freedom of expression should not extend to "advocacy of hatred based on race, ethnicity, gender or religion that constitutes incitement to cause harm".

Democratic Party negotiator Dene Smuts, who had put up a fierce fight in the negotiations to prevent a constitutional ban on hate speech, this week settled for this "second prize".

She had previously argued that the right to

express any views should not be immunised, and that it should be left to legislation to deal with the consequences of hate speech.

The ANC, concerned about the racial tensions of the past, had insisted that a message be sent through the constitution that certain kinds of speech would not be tolerated.

Negotiators have identified a need for the state to regulate any media funded by taxpayers' money.

The legal experts that assist in the negotiations were asked to give an opinion, and this week they tabled a report. They said constitutional provisions could not be adequately reflected unless it was clear what problem it was nego-

ing a newspaper with slush funds to ensure that its policies were supported by what appeared to be an independent voice.

The experts pointed out that the constitutional proposals which required impartiality or diversity would not solve the problem of such funding. "What was especially wrong with

The Citizen was not that it failed to present a diversity of views, but that it was secretly funded by the government."

They suggested the solution lay in transparency and access to information, rather than in a requirement for diversity and impartiality, and made two recommendations.

tiators wanted to address.

"From the debates and proposals of parties, there seem to be a number of different understandings as to the reasons why such a clause may be required," the experts said.

One reason was that it was important to prevent the government covertly establishing or maintain-

One was that no provision should be made under the freedom of expression clause, or in the chapter on state institutions supporting democracy.

The other was to make a constitutional provision for creating an independent authority to regulate broadcasting and ensure fairness and diversity.

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'Do battle with racist thinking'

ADDRESSING a banquet to celebrate the 120th anniversary of the Cape Times, Deputy President **THABO MBEKI** argued that South Africans intent on building a unified nation need to confront the issue of racism in our thinking and understanding.

Media
"IN THE supplement on the Cape Times which the Cape Times carried a week ago, the distinguished editor of the paper, Moegslen Williams, writes that: 'A typical South African newsroom is an unhappy place, staffed by demotivated, mainly junior reporters and frustrated sub-editors who are expected to cover and produce newspapers able to reflect accurately an increasingly complex society.'

"Further on he says: 'We want to redefine the news. We sense it can't be 'journalism as usual' in the new SA ... In practical terms, redefining the news means getting closer to the readership by engagement, new contacts, new story ideas and a move away from stereotypes.'

"I believe that the editor deserves our congratulations for the honesty with which he states his views and the courage with which he sets a vision for the Cape Times when, in addition to what we have already cited, he says: 'While we will expose society's ills and wrongs, we will be its cheerleaders when things go right and there are successes. While we will be opposed to many things, we are able for the first time to be passion-

ately and uncompromisingly in favour of some things, especially our new-born democracy.'

"It may come to pass that, 50 years into the unknown future, those who will be alive then will see this particular period in the history of our country as the golden age of the rebirth of our country.

"It will turn exclusively on what all of us do, accepting as we must that if we fail to succeed, the fault will not be in our stars but in ourselves.

"And what is it that all of us South Africans must do? While recognising and cherishing the colour, race, language and cultural diversity of our country, we must nevertheless seek to build out of that diversity one nation which shares a common sense of patriotism.

"Put in other words, we have to do battle with and against the legacy of racial division and conflict which has characterised South African society almost from the beginning of the period of our country's settlement by European peoples.

"It is perhaps natural and should be expected that some among us will complain about why we thus continue to recall the past. After all, it is sometimes said, have we not ended the system of apartheid?

"Is it not now time that we speak of the future rather than persist in recalling a painful past which is best forgotten than kept alive by constant reference by those who have nothing original to say?

"But I do not believe that if we are honest with ourselves we can seriously suggest that after these long centuries of our actual historical experience, it would be possible in

"History has granted us the privilege to be the midwives of a new nation... to be pioneers."

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a year or two or three or five to wipe out from the consciousness of many nations racism and racial superiority.

"Capable as we might be of achieving miracles, this is one of those that are beyond our abilities.

"If we recognise this reality, then surely one of the things we must do is that we, as a people, should deliberately and directly engage this challenge and not pretend that it does not exist.

"I would like to hazard the guess that most of us present in this room followed with some interest the debate between two of our bright intellectuals as they crossed swords in the print and electronic media on this vexed issue of racism.

"I believe that it is important that the discussion should have taken place, whatever the pain it might have caused both to the busters and the spectators.

"I would also hope that it would free all of us from the inhibition to debate this matter in public, whether this arises from fear of derision or from concern that by discussing it we help to fan the propagation of racism.

"In the recent past we have watched as the rand has done somewhat of a mad dance, gyrating to the music of a band of faceless, odourless and non-corporeal muslims who are described as 'the market'.

"As I tried to listen to the music this band has been playing, I thought I heard lyrics which contained the refrain: 'This, after all, is just another African country'.

"And the recollection came flooding back of a now forgotten phrase: 'The white man's burden'.

"All this happens because there seems to be an accusation that it cannot be that a majority black government can properly manage an economy as sophisticated as ours. After all, look at the rest of Africa!

"And so it must remain the white man's burden — and it was never the white woman's — to preside over the economy, as the black are condemned to a predilection for and a hereditary instinct to abuse political power for purposes that are inimical to the objective of a healthy and growing economy!

"A cold fear grips my heart even as I say this, because I can hear the deluge of criticism that will wash over me for making these remarks.

"Some will say that all I did was to make racist remarks. Others will ask: 'What did you expect from an Africanist?'

"Yet others will say: 'Why does he not understand that what the colour-blind market is reacting to is the inexperience of the new government and not its racial make up?'

"To which I will probably respond by saying: 'You are probably correct', and go to bed convinced that the governments that replaced Salazar of Portugal and Franco of Spain inspired confidence in the economic prospects of those countries rather than gloom occasioned by the inexperience of the new democratic governments, that their economies would collapse.

"On this matter, those among us who have confidence in the capacity of our gov-

ernment to be as intelligent as any other in the world and to be as literate as any other, as regards the factors that make for sustained growth and development in the modern world in which we live, will laugh best because they will laugh last as practice proves the sceptics wrong.

"Whatever my own fate after this evening, I will continue to assert it as one of the challenges our society faces — to confront the issue of racism in our thinking and understanding, as an essential part of the building of the one nation towards which so many of us aspire.

"In any case, I believe that we have no choice but to deal with the material circumstances in our country which are the consequences of our racist past and the continued existence of which is precisely the fodder that feeds racial tensions, resentment and possibly conflict in future.

"I refer here, of course, to the enormous disparities in income, wealth and opportunity between black and white which continue to characterise our society.

"The new SA the millions dream of cannot be both new and continue to carry this feature of a racially-advantaged minority and a racially-disadvantaged majority.

"It used to be only a few years ago, perhaps as a result of what we ourselves said, that there was a genuine fear among those who had something to lose, that what we

"We must seek to build out of South Africa's diversity one nation with a common sense of patriotism."

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were after was the seizure of everybody's property and its redistribution among the people.

"I recall distinctly very wise advice being given by one of our major captains of industry that, if we nationalised the corporation he heads and handed out its shares to all

adult South Africans, all we would achieve would merely be to destroy the company and with it the economy.

"Happily, we have passed the stage when the spectre of such disastrous adventures still haunt some in our country and the world. At least, I trust that we have passed that stage.

"Ahead of us must unfold a programme of work to rebuild and expand our economy on a sustainable basis.

"Clearly, among other things, this must include sharply increasing the rate of investment, expanding and modernising our manufacturing sector, developing our human resources, increasing our international competitiveness and changing the patterns of our international trade, especially with regard to the product mix of our exports and imports.

"At the end of it all, we want to see an end to the high levels of unemployment we continue to experience, a radical reduction in the incidence of poverty, ignorance and disease — an SA in which wealth, income and opportunity are shared equitably and in which the racial divides of today are a thing of the past.

"None of us can doubt the enormity of this challenge and the vision, dedication and measured impatience it will require of all of us to achieve this result.

"But equally, it would be difficult to overstate the excitement that derives from that challenge and the sweetness of the reward which success will bring, as we see one more person employed, one new family properly housed, yet another engineer qualifying and another playhouse built so that the community around can gain access to theatre.

"I have absolutely no doubt that we will realise this dream, relying on the resources of both the public and the private sectors as well as the creativity and enthusiasm of the masses of our people.

"It may be that history will judge these first two or three years of our democratic rule as the period during which we constructed

the engine which must pull us forward towards the truly non-racial, non-sexist, prosperous and peaceful SA we all desire.

"Perhaps the occasion will present itself one day to discuss the component parts of this engine, among which are correct and realistic policies and programmes, reorganised and remotivated government structures, active co-operation between government, labour and business and the involvement of the masses of the people in development.

"It may also be that the political, constitutional, economic and social successes we achieve will help to push back the negative assumptions that some make about the African continent as well as contribute something to the worldwide struggle to end racism and to find lasting stability in multi-cultural societies.

"Thus history has granted all of us the privilege to be the midwives of a new nation, to transform the ethos of our society from despair to hope, to be pioneers and voortrekkers on the road to a glorious future, which none of us have ever traversed.

"And so we come back to Moegsien Williams.

"What we want to achieve cannot be achieved without the Cape Times publishing according to the dictum with which he ended his article: 'Serve your readers and practise independent journalism'.

"But how shall this be realised with newsrooms that are unhappy places, staffed by demotivated, mainly junior reporters and frustrated sub-editors!

"To this we must also add: How can it be achieved with newsrooms that still desperately need to address the urgent questions of better race and gender representivity?

"The society we seek to build is as much in need of an independent Press as it is of job creation.

"And the Press it requires is also of the kind that Moegsien Williams sought to describe — one which is capable of moving away from stereotypes and one which is not embarrassed to be passionately and uncompromisingly in favour of some things, especially our new-born democracy.

"Gerald Shaw has written of the occasions when the Cape Times stood up for justice at critical moments of the history of our country.

"Another critical moment in that history is upon us and requires that those who have vision and a sense of the revolutionary transformation which faces our country, must indeed redefine the news and position themselves and the information media they represent.

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Jg..... Nr..... P. 6 Dat. 8. 4. 1996

"They must lead, so that they too become an important element in the engine that will take us to our destination."

"I believe that we should take example from Moegsien Williams and not fear to criticise ourselves, to change ourselves from what we were and be satisfied merely to repeat by rote that this or that is the nature of the media, and then run as far and as fast as possible away from confronting the challenge of defining the role of the press in these changing times."

"The history of the Cape Times must surely serve those who are its producers and owners as an inspiration to do better and set new standards rather than use that history as justification for complacent stagnation."

"I would like sincerely to thank the leadership of the Cape Times for giving us the opportunity to participate in one of the events marking its 120th anniversary, to extend our best wishes to all who are responsible for its production and to express our confidence that it too will play a role that it will define for itself, so that it participates in the birth of a nation."

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DEMOCRACY in ACTION

Jg. 10 Nr. 2 P. 14 Dat. 15.4.1996

Democracy, according to philosopher Bertrand

Russell, is "when it's safe to be unpopular".

RAYMOND LOUW applies a similar yardstick to the

controversial call for a ban on "hate speech".

Intolerable

DIS

SENT?

HUMAN RIGHTS

14 Med.
THE ANC attempt to ban "hate speech" is part of one of the most controversial debates on South Africa's new constitution. There is major disagreement on the issue between the ANC and such protagonists of civil liberties as the Freedom of Expression Institute (FXI).

Other civil rights institutions such as Lawyers for Human Rights and liberal-minded political groupings such as the Democratic Party are at one with the FXI. But conservatives side with the ANC, which appears to have ignored the conflict between its demands for a ban with its support for transparency and freedom of speech.

"Hate speech" can be defined as that which insults, abuses and demeans; or incites to violence, hostility and discrimination; or expresses hatred, ill-will, venom and similar emotions targeted at others on the basis of national or ethnic origin, race, colour, descent, gender or religion.

Few decent-minded people would disagree with the ANC's view that this sort of vilification should be curbed. So why not stop such behaviour by banning it — and why not use the constitution to reinforce the ban?

One sympathises with the ANC. The majority of its members have suffered acutely

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because of racism. They have borne the brunt of "hate speech" for centuries and who can blame them for wanting to outlaw it, as the Germans outlawed the propagation of Nazism?

The problem is — and this is the FXI argument — that once a ban on "hate speech" is introduced, it is but a small step to banning another form of objectionable conduct, and then another, and then to regress further into bans on "undesirable opinions and views".

But "undesirable opinion" can be a way of labelling political views which are at variance with the current orthodoxy, and before one can say, "I'm for freedom and openness", freedom of expression will have been outlawed and South Africa will have regressed back into the dark days of censorship.

Freedom of speech does not imply agreement with or approval of what is being said; indeed, the test of any freedom of speech provision is that it should allow for the expression of opinions that one detests. This view, taken to its logical conclusion, means that tolerance of "hate speech" should be regarded as the price society must pay to ensure that freedom of expression flourishes.

Some people argue — and I agree with them — that

freedom of expression is the most important of all human rights. By allowing a ban on "hate speech", the individual is giving up an important right — the right to decide personally whether to hear abhorrent statements made by others and determine what one thinks about them.

Those who choose to allow some other person to place a barrier against the transmission of such statements are denying themselves the opportunity of knowing what others think and say.

Though a constitutional ban may result in "hate speech" being publicly curbed, it will certainly not prevent it; it will merely push such speech underground where it will probably flourish and grow into feelings more potent and dangerous.

Against this background it is instructive to trace the origins of bans on "hate speech" in South Africa. The first surprise is that legal bans on "hate speech" began 69 years ago.

Johannesburg advocate Gilbert Marcus has come up with some remarkable findings while researching the history of racial hostility laws in South Africa and the use made of them by previous governments. He was preparing an argument against a ban on "hate speech" for the Conference of Editors for presentation to the Constitutional Assembly.

His findings were also used by the FXI to bolster its argument against a ban on "hate speech" which Western Cape Attorney-General Frank Kahn tried to persuade the parliamentary portfolio committee on home affairs to include in the new Film and Publications Bill.

Marcus says his research shows that the genesis of racial hostility laws in South Africa provides cogent evidence of the extent to which such laws may be abused.

In the draft of the new constitution, a curb on "hate speech" is introduced through a new sub-section to the "freedom of expression" clause which states that freedom of expression does not "protect ... advocacy of hatred based on race, ethnicity, gender or religion that constitutes incitement to discrimination".

THE first law dealing with racial "hate speech" in South Africa was introduced in 1927 when a section of the Native Administration Act made it a criminal offence to utter "any word or [do] any other act or thing whatever with intent to promote any feeling of hostility between natives and Europeans".

The legislation was introduced by then Prime Minister and Minister of Native Affairs General JBM Hertzog and, according to Marcus, the dominant theme of debates in parliament at the time was fear of the growing organisation of the black working class. Clements Kadalie of the Industrial and Commercial Workers' Union was often referred to by speakers who perceived the mobilisation of the working class and the articulation of opposition to the government as constituting a threat to the white way of life.

Marcus quotes an MP, a Mr Nel, as saying: "This is an insidious and poisonous propaganda based upon a gloomy hatred of

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the capitalist or landowner which is artificially being pumped into the natives through the most unclean pipes of socialism and Bolshevism. The spirit of lawlessness and communism is being engendered throughout South Africa amongst the native races. The doctrines of Bolshevism and socialism find among the natives a very rich soil. It is growing far more rapidly than people realise (Hansard, 2 May 1927).

An in-depth analysis of "hate speech" can be found in a new book jointly published by the FXI and Idasa entitled Between Sound and Silence: Hate Speech and Pornography in the New South Africa.

Marcus also quotes one Mr Swart who said that blacks, like schoolchildren, had to be protected because "the mentality and understanding of the ordinary South African native is not such that he can distinguish between sensible and silly doctrine".

A Dr Van Brockhuizen spoke of men "going about the country stirring up the natives ... Kadalle calls the white man the enemy of the kaffir and he calls the pass law the law of slavery ... Not only have we got the native agitator, but we have also got the danger of the communist. The native as a child of nature is being swayed by these men as easily as the wind sways trees ..."

The broad powers contained in the Native Administration Act, including the power to forcibly remove individuals and whole tribes, by decree, were seen by MPs as an ideal tool for repressing these "agitators".

More severe instruments were to follow, however.

• Three years later, the government awarded itself powers of banishment and the power to prohibit gatherings and publications deemed to engender feelings of racial hostility.

• In 1950 the Suppression of Communism Act empowered the government to declare organisations unlawful without notice, emphasising punishment for the "encouragement of feelings of hostility between the European and non-European races".

• In 1956 a new Riotous Assemblies Act, with the stated objective of prohibiting feelings of hostility between the races, provided for the jailing of people who advertised or were involved in meetings.

• The 1963 Publications and Entertainment Act permitted prohibition of publications deemed harmful to relations between any sections of South Africa's inhabitants (a further tightening of powers followed in a new Act in 1974).

• In 1967 parliament passed the Terrorism Act with the presumption that the commission of an act "to cause, encourage or further feelings of hostility between the white and other inhabitants of the Republic" was the same as endangering the maintenance of law and order in South Africa.

• The Second General Law Amendment Act of 1974 toughened up the provisions of the original 1927 Act by adding "with intent to cause or encourage or foment feelings of hostility between different population groups of the Republic" to the crime of "promoting feelings of hostility between natives and Europeans".

• The Internal Security Act of 1982 turned promotion of "hostility between the races" into the crime of subversion.

Marcus adds that "promotion of racial hostility" featured largely in the various states of emergency in the 1980s.

The cases brought before court under this legislation saw black people or their sympathisers as the accused. Some were convicted but succeeded on appeal. Others were jailed or fined. All the cases involved political dissent against the existing repressive order and demands for freedom.

According to Marcus, in the 1970s the attitude of the courts mitigated some of the potentially harsh effects of the legislation, but in the 1980s the extension of the offence to publications caused several newspapers to be closed down for periods of time and the banning of many other publications and films.

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ARCUS concludes that the abuse of laws relating to racial hostility in South Africa ought to be cause in itself for the greatest circumspection about the proposed constitutional amendment. He adds, that the United States is the only country which does not prohibit "hate speech".

Copies of Marcus's opinion have been sent to the constitutional committee, the home affairs portfolio committee and political leaders in parliament. The hope is that the history of the use of such legislation to stamp on the legitimate aspirations of the people will persuade Constitutional Assembly members to change their view that "hate speech" should be banned by the constitution.

But I fear that the members of the assembly will envelop themselves in the euphoria of the "new democratic South Africa". They will adopt the stance that protection against discrimination such as occurred under the old order is no longer required.

The reason they will probably advance is that the formerly discriminated-against are now in power and would never dream of acting against dissenters in the manner of the previous National Party government. In any event, they might add, why should there be dissenters against the new democracy? ■

Raymond Louw is editor and publisher of Southern Africa Report and chairperson of the Freedom of Expression Institute.

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The Sunday Independent Jg..... Nr..... P. 9..... Dat. 2.1.4.1996...

The SA ^{9 March} press may be free at last, but freedom is only the beginning

With the new openness in South Africa, press freedom has less to do with fending off state constraints than imaginatively deploying skills and resources to meet the news-gathering challenges of a diverse democracy, says Independent

Newspapers' editorial director, Ivan Fallon, in a speech he delivered recently

Freedom of expression and freedom of information have come a long way in South Africa in a few years. They are enshrined as fundamental human rights in sections 15 and 23 of the constitution and although there are certain limitations and restrictions, these are the result of factors such as the administration of justice, privacy and national security, where basic protections have to be guaranteed even if they conflict with full and unfettered freedom of expression.

In South Africa, these are mostly the kinds of exceptions and pressures any civilised country would impose upon itself. I detect no indication anywhere in government of an intention to retreat from the principles of freedom of speech so central to a democratic and open society.

True, ministers from time to time complain of a hostile press and media which they find disappointing in their ability or willingness to disseminate information and government policy to the South African public. The press stands accused of not

treating serious issues seriously enough, of being too parochial and trivial, and of failing to provide the quality of comment and analysis many had become used to in exile in Britain or the United States.

There are several myths or misunderstandings here which are important to correct. The most important one is that newspapers in South Africa are mass media. They are not, in the sense that their penetration outside the main metropolitan areas is tiny. Even in the big cities, readership is essentially confined to the educated, learning classes, the so-called LSMs 6, 7 and 8.

Of the 25.2 million adults in South Africa, less than 10 percent read newspapers in the Independent group, daily or weekly, and 14 percent if you include *Sowetan*. These readers may include most of the opinion-formers but, even so, newspapers are not and never will be the most effective method of communication for government information and poli-

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cy to the citizenry. Television, which affects the lives of most South Africans, and radio, will always be more effective.

The second myth is the belief that newspapers have a responsibility to disseminate everything that ministers say, and cover every debate in every committee in parliament.

Newspapers in fact are commercial, profit-making concerns, just like any other businesses. They have their own constituencies and their responsibility is to them rather than to an abstract group of potential readers whom the government needs to communicate with. Independent's titles are regionally based, and owe their loyalty to those readers and advertisers prepared to pay for their services.

Ministers sometimes complain that, for instance, the *Star* in Johannesburg does not give proper coverage to the opening of a new dam in Mpumalanga, but the hard fact is the editor has to take a view on just how interested his readers are in that dam. The streets of Johannesburg are paved with the bones of newspapers which have tried to report matters which are worthy but of little interest to the residents of that area.

Complaints made by ministers are, in my experience at least, invariably constructive and healthy. They have never touched on freedom of the press, or involved any threats, even veiled ones. The debate that rages tends to centre on dissemination of information but goes on to include ownership and diversity, transformation and foreign involvement, all of which I shall come to later. But it always stops well short, at least in the political circles that matter, of any serious retreat from the freedom given to the press in these past few years.

That of course may alter as the honeymoon period ends, the miracle of Mandela recedes, and particularly as serious electioneering begins in the run-up to the 1999 election. But I doubt it. I have never before come across a society which so appreciates and cherishes the benefits of its press

freedom at all levels. It has been long in coming, it was hard won, and I don't believe there is any threat to it.

But press freedom means different things to different people. A single newspaper free of government involvement would represent a significant step forward along the road to press freedom in a number of countries. In South Africa a new newspaper represents greater diversity and competition, which certainly help the cause of press freedom, but not much else.

I often feel humble in the company of seasoned South African journalists, particularly my black colleagues, who have learnt and practised their journalism in very different circumstances to those in which I learnt and practised mine.

Although South Africa now has, in theory and law at least, as much freedom as the press in any country in the world, the words "press freedom" evoke an immediate emotional reaction in the breast of every right-thinking South African which is unknown to me and the depths of which I can only guess at.

In Britain for years we used to debate, probably equally heatedly though a good deal more comfortably, the key subjects. But we seldom if ever debated the basic principles of press freedom in the sense they are understood in South Africa. The only laws we worried about were the laws of libel and the laws governing contempt of court, and those, though many of us may have thought them unnecessarily restrictive, only rarely intruded seriously into our daily lives.

The point is the British press, instead of regarding its freedom as something sacred and to be cherished as it is still in South Africa, takes its freedom for granted. Newspapers exist and publish in circumstances South Africans can only dream of: a competitive and prosperous press, with a centuries-old tradition of publishing, within very similar legal limits to those now laid down in South Africa. Newspapers print more or less

what they want to print, to a large, educated and affluent reading public, with a long tradition of consuming printed matter at a very healthy rate. There is a wonderful diversity of newspapers, and proprietors wealthy enough to support large staffs of journalists in the handsome style to which they have become accustomed. These are the circumstances in which diversity and competition can reign.

They are also the circumstances in which, alas, press freedom can be abused and the excesses of the tabloid papers in pursuing their often meaningless stories into the very bedrooms of their targets have damaged the image of newspapers in the eyes of the reading public. Let us hope that situation never arises in South Africa.

There is an entirely different and subtle series of factors at play in South

Africa which directly touch on freedom of expression, not so much in the constitutional or legal sense, but in the reality of how the newspapers - which are still very much more the opinion-formers and moulders than any of the electronic media - report, comment on and analyse South African affairs.

Forty years of apartheid did not leave behind it a press in South Africa well suited to taking advantage of its newfound freedom. For years, many of the more talented journalists had chosen to leave rather than continue to operate under the stultifying atmosphere of the seventies and eighties. For years, there had been little or no new investment, no innovation, very few new titles launched, and many closed.

It is an extraordinary and depressing

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ing fact that many of the "alternative" publications which did much to sustain the flame of freedom in South Africa, and which came roaring into the new age full of hope, have either disappeared or are struggling. This is a factor which affects our newspapers too, though much less dramatically. Although advertising has never been more buoyant, circulations everywhere in South Africa have fallen sharply since the election, with the exception of the Afrikaans press.

Why? We can provide some part answers, including higher cover prices and more targeted titles which have deliberately shed circulation in costly outlying areas. But these are far from complete explanations. I cannot accept that the quality of our newspapers has declined so dramatically – in fact I am prepared to argue the opposite, particularly in the case of titles such as the *Cape Times* and the *Mercury* in Durban which are greatly improved yet have suffered circulation declines.

The answer may be more abstract and have to do with the fact that whereas once South Africa's English-language newspapers were seen as the voices of opposition against apartheid, now in a country where every sensible person – and certainly Independent Newspapers – agrees with the broad thrust of government policy involving reconciliation, political stability, tolerance and economic prosperity, the newspapers have lost their old role and have not yet found a new one. That does not mean our papers, or indeed any papers, are slavish supporters of everything the government does – far from it – but there is no real disagreement about the type of society we all want to see. The country, once so closed, now almost overflows with transparency and freedom.

The challenge to us is to find ways of reporting political debates in ways that do interest the reader, and I think we can do that. But the fact is that press freedom has not necessarily been good for the press.

The debate in this past year has

moved on to a different plane altogether, one which we at Independent Newspapers find ourselves at the centre of and which to an extent features in the task group on government communications set up by Deputy President Thabo Mbeki.

Inextricably linked with the debate over ownership and diversity is transformation. Mr Mbeki has said several times that South Africa's mainstream newspapers are dominated by white males and that this cannot but influence the way developments are presented and interpreted. That is true – up to a point.

The fact is Independent Newspapers is a group in the process of what must be the most far-reaching transformation programmes of any private media company in South Africa. It is radically reshaping itself to respond to, and anticipate, the needs of the new South Africa at all levels including management and editorial, not just in token terms but in much more significant ones. Every company and every government department has to make this shift, and make it urgently. Unless we all do, and this particularly applies to the media, South Africa will have a very different future to the one we all hope for.

The issues we are facing up to and the problems we are tackling, notably transformation, have a great deal to do with the way in which freedom of the press develops in this country. It is by no means enough to have the constitutional right to print fearlessly, and within the confines of the libel and civil laws, what editors want to.

That is merely the beginning. You still have to have the skills, the resources, the imagination and the titles to exploit that freedom. You also need a press which, regardless of ownership – which is largely irrelevant – reflects the aspirations and hopes of the people. I believe that is the sort of press South Africa is beginning to get.

● This is an edited version of the Sam Mabe Lecture given at Rhodes University, Grahamstown, on April 1996.

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THE CITIZEN

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Govt, media duty to inform public: Mac

CAPE TOWN. — The media had both a right and a duty to provide the public with dependable information about government, although this was not necessarily its sole preserve, Transport Minister Mac Maharaj said yesterday.

However, it had to be accepted that there were very harsh limitations on its capacity, he told the delegates at the annual conference of the Public Relations Institute of South Africa in Cape Town.

"Who else, which institution, occupies the space beyond that limitation? Academics? I won't answer that question. But what I would argue is that depicting the complexity, analysing it and interpreting it, is an obligation that government cannot shirk."

It had to be accepted that both the media and government had a role to play in communicating with the public, Mr Maharaj said.

Although each had a distinctive role, there were also huge grey areas which could result in a

turf war over boundaries.

"If we are to reduce this question to a turf war ... then inevitably the two institutions will spend their lifetime throwing mud at each other, or diminishing each other's status, and each will find transformation a bewildering phenomenon."

"Each of the institutions will have failed to serve as agents of change."

Part of the legacy of the country's autocratic past

was "a reflex habitual suspicion between government and media and vice versa", he said.

From the point of view of the media it was right that this was so, and it continued to be correct for the media to jealously guard its autonomy and to carry out its duty to scrutinise government, Mr Maharaj said.

"By its very nature, government will often find this close attention embar-

assing and even annoying. But we know that this is — or should be — a creative tension, a necessary and creative friction."

A government committed to transparency and accountability would welcome this.

Prisa should be congratulated for awarding its gold medal award to President Mandela as the most effective government communicator of the year, Mr Maharaj said. — Sapa.

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THE CITIZEN

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Phosa says Press are all 'bastards'

MBABANE. —
Mpumulanga Premier Mathews Phosa surprised delegates to a business conference in Swaziland yesterday by saying journalists were "bastards" who made money on the activities of others.

Mr Phosa was addressing a conference on the Maputo development corridor initiative when he made the remark in reply to a question from the floor.

A delegate to the conference asked Mr Phosa why journalists seldom co-operated with government initiatives and instead highlighted only negative developments.

Mr Phosa replied:

"The Press are all bastards who make money out of our names and activities. They never let facts stand in the way of a good story and always concentrate on the negative issues."

The audience appeared surprised and amused by Mr Phosa's remarks.

However, Mr Phosa added that a strong and outspoken media was essential for dynamic democracies.

"The moment people are afraid to speak out, democracy fails and repression sets in," Mr Phosa said.

The government could not dismantle media organisations just because it did not like specific articles or editors, he

said, adding that African countries that repressed the media should be criticised.

"The only useful advice I can give you for creating a tolerable relationship between the media and politicians is for you to always tell the truth so that there is never anything for reporters to investigate," he said. — Sapa.

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HERALD

Jg. 152 Nr. 129 P. 4 Dat. 3 1. 5. 1996

Role of Press in E Cape finds support

By BRONWEN ROBERTS

EAST LONDON A virulent bout of media bashing this week has stoked smouldering tensions between Eastern Cape journalists and politicians.

ANC Eastern Cape MPL Nat Serache told the Eastern Cape Legislature that the Press was "boycotting" activities of the House and imposing a "blackout" on the activities of its members.

Fellow ANC MPL Lydia Bici said the media "seemed to be assuming the role of the opposition to the present government", while ANC MPL Gloria Barry said reporting had been "nothing but negative and incorrect".

Reacting yesterday, Daily Dispatch news editor Lew Elias said he was considering taking Mr Serache's speech in the legislature to the Media Council. Mr Elias said he had challenged Mr Serache to a radio debate on the role of the media, but said Mr Serache had "dodged" the challenge by saying he first had to "consult".

Editor-in-Chief of Times Media in the Eastern Cape, Ric Wilson, said:

"The Press is playing a key role in keeping the electorate informed as to what is happening in government, for example, the controversy over the pensions

"What worried me about this latest outburst is that it signals a lack of understanding among some politicians about the role of the Press, which is not to report only on what politicians want reported, but also what they would rather not want reported."

The spark in this latest of a number of attacks on the Press was an report in the Weekend Post that criticised a "cover-up" of names of MPLs who regularly missed committee meetings without good reason.

Referring to this report, Mr Wilson said: "Now surely this information is in the electorate's interest? Do voters not have the right to know which of their representatives are performing or shirking their duties?"

Regional ANC media liaison officer Mcebisi Bata said the movement would always work for an independent Press and distanced itself from any opinion that unfairly criticised the Press.

Rhodes University journalism lecturer Charles Riddle said the current tension between Press and government was healthy. — Ecna

□ Editorial comment Page 6. See also Page 5.

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Herald

INDEPENDENT VOICE OF THE EASTERN CAPE

PRESS

Don't blame the messenger

SEVERAL ANC members of the East Cape parliament have made an ill-considered and ridiculous attack on the Press.

One, Nat Serache, said that the electorate of the Eastern Cape should be informed that newspapers are "boycotting" their government, and suggested that they should in turn stop buying these newspapers. Presumably, what he means by "boycotting" is that Bisho gets more negative than positive publicity.

This outburst is astonishing for two reasons. It comes at the height of the controversy over the pension tender, a hotly debated issue in which the Press played a decisive role in exposing what went on.

Second, the attack came during a debate on a Weekend Post report that the Speaker in Bisho, Gugile Nkwinti, had prevented an official from releasing to the newspaper a list of names of MPLs who regularly missed meetings without credible excuses.

For three weeks, the newspaper sought to get these names from the East Cape legislature. When a list was finally compiled by an official from attendance registers, Nkwinti stepped in to block its release.

Now, does the electorate not have a right to know how its elected representatives are performing? Who is earning their R12 000 a month, and who is shirking? Because that clearly was the purpose of the Weekend Post inquiry.

If politicians are to dispute the public right to know such basic information, embarrassing though it may be to the absentees and their parties, then we must seriously question their commitment to transparency.

Yes, the electorate of the Eastern Cape does need to be informed — it needs to be informed about which of its elected representatives are failing to do their jobs.

As to the broader gripe, it is undoubtedly true that Bisho often gets a bad Press. What else can they expect when meetings crucial to the running of government are cancelled because not enough MPs bother to turn up to make a quorum?

But is that the fault of the Press?

Is this not yet another case of blaming the messenger for the bad news, a well-known failing of the Roman emperors. And we know what happened to them.

The messenger is not the problem, the problem is in our function

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PRESS

THREATENED BY MBEKI AND BY CHASKALSON

23 Media
In a climate in which the "commercial press" is coming under direct and indirect criticism for not representing the views of the majority, Deputy President Thabo Mbeki's suggestion in parliament this week that a national news agency might be desirable was to be expected.

In effect, he was saying, if the media do not project government in a favourable light, they should be over-ridden by propaganda — though how this meshes with the constitutional right to freedom of opinion and of the press is nebulous.

The print media evaluate what is to be published on the basis of its news value, not on whether it promotes patriotism. They must survive commercially and would not do so if they gave pre-eminence to water reticulation projects in the Eastern Cape rather than, say, why Bantu Holomisa faces censure from his own party because he has aired memories of corruption in the old Transkei.

All governments have an uneasy relationship with the media, unless they are censored and restricted as they were under P W Botha. This is because governments do not always get things right, whether in the fields of law and order or the economy — and are rightly subject to criticism for their errors.

The ANC-led government should be able to take the heat by now. That it isn't is a fact with which editors who do not slavishly follow the party line must learn to live.

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It is far more disquieting to find a version of this acrimony against the media coming from so eminent a source as the president of the Constitutional Court, Arthur Chaskalson. In a recent article for the Institute for the Advancement of Journalism (reprinted in *The Star*, May 22, without comment), the judge accused the press of shallowness in reporting the court's judgments.

Chaskalson pointed out that we have advanced from being ruled by parliament to being ruled by a democratic Constitution. While he accepted the constraints of space and time under which journalists labour, he stated that, in his view, "the reporting has been brief, largely descriptive, and often inaccurate." Little attempt is made to analyse the judgments, place them in meaningful contexts and explore

the implications of decisions taken."

In an extraordinary misreading of the function of the press, he suggested these shortcomings "may be due to what is regarded as newsworthy." It is difficult to know what alternative criteria the press should apply in assessing events, including court judgments.

Leaving that aside, it is not fair to generalise: within the boundaries outlined above, the *FM* and *Business Day* have deliberately increased their coverage of the writing of the new Constitution, the issues involved, and the role of the Constitutional Court as supreme arbiter of the basic law.

Chaskalson seems to expect the press to focus too narrowly on the court's judgments. Since, this month, the Constitutional Court is deliberating on the constitutionality of the new Constitution — and there have been a number of challenges on labour, property and provincial competencies, for example — the essential requirement for the serious press is to understand and communicate the nature of the assorted controversies — and the philosophical and political differences from which they spring.

This, surely, is being done. By entering into the matter of how it is being done — and to find fault with the process — is to accept the argument that what might be called the programmatic elements of the Constitution are above reproach. Chaskalson does not say so; in fact, he properly concedes that the right of the media to criticise court judgments, including those of the Constitutional Court, "cannot be questioned."

Nevertheless, a grievance emerges from his article: why don't you make more of an effort to understand our collective thinking and give it its due prominence? Surely, however, courts of law should form islands of competence, isolated from and contrasted with government agencies by the doctrine of the separation of powers and elevated above bureaucracies by impartiality and efficiency.

They should certainly be completely above trying to win the regard of the public for themselves.

Given that the Constitution remains to be certified, and that even if it is, it is certain to prove divisive on some issues, Chaskalson's court would, now, be best served by maintaining a low profile. ■

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Business Day

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Times Media Ltd editorial charter

This is the editorial charter for Times Media Limited which was distributed by chairman Vaughan Bray yesterday to interested parties, including staff and prospective new owners of the company.

1 PREAMBLE

1.1 This Charter is an expression of ethical principles on which the company's newspapers shall be edited and managed and which are endorsed and adopted by the newspapers' editors, the directors and the trustees appointed as guardians of the character, independence and integrity of the publications.

1.2 Each newspaper shall not be bound to or unduly favour any commercial, political, social or personal interests. It shall exercise and be seen to exercise independent judgement on public affairs to advance the general good of South Africa and its people.

1.3 Each newspaper shall endeavour to reflect, in serving its readers and advertisers, the views, aspirations and needs of all South Africans. This shall not preclude each newspaper from supporting or criticising the policies and strategies of political parties and other organisations and expressing a point of view.

1.4 Each newspaper shall be managed as a separate, profitable, commercial enterprise, recognising that editorial independence and commercial viability are closely linked.

1.5 Nothing herein shall preclude the directors from taking any action which is not in conflict with the principles hereof, where they consider such action is necessary to ensure the commercial success of the newspaper, including the sharing of resources and the merger or closure of any newspaper title.

1.6 For the purpose of this charter a newspaper shall mean: Sunday Times; Business Day; Financial Mail; Eastern Province Herald; Evening Post; Weekend Post; Daily Dispatch; and any other publication that is owned or controlled by the company, that is similar to the above publications and which the board of trustees decides should

be included in the definition.

1.7 Where reference is made herein to managing director or chairman, such reference shall refer to:

1.7.1 if the newspaper is published by the company, to the managing director or chairman (as the case may be) of the company

1.7.2 if the newspaper is published by a subsidiary of the company, to the managing director or chairman (as the case may be) of the subsidiary.

2 EDITORIAL INDEPENDENCE/CODE OF ETHICS

2.1 Each director, member of the board of trustees (elected in terms of 4.), the editors and the elected representatives of the editorial staff (elected in terms of 6.) shall be required to uphold the principles of editorial independence as expressed in this charter and in particular the code of conduct set out in 7.

2.2 The basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same restraints as that of the individual and rests on the public's fundamental right to be informed and freely to receive and to disseminate opinions. Each newspaper shall uphold the highest standards of integrity and of professional, independent, honest and responsible journalism.

2.3 The directors, managers and trustees shall acknowledge the responsibility of journalists, artists and photographers to report and comment on local, national and international affairs fairly and accurately, regardless of any commercial, personal or political interests of any shareholder, director, trustee or manager.

2.4 The editor alone shall determine editorial content and shall, within agreed commercial parameters and accepted labour practice, appoint, dismiss, deploy and direct editorial staff.

2.5 The editors shall carry out their duties in a way that will ensure the general character, independence, integrity and success of the publication of which they are editor and

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will be directly responsible to the chairman of the directors ("chairman") on editorial matters and to the managing director or his nominee on commercial matters.

2.6 Editors shall at their discretion have the right to seek the advice and guidance of the trustees if disagreements should arise with directors and managers.

2.7 In the event of any dispute over commercial matters, the managing director's decision shall prevail. In the event of any dispute over editorial matters, the chairman's decision shall prevail.

3. APPOINTMENT AND DISMISSAL OF EDITORS

3.1 Subject to 3.3 an editor shall not be appointed without:

3.1.1 the agreement of the majority of the directors and

3.1.2 a resolution in favour of the proposed appointment passed by the trustees.

3.2 Subject to 3.3 and 3.4 an editor shall not be dismissed without:

3.2.1 the agreement of the majority of the directors and

3.2.2 a resolution in favour of the proposed dismissal passed by the trustees and

3.2.3 the agreement of the elected representative, if any, of the editorial staff of the newspaper concerned.

3.3 In the event that the majority of the trustees do not agree with the proposed appointment or dismissal, it shall not take place for a period of up to six months from the date on which the trustees were first asked for their agreement. During this period, the directors and trustees shall attempt to reach agreement. If agreement is not reached within six months, the directors shall be entitled to make the appointment or dismissal without the approval of the trustees.

3.4 In the event that the elected representative does not agree with the proposed dismissal, it shall not take place for a period of up to three months from the date on which the representative was first asked for his/her approval. During such period the directors and the representative shall attempt to reach agreement. If agreement is not reached within the said period of three months, the directors shall be entitled to make the dismissal without the agreement of the representative.

4. BOARD OF TRUSTEES

4.1 The board of trustees shall comprise five persons appointed as guardians of the general character, independence and integrity of the publication. Meetings of trustees will be convened by the company secretary at the request of the directors or of an editor or of any trustee and will be conducted according to the procedures set out in 5.

4.2 The first five trustees ("the initial trustees") will be appointed by the chairman, after consulting with the directors of the company, the editors of the newspapers and anyone else he may wish to consult. Thereafter the trustees will elect their own successors as the need arises, giving consideration to the inclusion of at least one former editor.

4.3 Of the five initial trustees, one shall retire at the end of year one, another at the end of year two, another at the end of year three, another at the end of year four and the last at the end of year five. (The aforesaid periods are hereinafter referred to as the "initial terms"). The chairman shall stipulate who shall retire on the said dates at the time of making the initial appointments.

4.4 The initial trustees shall be eligible for re-election after their initial terms have expired.

4.5 All trustees, including the initial trustees after their initial terms, shall retire after two years, but shall be eligible for re-appointment for further periods of two years, provided that any trustee who has served for six consecutive years (excluding the initial term of the initial trustees) shall not be eligible for re-election until a further two years have elapsed.

4.6 The trustees shall not be employees or directors of the company but should have an understanding of the general character, independence and integrity of the company's newspapers, and be persons of standing in the community.

4.7 The remuneration of the trustees for their services as such shall be determined from time to time by the directors.

5. PROCEEDINGS OF TRUSTEES

5.1 The trustees may:

5.1.1 meet, adjourn and otherwise regulate their meetings as they think fit, and any trustee shall be entitled to convene or direct the secretary to convene a meeting of trustees

5.1.2 determine what notice shall be given of their meetings and the means of giving that notice, provided that any such prior determination may be varied, depending on the circumstances and reason for the trustees' meeting in question.

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5.2 The quorum necessary for the transaction of trustees' business of the trustees shall be four trustees. A resolution of the trustees shall be passed by a majority of the votes of the trustees present at the meeting at which it is proposed and at which a quorum is present.

5.3 If within half an hour of the time appointed for a meeting a quorum of trustees is not present, then the meeting shall stand adjourned to the same day seven days hence, or the next succeeding business day, if that is not a business day, and if at the adjourned meeting a quorum is not present, then the trustees present shall constitute a quorum, provided that notice of the adjourned meeting has been given to all the trustees not present at the first meeting.

5.4 The secretary shall attend all meetings of trustees and place before the trustees all documents and papers in the company's possession which the trustees may desire to see, and perform all such secretarial duties as the trustees may require, but the secretary shall be bound to retire from the meeting of trustees whenever so required by the trustees.

6 ELECTED REPRESENTATIVE OF EDITORIAL STAFF

6.1 The staff of each newspaper shall, as soon as possible after the incorporation of this charter into the articles of association of the company, be requested to elect a representative to act on their behalf with regard to this charter.

6.2 All permanent editorial staff members of the newspaper concerned shall be eligible to participate in the election.

6.3 The election shall be held as a secret ballot under the supervision of the company secretary and the auditors of the company.

6.4 The company will provide the necessary facilities for the election and will allow the staff to use company premises to hold meetings as may be reasonably necessary to give effect to this charter.

6.5 The elected representative shall automatically resign his position if:

6.5.1 he is no longer employed by the newspaper concerned

6.5.2 he would be disqualified for any reason under the Act, as amended or replaced from time to time, from acting as a director

6.5.3 he has held the position for a continuous period of five years.

6.6 In the event that the elected representative resigns for any reason whatever, or at the written request of any ten or more members of staff eligible to participate in an election, an election shall be held to elect a new representative.

7 CODE OF CONDUCT

7.1 Reporting of news

7.1.1 A newspaper shall be obliged to report news truthfully, accurately and objectively

7.1.2 News shall be presented in the correct context and in a balanced manner, without an intentional or negligent departure from the facts whether by:

7.1.2.1 distortion, exaggeration or misrepresentation;

7.1.2.2 material omissions; or

7.1.2.3 summarisation.

7.1.3 Only what may reasonably be true having regard to the source of the news, may be presented as facts, and such facts shall be published fairly with due regard to context and importance. Where a report is not based on facts or is founded on opinions, allegation, rumour or supposition, it shall be presented in such manner as to indicate this clearly.

7.1.4 Where there is reason to doubt the correctness of a report and it is practicable to verify the correctness thereof, it shall be verified. Where it has not been practicable to verify the correctness of a report, this shall be mentioned in such report.

7.1.5 Where it subsequently appears that a published report was incorrect in a material respect, it shall be rectified spontaneously and without reservation or delay. The correction shall be presented with a degree of prominence which is adequate and fair so as readily to attract attention.

7.1.6 Reports, photographs or sketches relative to matters involving indecency or obscenity shall be presented with due sensitivity towards the prevailing moral climate. In particular, a newspaper shall avoid the publication of obscene and lascivious matter.

7.1.7 The identity of rape victims and other victims of sexual violence shall not be pub-

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INSTITUUT VIR EIETYDSE GESKIEDENIS

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Business Day

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lished without the consent of the victim.

7.2 Comment

7.2.1 A newspaper shall be entitled to comment up on or criticise any actions or events of public importance provided such comments or criticisms are fairly and honestly made.

7.2.2 Comment shall be presented in such manner that it appears clearly that it is comment, and shall be made on facts truly stated or fairly indicated and referred to.

7.2.3 Comment shall be an honest expression of opinion, without malice or dishonest motives, and shall take fair account of all available facts which are material to the matter commented upon.

7.3 Special provisions

7.3.1 Headlines and captions to pictures shall give a reasonable reflection of the contents

of the report or picture in question.

7.3.2 Posters shall not exaggerate and shall give a reasonable reflection of the contents of the reports in question.

7.4 Privacy

Insofar as both news and comment are concerned, a newspaper shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that the right to privacy may be overridden by a legitimate public interest.

7.5 Payment for articles

No payment shall be made for feature articles to persons engaged in crime or other notorious misbehaviour, or to convicted persons or to their associates, including family, friends, neighbours and colleagues, except where the material concerned ought to

be published in the public interest and the payment is necessary for this to be done.

7.6 General

Due care and responsibility shall be exercised by newspapers with regard to:

7.6.1 subjects that may cause enmity or give offence in racial, ethnic, religious or cultural matters, or incite persons to contravene the law;

7.6.2 matters that may detrimentally affect the peace and good order, the safety and defence of the Republic and its people;

7.6.3 the presentation of brutality, violence and atrocities.

8 INCORPORATION INTO ARTICLES OF ASSOCIATION

This charter will be incorporated into the articles of association of the company and, where applicable, its subsidiary companies, and it shall be a pre-requisite of their appointment that all directors, editors, trustees and elected representatives of the editorial staff from time to time shall sign a copy hereof to indicate that they consider it to be binding upon them.

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Saturday Star Jg..... Nr..... P.....10 Dat.....13.7.1996

Pen which maligns Mbeki was once poisoned with treachery

Silent

The so-called liberal press is slandering our deputy president; but forgets its past in which it struck a deal with the devil

President Nelson Mandela's sojourn to Britain and France this week would, ordinarily, be no more than a head of state paying courtesy calls on overseas counterparts to cement friendship, at the same time doing his best to advance his nation's economic interests.

But we are led to believe the visit will also "sell" Deputy President Thabo Mbeki to foreign investors as a capable successor to Mandela, come 1999.

That raises the question:

what is wrong with Mbeki?

My own answer is quite simple: there is nothing wrong with him; the only wrong has everything to do with powerful sections of the mainstream liberal press, which have gone all out to discredit him on the slightest pretext.

Indeed, it is to Mbeki's eternal credit that he has largely ignored this vicious criticism, which exceed the bounds of fair comment.

Now I will never place politicians on a pedestal, but I have an abiding suspicion that certain newspapers are deliberately creating mistrust with their unfair portrayal of Mbeki.

Curiously, during the heyday

of apartheid, the same newspapers were deathly silent on National Party cabinet ministers, even though some of those ministers had gross reputations which preceded them; indeed, those men were clearly unfit for office.

There will be various reasons offered by the media for their lovey-dovey treatment of NP ministers in the past, chief of which could be that there were then no basic freedoms to talk about and any robust criticism of the ruling clique was likely to end in defamation suits, with NP-appointed judges often finding in favour of the Nationalist gang.

(If you doubt this, remind yourself of the experiences of Alan Paton and Donald Woods and then draw your own conclusions.)

UNDERCURRENT AFFAIRS



JON Qwelane

sions.) The lack of human freedoms in the past was not the

only reason why mainstream newspapers shied away from roasting the misfits in the NP cabinet - and it could be argued quite cogently that everyone in all the NP cabinets was a misfit because the party, itself, was always a hopeless misfit of a government.

In my opinion, mainstream newspapers were most reluctant to tread on the Nats' toes because, to a large extent, they had much in common with the apartheid regime.

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Saturday Star Jg. Nr. P. 10 Dat. 13-7-1996

Before certain predictable individuals defend their present and previous employers by extolling the "extremely difficult, but magnificent and courageous" role played by the media under apartheid, they must be told bluntly that one of the

biggest act of treachery against our struggle for justice was committed by owners of the mainstream press.

During the satanic days of emergency rule, some media bosses in the Newspaper Press Union agreed to a tacit deal with dictator PW Botha about a so-called "total onslaught", allegedly inspired by communists, which required a "total strategy" to counter it.

Unintelligent

That diabolical agreement aligned the press barons firmly behind Botha and the consequent actions he unleashed against our people.

The deal between the media lords and the dictator would have remained untold, but, most

unfortunately for the newspaper owners, Botha was neither an intelligent man nor one schooled in the finer aspects of diplomacy.

At a public meeting of his party, he let the cat out of the bag, unwittingly providing irrefutable confirmation of the nature and form of our oppressors - while those like Botha and his NP cohorts were arrant racists, others in the "enlightened" sector were just as bad, but fooled us into a sense of brotherhood with their sweet phrases and crocodile tears.

Do you now have an idea why NP ministers in the past were never savaged by the mainstream media to the extent which Thabo Mbeki now is, the absence of free speech and a free press notwithstanding?

Methinks the press barons must be compelled to appear before the Truth and Reconciliation Commission to confess their dreadful collaboration with Botha, which delayed our freedom by many years.

While I will never call for censorship in any form, I do wish sections of the mainstream press would shut up just for once and take honest stock of their collaborationist past.

Sure, Mbeki has his faults, just like every one of us, and I will never pretend to speak on his behalf. But he must be judged fairly.

Would I feel confident with Mbeki as president? My unequivocal answer is "yes".

Jon Qwelane is editorial director of Penta Publications

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Weekend Argus

Jg..... Nr..... P. 16 Dat. 4.7.1996

Mandela does his best,

12 Aug

but mainstream press chides

'future' president

PRESIDENT Nelson Mandela's sojourn to Britain and France would, ordinarily, be no more than a head of state paying courtesy calls on overseas counterparts to cement friendship, at the same time doing his best to advance his nation's economic interests.

But we are led to believe the visit will also "sell" Deputy President Thabo Mbeki to foreign investors as a capable successor to Mandela, come 1999.

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(If you doubt this, remind yourself of the experiences of Alan Paton and Donald Woods and then draw your own conclusions). Lack of human freedoms in the past was not the only reason why mainstream newspapers shied away from roasting the misfits in the NP cabinet - and it could be argued quite cogently that everyone in all the NP cabinets

Just Jon

Jon Qwelane



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Weekend Argus

Jg..... Nr..... P. 16 Dat. 14. 7. 1996

treachery against our struggle for justice was committed by owners of the mainstream Press.

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Methinks the Press barons must be compelled to appear before the Truth Commission to confess their dreadful collaboration with Botha, which delayed our freedom by many years and needlessly cost thousands of lives. While I will never call for censorship in any form, I do wish sections of the mainstream Press would shut up just for once and take honest stock of their collaborationist past.

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■ Jon Qwelane is editorial director of Penta Publications

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The Star

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Let's try and find our high road

We are a nation of relentless critics: giving credit where

12 media

due would be no bad thing, writes Peter Sullivan



What kind of a country do we want to build?

As our new culture is forged in the tough crucible of public debate, heated by flames from many different language groups, colours, religions, sectoral interests and politicians, each participant seems intent on achieving personal goals. Few worry about an eventual destination for this nation.

We are an extraordinarily critical bunch, taking pot shots at anyone who lifts their heads above the parapet. Anybody saying or doing anything is immediately attacked for what they have said or done, or have not

said or not done. Praise is sparse, grudging, ungracious. We are not a country of whiners, we are a country of critics.

"Everyone is a critic" say American gag artists, but they ain't seen nothin' yet. Visit sunny and snowy South Africa to discover real criticism.

In America people who do things tend to be given the benefit of the doubt by others; people generally encourage new ideas. There are always a few critics, some vociferous, but they are generally a minority and perceived to be almost professional complainers. Here, I fear, a few people are seen

a country of critics

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to be almost professional bright-siders, taking the Pollyanna view that there must always be a bright side to things. The rest of us hone our blades at the delightful thought of something new to criticise: let's find the weak spot, let's see what they're hiding, let's look for the hidden motive, let's explain why it was easy for them and thereby diminish their achievements.

Surely this is not the kind of culture we want?

I have a game I play with colleagues. I ask who is best at something. Journalists are genetically incapable of doling out praise, except for heart-rending charitable cases, at which we melt into soppy idiots seriously damaging hard-bitten reputations. But ask who is the best politician around, and we all squabble to tell why it is not somebody. Who is the best leader of Britain this century? Any journalist will tell you why it is not the person you thought of, from Churchill to Chamberlain. Best American president of the 20th century? Americans find it easy (they agree on the second Roosevelt) but getting praise from South Africans is like squeezing blood out of a Free State dust storm.

Yes, yes, I know we all agree on the best

South African leader this century. He is so exceptional, and his ability to make us love him almost frees us from our usual carping criticism. But that is hardly a test of our collective character: he is the most admired leader in the world.

Let me not commit the very folly against which I rail: carping and criticising without suggesting solutions.

Here's the deal. Let's try to discover a collective culture by helping to promote what we would like our country to be, rather than only defining what it should not be. See if we can find things about people and events and politicians and races and religions to praise, not criticise. Let us seek the high ground, of which Clem Sunter talks so eloquently.

I suspect part of our culture of criticism came from writers so exquisite in venomous criticism, it made us squirm in gleeful anticipation of how the recipient would read it. I cruckle still at Robert Kirby in *Tonight* as he lashes out with prison pen at the SABC - completely over the top yet marvellous to read. But not all great writers or columnists need to be critics.

Shaun Johnson wields a worthy pen without resorting to fashionable carping. Ivan Falsen writes superbly without being

Gus Silber's writing is magic, using humour as the tool, not an unfriendly scalpel. James Clarke is, well, James.

Newspapers do have a watchdog role in society, a role which demands that we criticise, expose, attack, lead public indignation, follow up on investigative reportage. But in our emergent democracy, in our unequal society, we also have a role to lead the population towards good things as well as away from evil.

How will this newspaper play its role?

The Star aims to guide this country and its people to values which are good, sound, achievable, and can last into the next century and beyond.

Such values will help define Africa's culture.

Our country is in a state of flux, desperately seeking to invent a new national culture, one that unites our rainbow nation while allowing vibrant individual cultures to flourish. It is The Star's task to be a guiding light for our nation, inspired by our leaders and readers.

We will be supportive of the good, teach tolerance of everyone's best attempts and be kindly in criticism, while preaching intolerance of crime in communities or corruption

in governance.

On our front page, in our centre pages, in sports columns, business reports and in our letters columns, we will promote the positive aspects of our society; guide ourselves and others towards a better nation - soundly built upon fundamental human rights. We will rail against racism and sexism wherever it occurs, but try to change attitudes gently - not with brash and strident shrieking.

We will be tolerant even of rivals, turning away carping criticism by trying always to show consistent quality in our journalism.

We aim to stick to the truth whatever the cost in popularity. —> *do not compromise of markets*

We favour a tolerant, democratic and open society utterly intolerant of crime, corruption, racism and sexism.

On all issues we should give guidance. We trust our ability to involve readers, debate the country's leaders and extract the best thinking from academics.

Into the mix of our newspaper we will stir in thoughts of people on the streets, offices and houses of South Africa's biggest city and add the good ideas from our rainbow nation before offering The Star as a *and constant existence left to a better*

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23 JUL 1996

Media study results released

RESEARCH suggested more than 80% of information generated by government did not reach the public through the media, a government-appointed monitoring group was told yesterday.

The findings were disclosed in Johannesburg by the Media Monitoring Project, a substructure of the task group on government communications. The project monitored publication and broadcasting news reports for three months.

It found 49% of news reports on the government were neutral in character, with positive coverage claiming 30% and negative coverage 21%.

"Among departments, the President's office fared the best, scoring the highest amount of government coverage. This was partly because of the high news value of the President but (was) also a reflection of the presidency's excellent media liaison personnel."

The Constitutional Assembly was the most successful single media event during the monitored period. Media reporting of the foreign affairs ministry was more negative, and was partly an

indication of an unsophisticated media analysis of foreign relations.

Other findings were:

☐ Key areas that were revealed as important in government communications were openness and interactivity, improved packaging, priming of information and timing of government communication;

☐ Television coverage was generally found to be positive;

☐ Radio news coverage was broader, serving a more diverse audience and overall coverage was positive;

☐ The Afrikaans papers monitored, with the exception of Rapport, reflected a substantial amount of government coverage which was not unfavourable;

☐ The English daily press, especially the Citizen, gave substantial coverage to government;

☐ Overall, the Sowetan was the most positive of the English daily papers;

☐ National weekly newspapers were the most critical; and

☐ Regional and local weeklies were predictably less substantial in their coverage. — Sapa.

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The Argus

Jg..... Nr..... P...3... Dat...25-7-1986

SA press dogged by poor training, says Mbeki

PETER FABRICIUS
The Argus Correspondent

WASHINGTON. - South African newspapers suffered from a problem of "levels of training" and quality and some were staffed by journalists with average experience of less than one year, Deputy President Thabo Mbeki said here.

Mr Mbeki was addressing a joint gathering yesterday of the African Correspondents Association and the Freedom Forum, a foundation dedicated to freedom of the press.

"Some of the editors will tell you that the average experience of reporters in the newsroom is less than one year."

Mr Mbeki said part of the problem was the changes in the country which had offered "enormous opportunities" for journalists to move into other fields like government.

He said some newspapers were trying to address the problem and mentioned the fact that Independent Newspapers - owners of this newspaper - had sent a group of journalists to the US for training.

Meanwhile, Mr Mbeki and US Vice-President Al Gore both expressed optimism after meeting here this week that the drawn-out Armscor arms smuggling issue souring US-SA relations could be resolved soon.

The two leaders have discussed the issue exhaustively in private meetings during the course of Mr Mbeki's visit here this week to co-chair with Mr Gore the US-SA Binational Commission, which regulates relations between the two countries.

And lawyers and other officials from both countries were negotiating to try to reach an agreement which could be announced before Mr Mbeki left Washington today to drum up investment in Chicago.

Yesterday Mr Mbeki said he believed that it was possible to find a solution to the Armscor problem, corroborating Mr Gore who said on Tuesday that he was "cautiously optimistic" that a solution was at hand.

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The Cape Times

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Press freedom as vital as ever

THE NATURE OF proprietorship of the media and the standard of journalism in South Africa is criticised by the PAC's **BENNIE BUNSEE**, but he argues that the need to defend press freedom is as great as ever. *Jonah*

THE recent attempt by the South African police to force the editor of the Cape Times to hand over evidence relating to Pagad must be viewed as one of the most serious threats to our developing and fragile democracy.

It is not a matter to be treated lightly. Nothing will destroy democracy in our society so much as the curtailment of press freedom in any form.

A spate of articles and views has recently been expressed about the media, and there has been a lot of controversy. Much of this focuses on the direction of our media, given the fact that it is largely white-dominated.

We have had Thabo Mbeki's controversial views, those of the South African Communication Services, the initial conflict between the Black Editors' Forum and the former predominantly white conference of editors, the dispute over an editor's charter and the black consortium that wishes to buy Johnnic (of which Times Media is a part), and other criticism of the press.

These disputes over the colour of our media will continue to rage for some time. In themselves they are healthy and pose questions about the nature of our media and its duties to the public.

It is a truism that the media is the fourth estate with enormous powers of influence over the public mind. Our

immediate knowledge of the world around us comes from the media, and it can be shaped as it wishes.

No single writer can ever give the most comprehensive view on any issue, particularly when it comes to reporting. The reporter has limitations and there is only so much publication space. A subject needs to be written about from different angles, and even then we do not always get the complete picture.

Historical examples of media going awry include those of the apartheid days, which were nothing more than blatant and absurd propaganda that regarded opposing views as a danger to the state (controlled by a handful in the Afrikaner Broederbond).

That clampdown on the freedom of the media has cost this country enormously and dumped it in cultural backwaters.

Ours is a world which has no definitive philosophy to guide it apart from vague notions of right, goodness and morality. These are neither coherent nor cohesive in cementing a philosophy of solidarity with our fellow humans.

Our political world is in tatters. With the decline of communism we are at the mercy of individualistic opinions tilting at windmills.

Politics today is synonymous with corruption and politicians almost uni-

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versally are regarded as careerists, if not downright intellectual buffoons.

It would be suicidal to trust the future of a nation to just any group of politicians, for whom the parliamentary system is often ideally suited to the rhetoric that covers their sins.

Our new brand of parliamentarians are neatly fitting into the mould. We see it in the recent undemocratic and rather brash behaviour of the ANC, not only over issues like Sarafina and Bantu Holomisa, but also in the deep dissent below the surface in ANC ranks.

Rarely in political parties do we find a culture of criticism which forces abuses to be checked immediately. This way we would get genuine control and participation by the rank and file and not just from a leader or elitist cabal.

The extent to which abuses are allowed to continue is amazing, and ordinary members remain silent or only whisper in corridors. There are always the power-hungry whose own green pastures vanishing if their leader goes.

For these reasons the media today carries an onus that is even greater than that of the past. It can fearlessly keep the public aware of what is really taking place — and not just echo the mealy-mouthed phrases of politicians.

The constitution and Bill of Rights can't ensure and safeguard all our precious freedoms. It also needs the freedom of the press.

The ability of journalists to write unhampered by threats of any kind, and to write what they deem to be the truth, is the first guarantee of all other freedom in our society.

As our society aches its way through a plethora of complexities and contradictions to build a democracy for all its citizens, it must uphold this freedom at all costs. While biased journalism proliferates, it is a price we must pay to guard the greater freedom for journalists to write the truth.

These days when transparency and accountability are buzzwords yet are violated at every turn, it is press freedom that will guarantee ultimate freedom. Lies and hypocrisy must be relentlessly uncovered.

For this reason, despite my deep ideological differences with the Democratic Party, I welcome its feverish desire to intrude into every nook and cranny, and question, question!

Section 205 of the Criminal Procedures Act, against which editors recently protested, was a great, if little understood, battle to stand up for truth and democracy in our country. There is now a need to scrap Section 205 altogether.

Every dictatorship begins by suppressing the freedom of the press.

However much it might irk the ANC government that the media does not truthfully portray its achievements, let it acknowledge the absolute right of the freedom of speech and the media.

When this light is snuffed out a spiritual darkness prevails and the soul of a nation is aborted.

□ Bennie Runsee, PAC's senior administrative officer in Parliament, wrote this article in his personal capacity.

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Jg. Nr. P. 8 Dat. 3 0 9. 1996

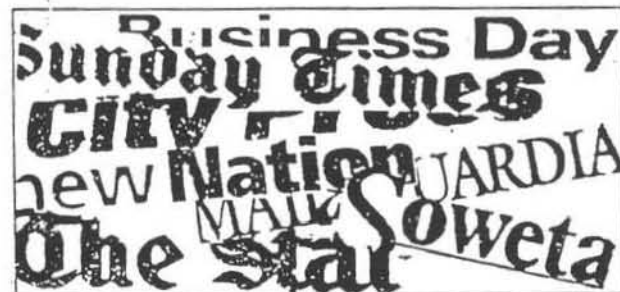
Is the media too hard on govt?

8 Med.
An independent study of government's profile in the media finds some good and bad news for the state – and the media, a correspondent reports.

Almost half the coverage of government in the media is "neutral", while 30 percent is positive and 20 percent negative. This was one of the findings of a study conducted by the Media Monitoring Project from April to June this year. The study, which was commissioned by task team on government communication, monitored all SABC television and radio stations, 12 daily newspapers, 6 national weeklies and 10 regional or local weekly newspapers.

"What this means is that the vast majority of media coverage was not damaging to government, however it must be added that certain coverage remains more strongly in the public's memory than positive government news," the report says.

Among departments, the president's office received the most coverage. This was due, the report says, to the high news value of the president, his accessibility, his willingness to entertain informal questions from the



How departments rate

Government departments which received high amounts of media coverage during the study by the Media Monitoring Project of government communications included the presidency, the constitutional assembly and the finance ministry. Other ministries with relatively high coverage included foreign affairs and education.

The ministries of public works, public service and administration, housing, home affairs, agriculture, land affairs, labour and the deputy presidents received relatively low levels of coverage.

According to the study levels of coverage vary for a number of reasons, including the newsworthiness of the work in which different departments are involved – "its perceived importance and relevance to target audiences" – and the nature of the media profile adopted by different ministries in their articulation of policy and transformation issues.

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Jg. Nr. P. 8 Dat. 30.9.1996

media and the responsiveness of his office to media approaches and queries.

The activities of the Constitutional Assembly were the most successful single media "event"

during the monitoring period.

"The negotiations themselves, the ready access to senior spokespersons and politi-

cal leaders as opposed to limited press releases and the excellent media liaison of the Constitutional Assembly media team all contributed to a substantial amount of positive coverage," it said.

Among newspapers, the Sowetan was found to be the most positive in its coverage of government, with the Citizen carrying the most coverage of government. The daily newspapers in the Western Cape and Gauteng generally carried similar amounts of government coverage, but dailies in other regions carried less, "suggesting that their distance from the centres of government influenced their coverage".

The survey found that SABC television was generally either positive or neutral. Few negative items were recorded in the three months that monitoring took place.

"This does not translate into unquestioning and total support for the government. The former propaganda role of the SABC news has been challenged by the establishment of editorial independence and by sizable negative items on government in bulletins," the report says.

Radio news coverage, although generally positive, was broader and less coherent, serving a more diverse audience. The size of SABC radio, which has 670 news broadcasts a day reaching between 15 and 18 million people, meant that editors had less control over individual bulletins.

The survey found that Afrikaans newspapers reflected a shift away from National Party support towards "Afrikaner centred issues", especially over language, education and the economy. The Afrikaans papers monitored, with the exception of Rapport reflected a substantial amount of government coverage which was not unfavourable. This was a reflection of the resources available to them, the reports says.

Rapport was often heavy in its criticism of government, and it usually included a propaganda piece in each edition, the report says. It found that Rapport articles almost never sought a government response to allegations but chose rather to interview the National Party or the Freedom Front for information.

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CAPE ARGUS

Jg. Nr. P. 8 Dat. - 7.10. 1996

From the tower of Babel, a new message

Will the ideas of the government find their way to the people?

THE TASK GROUP APPOINTED BY DEPUTY PRESIDENT THABO MBEKI TO REVIEW GOVERNMENT COMMUNICATIONS POLICY AND STRUCTURES REPORTED BACK THIS WEEKEND TO A CONFERENCE OF STAKEHOLDERS. POLITICAL CORRESPONDENT CLIVE SAWYER REPORTS

of media

In a venture into one of the deepest rural areas of his province, a Premier recently asked the community what they most wanted the government to do. The answer: release Nelson Mandela.

(!)

This anecdote, told by Mzandla Langa, convenor of the government's task group on communications, at the start of the weekend's communications policy conference, illustrates the worst extreme of the inability of the government to get its message to ordinary citizens.

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CAPE ARGUS

Jg. 8. Nr. 8. P. 8. Dat. 7.10.1996

Set a first-year communications student the task of solving such a problem, and the solutions to be expected would range from government-supported community radio to officials with loudhailers yelling from flatbed trucks.

But the debate about government communications goes much deeper than this, and clarity is difficult in a sphere made murky by competing and contradictory perceptions, and by political agendas.

Government frustration at not getting its message through to those deep rural folk is equalled, if not surpassed, by

its unhappiness with its treatment at the hands of the mainstream commercial media.

Advertising campaigns are individually launched, press conferences may clash with one another'

Senior government media liaison officers complain of the government being the victims of

journalists driven by a perhaps subconscious instinct to indulge in ANC-bashing.

Their woes include continuing media exposure of issues like Sarafina 2, and their perception is that this type of coverage takes place at the expense of stories where the government comes out looking good - an example cited by Deputy Minister Essop Pahad being South Africa's role in the nuclear non-proliferation treaty.

The task group, dubbed Comtask, was appointed more than a year ago after a conference at Arniston which exposed the difficulties and frustrations which government communicators faced.

Briefed to probe the problem and recommend solutions, Comtask has itself become a player in the debate.

An issue which repeatedly generates heat and emotion is the future of the SA Communication Services, lineal descendant of the apartheid-era Bureau of Infor-

mation. Under the management for the past year of Solly Kotane, SACS has endeavoured to remake itself as the loyal and useful servant of the new order, but in the eyes of some has failed.

Comtask is to recommend the scrapping of SACS, with some of the remnants to be salvaged for welding into a new streamlined communications structure.

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CAPE ARGUS

Jg. Nr. P. 8 Dat. 7. 10. 1996

A workshop held during this weekend's conference produced a model for a Government Communication and Information System.

This model would include a system of high-powered American-style government media spokespeople, meeting regularly - probably weekly - to decide the message of the moment and the spin to be put on individual stories.

In place of SACS, the workshop said, should be a Communication Service Agency, although the tasks of this body were not defined. It is evident, however, that some close to Mr Mbeki take a more moderate view of the future of SACS.

Essop Pahad, the Deputy Minister in Mr Mbeki's office, urged the conference not to treat SACS unfairly, emphasising that transformation was a process from which no South African institution should be exempt, and noting SACS's efforts to remake itself.

Thani Ntente, spokesperson for Mr Mbeki, said the abolition of SACS should not be regarded as a certainty.

Others close to Mr Mbeki indicated that Comtask's recommendations were unlikely to be implemented unquestioningly, and that the future of government communications was yet to be discussed at the highest executive level.

When that debate begins, it will have been informed by Comtask of its findings about the depth of the problem. These emerged in a series of reports tabled at the conference.

Comtask said the government was spending less than R10 a year on communicating with its citizens. Cabinet ministers are hamstrung by civil service regulations and pay scales in appointing media liaison officers, who are too lowly in the hierarchy to respond quickly and effectively to communication needs.

The government did not accord communications sufficient priority and there was lack of central co-ordination.

"Advertising campaigns are individually launched, press conferences may clash with one another, sometimes contradictory messages go out."

Communications operations and staff were fragmented between ministries and

departments.

In conversations outside the conference, some ministerial liaison officers expressed frustration at this arrangement, and in some cases puzzlement about how their roles were meant to be distinct from counterparts in departments sharing the same portfolio.

Comtask said South Africa had inherited a concentration of media ownership, which was a danger in democracy.

While acknowledging that the concentration of ownership was being challenged by foreign investment and black empowerment, the group said these forces were not strong enough to challenge what it

labelled anti-competitive practices in areas like distribution and printing. It said there was a relative lack of professionalism in South African media.

"Newsrooms throughout the country are understaffed and juniorised," the group said. There were few reporters with more than three or four years' experience and only a handful were older than 30.

"Important assignments are being handled by inexperienced, overworked and young reporters. Compounding the problem is a lack of experience and professionalism on the part of government liaison staff."

Comtask noted the uneasy relationship

between the press and the government.

The government complained that its message, perspectives and its decisions and actions did not get adequate media coverage. Reports often were superficial and distorted, and important government communication was often selectively ignored.

On the other side, the media said government communications were incomplete, untransparent, superficial and handled unprofessionally.

"There are too many delays in news releases and an unwillingness or clumsiness to provide in-depth information on the background and essentials of government decisions."

Comtask said there was scope for both sides to listen to the other's criticisms and to make joint efforts to improve respective standards. Inside and outside the conference room, there was strong feeling among government communicators about the media.

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Jg. Nr. P. 8 Dat. - 7. 10. 1996

Carl Niehaus, African National Congress MP and media spokesperson, said the current staffing of decision-makers on newspapers had to be taken into account in analysing the selectivity of the media.

This selectivity was not taking place necessarily on a conscious basis, but was determined by these decision-makers' background. There was a need for training and upgrading of skills of journalists to be able to write the kind of articles which were needed.

In other findings, Comtask said antiquated censorship legislation should be abolished.

It said steps should be taken to implement the recommendations by the Independent Broadcasting Authority for a method of financing to ensure the continuing transformation of the SABC into a national public service broadcaster.

The Independent Media Development Trust should be recognised as an interim funding agency for community and independent media, and a media development agency should be established as a matter of priority. This last recommendation returns the debate to the issue of reaching those people languishing uninformed in the backwaters.

Comtask produced findings on ways towards an enhanced development information system aimed at disadvantaged communities in both rural and urban areas.

The proposals rely heavily on innovative use of new information technology and of radical rethinking of existing structures, like public libraries.

In a finding made in seeming unawareness of the funding problems facing public libraries, Comtask said public libraries could quite easily install community resource databases as the foundation for community information services.

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The Cape Times

Jg..... Nr..... P..... 5 Dat..... 10. 1996

Tutu champions free press

BARRY STREEK
POLITICAL WRITER

SOUTH Africa's new democracy would be stillborn without a vigorous and free press, chairperson of the Truth and Reconciliation Commission, Archbishop Desmond Tutu said last night.

"We need a sycophantic kowtowing, lick-spittle media as much as we need a hole in the head," he said at the University of the Western Cape when he opened the Commonwealth Press Union's editors' forum.

"Our democracy would soon become moribund and would disintegrate without a vigilant and free press."

Tutu said that when he criticised the government, they knew there was no malice or venom and it came from somebody who was very fond of them.

He was proud of the achievements of

Gauteng Premier Mr Tokyo Sexwale but he was able to tell him he was disappointed at his gutter-level outburst against Mr Bantu Holomisa.

He could tell Deputy President Thabo Mbeki he had been superb at the Olympic Games in Atlanta but that they had "boobed badly" over Sarafina 2 in their reaction to justifiable criticism.

The government could take that criticism because it came from someone who recognised their achievements.

Tutu saluted journalists who had won their spurs in the struggle saying this gave them the right to be as critical as they wished now that South Africa was free and democratic.

However, "today some are quite brave in their criticism of the new government, who were very coy about saying boo to a goose in the old days. Quite rightly there is a resentment in govern-

ment circles that they have this new zeal for criticism when they were somewhat less courageous in the old days.

"It's a bit thick for someone to be a paragon of virtue criticising alleged government incompetence and corruption when they were so conspicuous by their silence in the face of the ghastly awfulness and excesses of the past."

Everywhere in the world those in power were always tempted to dabble in the abuse of power.

"They need you to help them resist such temptations. They must know that they can't get away with something shoddy or shady, that it all will be exposed, that the public will be informed so that it can participate effectively and intelligently.

"For democracy and freedom to flourish and for good governance to happen we need a free press."

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Saturday Star Jg. 12 P. 12 Dat. 12.10.1996

The spanner in Comtask's works

In a cruel twist of fate, democracy, transparency and accessibility might rob the Government of the opportunity to reach the masses, writes

Chris Moerdyk

Just as the Government and the media are getting close to consensus on how to communicate with the masses, South Africa's love affair with politics appears to be waning.

This could put a spanner in the works of the Task Group on Government Communications (Comtask), which has made significant headway in working with South Africa's media bosses to make the news media a major vehicle for communication - "Without," as Comtask member and Freedom of Expression Institute chairman Raymond Louw puts it, "interfering in the independence of the media."

Media research indicates that interest among people from all walks of life in political issues

and in what the Government is up to is definitely waning. This being the case, the media might be willing to help the Government communicate, but will have a lot less space or opportunity to do it for fear of losing readers, listeners and viewers.

The irony is the distinct possibility that it is democracy, transparency and accessibility of ministers that, in a cruel twist, will rob the Government of a new-found opportunity to reach the masses.

There is no definite reason for the dwindling interest in politics; the most likely scenario is that until the inauguration of President Nelson Mandela, South Africans, for at least a decade, had no idea where the country was going. Added to this was the National Party government's tendency to be inaccessible to the media except when it

suited it, and it was no wonder South Africans turned to media speculation for "information".

With the presidential inauguration came the perception of a predictable future. Problems such as crime and violence, though serious, were visible and predictable. South Africa was no

longer so totally different from every other country on earth.

Now, however willing the media might be to help the Government communicate, it will

have to do this with added circumspection - especially from the point of view of newspapers, which are having a tough time identifying what will lure back readers.

Business sense might require the political content of newspapers to be reduced, with traditional "front page" political stories relegated less space on the inside pages.

Research indicates that interest in political issues and in what the Government is up to, is definitely on the wane

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Saturday Star Jg..... Nr..... P. 12 Dat. 12.10.1996

The Government will have to re-evaluate the part Cabinet ministers, in particular, will play in terms of using the media to communicate with constituents.

While incumbent ministers are much more available than their counterparts of 10 or 15 years ago, there is still a tendency to be available only if it suits them. Equally, while a lot of information can be disseminated through structures such as the South African Communications Service, the

Government needs to take the lead from business, where public relations departments issue press releases, but directors and senior managers have to be prepared and available to talk to reporters on crucial issues.

Ministers should also think carefully when suggesting media alignment. While in Britain and other countries media organisations might visibly align them-

selves with political parties, this does not necessarily mean instant or better access to the masses. What does inevitably result is a trade-off.

Politically aligned media tend to be supported by readers of similar political persuasion, with a huge loss of credibility among

those who might support the medium but oppose the politics.

South Africa's media do not have the numbers to be able to sup-

port political alignments, with the result that the Government, despite having support in certain media, would find using the media to communicate with the masses a lot more difficult.

Credibility would come into question and resistance and criticism would increase. The impartiality that is needed to support credibility would probably not exist.

The Government will have to re-evaluate the part ministers play in using the media to communicate with constituents

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Jg. Nr. P. 13. Dat. 17 10 1996

Striking a balance on SA Press freedom

Constitutional Court president Judge Arthur

Chaskalson argues that while Press

freedom is indispensable to democracy, it

must be balanced against other rights

AN ENGLISH barrister who has written extensively on the subject says "British law regards free speech as a very good thing as long as it does not cause trouble. While this may not be a universal proposition of law, it is one which receives a sympathetic response from political leaders in many parts of the world.

The problem, as far as the Press is concerned, is that it cannot do its job properly without causing trouble. And when that happens it is not infrequently brought into conflict with the law.

The consequences of the trouble could be civil suits against it for damages, criminal prosecutions against it for breaking the law, the harassment of its journalists and, in certain situations, at-

tempts to curb its activities by closing down recalcitrant newspapers and imposing legislative controls through censorship, licensing, or other means. We have lived through all this in our country and it had a profound effect upon the Press and upon the right of the public to receive information. We would not want to live through that again. Fortunately we are not likely to have to do so because our constitution now guarantees freedom of expression and states specifically that this includes freedom of the Press and other media.

What do we mean when we talk about the freedom of the Press? Do we mean that government ought not to interfere with the Press through legislation or other means designed to curb its activ-

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Business Day

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ities and secure a compliant Press? Or do we mean more than that; that the law should also recognise the special role of the Press in a democratic society and allow it the space and freedom that it needs to fulfil that role?

A free Press is an indispensable pillar of democracy; and the law should be sensitive to the importance of a free and independent Press, and in particular, protecting it from government action that

threatens such independence. But whether the Press should be privileged by the law, and if so in which respects, is a complex and much more difficult question.

An example illustrates some of the problems. Journalists are particularly concerned, and rightly so, to protect their sources.

But what is to be done where the information sought from a journalist is needed for the investigation of a serious crime? This is a frequent bone of contention in SA where journalists invariably refuse to provide such information to the police. When that happens the media tends to portray the conduct of the police or the prosecuting authority in attempting to obtain such information as being an invasion of a universally recognised right; yet the converse is true, for almost all countries have, and enforce laws requiring such disclosures to be made.

In the past, SA courts have adopted a fairly strict approach to refusals by journalists to disclose their sources, holding such material is not privileged and that the Press has no immunity against search warrants or subpoenas.

There has recently been some relaxation of this strict rule and about two years ago a court held that, on the particular facts of the case, the journalist had been entitled to withhold the information he had been called upon to provide. The decided cases all concern events which took place before the adoption of our present constitution and it is not yet clear what the implications of the constitution will be on this issue, and whether it will result in greater protection being given to the Press against subpoenas and search warrants

than in the past.

Information in the hands of a journalist is not necessarily confidential information. It is for instance difficult to see any confidentiality in a photograph of a public event published in a newspaper; or in respect of an incident witnessed by a journalist and re-

counted in a report.

A few days ago, a newspaper complained that police had not bothered to ask it for copies of photographs it published of criminals breaking into cars in central Johannesburg. Yet, a few weeks earlier, some newspapers objected strenuously to attempts by the prosecuting authority to subpoena television film and other photographic material of a march in Cape Town, which had culminated in a murder being committed in the presence of the police and reporters.

Confidential information is not necessarily privileged information. There are other relationships which are important to the fabric of our society which are premised on confidentiality. Priests, doctors, psychologists and others are often recipients of confidential information, yet their interests are subordinated to the overriding principle that the public interest requires prosecution of crime and the co-operation of all persons able to give material evidence needed for a successful prosecution.

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tion. There can be no doubt that attempts to procure information from journalists in order to mount a criminal prosecution give rise to sensitive and difficult issues.

I raised the question, not to answer it, but to illustrate the complexity of according special rights to the Press. Press freedom cannot be seen in isolation; it has an impact on other rights and interests and has to be balanced against them. The problem, as far as the law is concerned, is according to what principles, and how, should the balance be achieved?

It is sometimes said that freedom of the Press should be recognised by the law as a separate and distinct right and not as an aspect of freedom of expression; that this would allow the law to develop in a way which permits the special position of the Press to be recognised and where appropriate allow its interests to prevail over other conflicting rights and interests.

If this approach were to be adopted in SA it would almost certainly result in the modification of other rights and interests recognised by the law; a development that could have consequences that are difficult to foresee.

The scope and ambit of the right to Press freedom would have to be determined, as well as the persons entitled to claim it.

Would it, for instance, involve a greater right on the part of the Press to receive and publish information than the law accords to the general public?

And if so, would that mean that the law of privacy and the law of defamation would have to be modified to take account of the special position of the Press?

Who or what would constitute

the Press for these purposes? Would it include all journals and magazines that carry any news?

Would it include information bulletins of local authorities, political parties and non-governmental organisations, and the host of other publications which disseminate information to the public?

Would a publisher of a book have the same rights and obligations under the law of defamation and privacy as the publisher of a newspaper, and if not, why not?

Rights are never absolute and press freedom is no exception to this rule.

Press freedom does not entitle a journalist to trample upon the dignity and privacy of others; a constraint that some journalists and newspapers are reluctant to acknowledge.

The Press has considerable power. It can promote particular social, economic and political policies close to the heart of its proprietors and editors.

It can shape attitudes and expose malpractices and dishonesty; it can do much good but it can also cause serious harm.

The power it has should be wielded thoughtfully, with due consideration for rights of others and with due regard for the consequences of its actions.

SA law, bolstered by fundamental rights and freedoms entrenched in our constitution, is sufficiently flexible to develop a "free speech" doctrine which accommodates the legitimate interests of all sectors of our society including the media. Although the Press may not be freed from constraints of the law, we should be able to say: SA law now regards free speech as a very good thing even if it does cause trouble.

□ Judge Chaskalson is Constitutional Court president. This is an edited version of a speech he delivered this week at the Commonwealth Press Union's Rainbow '96 conference in Cape Town.

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THE SUNDAY INDEPENDENT

SOUTH AFRICA'S QUALITY SUNDAY NEWSPAPER

Freedom and responsibility in the media

The new South African constitution guarantees freedom of expression and includes, specifically, freedom of the press and other media.

Will this provision ensure that the principle of press freedom endures as the transformation to a democratic order takes shape? Or should the law make special provision for the role of the press in a democratic society?

These were some of the central questions addressed by speakers at the biennial conference of the Commonwealth Press Union in Cape Town this week.

Judge Arthur Chaskalson, president of the Constitutional Court, while endorsing a free press as an indispensable pillar of democracy, warned that legal recognition of the freedom of the press as a separate and distinct right could have unforeseen consequences.

It would almost certainly lead to the modification of other rights and interests enshrined in the law, he said.

Many speakers agreed that the media have a special responsibility to emphasise the positive as well as the negative in a multi-cultural society, and display sensitivity in understanding and promoting harmony between cultures rather than emphasising their differences.

The problem arises when the press exceeds this definition and uses the freedom of the press as a shield to avoid any sense of

social accountability. The future of free and independent media in South Africa will depend on the media's demonstrable willingness to be accountable – not to the government of the day but to the community at large and all its diverse parts.

The media in South Africa are not seeking special protection in the law. As they proceed with the vital task of transforming their ownership and diversifying the composition of their workforce they are seeking recognition from government of their vital role as watchdogs.

If the media are to play this role in the building of a democracy in South Africa – without the protection of a special law – they will look to both the Supreme and Constitutional courts for moral and legal support in defining the principle of freedom of expression enshrined in the constitution.

It is, therefore, a matter of concern to all journalists that the president of the Constitutional Court should have questioned the need for journalists to protect their confidential sources as one of the underpinnings of free and independent media in a democracy.

The focus of Judge Chaskalson's speech suggested that he was more preoccupied with how to limit the definition of press freedom than with how to entrench and expand it.

The media should be active participants in the dialogue that should follow the distinguished judge's remarks.

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CAPE ARGUS

Jg..... Nr..... P. 10 Dat. 21.10.1996

THE BIG STORY

A milestone in building a nonracial media

19 m-ced
Thabo Mbeki welcomes unity forum of black and white editors

DEPUTY PRESIDENT **THABO MBEKI** DISMISSED SUGGESTIONS THAT PRESS FREEDOM WAS UNDER THREAT WHEN HE ADDRESSED THE FOUNDING MEETING OF THE SOUTH AFRICAN NATIONAL EDITORS' FORUM, A NEW NONRACIAL BODY WHICH REPRESENTS EDITORS AND SENIOR JOURNALISTS. THESE ARE EXCERPTS FROM HIS SPEECH

Founding meeting of Saneef

As Shakespeare's Macbeth hears of the death of his queen and approaches his own, in anguish and despair he pronounces the famous lines:

"Tomorrow, and tomorrow and tomorrow."

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CAPE ARGUS

Jg. Nr. P. 10 Dat. 21.10.1996

*Creeps in this petty pace from day to day,
To the last syllable of recorded time;
And all our yesterdays have lighted fools
The way to dusty death. Out, out brief
candle."*

And so too might we descant after Macbeth, as we look through the processes of the transformation of our country - tomorrow, tomorrow and tomorrow creeps in this petty pace from day to day.

But perhaps what we have gathered here to encourage in its journey of creation should give us cause to escape the embrace of anguish, to discard the cloak of despair, because tomorrow has become today.

The formation of the South African National Editors' Forum today is all the more significant because of the fact that today we mark South Africa's Press Freedom Day.

It is therefore an occasion on which we must recall the sacrifices made by journalists, other media workers as well as the broad democratic movement in the struggle to achieve press freedom and freedom of expression.

Consequently it is a day when all of us should rededicate ourselves to the defence of these freedoms.

I am certain that this organisation will play an important role in our national life with regard both to matters that relate directly to the press and the wider issue of the reconstruction and development of our society.

Undoubtedly these matters will include important issues such as press freedom, the role of the media and the quality of journalism and media diversity.

It is my own firm view that press freedom in our country is not under threat.

No forces or institutions exist within our society which have the strength or power significantly to compromise such

***'It is my own firm view
that Press freedom in
our country is not
under threat'***

freedoms as those of expression and of the press.

The combination of organised popular opinion and the legal and constitutional framework would prove too strong for any threat to these freedoms to succeed.

I am not, by these statements suggesting that permanent vigilance is not required.

Indeed the maintenance of the system of democracy and the protection of human rights themselves demand the highest level of vigilance by our society as a whole.

I make these remarks in the hope that we might agree that there is no need daily to sound the alarm bells about press freedom as though we were faced with clear and imminent danger.

Perhaps if there were such agreement among ourselves it might be possible to discuss matters affecting the media without this earning those not working in the media your wrath as enemies of press freedom.

I do not believe that the end of dialogue about any matter affecting our society helps us to build a stable democracy based, in part, on the encouragement of healthy debate.

We assume it to be true that we have taken this important step of bringing together the Black Editors' Forum and the Conference of Editors to form the South

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CAPE ARGUS

Jg. Nr. P. 10 Dat. 21.10.1996

African National Editors' Forum (Sanef) to address the question of building a nonracial South Africa.

The coming of this moment might itself have been characterised by movement which could be described as a petty pace. After all, if we are in search of a benchmark we are two and a half years on since the establishment of our first democratic and nonracial government.

But whatever the pace, we have at last arrived at the creation of a united forum of editors and therefore, in practical terms, put down another foundation stone on which to build the nonracial edifice which we all wish to see.

We believe that the important achievement for all of us represented by the establishment of Sanef must surely give us cause to escape the embrace of anguish, to discard the cloak of despair because it takes us further forward in the common struggle to create a nonracial society.

The reality we face, is that our country continues to be characterised by our racist past. It is difficult to talk of one nation and one people when enormous racial disparities in wealth, income and opportunity continue to persist.

It is difficult to talk of one nation and one people when to be poor is largely defined by race and colour.

It is difficult to talk of one nation and one people when control of our country's productive resources vest in white hands while the black are defined as workers and consumers.

It is difficult to talk of one nation and one people while the patterns of human settlement remain defined by the group areas policy of the previous regime.

It is difficult to talk of one nation and one people when we have hardly made a dent in correcting the historical imbalance which resulted in 87 percent of the land being in white hands.

The battles that have erupted in many of our institutions of higher learning represent a struggle to redress the racial imbalance in the area of access to education and knowledge.

It is difficult to convince the young intellectuals engaged in these battles that ours is one nation and one people.

And so we go on to recount what is com-

mon knowledge to all of us.

But clearly this is not necessary, for these are truths that are known to all of us.

When each one of us stands and reflects on what can be done to address these great challenges as a fundamental imperative of our progress towards the establishment of a nonracial society, and given the fact of the constraints that impact on the possibility to achieve rapid change, then we might well be excused when we recall the words of Macbeth: "Tomorrow, and tomorrow, and tomorrow, creeps in this petty pace from day to day."

But what is it that gives hope when the temptation is to regress into gloom and despair?

What gives hope is the creation of institutions dedicated to the cause of nonracialism and empowered to ensure the victory of this cause.

The organs of government that have been set up in the last 30 months are

among these institutions which are dedicated to the cause of nonracialism.

It is our responsibility as the government to ensure that they function effectively, keeping in sharp focus the fact that among their principal tasks is the responsibility to build a nonracial society.

But it goes without saying that the challenge of nonracialism confronts not merely the government but our society as a whole.

The agenda of nonracialism can never succeed if civil society is itself not among the motive forces that strive for its realisation.

The establishment of Sanef once more poses the vexed question whether the organisations and institutions which are not themselves nonracial can promote a nonracial outcome.

The question has been posed whether the black majority should not preserve its own organisations in a situation in which it is disadvantaged as a consequence of our apartheid past.

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CAPE ARGUS

Jg. Nr. P. 10 Dat. 21.10.1996

It is often suggested that where black people belongs to organisations which are predominantly white they can only serve as token blacks or to use an American expression "Uncle Toms", or what Malcolm X called "House Niggers".

We meet to celebrate the establishment of a nonracial organisation, Sanef. It will itself have to grapple with these real and difficult questions.

But we are entitled to believe that you would not have engaged in the serious struggle to create this organisation if you were not conscious, at least as citizens, of your responsibility to create a nonracial instrument that would consciously and purposefully and as part of civil society address the challenge of the creation of a nonracial South Africa.

As editors you occupy positions of great eminence.

You have a voice and are in control of means by which to make that voice heard. What you say and do today is therefore one of the determinants of what South Africa will be tomorrow.

Sitting together in Sanef as black and white South Africans we have the rare possibility to influence one another.

We have the opportunity to impact on one another as equals, to make interventions in our society ways which will explain why we thought it was ever necessary to come together to form one editors' forum.

Surely it cannot be that we formed Sanef so that we could have nonracial tea parties.

Once more we congratulate you on this important initiative and wish Sanef success.

The important work it will do will make it unnecessary for you to say after Macbeth that all your yesterdays have lighted fools the way to dusty death because they would have lit the way to a better South Africa for all of us.

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The Cape Times

Jg..... Nr.....

P. 6 Dat 21.10.1996

Govt and press 'at odds forever'

BARRY STREEK
POLITICAL WRITER

THE only constant in the shifting relationship between government and press was their disaffection with each other, the former editor of the Washington Post, Mr Ben Bradlee, said at the weekend.

"Show me a government that is satisfied with its press, and I will show you an autocracy," he said at a gala farewell dinner, hosted at Vergelegen estate, Somerset West, by Independent Newspapers for delegates to the Commonwealth Press Union conference.

"Show me a press that is satisfied with the government and I will show you a lifeless and an ill-informed people."

Bradlee, who was executive editor of the Washington Post at the time of the Watergate scandal (about the break-in at Democratic Party offices that led to then President Richard Nixon's downfall), said the reality of democracy was that the press and the government were not destined to be happy with each other. They always would be adversarial.

Journalists should wish for owners who had courage. They should never give up on stories.

"Reporters must not suspend belief before they find the truth," Bradlee also said the lesson of Watergate to government should be: "Tell the truth. These guys lie constantly — but they lie at their own great peril."

The chairman of the Commonwealth Press Union, Sir David English, later endorsed Bradlee's views, adding: "A safe editor can never be a good editor."

autocracy

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The Cape Times

Jg..... Nr..... P. 5 Dat. 21.10.1936

Mandela summons City Press editor

CITY PRESS editor Mr Khulu Sibiyi was called to ANC headquarters by President Nelson Mandela to discuss an editorial he wrote criticising the president's publicly supporting Mr Justice Ismail Mahomed for the position of Chief Justice.

Confirming this yesterday at the launch of the new unified South African National Editors' Forum (Sanef), Sibiyi said Mandela was "very upset — he thought I should have understood the circumstances much better, especially as a black journalist".

Mandela said yesterday he had called Sibiyi in "as a brother to give him the facts".

"It's my prerogative to appoint the Chief Justice — I'm not obliged to carry out the recommendations of the Judicial Service Commission or cabinet. My whole approach was motivated by my respect for Khulu," Mandela said.

When the government responded to media criticism, the media often complained that their freedom was being threatened — yet journalists overlooked the principle that freedom of speech was universal, Mandela said.

"Independence of the press was a 'pillar of democracy', he said.

Sanef expressed its "concern and dismay" yesterday at Mandela's comments made in a speech to University of the North graduates two weeks ago and attacking senior black journalists.

Although Mandela had a democratic right to criticise the media, "we wonder why he indirectly casts suspicion on all senior black journalists ... thus opening all senior black journalists to abuse and victimisation", Sanef said.

Mandela said yesterday his comments pertained to "some" journalists who, it seemed, did not want to be part of transformation.

"They seem to regret that we destroyed white supremacy and are very hostile — you can't expect us to keep quiet and not respond."

Mandela said his speech did not pertain to Sibiyi, whose commitment to transformation he described as "beyond doubt".

Sibiyi said he had asked Deputy President Thabo Mbeki at a Sanef dinner on Saturday whether his being called in was "how you guys want to deal with the media".

Mbeki had replied that Madiba encouraged the media to be "robust and critical", but "got very upset" if he thought his integrity was being questioned.

Speech Univ of North

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THE CITIZEN

Jg..... Nr..... P. 8 Dat. 22

Media answerable to society: Min

THE future of free and independent media in South Africa depends on the Press' willingness to be accountable to the community at large and its diverse parts, not to the government of the day, Posts, Telecommunications and Broadcasting Minister Jay Naidoo said yesterday.

Addressing reporters at a national media seminar in Johannesburg organised by the Sowetan newspaper, Mr Naidoo called for the establishment of a "charter of the Press" in South Africa. This would ensure a code of conduct for journalists was followed in the quest for informing society.

"What is needed in South Africa, also internationally, is a fiercely independent Press committed to thorough, impartial, accurate reporting."

"In South Africa, a stricter adherence to a Press charter on the basic ethics of professional journalism will greatly

strengthen the credibility of the Press."

Mr Naidoo said although the government acknowledged the media had a special responsibility to emphasise the positive and negative in a multi-cultural society, it was also crucial that this be exercised with great care.

"Freedom is more than just having the right to say what you want to say, just as freedom is more than being outside the walls of a prison."

"We need a strong independent media to be the watchdog of our democracy. But the media should be diverse and representative of the population of our country."

He called on the media to prepare itself for the challenges of the global information revolution. This required that information be spread accurately to all, especially those isolated in rural areas.

Mr Naidoo acknowledged there would be tension between the state and

the media, stressing that such tension was healthy for South Africa's democracy.

The government was doing its part to ensure the media enjoyed freedom enshrined in the country's interim constitution. He said steps were in place, such as the envisaged Open Democracy Bill, to further enhance the freedom of South African Press.

Also planned, Mr Naidoo said, was the licensing of another national television station next year and the allocation of licences to more community and commercial radio stations. - Sapa.

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Jg. Nr. P. 27 Dat. 2.7.10.1996

Wahneema Lubiano

Defining

the transformation media will be a serious challenge

Ace MgXashe

halek's launching of the South African a his. Editors' Forum has already been a impact. vent that will definitely press freedom on the enhancement of ing the long over country and in effect- media itself. information of the

**ACE
MGXASHE**



ACE'S SLEEVE

Defining exactly wa- tion will mean on the get transforma- view, going to be one of the is, in my challenges that will face Sanef as serious its own roles in the tasks of eradicating poverty, homelessness, illiteracy, disease crime and violence in our society.

part in redressing some past inequities. It will not be enough for the editors and even the general body of journalists in the country to overplay their cry for press freedom to the extent a friend of mine alluded to, for instance, when he admitted that we had press freedom in the new South Africa, "but we do not just want the loaf, we want the whole bakery..."

Participants in Sanef come from a society that had been split apart by race, colour, exclusive white privilege, and ideology, and the decision to work together in building a truly nonracial society means

We still need to springclean our own house and transform the predominantly white and male newsrooms that we see in most media institutions. We need to go beyond merely talking about training the disadvantaged persons as subeditors and editors, therefore accelerating the process of deracialising managerial positions therefore helping in the balancing of power and interests within Sanef itself. It was also crucial that Deputy President Thabo

agreeing that the things which had divided us in the past must go. It is probably not the mere physical existence of Sanef which will make the organisation relevant to the social changes we envision, which serve as essential ingredients of the truly democratic South Africa we want to see.

Participants at the inaugural launching of the new body have initially defined their roles in so many forms, programmes and principles in their effort to play a positive

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ARGUS SATURDAY ARGUS Jg..... Nr..... P. 27 Dat. 27.10.1996

Mbeki, who has sometimes been seen – rightly or wrongly – in some media circles as a potential threat to the freedom of the press in this country, should have been at Breakwater Lodge to deliver the keynote speech at Sanef's birth.

Mr Mbeki's well-written and well-thought-out speech set the tone for the dialogue that has always been missing between government and the media and other stakeholders, which has in so many instances brought about the contradictions and petty misunderstandings that have sent, perhaps, some perceptions that journalists were likely to become an "endangered species", despite the constitutional guarantees backing press freedom. In his response Mr Mbeki said that in his firm view press freedom in this country was under no threat because "no forces or

institutions exist within our society which have the strength or power significantly to compromise such freedoms as those of expression and of the press."

He said the combination of organised labour and popular opinion and the legal and constitutional framework would prove too strong for any threat to these freedoms to succeed.

That was indeed not only reassuring to the editors to also get their act together and to take the deputy president on his own word, especially that rumour has for a while now been rife that Mr Mbeki may in fact become our next president when Madi-ba leaves the scene in 1999.

He has struck me as someone who loves engaging in a democratic discussion and I think we should take Thabo Mbeki in his own turf, debate the issues and try to be

part of resolving the hostile reality of our country where "racial disparities in wealth, income and opportunity continue (indeed) to persist..." where "to be poor is largely defined by race and colour..." and where "it is difficult to talk of one nation and one people... because control of the country's productive resources vest in white hands while blacks are defined as workers and consumers..."

Sanef still needs to chart its path clearly and define exactly its membership in such a way as to use the skills and experiences of all the men and women who make up the media and not confine itself only to the editors, who may only end up being mere Gullivers among Lilliputians. Democracy must begin within the editors' own turf, lest they be attacked for throwing stones while living in glass houses.

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THE CITIZEN

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Mandela editors agree to talk

PRESIDENT Mandela and the SA National Editors' Forum yesterday agreed to meet every three months to improve communication between the government and the media.

"There has been a legitimate complaint about the absence of communication from the government to the mass media," Pres Mandela told reporters after meeting the forum in Pretoria. "This will be one of the ways to address the matter."

Forum chairman Thami Mazwai said the regular meetings would concern issues bedevilling relations between the media and the government.

"This relationship will (however) never be cosy,"

he said. "We are not going to abdicate our responsibility to our readers to tell them what the government is doing in an objective manner as possible."

Pres Mandela said the forum had raised concerns about the application of Section 205 of the Criminal Procedures Act, which allowed Attorneys-General to subpoena journalists for information.

He said he had sympathy with the media's difficulties with the law, and the matter should be further discussed. Such talks should also involve Safety and Security Minister Sydney Mufamadi and National Police Commissioner George Fivaz.

"They are themselves sympathetic in this regard,

but, of course, the police might be forced to want to know the source of information from the editors," Pres Mandela said. "We agreed the matter should be further discussed."

Mr Mazwai had also put forward the issue of statutes limiting the freedom of the Press, Pres Mandela said.

"I undertook that, if that information was given to me, to give it immediate attention."

Pres Mandela said he was awaiting details on the possibility of a government subsidy system for the media which had been raised by the forum.

Mr Mazwai told reporters the forum had received assurances from Pres Mandela that the gov-

ernment had no intention of interfering with the independence of journalists. "He also expressed certain concerns from the government's side, including criticism from Black journalists and other media. But he also had praise for media playing a constructive role."

Mr Mazwai said Pres Mandela accepted he would be criticised, and allowed an open discussion during the meeting.

Asked about the African National Congress' recent condemnation of some journalists, Mr Mazwai said the matter would be taken up with the party. "We are going to meet the ANC to find out from them what the problem is," he said. - Sapa.

1996 -- Mandela criticism of black journalists (two stories -- Mon 11/Wed 13)

JOHANNESBURG November 12 1996 Sapa

MANDELA ACCUSES UNNAMED SENIOR BLACK JOURNALISTS

President Nelson Mandela on Monday night accused some senior black journalists of having a secret agenda - and no understanding of the problems facing South Africa.

Mandela was replying to a question on the SABC television programme Focus about black journalists and reconciliation and his occasional sharp criticism of some senior black journalists.

TV programme

Mandela emphasised he was singling out some senior black journalists. He did not name them or give any idea which media they worked for.

✓ "What you have today is the type of senior journalist - and there are a few - who regret we have destroyed white supremacy in this country, and who are taking out their venom on the one organisation that has brought about radical changes in this country.

no substantiation

"They have no conception of the problems facing the country. As I said before they think, they assume, that we defeated whites in the battlefield and that the whites are now lying on the floor helpless and begging us for mercy."

These people were not aware of the challenges of the past two and a half years.

"We had to adopt a strategy to sideline, to marginalise, those elements which wanted to stop the elections by force. Some senior journalists are not even aware of that. And it's only a few senior black journalists..."

Mandela said these senior black journalists seemed to have an overt vote and a covert vote.

He was not prepared to be dictated to by people with secret agendas. Mandela said, adding that his comments did not reflect against black journalists as such.

"I have said specifically there are some senior black journalists who have got a secret agenda," he said.

DURBAN November 13 1996 Sapa

BLACK JOURNALISTS USED BY MINORITY TO UNDERMINE GOVERNMENT: MANDELA

| Senior black journalists have been co-opted by conservative elements to attack the democratic movement in South Africa. President Nelson Mandela said in Durban on Wednesday night [13.11.96].

Continuing his recent criticism of the South African media, Mandela said "the media is still controlled by conservative elements of a tiny minority of the population".

These elements blamed the African National Congress for destroying white supremacy in South Africa, Mandela said.

They were launching a massive attack by co-opting certain senior black journalists to do their dirty work by trying to undermine and destroy the democratically-elected government.

Mandela said they were being used because the government would not be able to accuse them of being racist when they objected to the government's policies.

He suggested the journalists involved, whom he did not name, were acting in their self-interest and for promotion.

Mandela recalled an incident where Deputy President Thabo Mbeki questioned a journalist about a report he or she had written, to which the reporter replied: "You don't pay me, you don't promote me, it is as simple as that".

Mandela said he was confident these elements would not succeed in turning whites against transformation.

Whites no longer wanted conflict and felt liberated by the transformation to a democracy in South Africa, Mandela said.

CAPE TOWN November 14 1996 Sapa DP SLAMS MANDELA'S ATTACK ON THE PRESS

President Nelson Mandela's attack on unnamed senior black journalists was regrettable - he effectively called them self-serving sell-outs, Democratic Party media spokeswoman Dene Smuts said on Thursday.

This went far beyond the apparent difference of interpretation on the role of the media that had consistently bedevilled relations between the government and the press, she said in a statement.

"It confirms that sensitivity to criticism is the real problem."

It also confirmed the impression that the ANC's call for the transformation of the media sprang not from a desire to advance blacks in journalism, but to control the media itself.

The persistent independence of the press under the previous government served the ANC well, she said.

To call it "conservative" and "white" now that the ANC was in government was spurious and self-serving. Independence had no pigmentation.

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The Star accused of gutter journalism

CARL MEHAUS, MP,
MEMBER OF THE NATIONAL
EXECUTIVE OF THE ANC

I am writing to you out of concern about the extraordinarily poor quality of reporting that The Star has in recent times made itself guilty of. I am referring specifically to a number of articles purporting to be based on events and developments in the African National Congress.

I appreciate that it is the duty of the media to report on an important organisation such as the ANC. In a democratic society such as ours, with free and open media, there is no compunction (and indeed there should be no compunction) to report uncritically about the ANC.

Criticism in itself is not a bad thing: the right to criticise – and to do so without fear – is the lifeblood of a democracy. However, this right is accompanied by responsibilities, and it is surely not unfair to expect that reporting should be factually accurate. It is about this critical issue that I am writing to you.

I would like to refer you to three articles that have recently appeared

in The Star:

The first is an article by Kaizer Nyatumba under the heading *Even St Mandela has clay feet*. This was an opinion piece, and as such one must acknowledge the right of the writer to express his own views – even if you strongly disagree with him.

It may be that it is truly Kaizer Nyatumba's belief that President Mandela is autocratic, and doesn't accept criticism. Members of the National Executive Committee of the ANC, including myself, have a very different experience, but that

is not the point of my criticism. My concern is that Nyatumba claimed that the President deals with dissenters the "Holomisa way".

This statement is no longer simply at the level of subjective opinion. It is factually incorrect, and a cursory look at the protract-

ed procedures that eventually led to the expulsion of Bantu Holomisa, the number of opportunities that President Mandela (by Holomisa's own admission) granted him to resolve the problems, and the general freedom that members of the ANC have to express divergent points of view, contradict Nyatumba's sweeping assertions.

What is even more disturbing is that Nyatumba then defended these subjective opinions by claiming in a radio interview that President Mandela's "autocratic behaviour" was "possibly due to growing senility". Again there was not a single shred of factual evidence to support this statement. This goes way beyond the realms of subjective opinion and plunges straight into the cesspool of gutter journalism.

Deputy Minister Peter Mokaba wrote an article in response to Nyatumba. However, it was not given the same prominence as the original article. Although it was meant to be published as a feature article, it was relegated to the back pages and was published only on November 12 as a

letter to the editor.

Secondly, there was the article by Justice Malala concerning an alleged threat by President Mandela to resign over Jeremy Cronin's criticism of the government's macro-economic strategy.

By any measure this was a rather strange piece of journalism. It was published almost two months after the NEC meeting where Cronin's comments were discussed. I was present at that meeting and while President Mandela did criticise Cronin for some of the statements that he was reported to have made, nothing was said that could even remotely be construed as a threat to resign. I know that your reporter will probably claim that he only wrote what he was told by a source. But did he take any trouble to verify the correctness of the information? And did you as editor expect the journalist to verify the story, or was it simply a question of allowing the article to go into print no matter whether the story contained

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The Star

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any shred of truth?

The latest example is the article by Newton Kanhemba, published on Monday, November 1, under the sensationalist headline *Mandela drops bombshell on Mbeke*. A rather mundane, run-of-the-mill statement by President Mandela, repeating what he had said in numerous interviews before to the effect that the future leader of the

ANC and president of the country will have to be elected democratically, was presented in sensationalist manner. Readers were led to believe that

Deputy-President Thabo Mbeki had been "dropped" by the President.

Again, I suppose Kanhemba will claim that he was told this by a source, but he, and especially you as editor of The Star, cannot escape your responsibility for the manner in which the story was presented. It was apparently deemed to be so important as to warrant almost the whole of the

front page of The Star.

Unfortunately, international observers credit The Star with some ability to analyse and interpret events in proportion to their importance. The effect of the prominence that The Star gave to Kanhemba's article was that the financial markets reacted negatively to what they perceived as indications of political uncertainty.

As I have said, freedom of the press also comes with responsibilities, and in this instance you acted irresponsibly - with serious negative consequences for our country's economy. I do not think you can justify such lack of judgment in the interest of "telling the story as it is". The manner in which you represented this story was most definitely not telling it as it was.

Surely The Star should have tried to assess the importance of the story, and not only with the source who provided the story (I

assume, for the sake of not totally questioning the editorial integrity of The Star, that there was a credible source).

Any journalist worth his or her salt will ask what the intentions of an

anonymous source are, and what he or she hopes to gain from "leaking" the story. That in itself should impact on the prominence given to a story, especially one where absolutely nothing new had been said.

These three stories have seriously impacted on international perceptions about the political stability of South Africa. If they were the product of careful analysis and rigorous checking for factual accuracy, I would have had no leg to stand on in criticising you.

If the truth hurts then so be it, and then it is not only the right but also the duty of a newspaper to publish it. However, these articles do not pass this basic test. They were based on misinformed opinion, distorted facts and in some instances outright lies. How one deals with such stories is the litmus test for the value judgment of an editor. I am afraid that you have failed dismally.

The consistent prominence given to these stories, and the manner in which attempts by prominent ANC leaders to provide accurate information are deliberately underplayed, suggest to me that these serious problems are not the result of mistakes by individual journalists, but reflect on the editorial policy of The Star.

The Star is now charac-

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INSTITUUT VIR EIETDSE GESKIEDENIS

Die Universiteit van die Oranje-Vrystaat



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The Star

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TREFWOORDE

terised by editorially directed gutter journalism. This is indeed very unfortunate because there was a time, not even so long ago, when The Star was one of the better newspapers in South Africa.

It has become standard for newspapers that are criticised by members of the ANC, to dismiss such persons as opponents of press freedom, or as uncritically demanding only positive stories about the ANC.

I can assure you that I have consistently, within the ANC, and in general, defended the right of journalists to report freely.

My record in this regard, and my general relations with journalists, also at your paper, speaks for itself.

The fact that I have now reached the point that I feel it necessary to write this letter, and to make the harsh statements that I have made, will hopefully indicate to you the seriousness of the situation.

Hopefully you will not simply try to write it off without giving it serious consideration.

If you do simply respond with a dismissive knee-jerk reaction, it will only be to the further detriment of the quality of journalism in our country.

And for that I care very deeply.

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Journalists should carry out their duties to the letter, but responsibly

By TONY YERGEN

I like people, particularly journalists like Kaizer Nyatumba, who speak their minds and are straightforward, and I detest cowards and bootlickers who climb the social ladder on the back of others and who move from ear-to-ear whispering poisonous rumours about other people.

Nyatumba has a striking independence of mind. This allows him to speak his mind about anyone including those that occupy the highest offices in the land.

This characteristic of his and other black journalists should be encouraged and promoted so journalists should be able at all times to discharge their duty to the nation of reporting both good and bad news without fear or favour. Incidentally this is exactly how most of us were brought up and trained in the ranks of Umkhonto weSizwe: to be fear-

less but principled.

However, it is my humble submission that the attack by Nyatumba on President Mandela in his article, Even St Mandela has clay feet, is to say the least, unfair.

President Mandela has deliberately and consciously been at pains to show people that he is an ordinary human being with feelings, with strong and weak points. If anything, President Mandela will go down in history not merely as the founding father of our democratic system, but more importantly as the most celebrated statesman and champion of the aspirations of millions of ordinary men and women throughout the world.

Anybody who knows anything about Madiba will tell you that one of his most important and striking features in his humility. How a perceptive journalist like Nyatumba fails to notice and acknowledge this most important

characteristic in the personality of Madiba is beyond me. Without doubt Madiba, like any other human being, makes his mistakes and has weaknesses, but presenting himself as a saint that is without blemish is definitely not one of them.

Of course Madiba is sensitive to unfair and destructive criticism. I myself am sensitive to that kind of criticism.

Clearly, Nyatumba himself is sensitive to certain kinds of criticism. Who cannot be? I'm suggesting in his article Nyatumba has done the president an injustice and has gone beyond the normal and acceptable criticism. It bordered on consciously and maliciously insulting the integrity of our president.

While the liberation struggle has led to a new democratic system of government, the economic relations in the country have not fundamentally changed. The eco-

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The Star

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conomic power and wealth continues to be monopolised by the same white hands that propped up the apartheid system for decades.

These economic forces from the old order cannot be accused of being sympathetic to the new democratic order. In fact, they are sceptical and even hostile to the new democratic system and they resent the fact that whites were replaced by blacks as governors of the country.

These people remain an extremely powerful group in that they own the large sectors of the economy like banks, mines, the media, and are reluctantly and grudgingly, and in a piecemeal manner, giving in to black economic empowerment.

In other words, Nyamabanda

can be independent minded and fearless. The point remains that he cannot bite the hand that feeds him.

He has to pursue the agenda of his masters and present the democratic government and its leaders as nothing more than little

lumbering-minded tinpot and corrupt despots. This is extremely unfortunate because it takes away and restricts the ability and talent of black journalists like

him from presenting an objective picture of what's going on in the country.

I hope that the comments made thus far will not be construed to mean that I'm opposed to press freedom. I'm making this point because in my own observation the media always insists on asserting their rights to criticise

Government and any other individual. Yet when Government and certain individuals respond by criticising the media, then all of a sudden they either don't like the press or are hypersensitive to criticism. I've yet to come across a journalist or a newspaper that accepts criticism without reservations.

If the press criticises others, it must expect to be criticised back. It is high time that the press must learn that it is not and will never be above criticism.

We in the ANC will never shy away from criticising the press if we deem it necessary to do so. The press must however learn to take the punch and not be crybabies. The SA press believes they are the only watchdogs and nobody else should play the role of watchdog over them.

This is nothing else but a dangerous myth and the sooner the press wakes up from this illusion,

the better.

Without doubt the SA press is an important institution in our society and must be subordinated like all other institutions, to public scrutiny. I do accept the criticism levelled against us in the ANC that we overreact and are hypersensitive to criticism. The ANC must clearly improve its relations with the media.

An important manifestation of this relationship should be the engagement between the ANC-led Government and the press on an ongoing basis so as to enable the ANC to convey its true thoughts and opinions on issues to the media and vice-versa.

The issuing of press statements and conducting press conferences are important communications mechanisms. But these are simply not good enough. More and more the ANC needs to engage our journalists in an open debate on issues but more impor-

tantly to teach journalists about our history, objectives, traditions and culture.

Finally, there is a vast difference between governing a country and running an ANC office at Shell House. Yes, the ANC Government's mandate is to govern democratically and effectively. At the same time, members of Government must be guided by the vision and policies of their party. They are expected to move in one step and speak in one voice.

When President Mandela insists on discipline in his party in Government he is not being dictatorial. He is doing what is right. It is the prime responsibility of the president to ensure at all times members of his Government are thoroughly disciplined and operate in a manner that is consistent with the law and constitution and that they are doing their jobs effectively. What is wrong with that?

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THE CITIZEN

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BLACK PRESSMEN, PRES END ROW

TREFWOORDE

- 1 Mandela
- 2 Stikking
- 3 Swartes
- 4 Journaliste
- 5 ANC
- 6 Hoofkwartier
- 7 Personeel
- 8 Blanke
- 9 Manipulasie
- 10 Demokrasie

Sapa and Matthew Burbridge,

PRESIDENT Mandela and a delegation of senior Black journalists emerged from a four-hour meeting yesterday afternoon and

said they had resolved their differences.

The meeting, held at the African National Congress' Shell House headquarters in Johannesburg, followed Pres Mandela's repeated attacks on senior Black

journalists, accusing them of being co-opted to do the dirty work of the owners of conservative White-controlled media.

Pres Mandela told a media conference his party was still committed to a free Press and urged

South African journalists to continue being the watchdogs of the country's infant democracy.

"We don't want you to be an ANC mouthpiece. We don't want you to be

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THE CITIZEN

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Mandela, Pressmen row ends

FROM PAGE 1

lapdogs. All I want is for the Press to be robust and fearless in protecting our democracy," Pres Mandela said.

He added: "As long as the integrity of the ANC is touched, I will not respond in terms of the ANC, but in terms of my own."

"We made it clear (that journalists) must not stop being critical of the ANC and government."

"I have enormous respect for them. An independent Press expresses its views fearlessly. It is the fundamental basis of democracy and we encourage this."

"We want to use the independent Press as a monitor in which we can examine ourselves."

The Press should be a watchdog, especially in the light that the ANC had won the election by a vast majority and there was the temptation to misuse that authority.

"We don't want a Press that is an ANC mouthpiece or controlled by the government. This is why the Transvaal and Die Vaderland collapsed. We must have a Press that is free of any political party."

"As long as we have a Press controlled by con-

servative Whites, it will play a counter-revolutionary role."

Referring to an incident in which Deputy President Thabo Mbeki had questioned a journalist about a story he had written, and the journalist replied: "You don't pay me, you don't promote, it is as simple as that," he said: "This venom is something unfortunate, but he was very honest and someone you can rely upon."

Pres Mandela commended the Press for a job well done during the dark days of apartheid.

But he warned: "As long as the Press continues to be controlled by conservative Whites, we will see Black journalists continue to express views I have raised."

Following the discussions, his confidence, and his respect for those journalists he had differed with, had been restored.

"We have buried the case now. It is something of the past. I am going to forget about it."

But he cautioned: "If ever they repeat it, they must not expect me to fold my arms."

Senior Black journalists' spokesman, and chairman of the SA National Editor's Forum, Mr Thami Mazwai, said the meeting was fruitful and had reached an amicable solution.

The journalists had underlined their commitment to serving society equally.

"Ours is a young democracy and it needs to be watered," Mr Mazwai said.

The "robust interchange" had underlined their commitment to serve society and play a role in its betterment.

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Business Day

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Mandela, journalists resolve differences

Kevin O'Grady

PRESIDENT Nelson Mandela resolved his differences with senior black journalists at a four-hour meeting in Johannesburg yesterday and undertook not to repeat allegations that they were being used by their white bosses to undermine government.

Enterprise magazine editor and SA National Editors' Forum chairman Thami Mazwai, who led the delegation of 22 senior journalists and editors, said Mandela made the undertaking with the proviso that journalists did not "overstretch the limit" in reports.

Mazwai said the meeting — also attended by ANC parliamentary chief whip Arnold Stofile, ANC deputy secretary-general Cheryl Carolus, Sports Minister Steve Tshwete, Cosatu general secretary Sam Shilowa and Environment and Tourism Minister Pallo Jordan — was "definitely very fruitful ... there was an understanding reached".

He said Mandela explained he saw writings by certain journalists as questioning his integrity and that of the ANC. This was why he had made public remarks about them in recent weeks. The journalists in question responded that their writings were the result of "how they saw the situation at the time".

Mazwai said Mandela stressed throughout the meeting that he wanted robust media in SA and that this was a pillar of democracy.

Sapa reports that Mandela said after the meeting: "We don't want you to be an ANC mouthpiece. We don't want you to be lapdogs."

But he warned: "As long as the Press continues to be controlled by conservative whites we will see black journalists continue to express views I have raised."

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Business Day

Jg. Nr. P. 14 Dat. 19/11/86

Mandela's bizarre attack on journalists reflects ANC insecurity

President Nelson Mandela's recently reported comments on
journalists in SA are ill-informed, writes Raymond Louw

PRESIDENT Nelson Mandela's claim that
senior black journalists are being used by
their white "conservative" employers to do
their "dirty work" by undermining and try-
ing to destroy the democratically elected
government has shocked newspapermen.

It is the most serious allegation yet level-
led against the SA press by a political
leader. It imputes shameful, corrupt con-
duct by the journalists and gross abuse of
them by even more corrupt employers.

Since Afrikaans newspapers have very
few black journalists on their payrolls, if
any, it was clearly not these newspapers
Mandela was referring to. Also, as the black
dailies, The Sowetan, and the weekly
New Nation are controlled by black-owned
mail (New African Investments Ltd) run by
Mandela's former doctor Nthato Motlana,
who has been joined by former African Na-
tional Congress secretary-general Cyril
Ramaphosa, it can be assumed he was not
referring to them either.

And as Nationale Pers's City Press is
edited and staffed largely by blacks it must
be presumed that this paper, too, was not
being accused by Mandela.

The target of his attacks is thus nar-
rowed down to the English dailies and Sun-
days published by Independent Newspa-
pers and TML (Times Media Limited).

Mandela said senior black journalists on
these papers had been co-opted by "conser-
vative elements of a tiny minority of the
population" who blamed the ANC for de-
stroying white supremacy.

These elements were launching "a mas-
sive attack" on government, using black
journalists as their surrogates.

Since some of the newspapers in Inde-
pendent Newspapers Ltd have black edi-
tors and deputy editors, the journalists and
papers Mandela is referring to are limited
still further to the papers in Johannesburg
which have white editors and employ num-
bers of black journalists.

Influential these papers may be, but to
suggest that they have the power to launch
"a massive attack" which can inflict damage
on the government is attributing to them a
potency that they simply do not have.

These newspapers circulate in the urban
centres of Gauteng with extremely limited
quantities distributed in some of the coastal
cities. Their reach into the overall popula-
tion is relatively small. So only a fraction
read the newspapers Mandela is accusing.

That is, of course, assuming that Man-
dela is right and that these papers are en-
gaged in these nefarious practices.

The idea that black journalists, let alone
"senior black journalists", would take in-
structions from their white bosses to under-
mine the government in the manner sug-
gested by Mandela is not just incredible, it
is bizarre.

Anyone who has met black journalists on
these and other SA papers would know that

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Business Day

Jg. Nr. P. 14 Dat.

they are fiercely independent and regard themselves as serious professional journalists. My experience of them tells me that they would deeply resent the accusations Mandela has directed at them, and quite rightly so. Many of them went to jail because they opposed the apartheid regime and sought rule by the black majority. To suggest they would now do the "dirty work" of "white conservatives" is mind-boggling.

What goes for the black journalists applies equally to their "white bosses". They, too, try to live up to the standards of integrity journalism requires of them.

Corruption

I cannot imagine them issuing such instructions, either directly or by implication. And not for one moment do I believe that they resent the ANC for destroying "white supremacy".

There are some conservative whites on newspapers who believe life was more comfortable (for them) under the old order and who would prefer the country's transformation being tackled with greater efficiency and less corruption, but one has to go to the far right-wingers in the Afrikaner Weerstandsbeweging or the Afrikaner Party to find anguish and anger over the ending of apartheid.

Certainly, white journalists on English language newspapers have no regrets.

But it was the editors, the employers of the black journalists, to whom Mandela was referring. The English language press has a courageous record of fighting apartheid — in fact, though this appears to be forgotten by many in the ANC, it was one of the few "white" institutions in the country that fought the apartheid government consistently — and the editors of today were part of that fight.

Why on earth would they blame the ANC for destroying apartheid when they also fought for its destruction?

One has only to have worked in a newsroom of a big newspaper for a short while to realise the procedures and systems required to produce a newspaper make such a campaign impossible without everyone in the editorial department being aware of it. A campaign of the kind mentioned by Mandela would just not be tolerated by the rest of the staff.

Editors also get things wrong. Their judgments and assessments can be off beam. But most of the time they get things right. The recent "Mbeki bombshell" report appears to have been an inaccurate assessment of what took place at the ANC's national executive committee meeting, but the real story lies in the motives of the

"source" which gave the story to the newspaper. Angry columns by ANC members, Carl Niehaus and Peter Yengeni do not dispel the thought there is indeed skirmishing in ANC ranks over the 1999 leadership.

So at the end of the day one wonders who is feeding these thoughts to Mandela. It is quite clear that he does not have detailed knowledge of the media, otherwise he would not have made such outrageous statements.

He relies on advisers, but my knowledge of the two experienced advisers in his press office suggests that they certainly do not entertain such fanciful ideas.

So where do they come from? Is there an attempt to poison Mandela's mind against the media? Are the rows in the ANC — brought on by the sacking of Free State premier Patrick "Terror" Lekota, the "crisis team" sent to avert the near "collapse" of the Eastern Cape government, the Tokyo Sexwale/Mbeki clash, to mention a few — assuming such dimensions that some in the party feel a need to discredit the press?

Normally, attacks on the press from politicians are part of the rough and tumble of democratic life and are to be welcomed, because they keep the media on its toes. But when they come from the president, the press rightly becomes anxious.

History has shown that presidential onslaughts on the media are generally the precursor of legislative restrictions which, in turn, set the scene for a slide into authoritarian rule.

Is this the future scenario for SA? Highly unlikely. SA has a constitution upholding freedom of expression and a strong Constitutional Court to protect that freedom. Also, it should be borne in mind that the country is undergoing a fundamental transformation from authoritarian rule to democracy and, even though it introduced democracy to SA, the ANC government is still learning how it is applied in practice.

The ANC is transforming from a liberation movement — by its very nature authoritarian — to a democratic government while undergoing a rigorous process of learning how to govern using a highly imperfect administration.

All this means turmoil, searching for values, making mistakes, having fights — all in the hot glare of media publicity. It is to be expected that politicians and journalists will frequently go over the top.

But it would be easier for all concerned if the ANC learned more quickly that politics is a robust calling and imagined bogeys and ultra-sensitivity to newspaper criticism merely reveal insecurity and lack of political sophistication.

— Raymond Louw is chairman of the Freedom of Expression Institute and publishes and edits the weekly current affairs newsletter, Southern Africa Report.

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HE CITIZEN

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THE CITIZEN COMMENT

Free Press

WE are pleased that President Mandela and senior Black journalists have sorted out their differences.

The attacks Pres Mandela made on them, in which he accused them of being co-opted to do the dirty work of the owners of conservative White-controlled media, were uncalled for, unjustified and reflected not just on them, but on the supposedly conservative White-controlled media that employed them.

More than that, his attacks caused concern among the media as a whole that the freedom of the Press was threatened.

And that freedom, in a new democracy such as the ANC has instituted and in which freedom of expression is guaranteed under the constitution, should never be questioned or placed under threat.

Indeed, with the ANC unchallenged and unchallengeable in government, the need for a vigilant Press that can act as a watchdog in matters that concern the public is more important than it would have been if the ruling party had any strong opposition in Parliament.

As for Pres Mandela, he should know by now that even if there are critics among senior Black journalists (and a couple of personal attacks on him have been neither justified nor in good taste), he is held in such high esteem that his critics show themselves in a poor light rather than harming his image in any way.

That does not mean he is above criticism. We ourselves have criticised some of the statements he has made, and the policies he has enunciated, we have also criticised his attacks on the senior Black journalists, but that does not alter our belief that he is a great political leader and internationally recognised statesman and that South Africa is lucky to have him to lead us into the new democratic era in a spirit of tolerance, reconciliation and hope.

But we have never made personal attacks on him, as some Black journalists have done, and we don't think they should have either.

Nevertheless, we do not deny them their right to speak their minds – nor should the president.

Being the top man in the country – and a man whose every word is regarded as being significant – he can be sure that attacks on him (as well

as his party) are part of the nature of political life and they will not stop.

He can reply to these critics either privately or publicly, as he wishes, or just ignore them. He should never threaten them in any way.

We are very pleased that after his meeting with the Black journalists, Pres Mandela told a media conference his party was still committed to a free Press.

He urged South African journalists to continue to be the watchdogs of the country's infant democracy.

"We don't want you to be an ANC mouthpiece. We don't want you to be lapdogs. All that I want is for the Press to be robust and fearless in protecting our democracy."

Not so pleasing is his warning: "As long as the Press continues to be controlled by conservative Whites (he didn't specify who they are, and we don't believe that Black journalists named in some reports are employed by conservative Whites), we will see Black journalists continue to express views I have raised."

Nevertheless, he said that following the discussions yesterday his confidence in, and his respect for, those journalists he had differed with had been restored.

"We have buried the case now. It is something of the past. I am going to forget about it."

Still, he cautioned: "If ever they repeat it, they must not expect me to fold my arms."

We do not question his right to take up reports that offend him, provided he accepts the right of journalists to express their views in those reports without fear or favour.

The freedom of the Press is indivisible and cannot be qualified in any way.

As long as the Press is a responsible one – and we have no doubt that it is – it should be left to get on with its work of keeping the public informed, of treating both the ANC and the ANC's opponents fairly and without prejudice, and of acting as the watchdog of the infant democracy (as President Mandela puts it).

There should be no quarrel between the Press and the government, and certainly not between President Mandela and any section of the Press.

TREFWOORDE

1 Redaksioneel

2 Personeel

3 Mandela

4 Swaart

5 Journaliste

6 Media

7 ANC

8 Bekeuring

9 Manipulasie

10 Onderneming

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SOWETAN

Jg..... Nr..... P. 12 Dat. 20.11.1996

Sowetan Comment

PRESIDENT NELSON Mandela's meeting with black editors and senior journalists on Monday was long overdue.

Since April 1994 much has changed in our country. In the place of the old repressive and racist Government has emerged a new one, elected democratically by the vast majority of South Africans.

Simultaneously, most institutions – private and public – have either transformed themselves to become relevant to the changes or are grappling with change.

It would, therefore, have been surprising if the Press and its role in the transformation had not come under scrutiny. After all, the media are an important element of any democracy – the mirror by which society sees itself and the source of information for citizens.

The various roles played by the Government and the Press – one being to govern on behalf of the citizens and the other being to report on Government's activities – mean that a relationship between them is unavoidable.

The central issue is the nature of that relationship and the role of the Press, particularly that of black journalists.

Specifically, black journalists, having been seen for a long time as part of the struggle against apartheid, have to decide what their new role is to be.

Do they, coming from a sector of the population that is largely still disadvantaged, have a special role to play? Should their agenda be the same in every respect as that of their white counterparts?

These, together with questions of professional standards, are matters that black journalists and the rest of the media have to address as a matter of urgency.

Most welcome is Mandela's acknowledgment of the right of the media to play an informative and watchdog role.

But given the turbulent nature of social relations in a democracy, this gentleman's agreement must be backed by a formal pact between the state and civil society if it is to survive the test of time.

*assuming that press
also ~~was~~ needed
transformation*

TREIFWOOD

1. Relations

2. Mandela

3. Democ.

4. Verant.

5. Media

6. Sowet.

7. Journal

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Sunday Times

Jg. Nr. P. 2 Dat. 2 4 11. 1996

IT WAS kiss and make up time earlier this week as President Mandela made peace with black journalists who he had the previous week accused of being part of a sinister white plot to undermine the ANC government. The gist of the President's argument seems to be that he believes that black journalists working for white imperialist newspaper companies are so scared of losing their jobs that they are prepared to write whatever the evil running dogs of capitalism tell them.

Not surprisingly, black journalists were a little put out with the President's apparent lack of confidence in their professional integrity and his steadfast belief that no black person could conceivably have a point of view which was at odds with the ANC politburo.

A meeting was duly set up to iron out differences and the two sides claimed to have had a robust meeting and pledged to work for healthier relations; until the next outburst that is.

I thought the President rather spoiled the effect by reserving his right to have another tantrum whenever he felt the integrity of the ANC was challenged. While I can fully sympathise with the President's irritation at shoddy reporting and sensationalist journalism, I am not at all certain that we should be content to allow the ANC to be the final arbiter on what is and what is not fair criticism.

Although Mr Mandela pays sporadic lip service to press freedom, mouthing all the fashionable democratic platitudes about not wanting a "lap-dog press", at the same time he appears to want to control precisely what the press can say, particularly about the ANC.

I suspect that the agreement

Wagging fingers old and new put press freedom in its place

DAVID BULLARD
OUT TO LUNCH



between the President and black journalists is little more than an uneasy truce and as soon as the next case of "unfair criticism" pops up we will have more Koko. An finger wagging. Funny how some things never change.

The most extraordinary comment from the President though, and the one that only serves to reinforce the fears of the rapidly dwindling band of potential foreign investors, is his contention that "as long as the press is controlled by conservative whites we will continue to have a problem of senior black journalists expressing views which are not in conflict with their employers".

In other words, the meeting need not have happened because, whatever they may

claim, Mr Mandela will never believe that black journalists are writing from the heart.

I have commented in this column before that the ANC seem to be making more use of racial slurs as it becomes glaringly apparent that they are not up to the task of governing this country.

WHAT precisely does he mean by "conservative whites"? I wonder? Do the directors of Times Media or Independent Newspapers clandestinely dress in khaki uniforms at the weekend, drink mampoer and go to giraffe braais?

Or does the President really believe that management of newspapers is in the hands of

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Sunday Times

Jg. Nr. P. 2 Dat. 24.11.1996

people who have made no attempt to adapt to the new South Africa?

You could dismiss President Mandela's comments as just another presidential gaffe, or you could see in it a more sinister warning that the government is becoming less tolerant about continued white ownership of businesses. Businesses today, land tomorrow.

□□□□□

The first hint of a mid-life crisis came when I bought a pair of python skin cowboy boots just over a year ago.

I thought little of it at the time, putting it down to an impulse purchase brought about by a very long lunch.

IN FACT, the boots were so comfortable that I went back to the shop and bought a normal pair of brown stitched cowboy boots for everyday wear ... the python skin boots are for Sunday best. However, when I found myself buying a complete set of drums (again after lunch coincidentally), I decided that I needed to take a look at my life and get matters in hand in case I was tempted to start wearing my hair in a pony tail and going to raves with 18-year-old bimbos.

It is exactly 10 years since I started my own company and I thought that was as good an excuse as any to take a break. So, having not been invited to head up Liberty Life, I have decided to take six months off from January to pursue a shamelessly hedonistic lifestyle.

But I will keep writing — and there is absolutely no truth in the rumour that the column is to be renamed "Down and Out to Lunch".

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Jg. Nr. P. 16 Dat. 20 11 1999

Free press in all our interests

... to serve as eyes and ears of the people, writes

Nyatumba

ONE IN YOUR EYE



Because of the recent ... at the media and senior black journalists, I ... reproducing an edited version of a speech ... at a recent Freedom of Expression Institute (FESRC) media conference.

In this period of ongoing change in our country, it is proper that the media should not be exempt from either transformation or critical scrutiny, for media resistant to change would certainly be ill-suited to serve as the mirror of society they need to be.

Let us first consider some of the criticism which has often been levelled at the media, but in particular the press. It has often been said by a host of influential people, including Deputy President Thabo Mbeki, that this very press that ought to be this big mirror of

our society in transition has been painfully slow when it comes to transforming itself. It has been said that the majority of those who shape opinions and make decisions on most of the country's newspapers remain in the main white males who share a similar background and life experience.

It has been argued that this cannot but influence the decision-making process and the way things are seen, reported on and

interpreted.

Now, all of these things are true. It is indeed true that we in the media are very good at dishing out criticism but at times tend to be hyper-sensitive to that criticism when it is levelled at us. We are, in my view, presently ill-suited to play the role we should play as a watchdog over Government, in our present form, for whatever criticism emanating from our ranks is seen as coming from a predominantly white institution which has yet to be transformed.

It is true that the media in SA have yet to undergo real transformation. This must of necessity undermine the role the media can and should play in the consolidation of our democracy.

I have been asked to talk about "The Role of a Media in Consolidating Democracy". It is a common cause from the ranks of both the media and politicians that there is a role for the media to play in consolidating our democracy. Differences arise when it comes to spelling out just what that role is.

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Jg. Nr. P. 16 Dat. 20.11.1970

The curtailment of freedom of speech in the draft final constitution notwithstanding, we have no doubt the freest press in Africa today and we compare quite

favourably with the rest of the democratic world. The essence of freedom of speech was perhaps best captured by writer and poet John Milton, in his essay *Areopagitica*, when he wrote: "Give me the liberty to know, to utter, and to argue freely according to conscience, above all liberties."

What is important to be recognised, therefore, particularly by Government and our political mandarins, is that differences are bound to exist, but it is nevertheless important for people to be able to express their views and in fact healthy for differences to exist.

There are those who hold the view that the media can best serve our country at this time of our history and transformation by practising "responsible journalism", by which they mean the kind of journalism which would see our publications transformed from being newspapers to being propaganda organs of the ruling party and Government.

Proponents of this brand of "responsible journalism" see the role of the media as being to report on the good and positive things Government does and to turn a blind eye to all those things which do not present either the ruling party or Government in a positive light. This, they say, is in the country's na-

tional interest, especially during this period of transition when, in their view, the media need to help "build" rather than destroy.

The role of the media is the exact opposite of the view taken by adherents of that brand of "responsible journalism". The media's role must of necessity be to empower the public to make informed decisions by providing it with accurate and reliable news; to serve as custodians of the country's constitution and as a watchdog over Government; to insist on the public's constitutionally entrenched right to know; and generally to

serve as the eyes and the ears of the public.

Yes, in our peculiar historical circumstances there is a need for us in the media to approach our job with great sensitivity. We need to be forever mindful of the legacy of apartheid and at all times sensitive to the historical context within which things are being done in the country at the moment.

We need vigorously and enthusiastically to embrace the transformation of our country, to applaud the Government when it does well and to help it communicate its achievements and challenges to the voters who put it in office.

But it is also intrinsically part of the media's responsibility to hold up a mirror not only to society but also to the Government so that it sees itself not as it would like to be, but rather as it really is. That means that it is also the media's responsibility to criticise the Government when it errs.

Our political leaders, concerned primarily about popularity, public approval and winning votes, might not realise it is in the country's and indeed their own, interest that we have a vigorous, independent and critical press. Such a press would keep them on their toes at all times, and get them to appreciate better the need to earn the public's trust and confidence. In the final analysis, such a press would help improve the level of public debate and governance.

It is important politicians and the media accept each other's bona fides, and that differences are by their very nature healthy in a democracy, and do not necessarily suggest malice. It is my firm belief that its weaknesses and faults notwithstanding, generally the SA press has embraced our new democracy and wishes the country and Government to succeed. Most journalists do not criticise either our ruling party or Government just for the sake of being critical, but because they have the country's best interest at heart.

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THE
NEW NATION

Jg..... Nr..... P. 11 Dat. 22.11.1996

Free Press: perception and reality



Press Freedom

By Professor William Makgoba

The media in South Africa is out of kilter with the new social order because it is perceived to be wedded in subtle ways to the old order of western racist supremacy. The media is in a dilemma caught between two major cultures. It has so far failed to strike a reasonable balance. It lacks sensitivity and is out of context with the majority it purports to serve. If it is to play a meaningful role in democracy, it needs urgent introspection followed by radical surgical transformation.

The media which consists of print, radio, television, and electronic is a powerful tool of communication in any society today. The strength and usage of each of these variations depends to a large extent on the development of each community and country. The media through its power has reduced the world into one tiny ball; and has simultaneously inter-linked the human race into one big family. Although despots are and will always exist amidst us, the internationalisation of events has raised the conscience of mankind to a respectable level, such that abuses of human rights and other atrocious events are now under global confocal microscope (the media) for everyone to see, evaluate and judge. This universal but invisible and silent policing has become a major deterrent for the despots of our generation and time. No longer can any one commit hideous acts in secrecy for the world is one today. This is one of the major contributions of the media to human society, world culture and world peace today. It is a contribution that is likely to alter continental civilisations into a global civilisation. As one knows this power,

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Jg..... Nr..... P..... 11 Dat..... 22.11.1996

also poses the greatest danger to the media, for the sword in Africa "is still mightier than the pen".

Why is the media so powerful? One of the characteristics of homo sapiens, is the ability to communicate through language, speech, and writing. The media of today is thus a natural extension of this fundamental characteristics of human beings-communication. Human beings develop, invent, educate, socialise, influence, rule through communication. The communication of thought, knowledge and power through the media is vital for human survival, success, discoveries, and conquering the universe. Human societies transmit culture, norms and values of their society through communication. Human societies advertise their civilisation, their beauty and elegance through media. The media of today makes and breaks people. Politicians and public figures are elected today through the powerful influence of the media. Even the modern scientist, intellectual, academic and cleric transmit their knowledge, ideas, discoveries or inventions and visions through the media. So, the media is the silent but powerful government or force that controls individuals, shapes ideas, views, and hence communities of the world. The media, just like sex keeps the world going around.

For the media in any society to be effective, it should be accessible to the community in terms of type and language. There would be no point printing newspapers, if one cannot read; equally there is no point in printing newspapers in a language the majority do not read or understand. Targeting the community it serves implies accessibility, relevance and user-friendliness. In most developing countries today, televisions, the electronic media and newspapers are the mainstay. In most developing countries, the radio and newspapers in the local languages and style are crucial and important for information and empowering people.

A major liberating aspect of an effective media is the concept of "press freedom". As a lay-person I do not know any press that is free. The relativity nature of the word and definition is too loaded and at times very philosophical. One can easily argue that no individual is "totally free" and therefore by extrapolation how could the press be? But this would be too simplistic a proposition and an approach. The freedom of the press is usually a local and contextual issue. It varies from country to country. The maturity of the ruling system, the silent conventions of the society at large and context, determine the relative freedom of the "free press". The media in South Africa always cry for "freedom of the press". What they never cry for is responsibility, objectivity, sensitivity, thorough investigative journalism, analytical and informative reporting. They never cry for being in context with the society in which and about which it is reporting. They use the conventions and values of a small section of our society to define what constitute a standard free press. Our newspapers for example are in general a hybrid of the British tabloids and broad sheets. They are however a bad imitation of the British press in many respects. When our politicians complain about sensational and partisan reporting, they are accused of wanting to manipulate the press. What they are asking and challenging the press about is a free, a fair and responsible press, a press that understands the sensitivities of the majority; something we do not yet seem to have in the new South Africa.

South African press dilemma

Our press is currently correctly perceived to be still loaded with the agenda of the past, that is, racism and white superiority. In fact as long as our editors remain loyal to parties, to certain paradigm, political parties and ideologies, then the sword would remain mightier than the pen in Africa. Our editors just as the rest of our society need a paradigm transformation in order to develop a free press, a press that has semblance of objectivity, a press that bases its reporting on investigative, factual and researched information by its own staff, not like the present system where superficial analysis, sensationalism and gossip seem to be the order. The major dilemma for the South African media

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is the new political order with its majority population versus the old order with its Eurocentric agenda. Equally, the new political order by virtue of its culture has different values and norms that relate to the handling and release of information. There is a certain way in which you can or cannot critique an African person in public. The media has not yet imbibed this culture into its repertoire. The press has to be sensitive to such issues. Therefore the urgent challenge for the press is to be sensitive and responsive to the values and norms of the majority while simultaneously transforming its reporting structures and the way it releases information. While this reporting may suite the northern suburbs of our metropolis, it does not suit the south western suburbs. One is not saying that the press should leave into political correctness or sacrifice facts for expediency. This would be clearly wrong.

There are equally many factors that makes one realise that the press is not free as in most African countries. The people who own the media, the journalists who collect the stories, the editors who decides on what is to be printed and how it should be styled or phrased. All these components or information gatekeepers are subject to the usual clichés of race, sex, class, culture, sectionalism, and political persuasion. Mankind remains a political animal. These issues become even more important in the so-called emerging democracies, where the new elite or powerful are still crazy, drunk, or excited with the new found toy of "power and governing". The tensions between the cultures, values and mind set between the oppressor and the oppressed makes for an unhappy relationship. The lessons of African democracies and the press are indeed poignant and salutary. Experiencing and exercising power after colonialism and oppression must be an intriguing phenomenon that requires careful scientific analysis. It must at time feel uncontrollable just like an orgasm or an aphrodisiac.

It is difficult to own the press and be objective; it is equally difficult to own the press and not want to control, manipulate or abuse it for one's own benefit or objective whatever they may be. The SABC in South Africa is perhaps our classic example that was used by the Nationalist Party to manipulate opinion, for propaganda, and censorship. However,

the people in charge then, agreed with the powers that be because a major ideological agenda of apartheid was at stake. The ownership of the media is one of the most controlling factors that almost is contradictory to the issue of freedom of our communities. Newspapers are owned or aligned to certain parties for example, Die Burger in South Africa is aligned to the Nationalist Party; The Sun and The Times of London are aligned to the Conservative Party and so forth. If you cannot own, nor find alliances and you happen to be in power you devise laws that ensure that the press know "who is boss" this is largely what has happened in Africa. How can the press be 'free' when African governments are ready to call editors or parents of journalists if a story is not reported in their favour. How can it be free when some African governments prefer state ownership, others proclaim sedition laws, criminal libel laws, registration of journalists, official secrets, act and self-censorship?

Our continent is richly endowed or shall I say riddled with various mechanism that have been devised to hamper the development of a "free press". All these mechanisms are devised in the name of democracy of course, either to protect the state or the individual citizen, what a mockery! In Kenya, Zimbabwe and Zambia for example, they have enshrined freedom of speech in the constitution, except for journalists who have been jailed via sedition, libel, or defamation laws; in other countries the ruler simply overrules the courts by executive decree to suppress the press; sometimes reporters were requested to reveal their source which was very similar in South Africa. Self-censorship is common in southern Africa; in Zambia the practice is "knowing which side of the bread is buttered" so that you do not offend the government of the day. In South Africa, the SABC is grappling with defining its independence

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with and from the new rulers. How the debate is finally resolved will affect the future of our press in a very significant way. One can only hope that the lessons of the past have been learnt. How can even with the best will and intention such associations not lead to abuse, tempering or bending of the report mechanisms. By virtue of these clear associations such outlets are likely to appoint editors and directors that belong to a certain ideology. Can that be still classified as press freedom?

Shed the legacy of racism

The media is also a powerful educative tool. It is crucial in South Africa where shortages of qualified teachers and teaching material is, to use the media for this purpose. In educating people, the media also strengthens certain values, certain standards, certain ethos and ideologies within each society or communities. Unfortunately in South Africa our media suffers from the heavy baggage of the legacy of oppression. Presently it is seen to perpetuate predominantly Eurocentric values, ethos, ideologies and norms at the expense of African ones. It is seen as keeping the new country as an extension of Europe in Africa and driving that agenda. One has just to pick a daily newspaper to look at the adverts, the reporting and the contents. It's as if you are not in the continent of Africa. It is as such not a trusted organ of communication although it remains powerful. The current debates about transformation of the media and its ownership are a reflection of the continuing tensions within our society as to the direction in which this powerful tool can best serve our society in transformation. Its no easy battle but it is worth fighting.

Developing a democracy culture is another important function of the media in building communities. Through freedom of speech and the press, through education, through effective communication and through internationalisation of our society, the media has a major role in advancing and stabilising our fragile democracies. These are areas in which the media is crucial and adept at. A democracy culture implies understanding what democracies are about; a set of competing

ideals that require careful, sensitive and well-thought out of balancing ideals for developing a nation. It does not imply dominance or oppression simply because of the majoritarian nature of it. The media should take lead in debates and in challenging our emerging democracy to be forward-looking and nation-oriented. A major difference between the so-called developed or mature democracies and the immature ones is the choice of nationhood above selfish ends in discharging official responsibilities. In building our communities we build our nation and strengthen our democracy. The rule as always is to remember that the lessons of the past are the experience of today as these will produce the results of tomorrow."

I hope and have every confidence that the media will continue to be a beacon to promote freedom of expression, democracy, education and the community spirit that is so characteristic of African societies. Its role in all these in our region is essential.

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Government and media

THE task group on government communications has proposed the dissolution of the SA Communications Service, and the setting up of a new body to co-ordinate government communication of all kinds with the media, the provinces, and the South African and international public at large. In itself, there is nothing wrong with this. The state's communications of all kinds, incoming and outgoing, must be as effective as possible.

To include a special component for media liaison would be helpful if it promoted a healthy two-way traffic, not only of information, but also of opinions, attitudes and perceptions. That kind of media liaison can increase real understanding, and lead to new insights and change of position on both sides.

President Mandela's recent exchange with particular groups in the media, and Vice-President Mbeki's criticisms of the press, do not show a full understanding of the role of the media in a democracy. The media, and the print media in particular, claim that their freedom is the touchstone to test for true democracy, and the bulwark against tyranny.

This is not an arrogant boast: it is a statement of fact and can be verified by looking at the media in those countries which are the best examples of democracy, and comparing them with those in countries where democracy has never existed, or has died.

The best way the media can serve democracy is to adopt the role of a constructive adversary — not suppressing valid criticism and becoming a government lackey, or feeling obliged to find fault with everything government does. In a democracy the people must constantly watch the government they have created, and the media are the eyes of the people.

If the government and media can use the new liaison structures to promote mutual understanding of their true roles in a democracy, there will be a healthy and productive tension. If not, and the structures turn out to be a mechanism for government control of media, then the bulwark is breached. That way leads to a register of approved journalists, and handouts by a government press service, for compulsory use by the media.

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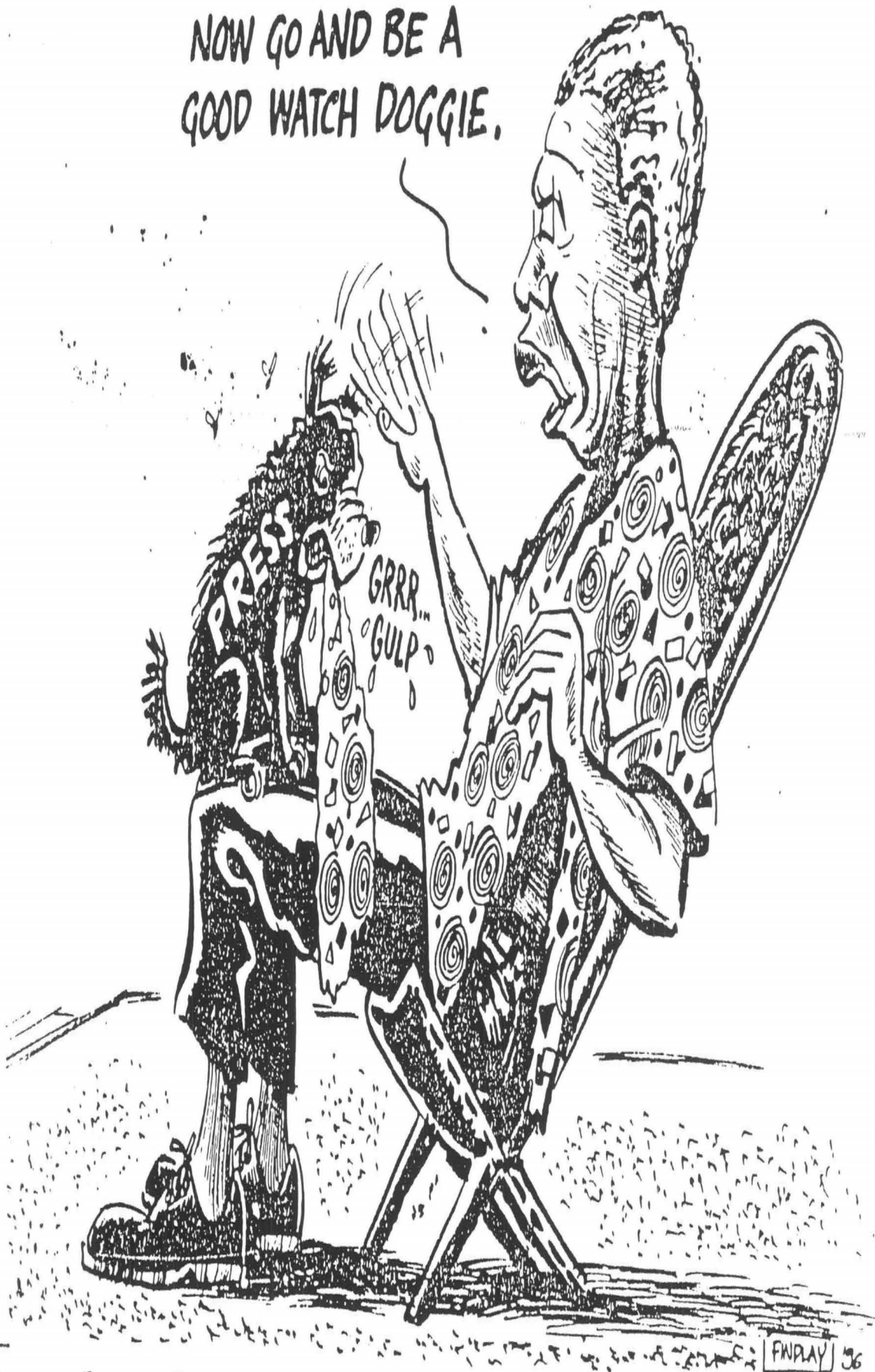
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Recently the media and the government have exchanged many accusations and counter-accusations. In this engagement, the Fourth Estate has not been lacking in bravery. This has derived partly from the perception that there is a threat to media freedom.

Another interpretation of these skirmishes is that the two are shadow boxing, as Tweedledum said to Tweedledee in Lewis Carroll's *Alice Through the Looking Glass*: "We must have a bit of a fight, but I don't much care about going on long."

On its part, the Communications Task Group (Comtask), which examined weaknesses in government communications, drew from Paulo Freire: "A society beginning to move from one epoch to another requires the development of an especially flexible and critical spirit. Lacking such a spirit, [people] cannot perceive the marked contradictions that occur in society as emerging values in search of affirmation and fulfilment clash with earlier values seeking self-preservation."

To understand relations between government and the media, one should indeed proceed from the premise that South Africa is going through a process of profound social transformation. In such transformation, mindsets and paradigms are put to the test.

With the right spirit, the media help to shape a new SA consensus

Government's top communicator says neither state nor media are yet fulfilling their obligations -

In this respect, the following assumptions are useful:

First, while journalism is a distinct profession, the actors in it are not homogeneous. Journalists are first and foremost social beings.

Second, the media do face the danger of being read, listened to and watched but not believed by the majority. Therefore, all communicators should co-operate to ensure that the media become a reliable, dependable and fulsome source of information and analysis.

Third, the media do not merely reflect interests; rather they help to shape those interests.

Today, South African media face a rare opportunity to record, interpret and influence the evolution of a society whose pursuits are unprecedented. The constitution guarantees the freedom of speech, including the right of citizens to information and comment; and themselves to com-

municate their views and activities.

The acceptance of Comtask recommendations by the cabinet should release the energies of government communicators and journalists alike to improve discourse among South Africans. Added to this are the technological changes that allow us to leapfrog many stages on to the global communications highway.

We do have a constitutional, legislative, executive and technological basis for a South African communications revolution, so South Africans can speak to one another, not past each other, and become active participants in the process of change, not passive recipients of delivery or armchair critics.

The criticism by one Indian diplomat that South Africans report about their country as if they were in a colonial metropolis willing the country to fail and the many weaknesses identified by Comtask demonstrate

that, as communicators - both government and media - we are yet to meet our public obligations.

One challenge is to broaden intellectual horizons in the media. Apartheid tried to impoverish the intellect, to stifle our vision such that we readily see the black and the white but not the grey in our complex social life.

Related to this is the question of resources available to journalists. What research backup do they have? Don't we often, as news editors, simply issue instructions about angles to a story, often from "gut feeling"?

Those who interact with reporters often complain at the media's "short memory". Some take advantage of this, as journalists become susceptible to manipulation: with sensational information that may make a good story but has no relation to the bigger picture. This bigger picture should be woven together

by a combination of many elements, including a national consensus.

In a recent speech Judge Richard Goldstone referred to possible elements of such a consensus:

● The constitution, vibrant democracy, openness. He argued that we should not let difficulties prevent us "from experiencing the joy of having been freed from the chains of apartheid";

● Dealing with social disparities, recognising that "the reality that the 'haves' are white and the 'have-nots' are black carries with it a time bomb";

● Those who benefited from apartheid should be "willing to make a meaningful contribution to restoring [the] dignity" of the majority;

● "Appropriate corrective action is not only morally and legally justified but is in the interest of all South Africans."

To this one can add sustainable

spirit, the media can a new SA consensus

state nor media are yet fulfilling their obligations – but there's hope

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- "Appropriate corrective action is not only morally and legally justified but is in the interest of all South Africans."

To this one can add sustainable

economic growth and national sovereignty, and national consensus starts to take shape. There will be debate about such a consensus. Some, including journalists, may not want to be part of it. That is their right, and they should openly say so.

In its report, Comtask refers to weaknesses such as "juniorisation" and understaffing in the news rooms and separation between political correspondents and beat reporters. There is also the unfortunate tradition that, for good journalists, promotion often means being kicked upstairs, away from actual writing and production. *Yes*

Notably, both the media and government have accepted the essence of the Comtask report. Many editors are taking steps to introduce corrective measures. One area that will require a formal partnership among media houses, training institutes and the government is training of

government communicators and journalists. We need to harmonise approaches, share resources and improve mutual understanding.

Needless to say, media as an institution that deals with ideas can only be enriched by diversity: including diversity of ownership. While much progress is being made in the electronic media, the situation in the print media, from the mass circulation newspapers to the knock-and-drops, leaves much to be desired. So does ownership of distribution and printing resources.

Changing the focus of South Africa's media coverage also requires examining mindsets about the calling of journalism. Is journalism a public service in the broad sense? Is there an authority – "public trust" – to which it should defer and account? Or is the media industry merely a commercial undertaking that just happens to inform, educate and entertain?

These are some of the challenges the media face as part of broader transformation. For their part, government communications structures have started to correct the many glaring weaknesses identified by Comtask. A good future lies ahead for South African communications in general.

- Joel Netshitenzhe is the chief executive officer of government communications (GCIS)

State and media developing smart relationship despite the fall-outs

RICH MKHONDO

DN 15.08.97

WASHINGTON: A smart relationship is evolving between the South African government and the media, Cyril Ramaphosa said yesterday.

Speaking in an interview, Ramaphosa said the occasional spats between the government and the media were healthy for South Africa's young democracy.

"Their differences had often been resolved and the two continue with their duties.

"The media has to play a co-operative approach in its reporting.

"This does not mean that they must forgo their independence, scrutiny and critical analysis," Ramaphosa said at the end of his visit to New York, where he met investment bankers and fund managers.

Ramaphosa, chairman of Johnnie and the National Empowerment Consortium, whose successful bid for Johnnie enabled the former ANC secretary-general and Constitutional Assembly chairman to be elected chairman of the board of directors of Times Media Limited, owners of the Sunday Times, Business Day among other publications.

Ramaphosa is also deputy chairman of New African Investments group.

He said he agreed with Independent Newspapers chief executive Ivan Fallon's assessment when he said there was no press-Government crisis in South Africa, despite the harsh criticism aired on both sides.

Fallon was speaking at the Johannesburg Press Club last week, in response to President Mandela's

recent remarks in Harare, Zimbabwe.

Mandela said the South African media was run by embittered, conservative whites who were out of touch with black society.

He said media owners employed blacks only in order to avoid being accused of racism.

"These remarks were never intended to constitute a considered public intervention in the press debate and I have that from the president himself," Fallon said.

"The president is concerned about the lack of diversity in the ownership of the media, but he also knows that this is changing faster than that of any other industry."

Ramaphosa said: "The occasional differences between the media and the government are healthy for our young democracy."

THE SUNDAY INDEPENDENT

SOUTH AFRICA'S QUALITY SUNDAY NEWSPAPER

Let's learn to speak our minds and build a new nation

This newspaper believes passionately in the principle of freedom of expression as enshrined in our constitution. We also believe that with rights come responsibilities. We are accountable to our readers and the society in all its diversity.

The realities are that more than half the population is illiterate and the vast majority of those who can read do not read newspapers. Many who do read newspapers believe, in varying degrees, that our newspapers do not reflect the reality that they encounter in their daily lives in this dynamic African society.

At the centre of the debate unleashed by this newspaper – which is now unfolding in print, on our TV screens, on radio, in our academic institutions – is the simple question of whether our newspapers reflect the suffering, reconciliation, frustration and joy that South Africans are experiencing in adjusting to new and ever-changing realities.

Flowing from our commitment to defining and defending freedom of expression in an African context, we are acutely aware that it is a remote concept to those without jobs, proper homes, security and formal education.

There are also fundamentally different perspectives across the racial, cultural and socioeconomic divides.

But it is vital that everyone should have the opportunity to be exposed to the debate around this very basic right and to know why it is so important.

Despite the many social problems that beset us in the turmoil of transition, it is heartening to see that the freedom to debate and to express our views – however outrageous they might be to others – is not only alive but flourishing.

The Sunday Independent is committed to do everything in its power to actively encourage people to speak their minds. We change, as individuals and as a society, not by having our views and prejudices confirmed but by having them constantly challenged. That is what education – and life – should be about.

It is only by being exposed to views across the racial and class divides that separate us that we will be able to break out of the compartments that were reinforced during the apartheid years and become new citizens of a new nation.

So we make no apology for the wide spectrum of views that we will publish in the weeks ahead on subjects as diverse as Africanism and the Middle East peace process.

We hope that every South African will come to value their right of free expression so dearly that no government will ever be able to take it away from them.

Makgoba is as Euro as a Nat

The discussion concerning Professor William Makgoba's call for a government-appointed commission to steer transformation in the media fully deserves the space and attention which your paper so generously provides for this purpose.

Recent statements by black South Africans about issues of race have led me to believe that centuries of oppression, racism and discrimination have left not so much a scar but rather a festering open wound in the collective black consciousness.

Many blacks therefore seem to experience any and all criticism from whites, however valid and circumscribed, as a sharp instrument being gleefully thrust into this open wound.

I honestly believe that this reaction, and the suffering that lies behind it, is in most cases sincere and uncontrolled. I believe equally honestly that, in some other cases, the reaction is set in motion deliberately and manipulatively in order to smother debate.

I find instances of this when Makgoba closes his accusations against the media by claiming that "[Any] denials are not helpful at this stage", or when, during the Makgoba affair, the Wits Transformation Forum rejected a "tribunal with specific terms of reference" as "illegitimate", "lacking the South African experience", and "Eurocentric".

The aim of this strategy is not, as is claimed, to open a debate, but to close it. This is done by casting the particular drop under discussion into the ocean of past apartheid abuses, where it simply becomes diffused in a general-perception of "black is right and white is wrong".

As a white South African I experience this strategy for blocking off debate as a request for a blanket acceptance of all past, present and future acts by my black compatriots, especially those in positions of authority. It is as though I were being asked to sign a statement that read: "I hereby unconditionally undertake never again to criticise any word, deed or thought by any black compatriot. Amen."

Satisfied, St William?

Furthermore, I am deeply disturbed by Makgoba's unspoken assumption of some mythical, unbroken African identity. For instance, in *Mokoko* he glibly refers to an "African ethos", bluntly assuming a single set of continental ethical values. Corresponding phrases in his article on the media, though limited to South Africa, are equally

simplistic - "our national interest, identity, our culture, our mindset, our viewpoint and our world view". Romanticising monolithic concepts of African ethos and culture point not to engagement with, but rather to absence from Africa, as any study of the European tradition of exoticism will confirm.

On the other hand, truly informative contributions such as the excellent TV series *Africa - Search for Common Ground* investigate and expose dynamic contradictions and multiple identities.

Given the high level of conflict and strife in so many African countries, one suspects that the myth of a single, uniform and harmonious African culture and ethos is merely an instrument to empower one of several contesting parties to legislate on cultural, ethical and - inevitably - political boundaries.

This is particularly disturbing if one remembers that the Afrikaner Nationalists banned not only liberatory literature and alleged pornography, but also Sunday sport and cinema in the name of - wait for it - "our national interest, identity, our culture, our mindset, our viewpoint and our world view".

If the Nats' way of arguing and doing things was indeed "Eurocentric", which I doubt, then I am deeply disturbed by these Eurocentric features of Makgoba's Africanism. The Afrikaner Nats ended up by silencing their own best writers - in the name of culture and identity. Makgoba's commission for mind-control might well go the same way.

Richard Bertelsmann
Cape Town

Seleoane misrepresented Mbeki's view of the media

In your edition of September 21, you carry an edited extract from a speech on the press by the director of the Freedom of Expression Institute, Mandla Seleane.

In this extract you quote him as saying: "When Deputy President Thabo Mbeki argued that those parts of the media that fought for democracy should perhaps not be so critical of our democratic government he was really not making an argument based on transitional considerations."

We assume your extract correctly reflects what he said and it is on this basis that we respond to the quotation cited above.

The deputy president has never said what Seleane asserts he argued.

During a certain period after the installation of the democratic government, Mbeki

made various comments about the press, starting with an address to the Cape Town Press Club.

At this meeting Mbeki said that to the extent that the press had taken anti-apartheid positions, it had, correctly, assumed a stance hostile to the apartheid government.

He went on to argue that this situational specific position had wrongly been translated into a so-called universal principle of natural antagonism between the government and the press.

As far as he was concerned, no such principle exists.

He therefore called on the press to discharge its responsibility to objectively inform the public without proceeding from a false position that the press had a principle responsibility to report government activities negatively.

The deputy president went on to assert the right of the media to make any negative comment about government they might decide they wanted to make.

In all subsequent statements about the press, Mbeki has reiterated this position.

At no stage has he made a special call of any kind to what Seleane refers to in his article as "those parts of the media that fought for democracy".

Equally, at no time has he ever called on the media, or any sections of it, to be "perhaps not be so critical of our democratic government", as Seleane asserts.

There is a whole range of other issues which the deputy president raised about our media.

Part of our tragedy is that none of these issues were discussed seriously.

This was because of an orchestrated response which sought to suppress any discussion, by representing any criticism of the media as a threat to the freedom of the press.

Happily, some, but not all, of the matters the deputy president raised are now being discussed.

Perhaps because of the earlier response and, therefore, the delay in addressing the important issue of the transformation of the media, the present debate about the press might have taken on a tinge of bitterness which might have been avoided.

It does not help this healthy debate in any way that a media person as highly placed as the director of the Freedom of Expression Institute engages in such harmful misrepresentation as is contained in the quotation cited above.

Thami Ntleni
Director of Information
Office of the Deputy President
Cape Town

1997: Mandela criticism of the media at Mafikeng

MAFIKENG December 18 1997 Sapa
BLACK EDITORS TOKENS, SAYS MANDELA

South Africa's black newspaper editors were mere token appointments, President Nelson Mandela said on Thursday.

"As long as newspapers are owned by a white conservative minority those appointments are mere token," he said in a pre-recorded interview with national television broadcast on Thursday evening.

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Mandela was defending his criticism of the country's mass media delivered in a fiery valedictory speech as outgoing head of the African National Congress earlier this week.

2. Mafikeng speech

Respected white editors were themselves axed for falling out with their newspaper's owners, and the position was even more precarious for black editors.

Those newspapers groups such as Times Media Limited, who were controlled by black business, were mere exceptions, Mandela said.

"Don't talk to us about exceptions. It is in fact no exception at all. Even if (Cyril) Ramaphosa and (Nthato) Motlana have a controlling share there are many areas where power is not with them... go and talk to them," he told the interviewer.

Mandela said white opposition parties and the white media were out of touch with the true feelings of most whites in the country.

"I'm not at all worried about what white opposition politicians and the white media are saying. I'm convinced they're lagging behind the thinking of whites."

Whites were rallying behind the government's call for transformation.

Mandela repeated that he believed that the white media were part of a counter-revolutionary force and said it should not be defended, as it wanted to shape and control public opinion in line with an "evil" minority view.

Mandela reserved special praise for the public broadcaster, telling the interviewer: "You yourself don't hold the same views as the news media of the country".

He again repeated the ANC's commitment to press freedom and said the government did not intend to regulate the press to bring it into line.

However, when told that former State President John Vorster had

INSTITUUT VIR EIETDSE GESKIEDENIS

Die Universiteit van die Oranje-Vrystaat

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Business Day

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will be directly responsible to the chairman of the directors ("chairman") on editorial matters and to the managing director or his nominee on commercial matters.

2.6 Editors shall at their discretion have the right to seek the advice and guidance of the trustees if disagreements should arise with directors and managers.

2.7 In the event of any dispute over commercial matters, the managing director's decision shall prevail. In the event of any dispute over editorial matters, the chairman's decision shall prevail.

3. APPOINTMENT AND DISMISSAL OF EDITORS

3.1 Subject to 3.3 an editor shall not be appointed without:

3.1.1 the agreement of the majority of the directors and

3.1.2 a resolution in favour of the proposed appointment passed by the trustees.

3.2 Subject to 3.3 and 3.4 an editor shall not be dismissed without:

3.2.1 the agreement of the majority of the directors and

3.2.2 a resolution in favour of the proposed dismissal passed by the trustees and

3.2.3 the agreement of the elected representative, if any, of the editorial staff of the newspaper concerned.

3.3 In the event that the majority of the trustees do not agree with the proposed appointment or dismissal, it shall not take place for a period of up to six months from the date on which the trustees were first asked for their agreement. During this period, the directors and trustees shall attempt to reach agreement. If agreement is not reached within six months, the directors shall be entitled to make the appointment or dismissal without the approval of the trustees.

3.4 In the event that the elected representative does not agree with the proposed dismissal, it shall not take place for a period of up to three months from the date on which the representative was first asked for his/her approval. During such period the directors and the representative shall attempt to reach agreement. If agreement is not reached within the said period of three months, the directors shall be entitled to make the dismissal without the agreement of the representative.

4. BOARD OF TRUSTEES

4.1 The board of trustees shall comprise five persons appointed as guardians of the general character, independence and integrity of the publication. Meetings of trustees will be convened by the company secretary at the request of the directors or of an editor or of any trustee and will be conducted according to the procedures set out in 5.

4.2 The first five trustees ("the initial trustees") will be appointed by the chairman, after consulting with the directors of the company, the editors of the newspapers and anyone else he may wish to consult. Thereafter the trustees will elect their own successors as the need arises, giving consideration to the inclusion of at least one former editor.

4.3 Of the five initial trustees, one shall retire at the end of year one, another at the end of year two, another at the end of year three, another at the end of year four and the last at the end of year five. (The aforesaid periods are hereinafter referred to as the "initial terms"). The chairman shall stipulate who shall retire on the said dates at the time of making the initial appointments.

4.4 The initial trustees shall be eligible for re-election after their initial terms have expired.

4.5 All trustees, including the initial trustees after their initial terms, shall retire after two years, but shall be eligible for re-appointment for further periods of two years, provided that any trustee who has served for six consecutive years (excluding the initial term of the initial trustees) shall not be eligible for re-election until a further two years have elapsed.

4.6 The trustees shall not be employees or directors of the company but should have an understanding of the general character, independence and integrity of the company's newspapers, and be persons of standing in the community.

4.7 The remuneration of the trustees for their services as such shall be determined from time to time by the directors.

5. PROCEEDINGS OF TRUSTEES

5.1 The trustees may:

5.1.1 meet, adjourn and otherwise regulate their meetings as they think fit, and any trustee shall be entitled to convene or direct the secretary to convene a meeting of trustees

5.1.2 determine what notice shall be given of their meetings and the means of giving that notice, provided that any such prior determination may be varied, depending on the circumstances and reason for the trustees' meeting in question.

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INSTITUUT VIR EIETDSE GESKIEDENIS

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5.2 The quorum necessary for the transaction of trustees' business of the trustees shall be four trustees. A resolution of the trustees shall be passed by a majority of the votes of the trustees present at the meeting at which it is proposed and at which a quorum is present.

5.3 If within half an hour of the time appointed for a meeting a quorum of trustees is not present, then the meeting shall stand adjourned to the same day seven days hence, or the next succeeding business day if that is not a business day, and if at the adjourned meeting a quorum is not present, then the trustees present shall constitute a quorum, provided that notice of the adjourned meeting has been given to all the trustees not present at the first meeting.

5.4 The secretary shall attend all meetings of trustees and place before the trustees all documents and papers in the company's possession which the trustees may desire to see, and perform all such secretarial duties as the trustees may require, but the secretary shall be bound to retire from the meeting of trustees whenever so required by the trustees.

6 ELECTED REPRESENTATIVE OF EDITORIAL STAFF

6.1 The staff of each newspaper shall, as soon as possible after the incorporation of this charter into the articles of association of the company, be requested to elect a representative to act on their behalf with regard to this charter.

6.2 All permanent editorial staff members of the newspaper concerned shall be eligible to participate in the election.

6.3 The election shall be held as a secret ballot under the supervision of the company secretary and the auditors of the company.

6.4 The company will provide the necessary facilities for the election and will allow the staff to use company premises to hold meetings as may be reasonably necessary to give effect to this charter.

6.5 The elected representative shall automatically resign his position if:

6.5.1 he is no longer employed by the newspaper concerned

6.5.2 he would be disqualified for any reason under the Act, as amended or replaced from time to time, from acting as a director

6.5.3 he has held the position for a continuous period of five years.

6.6 In the event that the elected representative resigns for any reason whatever, or at the written request of any ten or more members of staff eligible to participate in an election, an election shall be held to elect a new representative.

7 CODE OF CONDUCT

7.1 Reporting of news

7.1.1 A newspaper shall be obliged to report news truthfully, accurately and objectively

7.1.2 News shall be presented in the correct context and in a balanced manner, without an intentional or negligent departure from the facts whether by:

7.1.2.1 distortion, exaggeration or misrepresentation;

7.1.2.2 material omissions; or

7.1.2.3 summarisation.

7.1.3 Only what may reasonably be true having regard to the source of the news, may be presented as facts, and such facts shall be published fairly with due regard to context and importance. Where a report is not based on facts or is founded on opinions, allegation, rumour or supposition, it shall be presented in such manner as to indicate this clearly.

7.1.4 Where there is reason to doubt the correctness of a report and it is practicable to verify the correctness thereof, it shall be verified. Where it has not been practicable to verify the correctness of a report, this shall be mentioned in such report.

7.1.5 Where it subsequently appears that a published report was incorrect in a material respect, it shall be rectified spontaneously and without reservation or delay. The correction shall be presented with a degree of prominence which is adequate and fair so as readily to attract attention.

7.1.6 Reports, photographs or sketches relative to matters involving indecency or obscenity shall be presented with due sensitivity towards the prevailing moral climate. In particular, a newspaper shall avoid the publication of obscene and lascivious matter.

7.1.7 The identity of rape victims and other victims of sexual violence shall not be pub-

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INSTITUUT VIR EIETDSE GESKIEDENIS

Die Universiteit van die Oranje-Vrystaat

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Business Day

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- lished without the consent of the victim.
- 7.2 Comment
- 7.2.1 A newspaper shall be entitled to comment up on or criticise any actions or events of public importance provided such comments or criticisms are fairly and honestly made.
- 7.2.2 Comment shall be presented in such manner that it appears clearly that it is comment, and shall be made on facts truly stated or fairly indicated and referred to.
- 7.2.3 Comment shall be an honest expression of opinion, without malice or dishonest motives, and shall take fair account of all available facts which are material to the matter commented upon.
- 7.3 Special provisions
- 7.3.1 Headlines and captions to pictures shall give a reasonable reflection of the contents

- of the report or picture in question.
- 7.3.2 Posters shall not exaggerate and shall give a reasonable reflection of the contents of the reports in question.
- 7.4 Privacy
- Insofar as both news and comment are concerned, a newspaper shall exercise exceptional care and consideration in matters involving the private lives and concerns of individuals, bearing in mind that the right to privacy may be overridden by a legitimate public interest.
- 7.5 Payment for articles
- No payment shall be made for feature articles to persons engaged in crime or other notorious misbehaviour, or to convicted persons or to their associates, including family, friends, neighbours and colleagues, except where the material concerned ought to

be published in the public interest and the payment is necessary for this to be done.

- 7.6 General
- Due care and responsibility shall be exercised by newspapers with regard to:
- 7.6.1 subjects that may cause enmity or give offence in racial, ethnic, religious or cultural matters, or incite persons to contravene the law;
- 7.6.2 matters that may detrimentally affect the peace and good order, the safety and defence of the Republic and its people;
- 7.6.3 the presentation of brutality, violence and atrocities.

8 INCORPORATION INTO ARTICLES OF ASSOCIATION

This charter will be incorporated into the articles of association of the company and, where applicable, its subsidiary companies, and it shall be a pre-requisite of their appointment that all directors, editors, trustees and elected representatives of the editorial staff from time to time shall sign a copy hereof to indicate that they consider it to be binding upon them.

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Saturday Star Jg..... Nr..... P. 10 Dat. 13.7.1996

Pen which maligns Mbeki was once poisoned with treachery

Silent

The so-called liberal press is slandering our deputy president, but forgets its past in which it struck a deal with the devil

President Nelson Mandela's sojourn to Britain and France this week would, ordinarily, be no more than a head of state paying courtesy calls on overseas counterparts to cement friendship, at the same time doing his best to advance his nation's economic interests.

But we are led to believe the visit will also "sell" Deputy President Thabo Mbeki to foreign investors as a capable successor to Mandela, come 1999.

That raises the question:

what is wrong with Mbeki?

My own answer is quite simple: there is nothing wrong with him; the only wrong has everything to do with powerful sections of the mainstream liberal press, which have gone all out to discredit him on the slightest pretext.

Indeed, it is to Mbeki's eternal credit that he has largely ignored this vicious criticism, which exceed the bounds of fair comment.

Now I will never place politicians on a pedestal, but I have an abiding suspicion that certain newspapers are deliberately creating mistrust with their unfair portrayal of Mbeki.

Curiously, during the heyday

of apartheid, the same newspapers were deathly silent on National Party cabinet ministers, even though some of those ministers had gross reputations which preceded them; indeed, those men were clearly unfit for office.

There will be various reasons offered by the media for their lovey-dovey treatment of NP ministers in the past, chief of which could be that there were then no basic freedoms to talk about and any robust criticism of the ruling clique was likely to end in defamation suits, with NP-appointed judges often finding in favour of the Nationalist gang.

(If you doubt this, remind yourself of the experiences of Alan Paton and Donald Woods and then draw your own conclusions.)

UNDERCURRENT AFFAIRS



JON Qwelane

sions.) The lack of human freedoms in the past was not the

only reason why mainstream newspapers shied away from roasting the misfits in the NP cabinet - and it could be argued quite cogently that everyone in all the NP cabinets was a misfit because the party, itself, was always a hopeless misfit of a government.

In my opinion, mainstream newspapers were most reluctant to tread on the Nats' toes because, to a large extent, they had much in common with the apartheid regime.

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made the same pledge and then gone ahead with massive restrictions on media freedom, Mandela took exception.

"We overthrew the system that produced Vorster. You can't compare us with Vorster, that is grossly unjust."

It was the ANC government who had introduced freedom of expression in South Africa, he said.

PRETORIA Dec 19 Sapa BLACK EDITORS REJECT TOKENISM CLAIMS BY MANDELA

Black editors on Friday rejected claims by President Nelson Mandela that they were token appointments.

They agreed, however, some government criticism of the media was valid.

Sunday Times editor Mike Robertson rejected insinuations that black editors merely carried out the orders of newspaper owners.

"I think the president would be surprised to know that black editors are a lot less pliable than he thinks they are," said Robertson, a "coloured".

Cape Argus editor Moegsien Williams said Mandela should explain how he defined tokenism. Whether his own appointment to the Argus, had been on the basis of ability, or because he was black, was not for him to say.

"But my record and those of the other editors speak for themselves," said Williams, also chairman of the SA National Editor's Forum.

"They are fully in charge of their newspapers and staffing procedure."

In a television interview broadcast on Thursday, Mandela asked why "white" newspapers should be controlled by whites when there were competent coloureds, Indians and Africans.

Asked whether he discounted the editors from the Argus, the Cape Times, the Sowetan and the Daily News, he said there could be power without responsibility.

"As long as these newspapers are owned by a white conservative minority, those promotions are simply tokens without power," Mandela said.

Sowetan editor Mike Siluma said that while there was a lot of public recrimination between the government and the media, not much was being done to address this.

"The whole matter of the media in South Africa and the role of journalists, is being mishandled by all parties involved," he said.

Siluma and Williams agreed some accusations against the media were valid.

"There are obvious limitations to our ability to radically change things," Williams said. "But if (Justice Minister) Dullah Omar and other ministers can show me a perfectly transformed government department after three years, I would love to see it."

Transformation in the media, as in government, was not an easy process, and getting newspaper staff to reflect the demographics of their readership would take some time.

He would have expected government to have an understanding for that, Williams said.

Siluma said there were concerns about how the ownership of newspapers affected the flow of information, and the interpretation thereof.

They agreed debate was the only way to develop a better mutual understanding.

"Public recrimination will not help," said Siluma. "There is a need for a formal and sober meeting, so that some kind of consensus can be reached."

Williams said Sanef's approach was to engage government and political organisations in ongoing constructive debate on these issues, to develop a better understanding of the media.

Siluma and Robertson both said they did not agree with Mandela's statement that the white media was part of a counter-revolutionary force.

"While it is a fact that much of the media would not support government programmes, I don't think the entire white media can be labelled counter-revolutionary," Siluma said.

"I don't believe that to be true," said Robertson. "What is the white media anyway? Does Rapport have the same agenda as the Sunday Times?"

Williams said he mistrusted government and political parties. If Mandela's criticism was aimed at helping the media, and at pointing out the need for transformation, then "I would say he's right".

"If this is an attempt to get the media to be more sympathetic to government, then I think he's got it wrong.

"My question is, would he have made these comments about

transformation if our media was like the Zimbabwean media, almost entirely uncritical of government?"

ANC CAN'T HANDLE MEDIA/OPPONENTS' CRITICISM: DP

Doc 19

President Nelson Mandela's continuing assault on the media showed the African National Congress' unwillingness to accept the right of the media and opponents to criticise the government, the Democratic Party said on Friday.

DP leader Tony Leon said Mandela's criticism of the media during this week's 50th national party conference in Mafikeng in North-West displayed this resistance more than anything else, despite Mandela enjoying "the smoothest ride of any head of state in the democratic world".

"In no other democracy is the president or prime minister treated with such uncritical adulation by the media," Leon said in a statement.

The ANC conference, in which Mandela had also criticised opposition parties and non-government organisations, had also been given much media coverage.

"The press for their part, have covered the conference in great detail and almost entirely factually. What more does Mr Mandela want?"

He said it was time Mandela and the ANC realised a critical media, vigorous opposition from political parties and close monitoring of the government by non-governmental organisation was not part of the problem in democratic countries.

"These critical institutions are essential for the protection of freedom and democracy. They are thus, very much part of the solution."

Leon said Mandela should "live" his spoken commitment to a free civil society and critical opposition, and stop unfairly attacking the media.

ANC DAILY NEWS BRIEFING MONDAY 22 DECEMBER 1997

He [Mandela] claimed that South Africa's media, still predominantly in white hands, "uses the democratic order as an instrument to protect the legacy of racism". The charismatic leader also accused "counter-revolutionary elements" of trying to compromise the young democracy and keep it from developing equality. The reaction was generally harsh. The National Party called Mandela's report paranoid and unstatesmanlike. Replying to Mandela's criticism of the press, the liberal weekly Mail and Guardian commented rudely: "It pains one to witness such a revered figure as Mandela talking such bullocks".

JOHANNESBURG December 18 1997 Sapa

HOW THE PAPERS SEE IT: PRESS COMMENT ON MANDELA'S SPEECH

President Nelson Mandela's valedictory speech at the African National Congress national conference in Mafikeng on Tuesday has drawn strong reaction from all quarters. Editorial comment in South African newspapers has ranged from the assertion that the keynote address was "among the boldest political statements on the challenges of social transformation of South Africa" to the view that it was "an unfortunate lapse into party-politicking".

The Sowetan, which took the former view, said the speech "confronted headon many of the very sensitive, yet inescapable realities we must face if social transformation is to deliver on the aspirations of the poor".

It added: "This country will fail in its efforts at translating the Reconstruction and Development Programme into reality without the redistribution of wealth. Redistribution implies an uncomfortable adjustment on the part of the economically advantaged minority... which explains the largely negative reaction from white people to President Mandela's speech."

The Sowetan concluded: "While many aspects of Mandela's statement may have left whites, in particular, uneasy, he did well to say things that must be said, and which stand to benefit in the long run."

Business Day felt there was "no doubt an element of grandstanding" in Mandela's broadside against whites, but said it would be "a mistake to dismiss it as playing to the gallery". It said Mandela's impatience with the white community was shared widely within the ANC, but the paper felt his "belligerent tone" and "unsubstantiated claim" of a white counter-revolutionary network would merely promote anti-white feeling and drive whites "further into the laager".

Under the headline "Poor show", The Citizen said Mandela's speech was "a total break in his character as chief architect of reconciliation and nation building" and said it detracted from his image "as a man of understanding, of goodwill and of good sense".

It challenged, inter alia, Mandela's claim that defenders of apartheid privilege, including the mainly white political parties and the media, had opposed the ANC government's attempts to end racial disparities.

"They are not, in fact, defenders of White privilege, but are critics of government policies that deserve to be criticised," the paper said.

It said Mandela "should have provided inspiration not just for his party but for the nation as a whole".

"He should never have made it, especially when he is giving up the ANC leadership and should concentrate on his functions as president of all the people."

"The first thing to decide," wrote The Star in its comment on the speech, "is whether he was addressing mainly the party faithful or the nation as a whole. This doesn't change the message, but it does change the intention of the message."

On Mandela's criticism of the media, it responded: "Undoubtedly the media has frailties, but it has neither the desire nor the ability to destroy the ANC."

The paper found his thesis that the ANC was up against a counter-revolutionary conspiracy "so vague that (the accusations)

smack of the kind of call to arms that featured during the total-onslaught years".

The Star concluded: "We are sure President Mandela meant every word he uttered, but hope his aim was more to buoy the ANC than to set a harsher tone for our national debate."

It was not so much the content as the "uncharacteristically sharp tone" that was the most surprising element, the Cape Argus wrote in its assessment of what it termed "President Mandela's stentorian farewell address".

However, the enthusiastic reception he had received showed he had struck a popular chord and his words deserved "serious and open-hearted national discussion".

The Cape Argus commented: "... he was perhaps using his very considerable prestige as a champion of national reconciliation to usher in a new and less euphoric era in national affairs; an era in which the hard realities of transformation will begin to be more keenly felt and will require those he criticised - including the ANC itself - to begin a fundamental review of old attitudes with an open-hearted approach to the challenges ahead."

The Cape Times felt the speeches by Mandela and other ANC leaders at the Mafikeng conference were perhaps necessary "to make all South Africans...sit back and think about how much our country has transformed and how much it still needs to transform".

Die Burger said the bitterness ("bitterbek") politics and transfer of guilt which characterised Mandela's speech would do little to further reconciliation in a deeply divided society. The paper said it shared the view that the speech was the lowpoint of Mandela's term of office.

The Natal Witness described Mandela's marathon address as "disappointing, not simply because it was dismissive of opposition political parties, but because his arguments were so simplistic".

"Critics of the government who point to its failure in controlling crime and corruption are not part of some counter-revolutionary plot...It is churlish, and even suggestive of a totalitarian mindset, to equate normal democratic criticism with disloyalty and subversion."

It said assertions in the president's speech "may have roused the party faithful at the cost of alienating everyone else".

MAFIKENG December 18 1997 Sapa

BLACK EDITORS TOKENS, SAYS MANDELA

South Africa's black newspaper editors were mere token appointments, President Nelson Mandela said on Thursday.

"As long as newspapers are owned by a white conservative minority those appointments are mere token," he said in a pre-recorded interview with national television broadcast on Thursday evening.

Mandela was defending his criticism of the country's mass media delivered in a fiery valedictory speech as outgoing head of the African National Congress earlier this week.

Respected white editors were themselves axed for falling out with their newspaper's owners, and the position was even more precarious for black editors.

Those newspapers groups such as Times Media Limited, who were

controlled by black business, were mere exceptions, Mandela said.

"Don't talk to us about exceptions. It is in fact no exception at all. Even if (Cyril) Ramaphosa and (Nthato) Motlana have a controlling share there are many areas where power is not with them... go and talk to them," he told the interviewer.

Mandela said white opposition parties and the white media were out of touch with the true feelings of most whites in the country.

"I'm not at all worried about what white opposition politicians and the white media are saying. I'm convinced they're lagging behind the thinking of whites."

Whites were rallying behind the government's call for transformation.

Mandela repeated that he believed that the white media were part of a counter-revolutionary force and said it should not be defended, as it wanted to shape and control public opinion in line with an "evil" minority view.

Mandela reserved special praise for the public broadcaster, telling the interviewer: "You yourself don't hold the same views as the news media of the country".

He again repeated the ANC's commitment to press freedom and said the government did not intend to regulate the press to bring it into line.

However, when told that former State President John Vorster had made the same pledge and then gone ahead with massive restrictions on media freedom, Mandela took exception.

"We overthrew the system that produced Vorster. You can't compare us with Vorster, that is grossly unjust."

It was the ANC government who had introduced freedom of expression in South Africa, he said.

JOHANNESBURG December 18 1997 Sapa-AFP

MANDELA WARNS BLACK SUPPORTERS OF SHADOWY WHITE FORCE

South African President Nelson Mandela warned his mainly black supporters Thursday a white-controlled "third force" was aimed at destroying his country's fledgling democracy but said the ANC could "deal with" it.

In his first press interview since stepping down as leader of the ruling African National Congress earlier this week, Mandela told state-owned SABC television that a pro-apartheid "counter-revolutionary" force was bidding to cause chaos in the country.

Anti-government agents were bidding to maintain unfair economic and social privileges for the country's minority white population, Mandela said in the wide-ranging half hour interview.

"I am extremely confident that the African National Congress (ANC) in particular is strong enough to deal with that danger," Mandela said. "But it is good to warn our people."

The interview came after Mandela stepped down as ANC president in favour of Thabo Mbeki, South Africa's Deputy President, who was elected unopposed Wednesday to the governing party's top post.

During the interview, the 79-year-old Mandela lashed out at the country's white-owned media groups, and mainly white political

parties.

But he also painted an ominous picture of his own mostly black party falling prey to corruption and elitism.

Conversion Preferences

~~"Government corrupts and absolute power corrupts absolutely."~~

Mandela said, citing other liberation movements around the world that collapsed under the weight of personal ambitions and graft.

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"These forces are trying to send a message that if the

~~Steps~~ government cannot protect its intelligence community, how can it

protect the country?" Mandela said.

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He added: "If these elements are taking up this attitude now,

when we have completely (broken) down all walls set up by

apartheid, you will expect much more forceful

counter-revolutionary movement."

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The Cape Times Jg..... Nr..... P. 6 Dat. 8 JAN 1998

Frankly, the media should not be condemned

WILMOT JAMES - idasa

LET'S reciprocate the courtesy by responding as frankly to the president's remarks about the media. They were blunt and undiscriminating. They treated the entire media industry as if it were one undifferentiated mass with a single cluster of interests and in possession of an agenda that could be described as seditious.

In his remarks no distinction is drawn between television, radio, magazines, the weekly press and the daily press. There are no subtleties in analysis which recognise the difference between TV the public broadcaster, M-Net and satellite; radio the public broadcaster, private commercial and community non-profit stations.

No differentiating qualities appear to exist between quarterly, monthly and weekly magazines, reaching different markets for different purposes and appearing in different languages or between the weekly and daily press — in whichever language — and the variations in ownership and editorial characteristics.

No acknowledgment is given to the new publishing actors, including Independent Newspapers, Kagiso Trust and Nall; silence on the role Eric Molobé, Cyril Ramaphosa, Ntsho Motlana and Tony O'Reilly played in launching new titles and revamping old ones. How is it possible, one might ask, to gloss over these distinctions?

Perhaps it is as a result of the fact that the president's remarks were crafted out of Shell House, the ANC's headquarters, and not his office — that they were presented to a momentous gathering of the

party thriving on blunt messages; and that the president wanted to present an argument unadulterated by the nuance of nuance.

Although he doesn't say so, it is very clear that the president's remarks were aimed at the press, daily and weekly. The press is told that the work of the

nalists and editors is out of alignment with the national agenda, that there is little if any transformation in ownership patterns and editorial content and that criticism is tantamount to a lack of patriotism.

The overriding characteristic of the remarks is an irritation (anger?) presented in an uncharacteristically (for the president) conceptual and generalised language. It is on this level that a rebuttal to the president's remarks will be offered here, offered in the spirit of constructive debate.

First of all, the media, with the marginal exception of one loony-right publication, has explicitly and implicitly legitimised the ANC-led democratic government. By that I mean an acceptance of an almost taken-for-granted moral authority of a properly elected government representing all of the people of this country.

I cannot think of a single instance where an article or radio broadcast or television programme has questioned the right of the ANC to govern and challenged the means that the electoral authority was obtained. The legitimising of government, of democracy and the rules of justice has been a critical media contribution.

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The Cape Times

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economic organisations, in particular markets, investments, productivity, profitability and labour discipline. These ideas have begun to reign supreme.

There is no doubt that sections of the ANC have been trying hard to keep alive the humanistic, progressive and leftist values part of its tradition, but it is a struggle against considerable global odds. The fact that the president quotes George Soros at length shows the desire for a kinder, gentler, capitalism.

This is not a criticism, for the ANC has constructed a capitalist hegemony as part of an unavoidable historical compromise. Socialism is not a politically achievable alternative — even if some might consider it desirable in this day and age — and the middle road to development is sensibly being pursued.

It should also be pointed out, lest we forget, that the radical voices have largely been silenced, actively by some, but passively by most. Left voices in print disappeared when donor-funded publications ran out of money and South African institutions did not see fit to finance what are, by their nature, unprofitable enterprises.

Perhaps that is the way of the world, but consider how our intellectual life would be improved by having the equivalent of the New Statesman or the London Review of Books or other such reflective, quality, publications of the intelligentsia. We had the basis for these — remember *Work in Progress*? — but they died.

□ Dr Wilmot James is executive director of Idasa.

The president has a point in his impatience with newspapers focusing on the negative and not always displaying the best-quality journalism. Here the detail matters, for some newspapers are better than others; some newspapers get the lives of people in the black townships on to their front pages, others don't.

Newspapers also suffer under the

universal burden of declining and stagnant circulation (in South Africa a striking decline since 1994) and the pressure is on editors to respond in a manner that simultaneously transforms, innovates and keep a watch on the bottom line in what is, after all, a business.

Circulation has improved, which takes some of the pressure off. The newspaper groups have taken major initiatives to improve, by training and scholarship schemes, the quality of the future generations of journalists and it is only a matter of time before the difference these would make will become evident.

My third point is that the newspapers have been government's major allies in forging what one could call a capitalist hegemony. By that I mean placing at the centre of our society our

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The Sunday Independent Jg. Nr. P. 7 Dat. 1 1 1 1988

Only accurate reporting and fair reflection will redeem the press

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As the debate rages about the press and how it should reflect society, and questions of racism in the media are raised by Thami Mazwai and Jon Qwelane, a journalism academic suggests that professionalism is the clear solution. At the bottom of the page, readers respond to allegations about white attitudes that have accompanied the debate

BY PEDRO DIEDERICH

Yet another cascade of words and emotions about the role of the press in this country and the route it should take followed the lambasting of the media by President Nelson Mandela at the recent ANC congress in Mafikeng.

Of particular interest was the article in *The Sunday Independent* (December 21) by John Perlman, a senior writer of your newspaper, deliberating about the "real issues" facing the English-language printed press.

Perlman was at pains to point out that his reflections concerned "the section of the media to which I belong" and I want to commend him for being specific. It is a lesson that must be noted by all those who love to generalise and use shotgun tactics to discredit "the media".

Some startling statements were made in that article, one of which stated that there was "a fresh bout of sulks in newsrooms around the country". This implies to me that there was an expectation in those newsrooms that they would be commended by politicians for their reporting on matters, and that those newsrooms were being influenced by "friendship and fondness" and by the fact of being on "first-name terms" with the politicians.

Haven't most senior journalists in the previous dispensation been on that road before? No wonder Perlman calls for a change of attitude in those newsrooms. This is because it

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they are now sulking and feeling hurt, then it can only mean that they were not practising journalism in the first place.

Perlman's editor does not challenge his journalist's statement and it must therefore be assumed that he was also sulking. By publishing the article, however, he underwrites Perlman's call for a new approach. Good for him.

But this call for a change is not that startling - it is purely what is expected of every journalist and boils down to refocusing on the core elements of complete journalism, which are to inform accurately and reflect fairly.

Following those two rules will bring credibility to any publication and will also create respect for it. Respect for its journalists will follow automatically. All editors should continue to drill and test entire editorial teams in this concept.

A recent poll among South Africans showed that more than 50 percent of so-called black readers believe what they read in South African newspapers. This figure is still much higher than the one for so-called white readers, which stood at nine percent.

Is it going a bit far to deduce that, because of their experience of newspapers in the past - most newspapers were traditionally aimed at the white population - whites rate the credibility of newspapers low?

Taking it further, politics was, and still is, high on all news agendas in

South Africa. Is it because the media failed to inform accurately on what the politicians were doing to the country that the trust factor among whites is so low?

The trust factor among black readers is an asset that the struggling media industry must protect at all costs.

Good journalism is the only guarantee of achieving it. It should be clear that the attacks on the press by President Mandela and other politicians are not going to nurture that trust if they go unchallenged. Every challenge implies a reaction.

And it is here that the media in South Africa must rise to the challenge.

If accused of having a "too white" image, then the South African media must do something about it. If they are charged with "tokenism", then they must get the Cyril Ramaphosas and the Moegsien Williamses to comment. If they are accused of sensationalising the crime problem, then get official and own statistics; run readers' opinion polls, vox pops, phone-ins and so on, to inform and reflect. When rightly criticised for being unprofessional, superficial, sloppy and dull, then the media must change and be more professional, investigative, active and bright. Most important of all: the media must take a stand so that readers can relate to something and get involved.

Every journalist should heed what Perlman wrote: to the streets. That is where the real stories are, where the

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The Sunday Independent Jg..... Nr..... P. 7 Dat. 1 1. 1. 1998

heartbeat of the readers can be felt. It is where a society shows its true colours – and they are not necessarily the rainbow brand.

Every senior editorial member should be sensitive and accommodating to new news angles and news values that will flow from this closer contact.

How many newspapers have done a content analysis of news themes and angles since the changes in society started to take place? What differences can be shown as far as editorial staff, readership, contents and presentation are concerned over the last four years? If there were any changes, how did the readers experience them?

Mandela and the other politicians are right to highlight and constantly probe the role of the press in the transition period. The media must do likewise.

Professional media are the only credible link that exists between the governors and the governed. The soundness of this link and whether or not it is accepted by the public at large will again play a crucial role in the shaping of all our futures.

South African journalists should seize the opportunities and accept the responsibilities that will come with it; however, they can only do so by informing accurately and reflecting fairly.

● *Pedro Diederichs is the head of the department of journalism at the Pretoria Technikon*

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Sunday Times

Jg. Nr. P. 11 Dat.

Attacks on the media a sign of democracy in SA

TENSION between governments of the day and the media is a healthy characteristic of democratic society. It can be argued that without a free and cantankerous press democracy is not possible.

There is, therefore, comfort to be had from the frequent and sometimes quite hysterical attacks made on the media by politicians such as President Nelson Mandela and Deputy President Thabo Mbeki.

There is very little that can be more dangerous to the survival of democracy than a cosy relationship between government and the media, just as good corporate governance is not possible when business and the media get too friendly with each other. There is an echo of PW Botha in demands for a "patriotic" press and journalists should not succumb to such siren calls. There are rare instances when, in clear cases of the national interest for example, the media should co-operate with government.

But by-and-large the relationship between government and the media should preferably be an adversarial one. Newspapers and other forms of media set themselves up with private money to provide a service to a public of voluntary subscribers, readers and viewers. Media owners are in business to make money and, indeed, media companies all over the world have proven to be fine investments.

But media owners must accept that not only they do have profitable investments but also a great public trust and powerful people on all sides competing for their favour. Inevitably, the media

STEPHEN MULHOLLAND
ANOTHER VOICE



owner and manager will be tested and have to make the choice between commercial interests and the good will of the powerful as against the interests of the people.

Kay Graham of the Washington Post faced precisely this challenge when the Watergate story broke in 1972. At stake were not only the advertising revenues of the Washington Post, but its valuable television licences which were in the gift of the Nixon administration. It was made clear to Graham and her people that the government would do everything it could to damage the Post if it continued its investigations. On the famous tapes, Nixon threatens: "Katie Graham is gonna get her tit caught in a big, fat wringer if that's published."

Graham passed the test. Her ad revenues did suffer, but she emerged from the battle stronger than ever and the Washington Post Company flourished mightily. One of the lessons here is that good journalism equals good business, simply because advertisers and readers want credibility and credibility comes from independence.

There is a clear link between democracy and freedom of the press. There is no free press in Cuba from where, just last week, a

national sporting hero defected to the US so that he could "enjoy freedom". To our north the megalomaniac Robert Mugabe fiercely resents press criticism and the major newspapers are nothing but lapdogs. What happens in this situation is that leaders become increasingly out of touch. Their lackeys flatter them, catering to their delusions.

Here there are allegations of a white domination of the media in the interests of the white minority. Mandela has insulted black editors by suggesting that they are merely tokens. I think he is mistaken. He will discover that black editors, under black owners, will treasure and protect their editorial independence even if it means sacrificing their careers. They are the inheritors of a proud tradition which runs deep. Editors, black or white, on proper newspapers, could not function if they attempted to force their reporters and sub-editors to distort the news. The vast majority of journalists would simply refuse to do it and would see to it that all the world knew it. Journalists do not enter their trade for money. As Lord Beaverbrook famously said: "There is one way to make money out of newspapers: own them."

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SUNDAY
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Jg. Nr. P. 7 D. 25 JAN 1998

ANC calculated in approach to media, says head of editors forum

SAM SOLE

Chairman of the South African National Editors Forum, Moegsien Williams, yesterday described president Nelson Mandela's attack on the media at the ANC national conference in December as a calculated attempt to influence the media and gain an advantage for the ANC.

Opening the Sanef founding conference in Midrand yesterday, Williams said: "My personal analysis is that the president and the ANC are calculated in their approach to media.

"This was no random or periodic attack to purge their frustrations with media but an attempt with an election looming to make an impression on media to gain an advantage for the ANC. It makes sense to do

so now when South African media are at their most fluid and more vulnerable than ever before.

"The president's attempts last year to single out black journalists must be seen in the same light: a bid to gain allies by first putting them on the defensive and making them feel they owe a moral debt to the new order in South Africa."

However, Williams, who is editor of the Cape Argus, said he did not believe that black journalists and others had been cowed by the tactics of the president.

"When I look at our newsrooms around the country, I see the emergence of a cadre of young black journalists who are independent-minded and highly professional in their approach. I also see in them the

primary custodians of a free media in the South Africa of the next century."

Sanef, a grouping of print and electronic media editors, will today adopt a constitution and a vision for charting the way ahead for the South African media, particularly in response to President Mandela's speech.

Yesterday Williams said: "It is a response I am hoping will be measured and balanced, candidly introspective, honest about our short comings - yet able to say to the government, organisations like the ANC, and the rest of South African society that our new constitution has granted us an historic role to be the critical watchdogs especially over those who wield power. And that is a responsibility from which we will never shrink."

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THE CITIZEN

P. 9 Dat. 26 JAN 1998

We're watchdogs, editors warn govt

THE SA National Editors' Forum was launched yesterday with delegates promising to support making the media industry fully representative of the communities it served, but they also warned the government they would never drop their duty to be critical watchdogs over those in power.

This was Sanef's response at its inaugural conference in Johannesburg to President Mandela's sharp criticism of the media at the African National Congress's Mafikeng conference last December.

The editors' council of Sanef is scheduled to meet

Pres Mandela on March 13 to discuss the issues.

Among other remarks in Mafikeng, Pres Mandela denounced Black editors as token appointments in a "White" newspaper industry, and said media elements were using the dominant positions they had achieved as a result of the apartheid system - as well as the new democracy - as instruments to protect the legacy of racism.

He also said the media denounced as an attack on press freedom all efforts to insure its own transformation in accordance with a non-racial democracy.

Opening the conference on Saturday, the acting chairman and editor of the Cape Argus, Moegsien Williams, urged Sanef to formulate a considered response to Pres Mandela's criticism, which he viewed as an important contribution to a robust debate on South Africa's media.

"We must accept that the views expressed (at the ANC conference) represent those of a large part of the community.

"This conference must use the president's speech as a peg to take stock of our media and hammer out our vision of media in a democratic South Africa," he said.

Debate on a response to Pres Mandela was prolonged and at one stage centred on whether some of his criticisms were valid and should be acknowledged, and whether others should be rejected as invalid.

An ad hoc sub-committee was then tasked to rework a draft resolution. This was later approved, without further debate, by a unanimous round of applause from delegates.

Sanef said while it had noted Pres Mandela's remarks, as well as other criticism of South African media, "it remains committed to transforming our industry to represent fully the communities we serve.

"We reaffirm that South Africa's new constitution has granted us an historical

role to be critical watchdogs, especially over those who wield power in our society.

The editor of the Sowetan newspaper, Mike Siluma, was elected Sanef's new chairman, with Mr Williams as his deputy and the SABC Radio's KwaZulu/Natal regional editor, Judy Sandison, as secretary-general.

A new constitution for Sanef was also adopted yesterday and a number of resolutions were passed to set the organisation on its chosen path of media transformation and continued defence of the freedom of speech in South Africa.

In his closing remarks, Mr Siluma said the diverse and sometimes conflicting origins of those who now made up Sanef could never be forgotten, but that the new media organisation should be able to ride above these to reach common goals.

The foundation for Sanef was laid at a Cape Town conference in October 1996 where the predominantly White Conference of Editors and the Black Editors' Forum agreed to merge. Broadcast, electronic and magazine journalism representatives also joined - Sapa.

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The Star

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Mandela's media attack to top editors' agenda

By ERIC JAVIYA

The attack on the media by Nelson Mandela in his valedictory speech at the ANC's 50th conference in Mafikeng, North West, will top the agenda when the South African National Editors' Forum (SaneF) meets him in March, according to its newly elected chairman Mike Siluma.

Speaking shortly after his election, Siluma, who is editor of The Sowetan, saw his new post as a daunting task because of the relationship between the media and the Government.

While accepting the Government's right to criticise the media, he felt the robust mud-slinging was not healthy for either party. "We need to develop a mechanism to settle our differences," he said.

A 20-member council of editors which was elected at the launch will meet Thabo Mbeki next month.

Among the key resolutions adopted at SaneF's weekend



Newly elected chairman ... Mike Siluma

conference in Midrand was a reaffirmation that South Africa's new constitution has granted the media a historic role to be critical watchdogs, especially over those who wield power in society.

"This is a responsibility which we will never shirk," the conference said.

Other resolutions taken were:

- To request the president and other relevant government ministries to apply urgent attention to a review of legislation affecting press freedom of expression and freedom of the media.

- To lobby all editors and journalism educators to use their influence to accelerate the transformation of the media and train staff to fairly reflect the demographics of South Africa. The conference resolved that SaneF should become involved in the restructuring of journalism education in the context of the National Qualifications Framework and the Skills Development Bill.

The conference supported the concept of an independent media development agency to assist emerging media.

SaneF said it would work with organisations like the National Community Media Forum and the Independent Media Diversity Trust, to lobby the Government for these changes.

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Press freedom

THE public lambasting of the press delivered at the ANC's Mafikeng conference by outgoing party leader President Mandela may actually have encouraged the emerging consensus evident at the recent meeting of the country's press editors. Both black and white editors, whether from "establishment" or "struggle" newspapers, have moved closer to an understanding of the need for the press to be independent of the government of the day. This common view reflects the conviction that at the heart of any democracy lies a free and responsible press which is able to exercise a critical function in assessing government decisions.

There has also been a rejection of generalised criticisms made of the press. Blanket condemnations, whether from Mandela or anyone else, are singularly unhelpful, and do little to win journalistic sympathy. The press, like any other institution in a democracy, is not above reproach, but it does take seriously its role as a moral conscience, and is concerned with the standard of professionalism shown by its writers and staff. Mechanisms exist whereby aggrieved parties can make their complaints known, whether through the newspaper ombudsman, or through the courts. In the first instance, a direct approach to the newspaper concerned usually ensures that errors can be corrected, and the record put straight.

Ultimately, undermining the effectiveness of the press destroys the constitutional freedoms that all South Africans are learning to value.

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Comment

THE MEDIA: REMEDIES NOT JUST CRITICISM

No magic blueprint for journalists

DN 05.02.93



A healthy scepticism, as opposed to cynicism, will go a long way to restoring journalism to an honoured position in our society, writes Group Parliamentary Editor ZUBEIDA JAFFER.

WE FILED into Room G26 to hear the Speaker of the House, Dr Frenk Ginwala, outline the plans for this year's first session of Parliament to be opened tomorrow.

Every seat around the heavy horseshoe-shaped table was taken as the parliamentary press corps listened in anticipation. Some journalists ended up standing, three were squeezed together at a small square table.

They represented most of the major media operations in the country – the English, the Afrikaans and the electronic. These men, and a handful of women, have the job of keeping the public informed about the health of the Government.

Ideally, they resemble the mbongis and court jesters of old who were expected to both praise and criticise their societies and rulers. It is on their skill that the nation will depend to help it understand the progress or lack thereof in our new democracy.

Such a major responsibility calls for self-reflection. It is the journalist who must seek balance in a year which threatens to be characterised by extremes and absolutes as the country moves towards the next

election. To do our job we have to move away from the assumption that either white is right or black is best.

We have to find a way to see and hear beyond colour and political party. Looking around that horseshoe-shaped table, I realised that this will not be an easy task. For so long we have been trapped in different camps, coming from vastly differing experiences.

We need first to understand where we come from, to acknowledge the divide, so that an appropriate bridge can be built to help us reach out to one another.

We may each have our own political views but, in the end, we have a professional obligation: to provide information within a context which will deepen the knowledge of citizens and communities – a knowledge which should move many of us towards recognising the greater wisdom that we are all intimately con-

nected; towards recognising that the survival of each one of us depends upon the survival of the other.

The English would express it in the saying "No man is an island unto himself". But there is a Xhosa proverb closer to home which says "People are people through other people".

There is no magic blueprint which guides journalists. The new Constitution, however, provides invaluable parameters.

In embedding our freedoms and curbing potential excesses, it is a guide that can lead us through the difficulties which we need to face together, so that we can bequeath to our children media institutions which can protect the hard-won freedoms which so many fought and died for.

It is tough to have to perform a function in society which is subjected to constant criticism. The media

becomes the natural scapegoat when blame must be apportioned for some or other societal problem. However, it would be foolhardy of us to ignore some of the criticism.

The difficulty facing the profession is how to move beyond bombarding the public with just the short snippets of spicy, negative news.

We seem skilled at raising people's anxieties, but we do not leave them with much sense of hope or remedy.

If we are not careful we may find ourselves in the untenable situation in which American journalism finds itself.

Several national polls in the US show widespread distrust of television and newspapers. A recent poll by the Times Mirror Centre for the People and the Press found that 71% of Americans think the press "gets in the way of society solving its problems".

A healthy scepticism is what won our profession a revered position in history. Yet journalistic cynicism and negativism is of another order. Knee-jerk cynicism is not a shield that protects the public from scoundrels, but a virus that is transmitted from the newspaper page and

television screen to the public, and which could eventually contribute to the decline in faith in our democratic institutions.

A sharp scepticism – the mark of traditional journalism – will go a long way to restoring the profession to an honoured position in society. The public must know that journalists will ensure that society is open and not shrouded in secrecy.

We have ample precedent for this in South Africa. It is not as if we are without appropriate role-models. The great Mr Drum, Henry Nxumalo, who was mysteriously killed; Percy Qoboza; Ameen Akhaway, who we lost this week; Sophie Tema; Rykie van Reenen; Ruth First and Tony Heard were all fearless, independent and deeply engaged with the problems of our country.

They and many others provide journalists with beacons of light to help us navigate the tough tasks we face as we try to rebuild our country.

We have the choice of throwing up our arms in despair or of rolling up our sleeves and getting on with the job.

None of us is perfect. We will make mistakes. But let it never be said that we refused to try.

JAUNDICED EYE

The Salisbury Page 07.02.98

WILLIAM SAUNDERS- MEYER

Sunny skies journalism is not the answer

Poor Nelson Mandela. This week he was the victim of the primal rhythm that drives much of modern journalism

IT IS the rhythm to which all public figures are exposed and which moves slowly but irresistibly from obsequious foot-kissing to belligerent head-butting. (Metaphorically speaking, of course.)

The result is a mad dance between media and megapersonality, alternating between infatuation and repulsion, and back again.

Veteran British political commentator Brian Walden described Mandela as "incompetent, amateur and feckless". In a BBC programme, Walden concluded that Mandela did not deserve to be called a hero, since his record, in and out of office, was "one of misjudgment and failure".

This is all boldly stated, but hardly remarkably insightful stuff. Over the past two years there has been a trickle of assessments that have been critical of Mandela's performance in one or



MANDELA: A change from the pompous politicians

rican National Congress supporters.

It took the supposedly feckless Mandela himself to empty the tea cup.

With the humility that has become his trademark, he gently pointed out in response to the frenzy of requests from the media for comment, that anyone should make their own assessment of any individual. He said it had always

viously it has been so uncritical the change caused general consternation.

Zubeida Jaffer, the new group parliamentary editor for Independent Newspapers, argues the point in a recent article in the group's papers. While a healthy scepticism is essential to journalism, she warns against "journalistic cynicism and negativism".

aise of disenchantment, in which so many non-black South Africans are wallowing, is rooted in the steady stream of depressing "snippets of spicy negative news". Also, she points out, it has resulted everywhere in a decline of faith: 71% of Americans think that the media "gets in the way of society solving its problems".

What is worrying is what many will be eager to extrapolate from Jaffer's argument - the social engineering dream of creating a Utopia with the assistance of a pliant and "positive" media, which will always seek out the sunny side.

This country has already walked that route and it led us into 48 miserable years of apartheid.

While President Mandela is generous in his dismissal of personal criticism he, like every politician, believes that on other issues the media is too critical, too negative, and should be "more constructive".

Those 71% of Americans are right. The media does get in the way of society solving its problems. But that is inevitable. Politicians also get in the

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This is all boldly stated, but hardly remarkably insightful stuff. Over the past two years there has been a trickle of assessments that have been critical of Mandela's performance in one or another sphere.

Nevertheless, Walden's words of fear and loathing were headline-making stuff. Here was one of Britain's big-name journalists and a former Labour member of parliament, *no* pointing out that the emperor lacked clothing.

It was also such a contradiction of the prevailing opinion of international journalists regarding President Mandela, most of whom have dribbled and drooled over him as if canonisation were imminent, that it sparked a minor storm of protest in the House of Commons.

And in South Africa, too, it provoked disbelief and irritation from some Af-



MANDELA: A change from the pompous politicians

rican National Congress supporters.

It took the supposedly feckless Mandela himself to empty the tea cup.

With the humility that has become his trademark, he gently pointed out in response to the frenzy of requests from the media for comment, that anyone should make their own assessment of any individual. He said it had always bothered him that some individuals were elevated to the status of demigod, since if treated as a saint one was likely to disappoint.

What a change from the pomposity of most South African politicians. It is, for example, difficult to imagine Chief Mangosuthu Buthelezi reacting with equanimity to such robust remarks as Walden's. The more usual response is a string of angry rebuttals and even the occasional implied threat.

However, Mandela's refreshing response should not allow the media entirely off the hook. The problem is not that the media has suddenly been critical of him, but rather that pre-

viously it has been so uncritical the change caused general consternation.

Zubeida Jaffer, the new group parliamentary editor for Independent Newspapers, argues the point in a recent article in the group's papers. While a healthy scepticism is essential to journalism, she warns against "journalistic cynicism and negativism".

These are qualities, she writes, which do not shield the public from scoundrels, "but a virus that is transmitted from the newspaper page and television screen to the public and which could eventually contribute to the decline in faith in our democratic institutions".

She believes that the journalistic profession has to move beyond "bombarding the public with just short snippets of spicy negative news", since "we seem skilled at raising people's anxieties, but do not leave them with much sense of hope or remedy".

It is difficult to argue with this. It is doubtless true that much of the mal-

aise of disenchantment, in which so many non-black South Africans are wallowing, is rooted in the steady stream of depressing "snippets of spicy negative news". Also, she points out, it has resulted everywhere in a decline of faith: 71% of Americans think that the media "gets in the way of society solving its problems".

What is worrying is what many will be eager to extrapolate from Jaffer's argument - the social engineering dream of creating a Utopia with the assistance of a pliant and "positive" media, which will always seek out the sunny side.

This country has already walked that route and it led us into 48 miserable years of apartheid.

While President Mandela is generous in his dismissal of personal criticism he, like every politician, believes that on other issues the media is too critical, too negative, and should be "more constructive".

Those 71% of Americans are right. The media does get in the way of society solving its problems. But that is inevitable. Politicians also get in the way, so does organised religion, the aged, the unemployed, big business and every entrenched sector of society, which is jockeying for advantage. It is the nature of society.

The answer is not to have a sunnyskies journalism. The answer is to have an informed, critical media that will sift, report and assess without fear or favour, or following fads.

Of course, such a critical media does not exist anywhere in the world, as the Walden episode demonstrates.

And nor will it ever occur while the media indulges in its orgasmically rhythmic couplings and uncouplings with personalities.

MEDIA IN DESTABILISATION PLAN: MANDELA

President Nelson Mandela has repeated his claim that sections of the media are part of a campaign to destabilise South Africa.

In an excerpt of an interview broadcast on SABC television news on Sunday evening he did not say what media organisations these were.

However, he did say that many political commentators - again unnamed - were also part of the campaign.

Mandela made similar claims in his marathon valedictory speech to the African National Congress' conference in Mafikeng in December, when he stepped down as the party's president.

In an edited version of the interview broadcast after the news, Mandela said the difference in tone between his Mafikeng speech and his relatively conciliatory opening address to Parliament on Friday was due to the fact that in Mafikeng he had been saying goodbye to a political organisation in his capacity as its president.

"There were certain observations of which I felt very strongly, and I had to express myself very clearly, both in regard to internal issues as well as external," he said.

"There is nothing I value as much as being plain when I discuss problems." Parliament was a different body. He had had to give it a report on what the government had done, its successes, weaknesses and mistakes, and deal with people's exaggerated expectations.

"It is necessary when you are handling such issues, briefing the entire country, to adopt a tone where people can listen to you," he said.

Asked whether he would step down as president of the country just before, or after, the 1999 general election, he said he was a servant of the ANC, and the ANC would give him instructions on what he should do.

"As far as I understand, the programme is that I should go on as before. I will take part in the campaign for the next election."

Mandela also said the government was looking forward with confidence to the future. South Africa was part of the globe, and its future would be determined by what happened in the rest of the world.

He said the security forces were doing a wonderful job in fighting crime.

Asked how he would like future generations to remember him, he said: "I would rather avoid that. It is better to leave people themselves to remember you. Let history judge you. My personal wishes in that regard are irrelevant."

@ SA MEDIA IN PROCESS OF TRANSFORMATION

by David Ball

GRAHAMSTOWN - (ECN Friday February 20, 1998) - The South African media under apartheid was "fundamentally flawed" and was now undergoing "a process of immense turmoil and transformation", said John Battersby, editor of the Sunday Independent.

Battersby, together with Cape Times editor, Ryland Fisher, and Daily Dispatch editor, Gavin Steard, were addressing over 500 journalism students at Rhodes University.

Battersby said a lot of the government's criticism of the press was "valid", such as criticism about the lack of "quality and professionalism" in newspapers.

He said politicians "had a right and should criticise the media".

Battersby said the Sunday Independent's goal was to "be part of the process of creating a national consensus" in the new South Africa.

"This doesn't mean sacrificing the freedom of the press or freedom of expression."

He said South Africans need to reach a national consensus "about what happened in the past and what to do in the future".

Battersby said the Sunday Independent is different from other newspapers because it "doesn't carry any baggage from the past" because it was established in 1994.

Ryland Fisher, editor of the Cape Times, said the press is still mostly run by whites and that management positions are held mostly by males over the age of 40.

Fisher, 37, said that as a young editor he and his editorial staff were "not scared to take risks" at the Cape Times.

He said one of the biggest challenges facing him was to "get young people back into reading papers". - ECN

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Business Day Jg..... Nr..... P. 2 Dat. 18 FEB 1998

Lack of black language press impedes participatory democracy

Pule Molebeleli

THE absence of black language newspapers in SA, where more than 75% of the population did not speak English, was a major hindrance to participatory democracy, Winnie Madikizela-Mandela said yesterday.

Speaking at the Johannesburg Press Club, the African National Congress women's league president accused the press of failing to strike a balance between a "dying" European conservative liberalism and an assertive, emerging "African renaissance".

She said the media had become an impediment to an African renaissance. "It lacks sensitivity and is out of context with the majority it purports to serve."

Madikizela-Mandela said the local press, which she characterised as a bad imitation of British papers, needed urgent introspection followed by radical transformation if it was to play a meaningful role.

She cited the SA Broadcasting Corporation as an example of media used by the previous National

Party government to manipulate opinion, and said the corporation was now grappling to define its independence from the new rulers.

Madikizela-Mandela said the local media always cried for freedom of the press but never for responsibility, objectivity, sensitivity, thorough investigative journalism or analytical and informative reporting.

The press was correctly seen to be still loaded with the white supremacist agenda of the past, she said.

She warned that as long as editors remained loyal to political parties and their ideologies and were controlled by the business sector, the sword would remain mightier than the pen in Africa.

Editors needed a paradigm to develop a free, objective, investigative press rather than the current diet of superficial analysis and sensationalism.

She said the media was the silent but powerful government that controlled individuals and shaped ideas. The media raised the level of people's conscience by reporting on abuse of rights.

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Business Day Jg..... Nr..... P...13... Dat.....

Press freedom is one of the freedoms ANC fought for

ANC KwaZulu-Natal spokesman **Dumisani Makhaye** replies to criticism of his party's dealings with the media

AFTER reading the article, Government needs balanced approach to media, by Business Day's political editor Drew Forrest, I was reminded of the saying: The guilty are afraid!

There has been a systematic distortion of President Nelson Mandela's speech at the African National Congress (ANC) Mafikeng conference. Let Madiba speak for himself. "We have to confront the past three years, the matter has become perfectly clear that the bulk (not all) of the mass media in our country has set itself up as a force opposed to the ANC."

Madiba and the ANC have not and cannot paint the entire media with the same brush. Indeed, among the great leaders of the ANC were those who emerged from the ranks of journalists. Why should Forrest think that the ANC's criticism of some sections of the media is aimed also at Business Day? Why can't Business Day count itself among the few exceptions? The guilty are afraid!

The ANC delegation to the meeting with Business Day was not told that the content of that meeting was going to be public. Yet the ANC is not afraid of public scrutiny. What we insist on is that once we decide to go public, all the facts must be put on the table.

In our encounter with Business Day, there were many disturbing utterances — especially from Drew Forrest.

From the start of the meeting, it was pointed out to the Business Day delegation that the print media had very little influence on the ANC constituency; that any reader who believed the print media editorials was not likely to vote for the ANC and that in 1994, the ANC did not receive more than 62% of the vote because of the media. Indeed, the ANC got its majority not despite its vilification by the media but precisely because of that vilification.

We also pointed out that the media does not need the ANC to survive. It is financially strong enough on its own, although it lacks credibility. Therefore they must both exist and not try to destroy each other.

The ANC will continue championing the freedom of the press even for counter-revolutionaries planted in the media to resist the process of decolonisation and deracialisation.

To us, freedom of the press is

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not a matter of political expediency but of principle. It is part of greater freedoms we were ready to sacrifice our lives for. For the media to thrive in SA, it must not demand more or less rights than an ordinary citizen. Madiba says: "We must also reaffirm our commitment to the freedom of the press and demonstrate this in all our practical activities."

Forrest claims to be concerned about the freedom of the press. It is not the ANC that will destroy press freedom. The credibility of the media will depend on the media itself. The concept of freedom of the press is not an abstract one. It arose, grew and has always been related to that media which champions the interests of the new, democratic and progressive. It never relates to that media which represents the interests of the old, despotic and dying.

It would indeed be strange if communists and Jews exterminated by the Hitler regime demanded freedom for the propaganda machinery of Josef Goebbels. Concretely, in SA it should refer to that section of the

media that champions the process of decolonisation and deracialisation. Unfortunately, the bulk of the mainstream media stands in direct conflict with this process.

The major complaint of the ANC about the establishment media in SA is not really that the media is anti-ANC. All over the democratic world there are media organisations that will be against this or that party.

The major problem is that the bulk of the media in SA is colonial and racist. It behaves exactly as the French media behaved towards liberated Algeria in the 1960s. The ANC becomes the primary target only because it is the only party capable of completing the process of decolonisation and deracialisation.

As to the deracialisation of the media, we invite Forrest to visit the editorial boardrooms and newsrooms of major news organisations. In terms of racial composition, they are not different from the editorial board of Der Spiegel in Germany or Le Figaro in France.

Forrest accuses the ANC of

referring to the media as counter-revolutionary. The ANC uses this concept in its widest sense. Just like not all revolutionaries had to carry an AK-47 against apartheid, not all counter-revolutionaries will bomb public places. It is sufficient just to be a counter-revolutionary. Just like in revolution, the art and science of counter-revolution lies in the skilful combination of legal, semi-legal and illegal methods.

In this regard, the bulk of the media — having realised the weakness of fragmented opposition offered by parties of white privilege — has constituted itself into a counter-revolutionary political force.

It hides its counter-revolutionary activities behind the smoke screen of the freedom of the press.

It is unfortunate that Forrest and some white editors are today pretending to be the real defenders of some black journalists.

Our memories are still fresh of the fact that those Africans that were the darlings of whites were indeed those who were puppets in the bantustan administrations and urban bantu councils whose task was to legitimise white privileges. We also know that the shortest route to promotion in the SA media is determined by how anti-ANC one is.

We agree with Forrest when he says: "The challenge for the media groups is the more rapid advancement of blacks in the editorial and business management of newspapers." But we also say SA does not need more black journalists whose task would be to assist in maintaining white privileges. Fortunately, many black journalists have liberated themselves from the yoke of white supremacy.

The unsolicited advice from Forrest to the government and ANC to "make it a condition of employment that spokesmen should like journalists" is laughable. Most ANC spokesmen are able to articulate problems in the media precisely because they are relatives and friends especially of black journalists who cannot complain to their white managers for fear of victimisation.

Just last week I spoke to an African journalist who was complaining about his white editor who complains bitterly whenever he has not used the entire statement from the Democratic Party.

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INDEPENDENT online

The Star

April 6, 1998

Fair shake from media is wanted

Reporting on government is too often negative and achievements ignored, says Ngoako Ramatlhodi

During the past weeks the South African public was almost buried under an avalanche of reports, rumours, half-truths and gossip following the arrest of Robert McBride in Mozambique. Some of these reports may be true, but it is unlikely all of them are.

One can rightfully ask: what happened to critical analysis? What happened to verification of facts? What happened to independent sources?

And will the findings of the Government-driven inquiry receive the same prominence in the newspapers as did the original allegations? Or will they be buried deep inside the pages? And what about the individuals who were tainted and humiliated by these allegations?

Will they receive apologies or compensation or will the media simply declare it an "occupational hazard" of holding public office?

A similar disturbing trend is discernible in the reporting - or, rather, the under-reporting of Government initiatives or successes. Most of the attention is given to the failures and the perceived failures of certain projects.

We in Government are not blind to our mistakes. We do not deny that there are examples of serious mismanagement and often of corruption.

But for the media to report these cases without putting them within a historical context is to deprive readers of a vital frame of reference. It is widely reported that the Northern Province government is engaged in a very difficult process to close its financial books of the past four to five years. We have been roundly condemned by the opposition and the media for a process that is taking very long to achieve.

But the context of this process is seldom explained. Our biggest critic, the National Party, in the dying days of apartheid, sent in a crisis team to place the former Lebowa government under emergency control. They created and perfected corruption in the Bantustans which we inherited. But we are expected to sort out almost half a century of graft and theft and systematic pillage of the state coffers in less than four years.

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There are certain publications and individual reporters who do an excellent job in reporting on provincial issues but, on the whole, provinces are most often merely portrayed as dark holes of corruption and mismanagement.

but this refers to op-ed

POINT: No dist. commensates reporting

The Minister of Health is being criticised for her efforts to make services more accessible to the majority of the population and to bring down the cost of care. In the media this is regularly condemned as "Zuma's socialism" or a "heavy-handed attempt to push reform down the throats of consumers".

Every day there are patients dying in hospitals or on operating tables. In most cases these deaths - tragic as they all are - are either ignored by the media or treated as unfortunate. If, however, the physician concerned happens to be a Cuban doctor it becomes a crisis of national importance. Suddenly it becomes another example of the alleged failure of the Government's health policies.

Has anybody in the media taken the effort to examine the reasons why Cuban doctors had to be recruited? In which areas they are deployed? Why South African trained physicians are not available to render services in these areas? How many thousands of people are being touched by the work done by these doctors?

Every day in villages and towns across the country millions of people now have access to clean water and sanitation after being neglected for decades. Hundreds of thousands now enjoy the good fortune of having a clinic or a medical centre within walking distance. Despite deficiencies in the delivery of services, thousands of pregnant mothers and young children have access to free health care; thousands more are entering our school system; millions have access to power and phones.

Is this reflected in the South African media? Are the voices of ordinary people, whose quality of life has seen a significant improvement over the past four years, being heard?

entaries in

In the past two weeks two of the country's most influential journalists questioned whether transformation in South Africa would not have been achieved in a more clear-cut manner if apartheid had been defeated through struggle and revolution rather than through negotiations. They both referred to the Vryburg and Sarfu fiascos to make their point.

If respected moderate voices such as Aggrey Klaaste and Mike Siluma raise these issues in public we should take notice of the fact these are the questions being asked within many communities.

fication

We in government are not asking for "sunshine journalism" or "sweetheart reporting" where only the successes are highlighted and the failures ignored. What we want is a balanced view of what government is trying to achieve and what it has, indeed, achieved.

Ngoako Ramatlhodi is premier of the Northern Province. This is an edited version of a speech made last week

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The Star

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Trying to muffle the watchdog

Northern Province Premier Ramatlhodi misunderstands the role of the media, writes Nanga Lidovho

On Monday April 6, The Star published an opinion by the Premier of the Northern Province, Ngako Ramatlhodi, criticising the media for negative reporting on the Government while ignoring its achievements.

Ramatlhodi is a jurist and one can safely assume he got his law degree without a single course in journalism. That is the reason he should be forgiven, for he seems to have everything wrong. The media is not Government's lapdog.

Ramatlhodi begins with the arrest of Robert McBride in Mozambique. He argues that after his arrest the public was buried under an avalanche of reports, rumours and gossip. But he performs *hara-kiri* when he concedes some of the reports may be true.

The premier will surely agree that his arrest was a good news story. Robert McBride is no ordinary labourer. He is a highly placed Foreign Affairs official. He is a public figure and since this episode comes after the infamous Meiring report

into the alleged coup which also implicated him, it is even bigger news.

During these episodes, national Government, whose brief Ramatlhodi surely carried, kept quiet. The Meiring report had to leak before Government reacted, and it dilly-dallied before dissociating itself from McBride's now so-called personal venture. This made bigger news. The damage was done and the Government had to limit the damage.

It seems it will take the Government some time before it learns to avoid being caught with its pants down. If the media does not get formal briefings on issues, it will speculate and feed on rumours which, being almost always sensational, sell. The ANC should have learnt this by now.

Ramatlhodi moves towards the abyss by pre-empting what President Mandela was going to do with the Mahomed Commission report which considered the validity of Meiring's report. Not pausing to reason that a report on in-

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The Star

Jg..... Nr..... P..... Dat..... 22 APR 1998

telligence issues might be declared too sensitive to be issued to the media and general public, he calls on the media to apologise or compensate those tainted by the allegations when the Mahomed report is made public. This seeming naivety from a provincial leader is unforgivable.

Ramathodi has been in the provincial office for too long not to know that independent media are not there to sing success stories of the Government, if those stories are there at all. The media is a watchdog in the employ of ordinary citizens and it will be a disservice to the country were the media to be what Ramathodi envisages.

The premier's plea for the media to look at the government's failures in an historical context is very disturbing. The premier surely does not expect to have his cake and eat it.

The premier, as expected, finally falls into the abyss of trying to come to the defence of his grossly incompetent and maladministered province. Here too he starts blaming history and apartheid for

its failure to close off its financial books of the past four to five years.

The premier should explain to citizens what purchasing an unevaluated building worth R8-million for R18-million has to do with apartheid. He must also explain what theft and pillaging of school books worth thousands of rands by senior officials has to do with apartheid. He needs to explain the failure by his administration to account for millions of taxpayers' money since coming into office.

It is a fact that most civil servants who were left in Thoboyandou and Giyani during the rationalisation process in the Northern Province are confused and frustrated by the apparent lack of direction and sound leadership in the province. Many report for work, if they report at all, and go home. Some reportedly don't even report to work but still receive their salaries every month, at the expense of the taxpayer.

Ramathodi's concern that the media

is not reporting about the provision of clean water, free health care, power and phones gives the impression that the government might be doing the communities a favour by providing basic necessities. What the people are saying through the media is that what you think you are doing is but a fraction of what is expected of you.

Ramathodi proceeds deeper into the abyss by picking two "moderate" journalists - Mike Siluma and Aggrey Klaaste - arguing that government would take notice if they were raising these issues. The premier now elevates himself to a community representative, nominating two journalists as community spokesmen without a brief from the community. The National Party in the province has called Ramathodi "an autocrat" and people have been trying hard to dismiss it as another noise from the Right. If media reporting has been too negative, surely Ramathodi and his government would have resigned long ago.

■ M N Lidovho is former PAC secretary for legal and constitutional affairs.

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CAPE ARGUS

Jg..... Nr..... P.6..... Dat.....

29 APR 1998

Editors ask Mandela to axe Nat press law

POLITICAL STAFF

Newspaper, radio and television editors have urged President Mandela to remove from the statute books restrictive apartheid-era legislation which impinged on press freedom.

A delegation from the SA National Editors Forum (Sanef) which met Mr Mandela in Cape Town yesterday argued for the removal of Section 205 of the Criminal Procedures Act.

Mr Mandela and the editors agreed that a special meeting would be held with Justice Minister Dullah Omar and Safety and Security Minister Sydney Mufamadi to discuss the legislation in question.

The section was used by the

apartheid government to force journalists to disclose their sources.

Many black journalists have spent time in detention after refusing to disclose sources.

Recently, police in the Western Cape threatened to invoke Section 205 to force journalists to disclose information relating to the gruesome murder two years ago of Hard Livings leader Rashaad Staggie.

In its submission to Mr Mandela, Sanef said Section 205 was in conflict with the media freedom clause contained in the constitution. The editors also inquired about progress with the Open Democracy Bill.

Editors who attended the meeting described it as a frank and cordial exchange of views.

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The Daily News

Jg. Nr. P. 2 Dat. 29 APR 1998

Editors Forum raises concerns

DAILY NEWS CORRESPONDENT

CONCERNS about restrictive legislation, including the "disclose your sources" section of the Criminal Procedures Act, were raised with President Mandela by a delegation from the SA National Editors' Forum.

The delegation of more than 20 members met President Mandela for the first time since the forum was officially launched in January.

The forum represents South Africa's most senior print, magazine, broadcast and other electronic media editors and media educators, and delegates included Mathatha Tsedu of the Sowetan, editor of the Cape Argus Moegsien Williams, Phil Molefe of the SABC and chairperson of forum's council Mike Siluma.

KwaZulu-Natal was represented by Sanef secretary-general Judy Sandison, regional editor SABC radio news, and council member Mary Papayya, of East Coast Radio News Watch.

After the meeting, Mr Siluma said the delegation had raised editors' concerns about restrictive legislation that remained on the statute books and which was in conflict with the media freedom clause in the Constitution.

Informants

This legislation included Section 205 of the Criminal Procedures Act, the so called "disclose your sources" clause which can be used to force journalists to name their informants.

The legislation was highlighted when an attempt was made to use it to obtain information from journalists following the the shooting and burning of Hard-Livings gang leader Rashaad Staggie in 1996.

During today's meeting it was agreed that a special meeting would be held with the ministers of Justice and Safety and Security to discuss all the legislation.

The delegation also presented President Mandela with a copy of the key resolutions passed at the forum's launch conference. These were:

- leading the debate on issues affecting the media and society as a whole;
- developing and defending the integrity and credibility of the industry and profession;
- forging links with like-minded groups in South Africa, Africa and the world;
- representing the profession on legislative and restrictive issues;
- striving for professional excellence; and,
- a recruitment drive to ensure the forum represented the full spectrum of its industry segment.

Mr Siluma said there was a frank and cordial exchange of views and President Mandela emphasised that government regarded the media as a pillar of democracy and that government had no intention of censoring the media.

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CAPE ARGUS

Jg. Nr. P 7 Dat.

Entrenching press freedom

YESTERDAY WAS INTERNATIONAL PRESS FREEDOM DAY
BUT IN MANY COUNTRIES FREEDOM OF THE PRESS IS
UNDER GREATER THREAT THAN EVER BEFORE

International Press Freedom Day is not a familiar event in the lives of most South Africans. Until four years ago, the country's press had endured decades of official restriction on what it could impart to the public and if the day was remembered at all, it was with a sombre recognition that even tighter controls were but an imperious signature away.

South Africans have much to be grateful for. The Government says it is committed to the principle of press freedom and the press now functions with a greater degree of freedom than it has ever enjoyed.

But there are two major areas of concern. One is the imperfect grasp of the role of the press by government and some segments of civil society, the evidence of which lies in sometimes uninformed and unfounded criticism. Another is the fact that while the country grapples with the need for fundamental change, the South African press is faced by its own commensurate challenges of transformation.

Press freedom can best be advanced by an earnest effort by the press to make itself a vital and respected part of the emerging new society. This entails producing newspapers of such quality and relevance that to curtail their freedom would be to invite public outrage.

To this end a vigorous and sometimes difficult process of transformation is under way on most South African newspapers. A new and independent-minded cadre of journalists is beginning to emerge and the internal structures of newspapers are increasingly corresponding to the structure of the society they serve.

At the same time there appears to be a growing recognition in government that some degree of discomfort in the relationship between government and the press is endemic, if not vital, in all real democracies.

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THE LOOKING-GLASS WAR

Leadership Magazine, Special Edition May 16

As elections approach, the press will have to brace itself for more pressure from government over its own transformation and the way it reflects society. But rational dialogue must not surrender to constant finger-pointing.

By Kaizer Nyatumba

Over the years, South Africa has been a subject of intense fascination for many people around the world. There were those who followed events here very closely, wondering when and how the evil that was apartheid would end. There were not many in the civilised world who sat on the fence when it came to the abomination of apartheid. It is fair to say that the overwhelming majority would have been implacably opposed to it, although there were, no doubt, minorities in countries in the west who secretly applauded the National Party's social engineering.

Others who had better things to do than follow the mad politics of race in a distant country somewhere in Southern Africa were people who knew vaguely about South Africa and its system of apartheid without taking an active interest in the country and its affairs.

Just as South Africa has been in the public eye over the years, so, too, has the country's media. Not surprisingly, the country's press was itself divided along racial lines. There was the white, Afrikaner press, for which black South Africans did not exist except as a problem; there was the white, English press, sections of which denounced apartheid in pious editorials but silently thanked the Nats for apartheid; and then there was the so-called black press, which was solely dependent on white capital and concerned more about sport and crime.

Of course, as in other spheres of South African life, there were also notable exceptions in the media, with some publications and individuals standing out as courageous, crusading and truly independent. Sadly, such exceptions were few.

That, I know, is in the past, but it is important to understand the past and the present if one is to anticipate the future. Where, then, are we in the media today?

Sadly, there is not likely to be consensus on this question among people in the media, depending, to an extent, on race. It is sad but true that even in present-day South Africa, three and a half years into our democracy, most blacks and whites - including those in the media - still see things from dissimilar vantage-points and, therefore, differently. I referred to some of the criticism which had been levelled at the media, particularly the press, in a paper I was asked to deliver on "The Role of the Media in Consolidating Democracy" at a conference in November 1996. I pointed out that a host of influential people, including Deputy President Thabo Mbeki, had often said that this very press which ought to be a big mirror to our society in transition had been painfully slow when it came to transforming itself. I mentioned that it had been said the majority of those who shaped opinions and made decisions on most of the country's newspapers remained white males who shared a similar background and life experience. I added that it had been argued that this unhealthy situation could not but influence the decision-making process and the way things were seen, reported and interpreted.

"Now", I continued, "all of these things are true. It is indeed true that we in the media are very good at dishing out criticism but at times tend to be hyper-sensitive to that criticism when it is levelled at us. We are, in my view, presently ill-suited, in our present form, to play the role we should play as a watchdog over government, for criticism emanating from our ranks is seen as coming from a predominantly white institution that has yet to be transformed."

"It is true that the media in South Africa has yet to undergo real transformation. This must of necessity undermine the role the media can and should play in the consolidation of our democracy."

Over a year after these observations were made, the situation in the media has not changed much. Of the many formerly "white" English newspapers, only four are edited by blacks (Moegsien Williams at The Cape Argus, Ryland Fisher at The Cape Times, Dennis Pather at The Daily News and myself at the Saturday Paper). All are in the Independent Newspapers stable. Seven have black deputy editors (Mike Robertson at the Sunday Times, Dennis Cruywagen at The Pretoria News, Nazeem Howa at The Star, Shami Harichunder at the Sunday Tribune, and Sipho Ngcobo at Business Report). Significantly, in a country with an overwhelming African majority, only one formerly "white" newspaper has an African editor, and Ngcobo is the only African deputy editor on such daily publications.

Not only that. Even where the newspapers have a black editor or deputy editor, the majority of the second layer of leadership immediately below them is white. A black editor or deputy editor therefore finds himself surrounded by a sea of white faces, is completely outnumbered by them, and his contribution cannot but be limited.

Obviously the situation now is much better than it has ever been, but nevertheless remains far from ideal. For as long as this abnormal situation remains, especially with the gross under-representation of Africans in such top editorial positions, accusations of lack of representativeness will continue legitimately to be levelled at the media, particularly the press, in the new South Africa. Rightly or wrongly, such a press will be vulnerable to accusations that it reflects a certain mindset and is therefore unable to appreciate fully the challenges facing the black government and report accurately on our fledgling democracy.

Criticism from white editors and commentators is dismissed easily as coming from "a white-controlled and white-dominated media", and from the few senior black journalists as coming, as President Nelson Mandela said a year ago, from "peace-time heroes", ambitious individuals courting promotion and who have therefore sold out.

The situation is not helped by the fact that recently tensions have arisen between some senior African journalists and their white counterparts. In the past seven months or so Mafube publisher Thami Mazwai and his editor-in-chief Jon

above official canon

Qwelane, prominent journalists both, have launched blistering attacks on the "white media" and implied that such media had hidden agendas when reporting on the ANC-led government. An incensed Mazwai even resigned from his position as chairman of the year-old South African National Editors' Forum. Eminent black intellectuals like Professor William Makgoba also entered the fray to question the pace of transformation in the media as well as their willingness to report accurately on present-day South Africa.

Before we take a look at what is likely to happen in future, let us first reflect on what exactly the media's role is supposed to be in this time in our history. To my mind, that role must of necessity be to empower the public to make informed decisions by providing it with accurate and reliable news; to serve as custodians of the country's constitution and as watchdogs over government; to insist on the public's constitutionally entrenched right to know; and generally to serve as the eyes and ears of the public.

Obviously, in our peculiar historical circumstances, there is a need for us in the media to approach our jobs with great sensitivity. We need to be forever mindful of the legacy of apartheid and at all times sensitive to the historical context within which things are being done in the country at the moment.

We need vigorously and enthusiastically to embrace the transformation of our country, to applaud the government when it does well and to help it communicate its achievements and challenges to the voters who put it in office. But it is also intrinsically part of the media's responsibility to hold up a mirror not only to society but also to the government so that it sees itself not as it would like to be, but rather as it really is. That means that it is also the media's responsibility to criticise the government when it errs.

President Nelson Mandela, who has fired a few Scud missiles of his own at "the white-owned media" and their black "peace-time heroes", recognised this role of the press when he told the International Press Institute in Cape Town in February 1994 (before he became Head of State) that "a critical, independent and investigative press is the lifeblood of any democracy ... It is only such a free press that can temper the appetite of any government to amass power at the expense of the citizen. It is only such a free press that can be the vigilant watchdog of the public interest against the temptation on the part of those who wield it to abuse that power. It is only such a free press that can have the capacity to relentlessly expose excesses and corruption on the part of government, state officials and other institutions that hold power."

Although they would like to think that they are different from their counterparts around the world, the truth is that by and large our politicians are not much different from that species anywhere in the democratic world. With human nature what it is, given half a chance some will cut corners to stay in power, including lying, cheating and even stealing from the public purse.

Archbishop Desmond Tutu was right, therefore, when he commented in October 1996: "We need the press to handle [our politicians], to ensure that they stay on the straight and narrow."

What of the future? Will the press be freer to play its role as a public watchdog?

WATCHDOG all over

Fortunately, we have one of the most liberal constitutions in the world and, at the moment at least, a reasonably independent Constitutional Court. It is these two which, in the final analysis, will be the bulwark against any possible threat to the media. Another good thing is that so far some courageous individuals - black and white - have refused to be intimidated or silenced. That bodes well for the future.

The press will no doubt come under increased pressure as we move closer to the 1999 elections and as the African majority begins visibly to be disillusioned with the pace of delivery on election promises. To deflect attention from itself, Pretoria will blame the "white-controlled media" for their alleged failure to report on the government's successes.

Although protected by the constitution, the press will be ill-equipped to defend itself meaningfully if it has not by then got its house in order. Particularly vulnerable will be those publications which continue to be largely unrepresentative in the appointment of their personnel, particularly in the top decision-making positions. Although the constitution accords them legal protection, such publications will not be able to fend off verbal assaults from politicians who will deflect negative attention from themselves by accusing these publications of advancing conservative (or even liberal) white agendas. Who knows, the threat of legislation on press ownership may even be real in years to come.

Government/media tensions by themselves are not bad; in the very nature of the relationship between the two institutions, such tensions will always exist, and there would be a lot wrong if the press became too buddy-buddy with politicians and a government. However, there would also be a lot wrong if such tensions reached a level where there was constant finger-pointing and no rational dialogue between the two.

It is vitally important, therefore, that in the interests of the country and its citizens, the government and the media remain constructively engaged; that they should at all times agree to disagree.

Kaizer Nyatumba is editor of the Saturday Paper in Durban.

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CAPE ARGUS

Jg..... Nr..... P. 6..... Dat..... - 4 MAY 1998

A long walk to freedom for SA press

*Challenges remain as news
papers face balancing act
in divided society*

INSIDE STORY

To mark International Press Freedom Day yesterday, JOHN PATTEN, ombudsman for The Star newspaper in Johannesburg, examines the extent of press freedom in South Africa and the challenges that lie ahead

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South Africa has come very far, very fast during the 1990s in moving towards real press freedom - but then we had a long way to come from.

Even today, however, few in the press would feel the future is entirely rosy.

The great challenges include five areas of concern:

- How the press copes with transformation and black empowerment.
- How it attunes itself to minorities' needs while reflecting the dominance of the majority.

■ Whether it maintains independence from government.

■ How far it can persuade authorities of the media's rights to public information.

■ Whether past legislative restrictions are removed.

The second

*One challenge is to
keep in touch with
minorities while
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CAPE ARGUS

Jg. Nr. Pk. Dat. - 4 MAY 1998

half of the 1980s represented the nadir of press freedom in South Africa.

The 1990s brought a kind of Indian summer for the press, but the coming decade will be the real test of

how deeply principles of press freedom are entrenched.

The change from apartheid to democracy caused a problem.

Democracy came more quickly than the press could adapt.

Mainstream press journalists were too white. Readerships and advertisers also did not change fast enough.

Worse, the efforts of the mainstream press to train black journalists were disrupted by sudden competition from new jobs for blacks in government departments, in public relations departments of big firms, or in high

positions at the SABC.

Some of the press's best black journalists left the profession for these enticements, yet the need for internal transformation was urgent.

Companies turned to fast-track training, rapid promotion and leap-frogging.

In the process, the career paths of many senior white journalists were seriously harmed by these moves, but the imperative for change was undeniable.

Still more must be done to editorial staffs and even more in the management and ownership structures of newspaper companies before an acceptable new balance can be reached.

A new breed of black editors has arrived at the helm of some of the country's leading newspapers, and

further appointments will follow.

The effect has been far greater coverage of the concerns of the poor, and a far friendlier relationship with the ruling African National Congress government.

But a certain alienation has occurred with the traditionally mainly white readers of those newspapers.

That is why one of the challenges is to keep in touch with minorities while recognising the strength of the majority.

The Afrikaans press has been especially protective of Afrikaner cultural rights, whether in language, education ... or rugby.

There has also been general white resistance to some of the Government's measures in health, education and taxation.

While concern for the wealth-generating structures and for centres of excellence in hospitals and educational institutions is understandable, it has to be matched against the crying needs of the long-

deprived and the still disadvantaged.

Newspapers have difficulty spanning the huge gap between these different constituencies, yet they are in a better position than most to influence developments.

One of the greatest difficulties experienced by the newly influential black senior journalists is how to remain independent of government.

A notable example of this occurred when the then chairman of the SA National Editors' Forum (Sanel) wished to censure a Sunday newspaper for flouting a court interdict by revealing a big arms deal.

But he found total resistance from other editors, who supported the

Newspapers have difficulty spanning the huge gap between these different constituencies

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CAPE ARGUS

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Sunday newspaper's stand on press freedom.

The chairman had put political correctness above press freedom ... and had to resign.

This example also illustrates continuing problems with access

to public information.

Editors tried unsuccessfully during the writing of the Constitution to raise the right to public information

to the same status as other rights.

A most recent example of the Government's withholding of relevant information was in the case of the alleged coup plot, a report which led to the resignation of the chief of the SA National Defence Force.

Though in practice many restrictions from the past now seem obsolete, the press cannot relax while these laws remain on the statute book.

Zimbabweans will recall with feeling the way Ian Smith's security laws were later used by the Mugabe government.

The same could happen with old restrictive press laws in South Africa.

Sanef has recently approached the Government to abandon the notorious Clause 205 of the Criminal Procedure Act, used in the past to try to pressure journalists to disclose to courts information obtained in the course of their professional duties.

Journalists who cherish press freedom continue to resist efforts to turn them into police informers.

So, in summary, the press in South Africa is quite well four years into the new age, but is still adapting to new conditions to reach a sta-

ble balance.

Meanwhile, the ANC from next year will rule outside the constraints of a government of national unity.

The press must watch warily to see the Government does not choose the easy route of infringing press freedom to cover any deviations from practices of good government.

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Jg..... Nr..... P. 13 Dat. -7 MAY 1998

Media's role more than watchdogging

By Annette Lansink

THE FORTHCOMING 1999 national elections have re-activated discussions around the meaning of democracy. The discussions, expounded from various platforms, offer an opportunity to reflect on the experiences of the last four years of democratic governance.

Unfortunately most submissions have put forward an impoverished notion of democracy – in which democracy is seen as a mere mechanism to control government.

This liberal conception of democracy, preferred by business, white opposition parties and the media, is posted as the universally accepted ideal.

In doing so, other conceptions of democracy, such as an African oriented concept of democracy in which notions of rights and duties to the community, a communitarian approach and consensual decision-making are central elements, are brushed aside.

While eager to limit the power and role of government, business and the white media have turned a blind eye to the gross economic inequalities.

The exclusion of the state in important spheres of our existence and the reluctance to take power relations into account are major weaknesses in such a notion of liberal democracy.

This limited and decontextualised notion of democracy can only serve to legitimise and sustain the historical socio-economic imbalances. Apartheid not only manifested itself in depriving the black majority of the right to vote, but also in total economic subordination.

Civil liberties

So it is fallacious to pretend that with the acceptance in 1994 of universal franchise the government's role can be limited to non-intervention in the free market forces and in the private sphere by guaranteeing the civil liberties of individuals.

Instead, the government should use its power to implement its philosophy of political and socio-economic change, and in the process utilise the full resources of the state to make the new order a reality.

Surely democracy entails more than the five-yearly walk to the ballot box?

The media could take its lead from the Constitution. The preamble of the

Constitution accepts a more substantive notion of democracy, with an emphasis on democratic values, social justice and fundamental rights.

The core values enshrined in the Bill of Rights and its interpretation by the legislative and judicial branches of government, in particular the equality clause, gives credence to a substantive vision of constitutional democracy.

What about the criticism levelled at the African National Congress-led Government of muffling opposition and thereby compromising democracy?

The Government stands accused of reinterpreting the meaning of democracy to suit its own party-political interests and to ensure political conformity.

Is the Government endangering democracy by stifling off criticism or does it have a right to defend itself, especially when such criticism is couched in racist undertones?

It is important to situate the role of government within the context of transition and nation building, especially

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when remnants of the old order are still the most influential role players in the economy and when third force and counter-revolutionary activities are no figments of the imagination.

The Government has a historic task and mandate to redress past inequalities, re-configure the new consciousness and to reclaim the human dignity of all South Africans.

Therefore the Government's commitment to democracy cannot only be measured by the level of tolerance of criticism, but by its contribution to creating and shaping the new equitable and just society. Centuries of colonialism-apartheid cannot be negated without an affirmative state.

The Government is and should be the major agent in transforming the structures in society from a racist, sexist, authoritarian and unrepresentative past towards a united non-racial, non-sexist democracy.

No real liberation can take place when the previously excluded majority is merely integrated in the structures of oppression.

Furthermore, it can be argued that the dynamics of the dichotomy between governmental and oppositional politics are different in the transitional phase of nation-building.

Also, the pivotal role which various kinds of institutions in society, such as the media, non-governmental organisations,

churches, educational institutions, business, civic organisations, institutions supporting democracy and opposition parties play in enhancing democracy needs to be recognised and examined.

One may rightfully ask how much these institutions and organs of civil society contribute to consolidating and deepening the new democracy.

The impression is sometimes created that the Government is under fire from all these institutions. Closer scrutiny, however, reveals that only two sectors - besides the opposition parties - have been consistent in their fierce criticism of the Government: the business community and the media.

It is no coincidence that these two sectors are still predominately white

Valid criticism

Other institutions of civil society, specifically the trade unions, have displayed an extraordinary measure of restraint to ensure a strengthening of the economy and enticing international investment in this country.

Despite the Congress of South African Trade Unions' persistent and valid criticism of the Government's macro-economic policy, the Growth, Employment and Redistribution strategy, oppositional mass action has been very limited for the sake of the tripartite alliance.

Institutions supporting democracy, such as the South African Human Rights Commission, the Commission on Gender Equality and the Public Protector, have come out in support of the new Government.

One of the tasks of the media is to challenge the pervasive power of existing "old order" beliefs, prejudices and practices. Unfortunately the white media has failed to engage its readers sufficiently in the socio-economic realities and aspirations of the black majority.

The right to vote or political equality is fundamentally undermined by the gross economic inequalities. It is precisely for this reason that the role of the media should extend beyond being a watchdog; the media should play its role in the effort to create a national consciousness of substantive democracy.

(The writer is a lecturer in the department of public law at the University of Venda, Thohoyandou.)

TREFWOORDE

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Media needs intervention to foster diversification

Thami Mazwai threatens to lead a delegation to seek President Nelson Mandela's assurance that journalists are not above the law

TWO weeks ago, Joel Netshitenze, CE of the SA Communications Services, informed a parliamentary select committee that a number of regulations to diversify the media would be introduced.

These included the dismantling of the distribution system in which three companies dominate the distribution of newspapers and magazines to the detriment of black publications.

There was a howl of anger from the usual quarters. The Saturday Star's Chris Moerdyk said diversification must be left to the market. This is obsolete and absolute nonsense, if I may say so. The market needs specific interventions to meet desired ends; otherwise, the entrenched will continue to dominate the media.

market

The distribution of newspapers by three companies owned by the bigger publishing houses is unfair for the smaller publishing houses. For instance, Mafube's flagship, Enterprise, is distributed by NND. Yet NND is owned by Nasionale Pers, which produces its own finance magazines, Finansies and Tegniek and F&T Weekly. You do not have to look far to see that there is a conflict of interest.

hijack
Mafube cannot go to the other distribution houses for they are also owned by publishing houses with competing titles.

The levelling of playing fields in the publishing industry will always crop up when we talk of press freedom. For as long as blacks do not own and control newspapers, we cannot talk of a free press. Titles owned by the major media groups are still staffed and controlled by editors and journalists who held sway during the days of apartheid.

Many are not committed to transformation and change. How does one explain a headline, "ANC envoy dies", when our ambassador to Ghana, Godfrey Motsepe, died?

This was the strain in most newspapers.

There is now a huge furore about the pending deportation of award-winning journalist Newton Kanhema and his wife Kasiyamhuru. The home affairs department accuses the couple of falsifying information they gave when they applied for residence and work permits. The two deny the allegation. However, in any other country, particularly the US, Canada, the UK and Germany, the two would have been deported immediately after the falsification was discovered.

Everybody, including the media, would have supported this.

In our country the media gangs up against the government and describes this as an assault on press freedom. Ivan Fallon, Kanhema's employer and boss of Independent Newspapers, has the cheek to say: "Whatever the merits of the case, the act of expelling a

senior journalist has implications for press freedom and the image of SA in the international community."

In other words, even if Kanhema has broken the law, as he is a journalist he must be left alone. So journalists are above the law. Let me make it quite clear that if the department of home affairs backtracks, I will lead a delegation to the president so that he clarifies to us if there are certain people above the law.

law

For the record, I have nothing against Kanhema and his wife. What is important to me is that they must stay in my country on the basis of respecting our country, its government and its laws.

What gets my goat is that newspapers regularly attack the government for not doing enough to protect our borders and thus causing the deluge of illegal immigrants. When the department does something, it is attacked. Is it heads I win tails you lose?

However, before we miss the point, the point I am making is that the Kanhema issue clearly shows the anti-government bias and is a result of parts of the media refusing to accept change. Thus, Netshitenze is right when he talks of regulations that will diversify the media. Titles representing the black perspective must now be given a chance to flourish so that there is a better flow of ideas and information among South Africans.

White South Africans have an inalienable, moral and constitutional right to know what their black compatriots think. All South Africans resent white publications and journalists who stifle black thought and opinion.

Furthermore, blacks also want to have their say without it having to pass through a white editor who first vets it, checks if it is not offensive to his white readers by using himself as a reference framework, and then decides if it can be published. South Africans, and not only blacks, want titles that will praise their government when it does the right thing, and lambaste it when it fails them.

These are the simple facts when we talk of press freedom. Netshitenze does not want the government to own the media. This is unacceptable to all South Africans. He just wants blacks to have papers they call their own in the interests of press freedom and the entrenchment of democracy in our country.

Don't we all want this?

Mazwai is managing director of Mafube Publishing.



INDEPENDENT online

The Star

June 17, 1998

Hiding apartheid's abuse of power

We in South Africa must learn from past experience and guarantee freedom of expression and a free press if we are to make our nation into a genuine democracy, writes Johan van der Walt

The De Kock trial. The Barnard trial. Ongoing confessions by former officers of the security forces in the course of the Truth and Reconciliation Commission's amnesty hearings. At last we have evidence of police involvement in the murder and torture of political activists under the governments of PW Botha and FW de Klerk.

And we have the matter of state laboratories manufacturing drugs and poison to weaken resistance.

How did the state manage to cover this up for so long? If we are concerned that the abuse of state power never again escapes public scrutiny to the extent it did in the era of apartheid, we should reflect on all the factors that contributed to the state's ability to hide its abuse of power.

One of the first things that we must consider is the extent to which the law enabled, and still enables, the state to abuse its power without the risk of public outcry.

We now have proof of countless violations of individual rights by the security forces, largely as a result of confessions of police officers fearing prosecution.

Such criminal prosecution was of course not in the offing in the 1980s and, in the absence of any real endeavour by the state to establish the truth of rumours regarding the involvement of security forces in violations of individual rights, proof of such violations was for all practical purposes impossible to obtain.

Hence the failure of the Harms Commission and the inquiry into the Webster murder to establish proof of facts that we can no longer deny today.

And yet, proof of the truth of such violations was exactly what our law of defamation required before the press could publish allegations of such violations as matters of public interest without exposing itself to delictual liability.

The legal rules that applied in this regard eventually found expression in *Neethling v Du Preez and Others*, and *Neethling v The Weekly Mail and Others* (1993).

This was the case in which the Appellate Division granted General Lothar Neethling his defamation claim against Max du Preez (then editor of *Vrye Weekblad*) and the *Weekly Mail* for publishing allegations that he was involved in the poisoning of police informers.

The court ruled that the defendant in a defamation claim can raise the defence of public interest only if the defendant can prove that the allegations published are true.

The defendants in the *Neethling* case failed to prove the truth of the defamatory allegations they published, and the court therefore decided that they had defamed the claimant wrongfully.

The court confirmed and applied the principle of strict liability of the media, which it introduced into our law in *Pakendorf v De Flaming* in 1982.

According to the principle of strict liability, the media's liability in a defamation suit turns only on the question of whether a defamatory publication has taken place. No further questions are asked as far as fault is concerned. The defendants in the Neethling case could therefore not raise the defence that they did not defame the claimant intentionally.

It stands to reason that the law laid down in the Neethling case would have a repressive effect on the freedom of the press and public debate. Recent judgments in defamation litigation against the press show that our courts are divided on these repressive aspects of our law of defamation.

Many judgments of the Supreme Court (now the High Court) have been involved in this conflict of opinion. But, the judgments of Mr Justice Cameron in *Holomisa v Argus Newspapers* and Judge President Eloff in *Bogoshi v National Media Ltd and Others* (both decided in the Witwatersrand Local Division of the Supreme Court in February 1996) are exemplary of the two stances that various divisions of the Supreme Court have taken on this issue.

vs Argus

Judge Cameron argued in *Holomisa v Argus Newspapers* that the rules laid down in the Neethling case cannot be reconciled with the recognition of freedom of speech as a fundamental right in a bill of rights. He ruled that the media need not be able to prove the truth of the defamatory publication at issue in order to raise the defence of public interest.

This rule implies that a valid defence of public interest must succeed when the claimant fails to prove the falseness of the defamatory allegations. On this rule alone, the court in the Neethling case would have had to uphold the defence of public interest, as Mr Justice Kriegler indeed did in the trial court hearing which the Appellate Division later overturned.

dictious!

But Judge Cameron went even further. He decided that the claimant who succeeds in proving that the defamatory allegations are false must also prove that the defendant acted unreasonably in publishing the defamatory allegations.

not - published alone
(referring to other not
claims).

This rule means that the media must escape liability despite proof of the falseness of a defamatory publication if the decision to publish was taken with sufficient care.

vs National Media

Only a week before Judge Cameron passed his judgment in the *Holomisa* case, Judge President Eloff reached a radically different verdict in *Bogoshi v National Media Ltd and Others*. He argued that the defamation law laid down in the Neethling case correctly reflects the priority of the right to personal dignity over freedom of expression in our law.

personal dignity
vs
freedom of ex

He derived this priority from the view of the president of the Constitutional Court, Justice Chaskalson, expressed in *State v Makwanyane and Another* (the case in which capital punishment was proscribed as unconstitutional).

At issue were the following statements: "The rights to life and dignity are the most important of all human rights, and the source of all other personal rights. By committing ourselves to a society founded on the recognition of human rights we are required to value these two rights above all others."

The second of these statements constitutes an uncontroversial, laudable and harmless moral proposition. The first is also harmless if taken (as it was most probably meant) as nothing more than a strong rhetorical endorsement of the rights to life and dignity. Taken as a legal principle, however, it is illogical and constitutes a serious menace to the very right to dignity which both statements extol.

? (as are all moral
principles, if taken as legal)

It may be fair to say that life is the source of all our cultural and political arrangements and practices. The right to life, however, is something completely different. The right to life is a product of the republican culture of liberal democracy that the world inherited from modern Europe.

If the rights to life and dignity are the most important of all human rights, the rights that we value above all others, as Judge Chaskalson avers, we had better take care to do whatever we can to safeguard the culture of liberal democracy.

We know that freedom of expression and a free press are a sine qua non for a healthy liberal democracy. It may therefore be said that the right to freedom of expression is a fundamental precondition for and source of all other rights that individuals enjoy.

Mr Justice van Schalkwyk grasped this point well in *Mandela v Falati* (1995) when he stated: "In a free society all freedoms are important, but they are not equally important. Political philosophers are agreed upon the primacy of the freedom of speech."

N3

It is the freedom upon which all others depend; it is the freedom without which the others would not long endure."

decision of 1st. from right

The German Federal Constitutional Court has expressed itself similarly in the well-known *Leyth* decision of 1958: "The fundamental right to freedom of expression, being the most immediate expression of the human personality in society, is one of the most eminent of all human rights."

It is, as such, constitutive of a liberal democratic state, since it makes possible the constant spirited disputation and conflict of opinions which is the lifeblood of liberal democracy. In a certain sense, it is the foundation of every liberty, "the matrix, the indispensable condition of nearly every other form of freedom (Cardozo)".

The Constitutional Court and Appellate Division (now the Supreme Court of Appeal) have not yet had the opportunity to give detailed accounts of the impact of the new constitutional dispensation on our law of defamation.

But, judged by their respective judgments in *Du Plessis v De Klerk* (decided in May 1996) and *Hix Networking Technologies v Systems Publishers* (decided in September 1996), they appear to lean towards the position taken by Judge President Eloff in *Bogoshi's* case. One can only hope that they arrive at different insights when they consider the matter fully.

The stance of Judge President Eloff in *Bogoshi* is typical of an individualist liberalism that would under no circumstances allow the interests of the individual to be subjected to common public concerns.

The communitarian critique of liberalism in political philosophy turns on the insight that liberalism's direct and simplistic concern with the interests of the individual leads to an evacuation and neglect of the public sphere.

→ freedom of speech

A direct liberalism that would under all circumstances subject the public's right to know to the individual's right to dignity plays into the hands of governments that may wish to keep certain things silent.

nothing!








Is the possibility of a complicity between liberalist legal principles and a totalitarian abuse of power not indeed the lesson to be learnt from the Neethling case?

Does it not illustrate how an uncritical concern with the supremacy of the individual's right to a good name can help to shelter a world in which individual rights mean nothing?

nJohan van der Walt is associate professor at Rand Afrikaans University's faculty of law.

(The reflections above are drawn from two articles submitted for publication in the 1998 edition of the *Journal of South African Law*.)

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The Star

Jg. Nr. P. 9 Dat. 14 AUG 1998

Govt, editors decide to 'work together'

By **Troy Luno**
Cape Town

In groundbreaking talks, South Africa's editors and the Government have agreed to work together to repeal or amend repressive apartheid-style laws that jeopardise journalists' lives, muzzle free speech and, above all, contradict a democratic constitution.

This follows a meeting this week between the South African National Editors Forum (Sanef) and a government delegation that included Justice Minister Dullah Omar, Safety and Security Minister Sydney Mufamadi, and Cape Attorney-General Frank Khan.

Sanef presented a synopsis of its concerns and declared most of the legislation in question to be designed for the purpose of suppressing fundamental human rights, any opposition to apartheid's pernicious policy, and to restrict freedom of expression and promote sexism.

"The legislation makes a mockery of South Africa's new democratic constitution ... " states Sanef's document.

The most objectionable law, Sanef said, was Section 205 of the Criminal Procedure Act, a tool used "shamelessly by the previous National Party government to try to harass, intimidate and restrict the media".

Under this section, journalists may not protect the identity of their sources.

They are obliged, if subpoenaed to do so, to hand over all sources, documents, photographs, recordings or notes to the police.

While the editors agreed with Omar and Khan that journalistic privilege should not be an absolute right but a qualified one, they stressed that, among other professional difficulties it caused, the law placed journalists' lives in danger.

Criminals or informants could target journalists or equate them with police if all documentations by journalists became public property on demand.

Apartheid security laws intended to protect secret or classified information and shield the conduct of the security forces and apartheid era are prominent on Sanef's list.

The Divorce Act 1979 is another law Sanef used as an

Entire SA media broke this law

example of how the media inadvertently finds itself in contradiction of the law. This law makes it a criminal offence to report more than the names of the divorcing parties and that they are getting divorced.

The entire South African media broke this law in the Mandela and Spencer divorces, and are likely to break it again in PW Botha's divorce.

If they had observed the law in these cases, the rest of the world's media would have made the information public anyway.

Sanef chairperson Mike Siluma said: "We do not want to break these laws but, on numerous occasions we find our-

selves in contravention of them."

Cape Times editor Ryland Fisher and Associated Magazines' Jane Raphaely stressed that even though these laws were not being enforced as they had been by their creators, the fact that they existed, available for interpretation and enforcement, made them unacceptable.

"As they stand these laws do not reflect the kind of society we are," said Raphaely.

Omar welcomed the challenges put forward by the media delegation and said: "We have no intention whatsoever of muzzling the press. But, we must strike a balance that is in the interests of the media and of society, of privilege and protection with the interests of justice. We have to decide where to draw the line."

"You are right, we are in a sense on the same side in that we created this new constitution, we fought for it and want it to work."

But, Omar stressed that being on the same side did not mean in the same bed.

He said that critical eyes, checks and balances that government and media kept on each other were essential ingredients to constitutional democracy.

Aside from forming a committee to look into the laws, identify practical problems, compare other judicial systems and document different viewpoints, the meeting resolved that the Sanef delegation would play a role in the Law Commission's work of reviewing and "harmonising" law books with the new constitutional democracy.

TREFWOORDE

1. Sanef
2. Dialogue
3. Mufamadi
4. Omar P
5. Prosecco
6. General
7. King
8. Ophelie
9. Utgeseing
10. Naselle

P-254



News

30 September 1998

Media needs transformation, says publisher

Pule Molebeledi

THE constricted and declining Pan Africanist and African nationalist media needed to dig itself out of "the rubble of the globalisation earthquake" and transform itself into the African renaissance media, Nigerian author and publisher Dr Chinweizu said yesterday.

Chinweizu said during a workshop on the media and telecommunications at the African renaissance conference yesterday, that the globalised media was dangerous for Africa because its content, as determined by its ideological premise, was essentially "Euro-imperialist agitprop" and addicted to the deadly sins of media "vandalism".

"A media which promotes such effects is more dangerous to its society than all its armed robbers and pen robbers put together," he said.

"The robbers cart off some money and property and maim or kill some persons, where(as) such media is a neuromuscular poison which can paralyse the entire body politic," he said.

This was illustrated, he said, by "white supremacist dogma" that only European people were capable of self-rule, good governance, humanitarianism and philanthropy.

"This dogma still dominates its presentation and interpretation of Africa", he said.

Chinweizu said that as an antidote to Euro-imperialist ideology, there was a need to develop an African renaissance media philosophy with clear goals, operational principles, criteria and professional ethics.

Also, he said, inhabitants of Africa needed to inculcate that philosophy in all who operated in the African media, especially via textbooks and courses for journalism schools, as well as through seminars for all in media houses.

He suggested three "cardinal" tasks to rectify Africa's false image of African civilisation.

These were disseminating the true version of Africa's place in global history; generating and projecting an African image of reality; and setting out the daily "thought-agenda" for the African renaissance.

Giving feedback on the conference yesterday, Thaninga Msimango, chairman of the media and telecommunication session, said various contributors spoke a great deal yesterday of the level of reporting of SA and African journalists being below par.

She said it was an issue related to human resource development - which was not available.



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Landmark ruling

LAW is made by legal judgments as much as by acts of Parliament and a recent judgment by the Appeal Court has brought a fundamental change to the common law regarding defamation, particularly as it concerns the media. Previously the onus was on a newspaper defending a defamation action to prove that everything printed was immediately correct in every detail. But the court has recognised the "democratic imperative" that the common good is best served by the free flow of information and that the media are essential to the process. Indeed, it is their duty to inform the public and engage in discussion of matters of public interest - a responsibility in which they were being inhibited by previous defamation decisions.

So unrealistic requirements of perfection have been abandoned. The playing fields have been levelled as between the media and a private individual by making the claims of defamation against either of them subject to the standards of the common law idea of the "reasonable person". In essence this means that the reporter has to give the subject of the article the right to correct false statements, while taking all reasonable steps to verify that the information that is printed is correct.

The new ruling does not mean that newspapers in this country can now start practising the kind of tabloid-style journalism so popular in some other parts of the world, where the vilification and harassment of public figures is conducted as a kind of soap opera of the streets. Responsible journalism still means making every effort to get the facts right, but the new ruling does free the investigative journalist to play a much greater role in keeping the public informed of what exactly elected and appointed officials are doing with the powers entrusted to them by the voters.

TREFWOORDE

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14 October 1998

Media overwhelmed by cynicism - Erwin

DURBAN - Trade Minister Alec Erwin said in a speech yesterday that the media in SA was overwhelmed by cynicism.

Erwin told the SA Chamber of Business annual convention that he felt the media had not come to terms with its own past, and had failed to develop a new psyche.

He said it was not easy for the media to have been the guardians of freedom of expression through the past four or five decades, during a series of repressions and human evil, and to have felt it had done enough.

"I think far too often the effect of that in the media is cynicism - cynicism that arises out of that traumatic gap of having been a free press in a repressed society, and not really having done enough about it.

"As a result we don't have enough effort and energy placed into the training and development of expertise of our media, and it is too nervous to say anything about hope because it is still overwhelmed by cynicism."

Erwin said he was not attacking freedom of the press, and was speaking in general terms.

"They have failed to find a new place. As a result the contribution they could make to our future, in terms of quality of information and hope, is far less than it should be." - Sapa.





Comment

15 October 1998

Govt's failure not media's fault

by Peter Bruce, FM

Dear Sir,

I READ in your publication yesterday that Trade and Industry Minister Alec Erwin warned SA Chamber of Business convention delegates it was time for them to get real. "This is a time to realise that if you are going to be in the world, you had better be in the world," he is quoted as saying. Further on is a report on his comments to the effect that the "media" is "overwhelmed by cynicism" and that, because of a lack of training, the "media" cannot escape its past.

The truth is probably much more simple, however. The "media" is simply underwhelmed by Erwin's government.

African National Congress (ANC) and SA Communist Party ministers (Erwin is one of the latter) regularly insult the integrity of working journalists in SA, assuming no training or transformation is being carried out. They assume that quivering black writers are mere gatherers of information which their white editors manipulate into their own agenda. They assume we do not look for good news.

This is, of course, nonsense. We are not

praise singers and neither do we have a role to play in so-called "nation building".

We are commercial enterprises. Editors have to ensure they maintain environments in which their colleagues can work securely. They do this by trying to be competitive in the marketplace; something government does not have to worry about.

That competition creates a diversity that the ANC can never recognise. Media opinion on the Lesotho intervention ranged from outright support (the Financial Mail) to outright opposition (the Mail & Guardian.) Equally, opinion on Tito Mboweni's Reserve Bank appointment was gloriously divided.

(!) Yet it serves the ANC to continue beating the drum of media racism. It cannot deal with the fact that the overwhelming majority of readers, listeners and viewers in SA now consume media either owned or controlled by black South Africans. For us journalists, that has been a fantastic liberation. At the Financial Mail, the more we transform, the more magazines we sell and the more money we make.

Government gets enough praise for the democracy it has brought with it. Our role is to act as watchdog and, boy, it has missed a lot of opportunities to improve the lot of poorer citizens. Its failure to privatise drains state resources, its protection of union privileges starves the unemployed of hope and opportunity.

Its burgeoning, politically correct meddling in the affairs of private citizens and businesses creates nothing but resentment among those losing privileges and disappointment among those supposedly benefiting from redistribution, because there is so little gained.

The more it fails at redistribution, the more

the ANC socialist-soul comes to the fore and the more it tries to force "transformation". It fails to realise that intervention can be counterproductive, that it cannot redistribute thin air. Government should be creating an environment in which businesses and individuals can, within an ethical set of rules, grow wealth and profits as fast as possible.

The more that happens, the more tax revenue the ANC would have to spread around. It is so bloody simple. But the comrades do not trust markets.

Of course we are cynical. Anyone running a commercial enterprise in SA would be. Erwin might be a thoughtful and clever chap, but if he ran a business the way he runs his department, he would probably be one of those unemployed wondering why the unions have government's ear and he does not.

The fact is that the majority of South Africans are being short-changed by a government that should have been politically secure enough to deliver more to them and more quickly.

That is not the fault of the media. Perhaps, sir, you might ask minister Erwin to write you a short piece answering the question: "Why I am still a loyal member of the SA Communist Party". Let us see who is living in the real world.

Peter Bruce Editor Financial Mail



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THE CITIZEN

Jg. Nr. P. 6 Dat. 21 OCT 1998

Well said, Netshitenzhe

IT was heartening to hear chief government spokesman, Joel Netshitenzhe, saying the government had no intention of regulating media ownership in this country.

Speaking at a seminar in Johannesburg this week, Netshitenzhe said freedom of expression and information should also entail the right of people to speak and to be heard.

His statement was noteworthy, especially as it came at a time when there is a growing tendency by senior government officials to over-react to criticism of government policies and actions.

To that extent then, Netshitenzhe's speech may not only have allayed the fears of the much maligned newspaper industry, but hopefully too, may have reminded his fellow bureaucrats that indeed the voices of the governed are important in the quest to make South Africa an even better place to live in.

Politicians by their nature are always twitchy to criticism, and in our situation, are even more so now as we approach next year's general election. They will almost always be prone to reading too much into any criticism of their actions or inactions.

But in all honesty, some of the invective that has come from government officials and their spin doctors of late directed at government critics has been so vitriolic that it has left people wondering whether these traseible fellows understand the demands and obligations of public office.

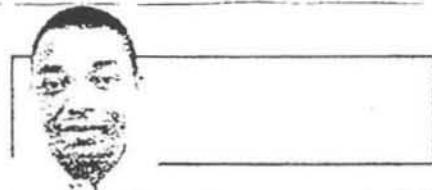
Some people with fertile imagination even speculated that this ultra-sensitivity to criticism was a preamble to government's intervention in the media, hence the importance and significance of Netshitenzhe's statement.

Let's put the cards on the table. I am not saying the government should be passive to criticism.

Far from it: the government must have the right to defend its actions and the right to enlighten the electorate on issues that it feels are not well-understood by those it leads.

Hidden agendas

But then, something is surely wrong when those in power read "hidden agendas" in any opinions that run contrary to official thinking. And there have been many such instances in the last few weeks.



To some government officials, criticism is equated with non-patriotism, and sometimes with treason.

There appear to be three perceptions or mis-perceptions in all this misdirected sensitivity.

The first is that the government alone knows what the people want and has the solutions to the myriad of problems we face as a nation.

The second is that if you are a black journalist you must understand and agree with all government policies and actions.

The third is that because the major media houses are largely white-owned, they are not in synch with the economic and socio-political aspirations of the majority.

Indeed all these issues are debatable and there could be some merit in some of these observations. But that futile debate aside, is it wrong to differ with the government and does the government have a monopoly on good ideas needed to lift the quality of life of all South Africans?

I most definitely do not think so. As Netshitenzhe rightly said, people should have the right to speak and to be heard for reconstruction and development to succeed.

That right to speak and to be heard implies that people will differ on strategies and formulae of how to best catalyse that reconstruction and development. And it will be out of this rich diversity of views that national consensus can be reached.

Thus, while we should look at ways of increasing the diversity of media ownership in the long run, intimidating, regulating or muzzling the media will clearly not be the right way to move forward as some in government wisely realise. Many years of National Party misrule confirm this.

● Jethro Goka works for the SA Press Association. He writes here in his personal capacity.

TREFWOORDE

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Lorea

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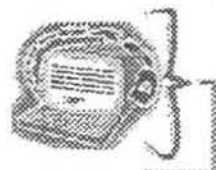
7. Kominen

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Comment

23 October 1998

Media should handle its influence responsibly

Dear Sir,

FINANCIAL Mail editor Peter Bruce's letter to Business Day (October 15), "Govt's failure not media's fault" was at least an honest attempt at describing the current state of SA's media. "We are not praise singers, nor are we nation builders, just ordinary commercial enterprises struggling to remain competitive in the marketplace." He slates government and Trade and Industry Minister Alec Erwin as he manoeuvres himself into a position of "I told you so" no matter which way the wind blows.

Many South Africans have grown tired of the media's "We tell it like it is" value discipline. It seems that most of our media editors are insensitive to the delicate balance of SA's development as we struggle to emerge out of 40 years of racial oppression.

While I acknowledge the importance of a free press it is naive to argue that this freedom should be expressed only in the context of remaining competitive without regard for the media's influence in a

socially, economically and intellectually divided society. The statement "the truth is not what the facts are, but rather what they are perceived to be" is crucial to the manner in which the media exercises its right to free speech, accurate reporting and editorial independence. The press plays a critical role in influencing ordinary people's perceptions. Surely it therefore has responsibilities in this regard?

I think most South Africans believe that, under the circumstances, Erwin is performing competently; in the area of political reporting on his difficult balancing act, the media is not. It seems Bruce has forgotten that with rights go responsibilities.

It is therefore downright irresponsible of him to argue that "we have no role to play in so-called nation building" and that he is driven only by commercial rationale and providing job security.

Steuart Pennington, Rivonia





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Sunday Times

Jg. Nr. P. 11 Dat. 31 JAN 1999

The beginning of the end for press freedom in SA?

AS IS widely known, the SA Human Rights Commission (SAHRC) is to investigate racism in the media. One of the reasons this is widely known is that any time the media itself is the story, that story is prominently displayed in all forms of media. In fact, those wishing to draw attention to themselves and their views can guarantee this by criticising, praising or threatening the media. Not for a moment would I suggest that this was a motive of the SAHRC in launching its investigation.

Our megalomaniacal neighbour and ruthless dictator of Zimbabwe, Robert Mugabe, has succeeded in drawing the attention of the world's media to his unfortunate country by ordering the torture of journalists to force them to reveal their sources for a story about a failed uprising in the military.

While their genitals were being attached to electrodes by military police, these journalists were advised that they had really annoyed dear old Bob. In fact, they were told, he had signed their death certificates. At first the military contemptuously ignored court orders to release the journalists. The defence minister declared, basically, that the military was above the law and could do what it chose to anyone who interfered or was thought to have interfered in any aspect of their operations. His view was echoed by his defence secretary, Job Whabira.

Eventually these journalists, their various extremities swollen and bruised, were released to civil jurisdiction and released on bail pending charges under an old Ian Smith law that merely awaits

STEPHEN
MULHOLLAND
ANOTHER
VOICE



dear old Bob's signature to be retracted. Meanwhile the journalists' 63-year-old managing director was also arrested, again in terms of the old Ian Smith law, and cast into a crowded cell with common criminals.

Human rights organisations from around the world have condemned Mugabe's flagrant abuses of press freedom, personal liberty and the rule of law.

Amid all this there is an eerie silence from the SAHRC and from the SA government. One would think that, at the very least, the SAHRC or the government or both would feel compelled to express some concern over the brutal treatment of Zimbabwean journalists by military thugs who, as did the practitioners of apartheid, place themselves above the law. It was encouraging to see the Sunday Independent, usually as sycophantic as are most of the Independent titles, call for the government to say something about Mugabe's excesses.

In its terms of reference, the SAHRC says it plans to focus not so much on alleged racism within the structures of media companies but rather on what these organisations produce and disseminate. However it leaves open the possibility of investigating media workplaces if there is a link

shown between racism in the product and in the workplace. How you distinguish between the two is a mystery to me but obviously not to the distinguished commissioners.

Their next step will be to "make a finding and recommendations that would contribute to the elimination of such racism". So here we have it, the nub of the matter: a government-funded body will find some media guilty of racism and will "recommend" steps these perpetrators should take to mend their ways. In their "finding" they may seek to ruin reputations, unilaterally branding those with whom they disagree or wish to tarnish with the epithet of "racist". The worthy commissioners would be well advised to seek legal advice prior to any such action.

Perhaps we are seeing the beginning of the end for press freedom in SA. I may be accused of being melodramatic. But consider if a newspaper, or radio or television station, or magazine, or Internet publisher is found by the SAHRC to be publishing racist matter and refuses to accept its recommendations to, for example, fire a certain columnist or curb his or her freedom of expression. What happens then? If nothing then what has been the purpose of the exercise?

TREFWOORDE

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The Star

Jg. Nr. P. 6 Dat. 17 FEB 1999

Government looks at broader spread of media ownership

By JOVIAL RANTAO

Cape Town - Although the Government does not intend to break up monopolies that own newspapers, it is likely to suggest measures to wrest control of newspaper printing and distribution from the few newspaper groups.

Government Communications and Information Service head Joel Netshitenzhe said yesterday that although the Government's final position on media ownership and diversity was not final, the thinking was

that efforts should be made to widen media ownership.

"We don't have intentions to break up monopolies, but we should widen that base of ownership and come up with fair and equitable measures of distribution," he said.

There was concern that smaller newspapers relied on and were disadvantaged by the usage of the printing presses of rival bigger newspapers. Another concern was that the common carrier system was not used equitably and fairly.

The Government planned to

establish an independent agency that would enhance the entry of small newspapers into the mainstream.

The Media Diversity Trust would be funded by the Government, the private sector and international bodies. The trust's independence would not be compromised by its funders.

Netshitenzhe added that the Government had spoken with media bosses who were also interested in bringing about changes in their newsrooms to place them in line with the constitution.

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The Cape Times Jg..... Nr..... P. 19 Dat. 22 FEB 1999

CAPE TIMES

ESTABLISHED IN 1876

In the interests of freedom

FRIDAY'S agreement between representatives of government law enforcement ministries and the media marks an important milestone in the struggle for the protection of freedom of information in Africa and around the world.

The landmark accord — signed by the ministries of justice and of safety and security, the national directorate of prosecutions, and the SA National Editors' Forum — paves the way for further negotiations aimed at amending the controversial section 205 of the Criminal Procedure Act, and striking a balance between the administration of justice and maintaining a right to freedom of expression. It binds all parties to taking into account the state's need to combat crime, while recognising the need for journalists to protect their sources and their information.

The signing of the accord is an indication of how far this country has progressed since our first democratic elections. Although freedom of information is enshrined in our constitution, many laws remain on our statute books from the apartheid years that challenge or limit that freedom of expression. Section 205 is such a law. While designed to assist police in carrying out investigations, the law has been misused to force journalists to reveal confidential sources, or to hand over information and other material such as videos and photographs. Many journalists have chosen to go to jail rather than comply with this law.

Friday's accord provides for interim relief by empowering the Director of Public Prosecutions to mediate and negotiate with all stakeholders in an attempt to avoid legal proceedings. It is also a forerunner to further negotiations between Sanef and the justice agencies for a review of a range of laws which clash with the right to freedom of expression enshrined in the Constitution.

The signing of the accord is an important demonstration of government's commitment to protecting that right. At a time when the government of Zimbabwe is resurrecting laws from its own repressive past to suppress information, that demonstration is of even greater significance and should be praised.

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The Daily News

Jg..... Nr..... P. 4 Dat..... 25 APR 1999...

ILANGA FURORE: TACKLE ISSUES INDIVIDUALLY

Press freedom in the spotlight

The recent furore over an anti-Indian editorial in the Ilanga newspaper - which lost the writer his position as editor - highlights the whole issue of press freedom in this country, writes NICOLA JONES.

ILANGA editor Amos Maphumulo's recent vitriolic attack on whites and particularly Indians in the Inkatha-owned newspaper has again brought the issue of press freedom into the spotlight.

According to our new bill of rights, every South African has the right to freedom of expression, including the freedom to receive or impart information or ideas, and the freedom of artistic creativity.

However, this right does not extend to propaganda for war, incitement of imminent violence, or the advocacy of hatred based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm.

Maphumulo's editorial claimed Indians and whites prayed that black people would never unite, so they could continue to rule over them. It accused whites of nurturing and comforting Indians, who are rich through the exploitation of blacks, and claimed Indians were responsible for inciting the inter-racial violence between the ANC and IFP by distributing weapons to black children. It accused Indians of instigating strikes, but when blacks failed to come to work, stated that

Indians complained they were a problem and employed amkwerekwere (derogatory word for foreigners from the rest of Africa). The editorial concluded by suggesting that what South Africa needed was the

blessing of another Idi Amin to deal with the Indian population.

At first glance it most certainly appears to have contravened the bill of rights. It is one thing to criticise an ethnic group or community (although Maphumulo's allegations are pushing the limits there too), but quite another to suggest genocide as a means of solution.

All political parties in the province, including the IFP, were unanimous in their condemnation of the editorial. The issue as a whole created headlines in the media for nearly a week, and Maphumulo has been sacked as editor and demoted. The ANC has stated its intention of asking the Human Rights Commission and Public Protector Selby Baqwa to look into the matter.

There are those who argue that Maphumulo's views are those of perhaps a fairly significant number

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INSTITUUT VIR EIETDSE GESKIEDENIS

Die Universiteit van die Oranje-Vrystaat

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The Daily News

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of people. These feelings are historical baggage; to deny their reality is naïve. Would it not be better, such a person might say, to air these views and then deal with them, working forwards to a better understanding

between races?

Unfortunately, I personally don't believe humans react like this. While not denying that incipient racism is present in many South Africans of all races, as well as the growing problem of xenophobia, I believe the way to tackle this is slowly and on an individual basis.

And here the media has an important role to play in developing understanding between races; in facilitating greater understanding of all people and parties as well as the world as a whole through news stories, analysis and comment. These are the kinds of things a free press can offer our fledgling democracy.

Unfortunately, with this kind of writing Maphumulo has dealt a hard blow to the survival of press freedom in South Africa. He abused his position as an editor and a journalist, and in doing so played directly into the hands of those who argue that press freedom is a luxury which South Africa, as a developing country in a state of transition and

political instability, cannot afford.

This view, which for many years characterised South Africa's media experience, sees press freedom not as a right, but as a privilege which carries responsibility. Consequently the potential harm the press can do is constantly emphasised, along with sensationalism and the irresponsibility of the journalist on the hunt for a good story. These people tend to believe the public has the right to be informed only when it is in the interests of the state, so the granting of press freedom becomes conditional on "acceptable" performance.

However, I believe the price of democracy is this: a free society that expects responsible conduct from a free press must tolerate and even expect some irresponsibility. Press freedom doesn't come with any guarantees, and human error, negligence and even on occasion

deliberate provocation will occur. One cannot know in advance exactly what journalists will write, just as one cannot predict what impact any one story will have on the public, intended or not.

However, mistakes and in particular deliberate contravention of the bill of rights, can be dealt with swiftly, either through public apology, media council and other professional avenues, or court action.

I would urge that Maphumulo's editorial be viewed in the context of

this election year. We are seeing a particularly hard-line election campaign with many of the different parties producing all sorts of dirty allegations about members of other parties, in an attempt to catch votes. The IFP has referred to the Langa editorial as "internal sabotage" in public. Hopefully this is the case, as the thought of a party campaigning on a xenophobic ticket - jobs for our own people - is not a pleasant one.

Whatever the case, South Africa does not have a wonderful human rights record, and the present government would not have to look too far for ways of dealing with a dissident press. There is also a record of intolerance of free expression, and an ill-defined commitment to press freedom by most political groupings. Apart from the bill of rights, neither the ANC nor IFP, for example, has clearly articulated their stand on the issue.

Political parties tend to view press freedom instrumentally - it is a valued concept, so long as it helps them. Let us hope the present government continues to resist the temptation to use South Africa's legacy of intolerance to its advantage. Put quite simply, when press freedom goes, so goes democracy.

□ Nicola Jones is a lecturer in the Department of Communication Science at the University of Zululand.

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2 (⇒ not full press freedom)

ELECTIONS - On April 1, Sapa reported that the Cabinet had decided that it might be necessary to introduce regulations on the role of bodies such as the Government Communication and Information Service in the run up to the election. According to Sapa, the Cabinet agreed in Pretoria that the matter should be handled by the Independent Electoral Commission, the IBA and party liaison committees. The decision came after claims by the five opposition parties that the GCIS was being misused to boost the ANC in the election campaign. Deputy Minister in the office of the Deputy President, Essop Pahad denied that the complaint had prompted the Cabinet's decision on the need for guidelines on the role of the GCIS. "We are not interested in using either the GCIS or any other department to make propaganda for any political party. We are not going to do that," Pahad said. The issue was the recent R4.3 million GCIS publicity pamphlet and campaign to highlight government achievements. The parties argued that the campaign amounted to the abuse of taxpayers' money to promote the ANC ahead of the elections. In a joint statement, the parties said: "Regrettably the Cabinet attitude seems to us to be that they are entirely unrepentant about the GCIS pamphlet. They do not regard it as an abuse of power and of taxpayers' money and did not appear to know the difference between propaganda and information".

@ NASA PUSHES FOR PRESS FREEDOM

Issued by: Integrated Communications

The Newspaper association of south Africa (NASA), a constituent member of the Print Media Association, says in its submission with regard to the Green Paper on Broadcasting that any deviation from the principles of self-regulation by the media constitutes a deviation from the principle of freedom of expression, and that this is akin to statutory control, which represents a limitation of civil liberties and is harmful to democracy.

The chairman of the Newspaper Association, Hennie van Deventer, says the Association's submission was put forward against the background of growing concern about government's attitude towards the watchdog role of the press, and that because of this concern the need for an organised and integrated press freedom drive has been identified.

Together with the South African National Editors Forum (SANEF) and other interested parties, van Deventer says NASA intends to target opinion makers inside and outside government as well as the public at large with a clear message of society's need for, and dependence on, a free press.

"We accept that freedom of speech and expression is not a licence to criticise, but the right of the public to be informed. Moreover, this public information must include matters which the authorities may wish to suppress in order to safeguard their own interests," says van Deventer.

"It is our sincere believe that a free society cannot exist without a vigorous free press. Without an unrestricted flow of information and ideas, there can be no informed public opinion and no informed decision making."

"We warn most seriously against attempts to bring about governmental involvement in a process that, for the greatest good of the people, should be totally free and self-regulatory," van Deventer concludes.

MOLEFE SAYS MEDIA STILL REPRESENTS OLD DISPENSATION

North-West premier Popo Molefe on Friday said the South African media was made up of tightly knit conglomerates which continued to represent the old dispensation rather than the population.

Speaking at a ceremony to honour the Klerksdorp Record which was voted top community newspaper by Sanlam for the second year running, Molefe said the media still reflected the "world view of the previous political dispensation".

"The media is still dominated by an English/Afrikaaner divide," he said.

"South Africa has over the years developed a powerful and highly concentrated media. A media that directly served the interests of either Afrikaaner agricultural capital or English mining capital."

Molefe said any democratically based media had failed either as a result of direct government repression like the Rand Daily Mail, or as the result of advertising boycotts such as Vrye Weekblad and New Nation.

The media would have to become more community based if democracy was to succeed in the country, he said.

"For participatory democracy to be successful, citizens must have the widest possible access to information that will inform their choices."

Molefe said it was important to develop a democratic media and communications policy that would see movement away from media conglomerates towards community based media.

He said the North-West for its part had made use of information gathered from media workshops to create more effective and user-friendly government communication systems through the restructuring of the North-West Communication Services and the creation of media and communications sub-directorates attached to the offices of every MEC.

He said the Klerksdorp Record, which was awarded Sanlam's "News Creator of the Year Award", had played an active role in the workshop process.