PRESS — 1996

JANUARY — ~~JULY~~ JULY

# Mulholland's return fuels rumours surrounding Times Media

(243) CT(BR) 5/1/96

BY CHARLOTTE MATHEWS

Johannesburg — The return to South Africa of former Times Media managing director, Steve Mulholland, after a three-year spell in Australia as the chief executive of the newspaper group, John Fairfax Holdings, has sparked rumours that a shake-up in the local media industry, probably involving Times Media, could follow

However, Times Media's managing director, Roy Paulson, said yesterday that no announcement was imminent

The group has been involved in talks with the Financial Times about two of its financial publications — the weekly magazine, Financial Mail, and the daily newspaper, Business Day

Reports of talks between the group and the Financial Times surfaced last August and were preceded by rumours — strongly denied by the group — that Financial Mail's editor, Nigel Bruce, and columnist David Gleason, were intending to link up with Mulholland and "a foreign newspaper group" to acquire the Financial Mail and Business Day

A source yesterday said a Financial Times representative was in South Africa negotiating to buy about 50 percent of Business Day, Times Media's financial daily newspaper

Paulson said as far as talks with the Financial Times were concerned, nothing substantive had come out yet, partly because of management changes there

Mulholland said almost a year ago that he had no intention of rejoining Times Media

He could not be reached for comment yesterday

This week, Times Media employees were unable to sell their phantom shares granted under a company incentive scheme, adding further fuel to the rumours

Paulson said the freeze on shares was because of a technical issue relating to the disposal of the group's holding in M-Net and M-Cell shares to Omni Media

No trade in the group's shares has taken place since that deal and, until the shares do trade, the price shown on the JSE's board is not a true reflection This makes it impossible to pay employees the value of their phantom holdings

The group's shares last traded on December 12 at R60

Analysts have suggested that the shares should trade between R30 and R38 after the disposal of its M-Net interests

# Knives are out for media companies

(243) ST 7/1/96

By IVOR POWELL

LEGISLATION to control the media will be on the agenda when Deputy President Thabo Mbeki's 10-person task group on government communications meets for the first time in Johannesburg on Friday

While its explicit purpose is to consider the restructuring of government communications networks – especially the past government's South African Communications Services — members made it clear that this was not the only issue at stake

Mathatha Tsedu, political editor of the Sowetan, said the brief was twofold to recommend on the government's communications structures, and to examine media ownership and control

The task group emerged from a conference held in Arniston last year, where the mainstream press was attacked by black delegates for ownership and control being overly concentrated in white hands

Tshepo Rantho, a task group member and president of the Community Radio Forum, said he would be calling for anti-trust legislation to "force existing media conglomerates to unbundle"

Cross-ownership among print and broadcast media has already been restricted to 15 percent

Mr Tsedu said "It may be necessary for government to intervene to encourage black ownership and to enforce affirmative action"

Four media conglomerates (Times Media, Independent Newspapers, Nationale Pers and Perskor — own more than 80 percent of print media

Thami Nthenteni, a spokesman for Mr Mbeki, said the government's position was not to "wrest control of the media from t its owners, but to create a space in which media diversity can take root"

He said "government intervention might be necessary", though he added that the goal would be "a quiet revolution".

Task group members said such a quiet revolution could be fostered through partnerships between government and emerging black-owned media Mr Rantho cited the case of licensed community radio stations which lacked the money to get off the ground

"Government funding, by means of advertising or direct partnerships, could help such outfits to establish themselves," he said

Government communication is at the root of the problem facing the task group The structure of SACS prevents it from providing information to the majority of South Africans, and the ANC-controlled government lacks a convincing mouthpiece

Attempts prior to the elections in 1994 to establish an ANC newspaper ran to ground when the real costs were assessed

Last year, Mr Mbeki attempted to secure television time for government representatives, but this was successfully resisted by Posts, Telecommunications and Broadcasting Minister, Pallo Jordan

How it will all play out remains to be seen, and task group members are far from unanimous Val Pauquet, communications co-ordinator for the National Peace Accord, said she had been "horrified by the anti-white feelings at the Arniston conference" and would resist such "racist" interventions

Other members expressed a lack of enthusiasm for the idea of legislating change, saying that affirmative action should be via a policy of enabling development rather than "press-ganging" change

Roy Paulson, the managing director of Times Media, said while his group supported meaningful affirmative action, it would resist "press-bashing exercises"


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# Task group 'will not control media'

(243) CT 8/15/95

CHRIS BATEMAN

LEGISLATION to "control" the media was the last thing on the agenda of the government communications task group which convenes for the first time in Gauteng later this week, a spokesman for Deputy President Thabo Mbeki said last night

Rejecting weekend reports that the "knives are out for media companies", Mr Thami Ntenteni said issues such as greater media diversity, affirmative action and television time for government representatives were central to the task group's mandate

However, greater media diversity and his being quoted as saying state intervention "might be necessary" meant helping poor rural communities to set up "perhaps a radio station or newspaper — not enforcing anything or interfering with the private sector", he said.

One heavily debated idea that emerged at the initial government communication services seminar held at Arniston last year — where the task group was first mooted — was a ban on state advertising in newspapers and media with poor affirmative action records

But a powerful faction at the seminar felt the measure would be impossible to monitor or enforce

Mr Ntenteni said Mr Mbeki supported the idea of allocating television time for government representatives, but the task group's function was to see if this was necessary after studying whether present state communication facilities were being used properly and effectively.

"If the task group pursues the idea we'll have to go into modalities — it certainly won't be party political but rather if Chief Buthelezi (Home Affairs) or F W de Klerk (Deputy President) feels there's a matter of urgent public interest they would convey this as part of the GNU," he said.

He said a professional journalist could be used to anchor and coordinate such state air time

## 'Not enforcing'

Mr Ntenteni said there was "no question of trying to antagonise or interfere with the private sector media — we're looking at an evolutionary process with more voices heard which are more representative of our society".

There was "no way we're looking at enforcing anything," he said

Among those on the 10-person task group are former Rand Daily Mail editor Mr Raymond Louw, the Sowetan's political editor Mr Mathatha Tsedu, former London-based ANC diplomat Mr Mandla Langa, and co-chairman of the Independent Broadcasting Association Mr Sebeletso Matabane

# No plans to control media

(243) (56) Sowetan 9/1/96

LEGISLATION to "control" the media was the last thing on the agenda of the Government communications task group that convenes for the first time in Gauteng on Friday, a spokesman for Deputy President Thabo Mbeki said

"Rejecting weekend reports that the knives are out for media companies", Mr Thami Ntenteni said issues such as greater media diversity, affirmative action and television time for Government representatives were central to the group's future tasks

However, greater media diversity and his being quoted as saying intervention "might be necessary", meant helping poor rural communities to set up "perhaps a radio station or a newspaper"

He said it did not mean interfering with the private sector

One heavily debated idea which emerged at the first communication services seminar held at Arniston last year – where the task group was first mooted – was a state ban on advertising in newspapers and media with poor affirmative action records

However, a powerful faction at the seminar felt the measure would be impossible to monitor or enforce

– *Sowetan Correspondent*

# Team to take foreign media control to task

M+G 12-18/1/96 (243)

**Jacquie Golding-Duffy**

THE task team appointed by Deputy President Thabo Mbeki to look at the media will be reviewing the South African Communications Services (SACS) — government's current communications model — in a bid to find new and more effective means of disseminating government information to the public.

A brief for Friday's meeting sent by Mbeki's office to all ten members of the task team urges participants to concentrate on investigating, among others, issues, the relationship between SACS and those print and electronic media structures not linked to government.

Freedom of Expression Institute chairman Raymond Louw, who is a task team member, said the team would also be reviewing the government's existing policy on communication and placing "special emphasis" on re-assessing affirmative action policies.

"Ownership and control of the media, and how it affects government communications is also one of the key issues for the task team," Louw said

Another member of the task team, the *Sowetan*'s political editor, Mathatha Tsedu, said foreign control of the media by large conglomerates and monopolies should be a priority for the task team because foreign ownership impeded the process of ensuring a "diversity of voices" among the press.

"I believe that the large groups controlling the media should unbundle and relinquish shares *Sowetan* staffers have appealed to the Independent Group to sell its stake in the *Sowetan* and allow them to buy shares. This displays the urgency with which our team has to discuss foreign control of the media," Tsedu said.

More than 80 percent of South African print media is controlled by four major players: namely, Times Media Limited, Independent Newspapers Holdings, Perskor and the Nasionale Pers

Although members agreed on the issue of spurring affirmative action, some feared that government may resort to "undesirable means" of implementation such as using government advertising money to implement the policy.

# Media groups eye Zimbabwe papers

(243)

Michael Hartnack

BD 22/1/96

HARARE — SA groups were negotiating to buy shares in the company that publishes Zimbabwe's only independent newspapers, the state-controlled Sunday Mail reported yesterday

Times Media Limited, publisher of Business Day, and Nasionale Tydskrifte, publisher of Fair Lady, were reportedly considering taking an undisclosed stake in Modus Publications.

Modus, which produces the Financial Gazette and the Weekly Gazette, ran up substantial losses in 1993/94 in its attempt to challenge the semi-official Herald with the Daily Gazette.

TML MD Roy Paulson confirmed yesterday that the group was investigating a possible deal, and that TML was particularly interested in the Financial Gazette. "We believe there is a great deal of synergy between Modus and ourselves."

But he said no figure had been tabled on the size of a potential investment, and that Zimbabwe government

**Continued on Page 2**

# Media

**Continued from Page 1**

regulations on foreign ownership were a potential obstacle. He met Zimbabwe's information, posts and telecommunications minister David Karimanzira last week to discuss proposals.

The Sunday Mail reported that Modus CE Elias Rusike "dispelled industry speculation" that Modus was selling its publications

He said his company was "merely looking for investors and among those were South Africans"

The Sunday Mail said SA companies wanted clarification on government's position regarding foreign investment in the media industry which was regarded as "politically sensitive"

"It is understood Karimanzira gave the assurance government was not opposed to foreign investment in any area and that the media was regarded just as any other business venture."

The Sunday Mail said a team from Nasionale Tydskrifte had been in Zimbabwe recently to "explore the possibility of taking over one of the newspaper titles of Modus publications

"Sources at Modus said the company was willing to let go only its Sunday Gazette

"It is also understood that TML was interested in acquiring a controlling shareholding in Modus but would not tamper with the staff complement of the newspapers There were fears that the media giant would bring its own editors to take over the running of either the Financial Gazette or the Sunday Gazette," the Sunday Mail said.

# Task team rattles media groups

(243) M+G(BM)26/1-1/2/96

Thabo Mbeki's media task team has ruffled the feathers of the major newspaper conglomerates, writes **Jacquie Golding-Duffy**

MAJOR newspaper conglomerates are worried that the 10-member media task team appointed late last year by Deputy President Thabo Mbeki will exercise its power to ensure large scale affirmative action at newspapers — up to the level of editor

Newspaper groups investigating partnerships with black investment companies also fear pressure from the task team to hand over control of newspapers via the selling-off of large chunks of shares. The conglomerates believe this is a bid by the task team to ensure financial equilibrium and media control

These fears come days before the team is next due to meet, on January 29

The appointment of the team followed recommendations by a government conference on communications held last October in Arniston, Western Cape

The task of the team is to investigate government communications, and the ways that "ownership and control of the media" outside of government affect these communications. At its first meeting, held last week, the committee discussed the need for interested parties to air their views

Nasionale Pers Newspapers Group chief executive officer Hennie van Deventer said the group was "surprised to see that government saw fit to appoint a task team without consulting major newspaper groups"

Van Deventer said Nasionale Pers was "wary of the manner in which the team was compiled", adding that media groups were getting the impression that the task group was selected with an end result already in mind

"We are worried that the task team has no full understanding of how newspapers operate and are not fully aware that newspapers are part and parcel of certain cultural groups," he said

He added that it would be confrontational to try to exclude newspaper houses from participating in the formulation of recommendations to be submitted to government

The reassessment of affirmative action is among others, the key issue which the task team has to investigate intensively. "Special emphasis" has to be placed on affirmative action, according to a brief received by the 10 members two weeks ago

"You cannot take Afrikaans newspapers and think that you can change editors without forfeiting the style and substance of the paper and affecting readership ratings," Van Deventer said. Newspapers did not operate in a vacuum and affirmative-action editors could not replace current editors "at the drop of a hat".

He said Nasionale Pers understood government had a problem with the status quo and that there was a need for a more representative black voice but it felt the correct way to redress the imbalance was via partnerships

"We are having talks with various black partners and are prepared to sell a substantial share of *City Press*, among other ventures, in a bid to create a synergy between financial muscle and management experience with other groups," he said

Mbeki representative Thami Ntenteni said government was not obliged to consult with business or newspaper houses before setting up a media task team

"We are confident that in the course of the task team's meetings, they will consult stakeholders," Ntenteni said, adding that he was "surprised at the paranoia displayed by business"

"It is incorrect to prejudice and pre-empt the task group," he said

Times Media Limited managing director Roy Paulson said he has found the briefing on control of the media and how it affected government communications "a little strange"

**'I think government is being a bit naive if it believes that by appointing black editors they would have created a government-friendly press'**

Paulson said

He added that should the task team be positive in its approach, TML would support it whole-heartedly, but press-bashing, as happened at the Arniston conference, would be unfortunate

"A newspaper should be run commercially or not at all," he said. The team's primary task of examining internal and external communications pertaining to government was "highly laudable"

More than 80% of the South African print media is controlled by four major players: Times Media Limited, Independent Newspaper Holdings, Perskor and Nasionale Pers

Independent group managing director of Gauteng and Northern Cape newspapers, Deon du Plessis, said Independent Newspapers Holdings was "feeling its way"

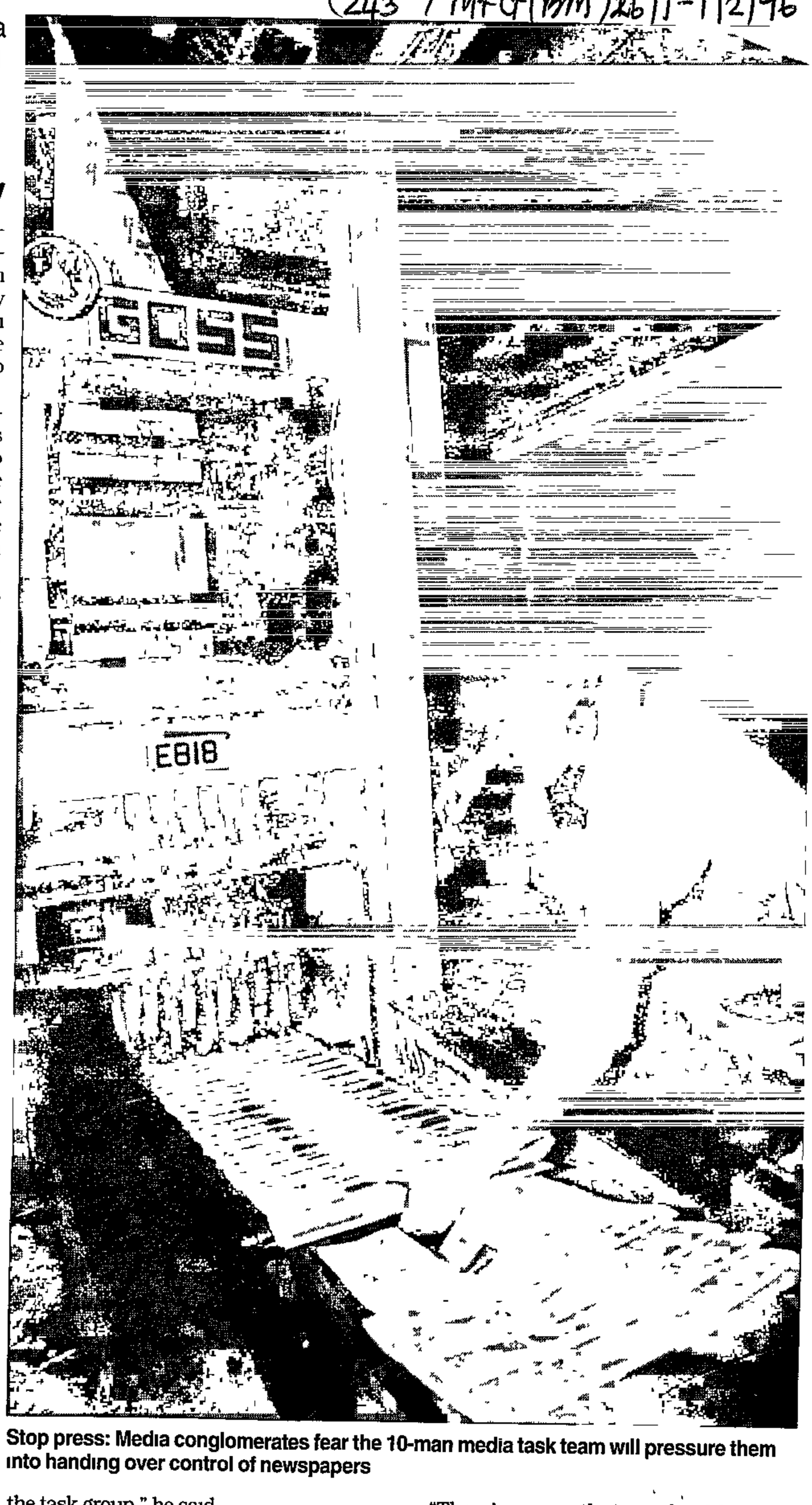
"There's a case that we should appear before the task team but this depends on how things pan out," he said. The group was going to "watch the task team very closely"

Task group representative Val Pauquet said the task team was chosen to look at the problems and fears of newspapers and to "address them appropriately"

"The task team, we must remember, has no authority to make any decisions and it will not be riding roughshod over the press, but instead, its aim is to research and investigate. We encourage media groups to make submissions to the team in a bid to assist it in its investigations."

The following people constitute the task team:

- Mandla Langa (director of Interface Consultancy Productions) is the convener of the task team
- Val Pauquet (Peace Accord Trust national communications co-ordinator) is the representative for the team
- Mathata Tsedu (*Sowetan* political editor)
- Tshepo Rantho (National Community Media Forum president)
- Stephen Mncube (Development Information Service divisional manager)
- David Dison (attorney)
- Sebiletso Mokone Matabane (Independent Broadcasting Authority co-chairperson)
- Raymond Louw (Freedom of Expression Institute chairman)
- Professor Willem de Klerk (private political consultant)




**Stop press: Media conglomerates fear the 10-man media task team will pressure them into handing over control of newspapers**

# Open Democracy Bill not for media only

Sowetan 29/1/96 (243) (~~3e+3~~)

THE free flow of information is at the root of democracy, Water Affairs and Forestry Minister Kadar Asmal said at the weekend in a message read on his behalf at a Freedom of Expression Institute conference

More than 100 delegates, from the legal and business professions, trade unions, the media and government representatives were attending the conference called to discuss the Open Democracy Bill

Asmal said rights in the bill did not merely refer to the print or broadcast media

"It is a matter that ranges right across the spectrum of activity in any society

"To see it only as, for instance, the freedom of the Press is a myopic way of looking at it

"It is a vital concern of government, of business, of trade unions, of the academic world, of the legal profession, of the churches – indeed of the whole areas of interests that make up society"

Asmal said he had been a human rights lawyer most of his life and his instinctive position was to champion the cause of maximum disclosure of information

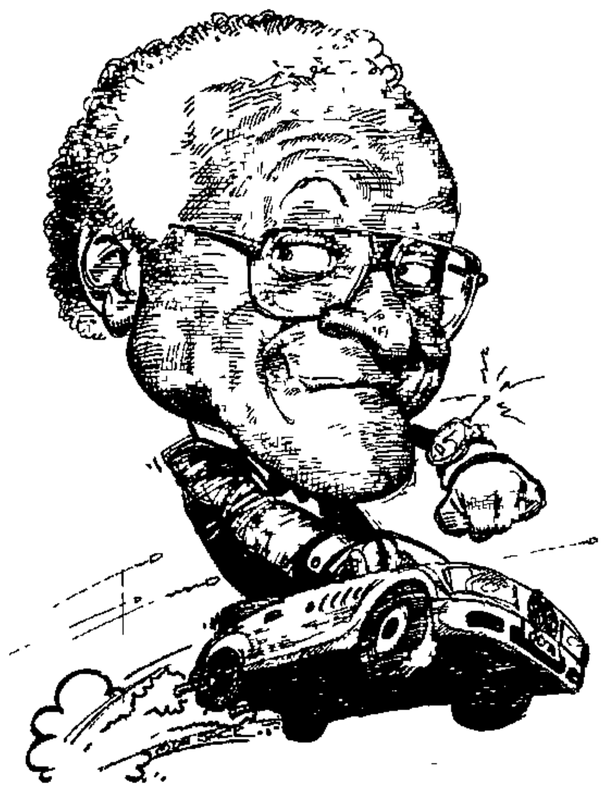
"The total lack of this in the dark four decades of South Africa that have come to a spectacular end produced a society virtually without public opinion

"We in exile abroad got to know more about the real happenings inside South Africa than most of those whom we had left behind"

South Africa had now moved away from that "pathetic internal condition" and had to develop a powerful culture of openness – *Sapa*

## Media Mad

Jacquie Golding Duffy



**Anglican archbishop REVEREND DESMOND TUTU who sees himself in the guise of 007**

**Which television programmes do you watch most often and why?** *Suburban Bliss*, *The Cosby Show*, *America's Funniest Home Videos* and *The News*. I watch them as I have a prominent funny bone which enjoys being tickled and I am looking for stories to add to my repertoire *Suburban Bliss* shows just how extraordinary we are. Nowhere else could such racist views be given such wide publicity so soon after suffering from acute racism It gives us hope — this capacity to laugh at ourselves and not take ourselves too seriously

**Which book have you read recently that you would recommend?** An *Ethic for Enemies* by Donald Shriver Its subtitle is *Forgiveness in Politics* Given my new job, need I give justification for recommending this serious study for our edification?

**Which radio station do you listen to and why?** Hardly any — not much time I have usually listened to the old SABC 1, especially the midday concert, because I enjoyed being educated about the classical pieces on offer

**Do you surf the World Wide Web of the Internet? What do you go for in particular?** No — I am totally and utterly computer illiterate I don't know what you are talking about when you use all this new fangled jargon I just sit with gaping mouth

**Which is your favourite advertisement and why?** I have enjoyed the insurance company one using children to appear to mouth adult sentiments. It is such superb photography, catching them in the appropriate expressions and activity I've forgotten which insurance company is being advertised

**Which newspapers and magazines do you read regularly? (Please mention one of each)** *The Cape Times*, *Argus*, *Die Burger*, *Mail & Guardian* (of course!) when in Cape Town When in Johannesburg *The Star*, *The Sowetan*, *Citizen* (wow), *Beeld*, and then *The Sunday Times*, *Rapport*, *The Sunday Independent*, *Newsweek*.

**If you could be any film star (such as Sharon Stone or Clark Gable), or any fictional character (like Batman as he is invincible), who would you be and why?** I would like to be 007 — I like those gadgets and smart (intelligent) cars and the clever watches He always beats the baddies Nice world, unlike the real world

# Newspaper black-wash?

(108) (243) M+G (BM) 2-8|2|96

Thabo Mbeki has accused the print media of a go-slow on affirmative action

**Jacquie Golding-Duffy** surveys the industry to see if this is true

**Media action: Few newspapers have enforced affirmative action in the newsroom**

ON a head count, local newspapers have not done particularly well in furthering the cause of affirmative action With more than 80% of the local media controlled by four players, namely Times Media Limited, Independent Newspapers Holdings, Perskor and the Nationale Pers, the recruitment of affirmative action candidates to the major conglomerates is slim with few black reporters in the newsroom and even fewer in the higher echelons of the media

*Beeld*, an Afrikaans newspaper owned by Nasionale Pers, has been involved with in-house training of reporters since 1989 The recruiting of affirmative action candidates has been marginally successful with two black candidates in the newsroom, one at *Beeld* in Johannesburg and another in Cape Town-based *Die Burger*

But Nasionale Pers claims to have many Afrikaans-speaking "coloureds" in its ranks at its Eastern, Northern and Western Cape operations, although few are active in the editorial sections

"Although we want to attract more black people, being an Afrikaans newspaper makes the task of recruiting black reporters extremely difficult," said Nasionale Pers editorial manager Dolf Els, adding that most affirmative action candidates were unable to write in Afrikaans

*Beeld* personnel head Marga Ley said people recruited by *Beeld* had to have a minimum three-year diploma or degree "Only occasionally do we accept people with a matric certificate, but these candidates could be either black or white," Ley said

She said there was no clear affirmative action policy with regards to recruiting in the editorial section of the paper, adding that the newspaper did "sort of have a programme that catered for recruits from disadvantaged backgrounds"

*Rapport*, an Afrikaans Sunday paper also owned by Nasionale Pers, said it too did not have a specific policy on affirmative action News editor Herman Jansen said the newspaper did not have any training project in place for journalists

Independent Newspapers Holdings deputy chief executive Ivan Fallon said the group was placing "emphasis on training all journalists", but was focusing on potential reporters from disadvantaged backgrounds

"Because we have not got near enough senior black reporters and editors we have embarked on training appropriate candidates," Fallon said, adding that newspaper conglomerates could no longer claim there were no good black reporters

Fallon said the Independent group was leading the way in training and appointing affirmative action candidates with, among others, a black editor at the helm of *The Cape Times*

**Recruitment of affirmative action candidates ... is slim with few black reporters in the newsroom and even fewer in the higher echelons of the media**

"Other than that, of the five editors we have got in Natal, three are Indian, and we also have two black deputy editors," Fallon said

Newspapers in the Independent group stable include *The Star* and *The Sunday Independent* based in Johannesburg, *Pretoria News* (Gauteng Newspapers), *The Mercury* based in Natal (Natal Newspapers) and *The Cape Times* and *Weekend Argus* (Cape Newspapers)

Times Media Limited finance daily *Business Day* said it aimed to give locals rather than foreigners preference when it came to journalist job applications, provided candidates had the necessary skills to do the job

Editor Jim Jones said the finance daily received lots of applicants from other African countries, among others, Nigeria

"It's in these instances when we tend to seek out South Africans for reporting jobs because they are in tune with the various nuances of the country," Jones said

"It's not so much the issue of affirmative action as it is about giving local South Africans an opportunity to be trained and promoted," Jones said

"Many young people taken in have no experience and as a financial daily, we aim to give people a grounding in finance and investment," he said, adding that a series of in-house lectures and on-the-job-training together with organised business tours gave reporters an invaluable opportunity to make contacts in the finance world

"Other newspapers are not training finance reporters and some overseas wire services dealing with finance establish themselves locally without any contribution towards training reporters in the financial field," Jones said

*Business Day* has a total of three black reporters out of 17 on its finance side and four out of 16 news reporters

The *Mail & Guardian* has five black writers, says editor Anton Harber "We have done more entry-level training in the last 10 years than any of the bigger newspapers Literally dozens of young journalists have come through our training course and many can be found in successful jobs throughout the industry We are particularly proud of this

"Unfortunately, the bigger groups have found it easier to pillage our ranks than do their own training — frustrating our attempts to groom a new generation of editorial staff into senior positions

"But we are persisting with our training and with serious attempts to give opportunities to people who have been denied them The future of the media industry depends on it," he said

Gauteng Newspapers' daily *The Star* was "revisiting the rank and file" in a bid to unearth previously ignored affirmative action talent

Managing director Deon du Plessis said the company was "embarking on a whole range of things", such as "combing the operation for good people"

"We intend carving out career paths for people ranging from the highest to the lowest levels in the company," Du Plessis said, adding that the issue of affirmative action was "very much a priority"

No-one at the Independent group, including Gauteng Newspapers, could provide the *Mail & Guardian* with overall figures on its affirmative action reporters

*The Citizen*, a daily newspaper owned by Perskor, said it did not have a specific training project for young journalists

Assistant news editor Coen de Villiers said although the newspaper did not have an affirmative action policy, it was "in the middle of interviewing black journalists". Editor-in-chief Johnny Johnson would not comment on the newspaper's lack of training and the absence of an affirmative action programme

Deputy President Thabo Mbeki's representative, Thami Ntenteni, said affirmative action was a matter close to the hearts of many people, especially those who attended the conference on government communications held in Arniston last year.

Some of those who attended the meeting, formed Mbeki's 10-member task team aimed, among other things, at reassessing South African media in both affirmative action policies and control of the media

"I think those people [who attended the conference] agreed in principle that there was a need in print media to pay attention to affirmative action because black faces are not sufficiently visible in the media," Ntenteni said

He added that media was "merely one aspect of the South African picture where past injustices had to be seriously addressed"

"The media includes people who form and shape opinions There is a lack of balance in the country when the majority of opinion-makers happen to be white," Ntenteni said

"People cannot run away from the fact that our history in this country is such that we have this big gulf we have to bridge before we can say we speak as one voice"

## BRIEFLY

THE launch of an Internet site by German car maker BMW's British arm indicated the vast marketing potential of the global computer network among producers of luxury items

*Financial Times* reported that car companies have been quick to realise that with about 2-million users in Britain and about 25-million users worldwide, the Internet was an effective means of getting information to customers and facilitating the buying process

THE retail industry has applauded SABC's plans of regional broadcasting as it would enable chain stores to tailor advertising to local audiences Pick 'n Pay advertising agency, Young and Rubicam was quoted as saying the new television options would enable retailers to extend their local advertising strategy

# Granada wins Forte bid

**Ian King in London**

LONDON'S most gripping takeover battle this decade came to a climax last week when Forte, the 60-year-old family-run international hotels dynasty, succumbed to a £3,9-billion hostile bid from Granada, the television-to-motorway services group

Forte, set up by Italian immigrant Charles Forte, later Lord Forte, from a Regent Street milk bar in 1935, surrendered after Granada claimed support from 67% of Forte's shareholders

The bid created a £155-million fees bonanza for the City's financial advisers in a return to 1980s-style takeovers, provoking criticism from the Labour party, which opposes the tax benefits offered to institutional shareholders in Granada

Alistair Darling, Labour's City representative, said that Labour would seek to remove such tax breaks in the debate on the Finance Bill

Victory was sealed for Granada when Mercury Asset Management, Forte's biggest single shareholder with a 14,4% stake worth £56?-million, pledged to support the bid when it closed on January 16

The takeover means that some of Britain's top hotels are likely to come under the hammer Granada, known for its rental stores, motorway service stations and television shows, such as *Coronation Street*, has pledged to sell Forte's top-of-the-range hotels

The day after Granada's victory, Sir Rocco Forte, the outgoing chief executive, announced plans to buy back the hotels He is expected to offer £2-billion for the 155 hotels, but he is likely to have a fight on his hands as Granada has already received what it calls four "serious" approaches from other groups

The takeover by Granada will mean up to 1 000 job losses, including 335 at Forte's head office at London's Holborn But Granada's triumphant chief executive, Gerry Robinson, insisted his company's victory was "good news for British jobs"

Meanwhile, the brewing and leisure giant Whitbread, which had agreed to buy the Happy Eater, Little Chef and Welcome Break motorway services chain from Forte in the event of Granada's bid failing, may now seek to buy Welcome Break from Granada

# Toy takeover is no game

Sindy has snubbed Barbie's $5,2-billion takeover advances, reports **Pauline Springett**

FORGET the sexual antics of the British royal family The big question is whether arch rivals Barbie and Sindy will make friends and move in together If United States toy maker Mattel gets its way, they will

Mattel, maker of the world's best-selling toy, the Barbie doll, has launched a takeover bid for Hasbro, manufacturer of Sindy They are the world's two largest toy makers and, merged, would form a colossal company with about $6-billion in annual sales and 40% of the US toy market

Serious talks between the two groups have been underway since April, but a happy union appears far from certain, thanks to Hasbro's reluctance and fears that the merger would flout US monopolies laws

John Ammerman, Mattel's chairman, threw off the shroud of secrecy this week with a public letter to Hasbro saying he wanted to go ahead on a negotiated basis

But the $5,2-billion offer — 73% above the market price — was instantly rejected by the Hasbro board Alan G Hassenfield, Hasbro's chairman and chief executive, dismissed it as "incredibly presumptuous" He said it would inevitably trigger close scrutiny by the US regulators

He added that Hasbro's lawyers had advised that the chances of the deal receiving the blessing of the US authorities were "extremely low" Nevertheless, the US markets found the prospect of a merger very enticing The cost savings could be substantial — Mattel has forecast a first-year saving of at least $100-million, with more later

Hasbro shares soared by 40% on Wall Street as the US market digested the implications of the deal US analysts noted that Mattel had a proved track record and that the two companies would fit very well together They added that the merger would be largely complementary Mattel and Hasbro overlap in relatively few areas Two notable exceptions are their infant and pre-school businesses and dolls

Mattel had sales of $3,2-billion year Hasbro is smaller, with sales $2,7-billion

Ripples from the battle between the two US toy companies were immediately apparent Britain as Bluebird Toys' shares in Bluebird, Britain's largest toy maker has spasmodically been the subject of takeover rumours and the news from across the water re-ignited the speculation

Hasbro owns 7% of Bluebird already, although the British company has contracts to market certain characters from each company both the UK and Ireland

Bluebird's chief executive Clive Burgin believes the future is not all computer games and cinema characters "There is no evidence of the terminal decline of the traditional toy" he said

# Glad rags for business

**Frank Swoboda in Washington**

**IT started on a Friday Now it's spread throughout the week It's even happening at IBM Casual dress is rapidly becoming the norm rather than the exception for United States office workers**

**A survey released by Levi Strauss Company, one of the nation's leading manufacturers of casual wear, and the Society for Human Resource Management (SHRM) shows that 90% of the companies surveyed have some form of casual-dress code for office workers The figure was 63% three years ago, when the two organisations conducted their first survey**

**International Business Machines Corporation, once the bastion of conservative corporate attire, now allows casual dress by its office workers five days a week. Visit General Motors Corporation's headquarters in Detroit on a Friday, and it looks like a golf tournament.**

**The trend has become so widespread that clothing makers and retailers such as Levi Strauss, Kmart Corporation, Wal-Mart Stores and Target Stores are either producing or developing new lines of casual business wear.**

**The survey was conducted late last year among 505 human-resources managers randomly selected from among the members of the SHRM. The samples were weighted to bring them into proportional alignment with Dun & Bradstreet industrial profiles. Levi Strauss conducted the first survey among 504 human-resources managers in April 1992, using the same methodology.**

**The survey found that one-third of the companies allow casual dress every day, up from 20% in 1992, and 42% of the companies allow office workers to dress casually once a week, up from 17% in 1992.**

**Two-thirds of the human-resources managers — once known as personnel directors — said they thought casual-dress policies could be used to attract new employees This is a dramatic increase from 1992, when only 29% of the managers saw dress codes as a hiring incentive**

**And 85% of the corporate managers interviewed said they now believe that casual-dress codes improve office morale**

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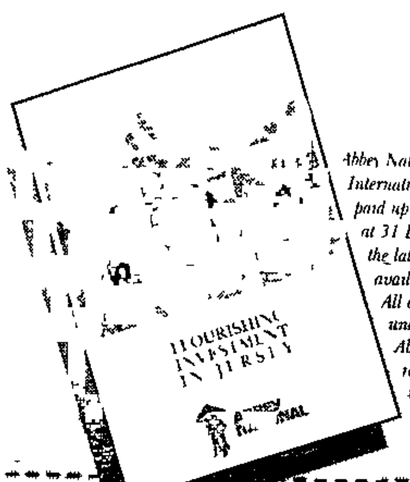



*Abbey National Treasury International Limited's reserves and paid up capital exceeded £65m as at 31 December 1994 Copies of the latest audited accounts are available on request All deposits carry the full and unconditional guarantee of Abbey National plc which had reserves and paid up capital in excess of £3700m as at 31 D*

*It's time you benefited from the pick of the crop.*

WBA

SWA1

# Editors' organisations to investigate a merger

(243) CT5/2/96

REPRESENTATIVES of the Black Editors' Forum and the Conference of Editors recommended at the weekend that they investigate forming a joint body and drafting joint representations on media issues.

In a statement the representatives said the recommendations would be taken back to their respective organisations and that further negotiations were envisaged for early March.

The meeting of editors recommended that senior journalists be invited to join the Black Editors' Forum and the Conference of Editors to participate in deciding on the formation of a joint body.

Other recommendations were that the organisations seek a common approach to dealing with complaints and set up joint subcommittees to investigate and report on, among other things, affirmative action, training and black economic empowerment.

The recommendations followed long-standing differences between the two organisations.

Cape Times editor Mr Moegsien Williams, who is a member of both the Black Editors' Forum and the Conference of Editors, said Friday's talks had been the first full meeting between the two organisations.

"We are extremely hopeful that we will be able to fulfil a wish President Nelson Mandela expressed last November when he called for the formation of a single, non-racial editors' forum," he said.

But the union would have to be carefully negotiated so that it would have widespread support and it would not be a "shotgun marriage". — Staff Writer, Sapa

# Govt pledges no gag on censorship Bill reaction

BD 8/2/96 (243)

**Wyndham Hartley**

CAPE TOWN — All 29 organisations who want their voices heard on the controversial new censorship Bill will get a chance to make submissions, the parliamentary home affairs committee decided yesterday.

The Bill, which when approved will legalise pornography with few restrictions, has drawn furious reaction from religious and other groups opposed to the liberalisation of SA's publication laws.

Committee chairman Desmond Lockey received an overwhelming "yes" when he asked his fellow members if all 29 requests for oral submissions should be heard

Since being published for comment in late November, the Films and Publications Bill has drawn 400 submissions from the public.

**BUSINESS**

Sowetan 8/2/96

# Communications policy to be tabled

(243)

**By Shadrack Mashalaba**

THE second draft of the White Paper on telecommunications policy, to be tabled before Parliament for ratification in March, was released at the plenary session of the National Telecommunications Forum (NTF) at Gallagher Estate, Midrand, this week

The draft, which is to be deliberated on by various structures, will be tabled in Parliament before the end of the Easter recess

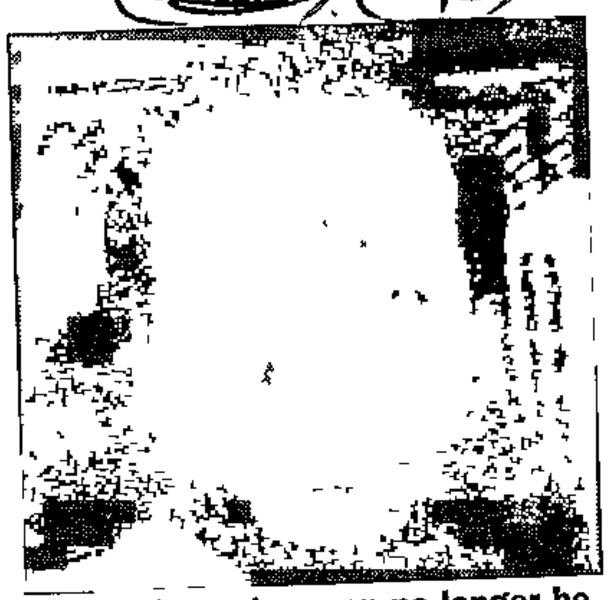
Key areas of discussion involving government, labour, civil society, business and public enterprises included

- Universal service and development,
- Market composition and competition,
- The ownership and financing of Telkom,
- Regulation, and
- The equipment supply industry, which was central to discussions during an earlier telecommunications conference held in Magaliesburg last year

## Access is a basic right

Post, Telecommunications and Broadcasting Minister Dr Pallo Jordan said that he appreciated the cordial collaboration that had developed between his Ministry and the NTF

"Access to telecommunication services is a basic right that all South Africans should enjoy and as such affordable universal service for all



**Affirmative action can no longer be an issue for debate, says Jordan.**

must be the focus of all ministerial endeavours," said Jordan

He added that the pressing need to institute affirmative action programmes through the development of skills among blacks, women and other disadvantaged groups, in both the public and private sectors could no longer be a matter for debate

NTF chairperson Ms Felleng Sekha said "The NTF has done a lot of spade work since it was formed It is only minor and sticky issues, such as the composition of the secretariat, executives and the walk-out by civic associations that are outstanding"

Projects manager for Data Research Africa Mr Aki Stavrou said history had shown that economic development worked in tandem with technological advancement It therefore came as a no surprise that countries without advanced technology were impoverished

# Report slates proposal

(243) ARG 10/12/96

GLYNNIS UNDERHILL
Staff Reporter

WESTERN Cape Attorney-General Frank Kahn and his legal team have slated the proposed 1995 Film and Publications Bill — set to liberalise pornography in South Africa — and described it as "unpoliceable, unenforceable and unworkable"

In a written submission to the parliamentary select committee dealing with the bill, Mr Kahn's office said it was "unconstitutionally vague and will succeed in legalising what it seeks to prohibit".

Sections will succeed in legalising the manufacture, distribution and possession of certain forms of child pornography, which is "nothing other than child sexual abuse", the attorney-general's office contends

This would render the bill unconstitutional and would make "a total mockery" of the government's clearly stated commitment to protect children, the report states

If this bill is passed, certain forms of child pornography, bestiality which is not explicit, violent sexual conduct, sado masochism and sadism, unless it involves "extreme violence", would be permitted in South Africa

Among other concerns are the vagueness of the bill and a failure to acknowledge the fundamental rghts to equality and every person's fundamental right to human dignity

The written submission from the attorney-general's office, prepared by advocate Ronel Berg, is based on research from so-called "obscenity legislation" from other liberal democracies in the Western world and consultations with international experts

The attorney-general's office has received thousands of letters and protests from people opposed to pornography

The office has also been involved in numerous prosecutions where expertise in these fields has been required

"The attorney-general is furthermore of the opinion that he, and the prosecutorial staff that represent this office, have a major interest in the formulation of a bill that will be workable, policeable and enforceable," the submission states

The written submission explains how a section of the bill describes explicit sexual bestiality as being illegal

"Explicit sexual bestiality argues for the proposition that something more than bestiality as defined in the dictionary is required in order for the publication or film to be XX-classified

"Not only will this result in tremendous confusion — but will surely also legalise the distribution of material that complies with the accepted/ordinary meaning of bestiality"

Giving an illustrated example, the report attaches a copy of a photograph of a woman on all fours featured with a pig

"The operative question is, is this explicit sexual bestiality — as opposed to implicit sexual bestiality, or just plain bestiality?" the report questions.

The bill purports to prohibit "explicit infliction or explicit effects of extreme violence".

"We, as experienced advocates and jurists, do not understand what degree of violent material will fall within this category," the attorney-general's submission states

The attorney-general's office encloses examples of extreme violence which it claims will be allowed under the new bill The submission contends that any visual presentation of an aroused or stimulated male penis is afforded far greater protection by the law and is regulated against far more stringently than the most graphic explicit visual presentation of female genitalia

"The reasoning for this unfair discrimination is unclear, and in our opinion, it renders every schedule in which the term 'sexual conduct' appears, unconstitutional"

The attorney-general's office says a section of the bill legalises the publication and distribution of child pornography if the child pornography has "technical, professional, educational, scientific, documentary, literary or artistic value"

"This is unholy. In the United States, the Supreme Court had no difficulty dismissing the idea that such considerations were required under the concept of freedom of speech or the Press," the report submits

Sections of the bill are "nothing other than loopholes for child pornographers," it claims

"This opens the back door for abuse and could legalise child pornography At all events, there should be no exception for child pornography In the United States and Canada, for example, no such exceptions exist

"The right to freedom of speech and expression in South Africa do not require its legalisation"

# TML in trade accord dispute

(243)
BD 15/2/96

**Jacqueline Zaina**

JOHNNIC, holding company of Times Media Limited (TML), is embroiled in a dispute with publishing company Caxton over a restraint of trade agreement dating back to the early 1980s.

MD Vaughan Bray said yesterday Caxton was trying to relate the agreement — struck with the Argus group — to magazines published by TML, including the Financial Mail. TML is a 92% subsidiary of Omni Media, formerly Argus Holdings.

Caxton owner and manager Noel Coburn said certain contractual agreements had been drawn to Bray's attention, and had also been put before the Financial Times. The Financial Times has been negotiating a joint-venture arrangement with TML's Financial Mail and Business Day

Bray said the dispute was unlikely to affect negotiations with the Financial Times. He said a tie-up with the Financial Times would be a good strategic alliance for TML.

Argus struck a restraint of trade deal with Caxton in 1980, under which Argus could publish only newspapers and Caxton magazines and free-sheets.

An industry source said he did not believe the agreement could be applied to TML publications because they existed before the restraints were signed.

Star 15/2/96

# Judge gives landmark ruling on press freedom

(243)

By Susan Miller

The onus could be on public figures to prove their defamation cases against the media, following a landmark decision in favour of The Star over Deputy Environmental Affairs Minister Bantu Holomisa

Mr Justice Edwin Cameron made the decision when agreeing The Star had raised a valid exception to Holomisa's cause of action which did not take into consideration the interim constitution

Holomisa is suing the paper for R100 000 damages for a story headlined "Holomisa is linked to infiltration of Apla hit squad", published in May 1993 The story alleged his involvement in the infiltration into South Africa of a nine-man Apla and Transkei Defence Force squad

The article also alleged this action was aimed at "killing whites" in northern Natal and included a plan to assassinate a top South African official in Transkei

Finding in favour of The Star's exception, Judge Cameron stressed that the success of South Africa's constitutional venture depended upon robust criticism of the exercise of power

"Strong and independent newspapers, journals and broadcast media are also needed, if

► To Page 2

# Landmark ruling on press freedom from judge

(243)

► From Page 1

Star 15/2/96

those criticisms are to be effectively voiced, and if they are to be informed of factual content and critical perspectives that investigative journalism may provide"

He said the constitution gave recognition to the "fact that freedom of speech and expression, including that of the press and other media, is an indispensable adjunct to free and fair political activity"

Mr Justice Cameron found that the strict liability rule which applied to the media, placing the onus on it to prove a defence of truth and public interest, would have to be reformulated in light of the constitution

He said the defamatory statement involved in this case "undoubtedly constituted a comment made in the pursuit of free and fair political activity" and that The Star in this case was therefore entitled to constitutional protection.

Counsel for The Star, advocate Gilbert Marcus, argued that Holomisa's claim was defective because he had failed in his papers to give due consideration to the provisions of the constitution.

Holomisa has been given 14 days to place his court papers in the proper form with the Rand Supreme Court.

His claim will fail if this is not done timeously

# Archives office goes for the records

(243) ARG 15/2/96

A BILL tabled in parliament today will set up a national archives office to manage all central government records.

The National Archives of South Africa Bill defines the relationship between national and provincial archival services and draws all public records, including electronic records, into its ambit

According to a memorandum to the bill, it will ensure that provisions for public access will mesh with proposed Open Democracy laws

"Current archival legislation expresses an ethos in public administration wedded to the past."

Existing legislation did not accommodate the new division of functions between central government and the provinces

It did not address new realities in keeping public records, including electronic records, and did not embrace accountability and transparency

The bill was the product of a year-long process of consultation with affected groups

A national archivist will be appointed by the Minister of Arts, Culture, Science and Technology The archivist will be in charge of arranging, describing and retrieving records, providing information, consultation and research.

The bill provides for a 10-member National Archives Commission, including the national archivist, to advise the minister and help coordinate policy formulation

The commission will have to keep a list of all non-public records in the country which in its opinion have enduring value

# 'Racist media undermines transparent Parliament'

BD 16/2/96 (243)

**Wyndham Hartley**

CAPE TOWN — The ANC has charged that organisations and elements of the Press are out to undermine the profile and legitimacy of Parliament.

The charge, made by three senior ANC members, follows the release by the Institute for a Democratic SA (Idasa) of survey results which show that the public thinks the new government is more corrupt than the old

ANC Senate chief whip Bulelani Ngcuka, caucus chairman Baleka Kgositsile and spokesman Carl Niehaus suggested that the media had played a role in creating the perceptions reflected in the survey.

Ngcuka said the ANC had "bent over backwards to be open and transparent", and there was no evidence it had failed to act as firmly in cases of suspected corruption as it should have

He characterised many reports as attempts to undermine the institution of Parliament, attempts to try to detract from the good work being done in Parliament and which "branded us as corrupt natives" It was, Ngcuka said, absolutely clear that from the moment the new MPs moved into Parliament they had been subject to one form of attack or another. He insisted that there were no facts to show the new order was corrupt and said he was at a loss to explain the motives

Niehaus said "We strongly feel that there is a deliberate attempt from a number of organisations to try to undermine the profile and legitimacy of Parliament"

With regard to the issue of MPs' salaries, he said "no attempt" was made to deal with the matter in an even-handed way It left a bad taste in the mouth because it smacked of deep-seated racism, he said

"This raises questions about those who have the power to create perceptions," he said

Kgositsile said the media had played a role in creating the impression that Parliament could not be trusted

Sapa reports the NP said a lack of decisive action and apparent empty promises by ANC leaders were at the root of the public's perception that corruption was rife in all levels of government.

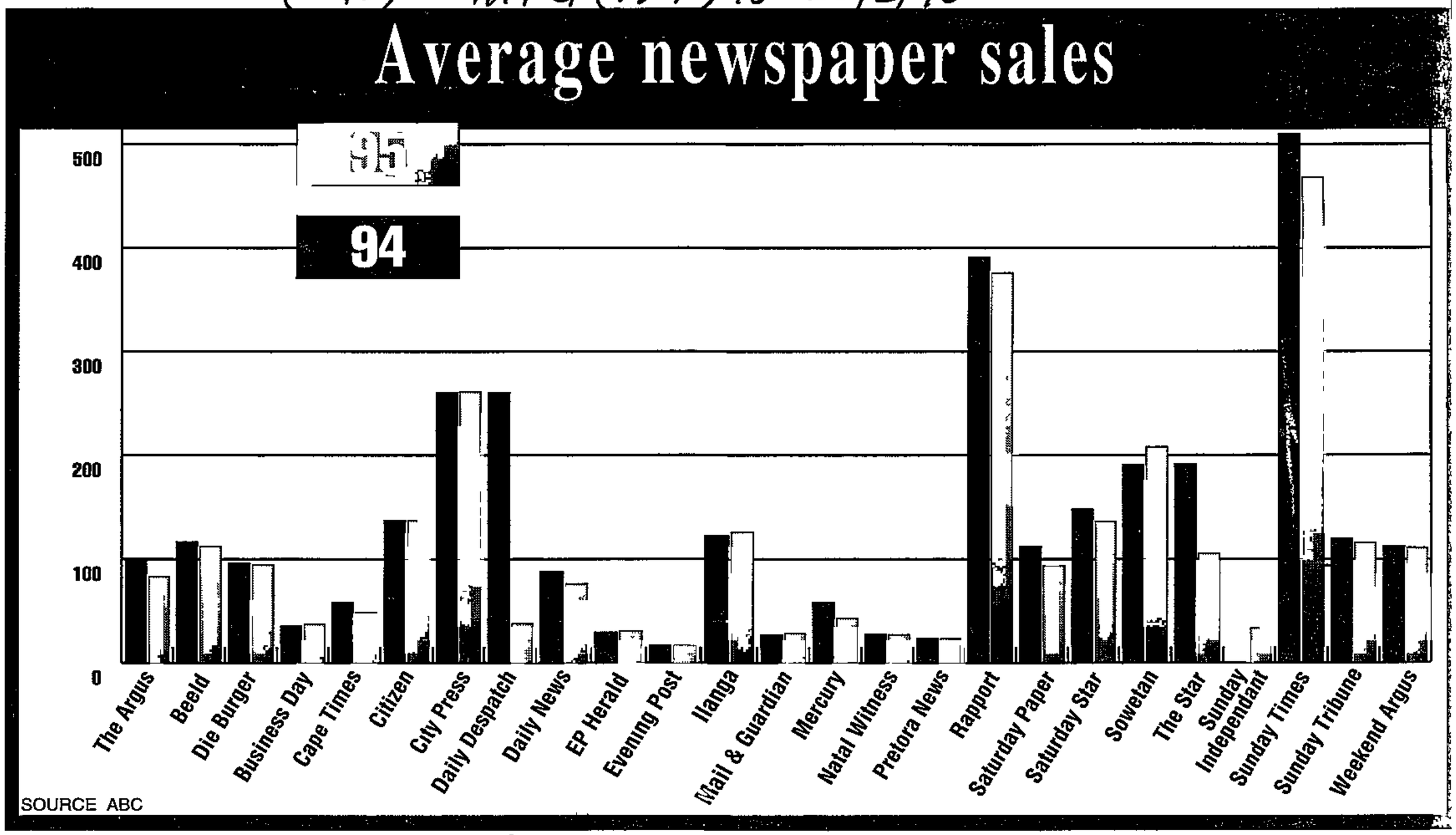
High profile incidents had contributed to the perception, NP media spokesman Cobus Dowry said These included the ANC's failure to deal with "problem cases" such as Winnie Mandela and Peter Mokaba in their own ranks

Idasa director Wilmot James, releasing the results of the survey on Wednesday, said the perceptions were disturbing. He suggested that in spite of the deep moral and democratic changes that had taken place, the damage done by apartheid and the illegitimacy of the homeland governments, plus the corruption of the old order, had had a lasting effect on perceptions of state honesty

# Newspaper sales plummet during 1995

(243) M+G (Bus) 16-22/2/96

Most South African newspapers have suffered from a loss in sales over the past year, writes **Jacquie Golding-Duffy**




**Media ups and downs: Most newspaper have seen a fall in circulation figures, with only a small number recording an upward trend** GRAPHIC VAL SINC

ABC circulation figures for urban daily and weekly newspapers indicated a free fall among most newspapers, with some print media groups faring marginally better than others

Times Media Limited's mass publication, *The Sunday Times*, had plummeting figures with an average weekly readership drop of about 31 957

The publication's average weekly sales for July to December 1994 were 509 702 and fell to 467 745 for the same period in 1995 However, its financial daily, *Business Day*, fared better, with sales figures moving from an average of 35 076 for July to December 1994 to 37 085 for the same period in 1995

Sales of almost all newspapers in the Independent Newspapers Holdings group have fallen except for *The Sunday Independent*, whose average for January to June 1995 was 33 060 Media sources said the group fared "particularly badly" when compared to other print media conglomerates

Sales of *The Cape Times* and *The Argus*, based in Cape Town, have fallen, with the latter suffering more than a 10% drop in circulation with figures shifting from 97 360 in 1994 to 82 774 in 1995

**'Radio did not kill newspapers, nor did television kill radio so why should the satellite'**

The flagship, *The Star* records a drop in sales figures to 165 171 from 191 332 a year earlier

*The Daily News* has dropped from 87 814 to just under 76 000 in a year, and *The Mercury* has gone from over 57 000 to 42 690 in the same time

*The Sunday Tribune* and *Pretoria News* saw no major changes in sales

*Beeld* saw an average drop from 116 342 to 111 958 while *Die Burger* lost more than 1 000 sales moving from 95 547 in 1994 to 94 123 in 1995 for the July-to-December period But the latter's weekend edition increased its circulation from 102 256 to 104 215

Both newspapers are from the Nasionale Pers' stable *City Press*, also owned by NasPers, had a slight increase in sales, moving from 260 490 to 261 057 copies

*The Sowetan*, owned by New Africa Investments, rose dramatically by about 17 000, becoming easily the country's biggest daily newspaper, while the *Mail & Guardian*, owned by M&G Media, also increased by about 2 000 to move from 26 565 (for the period July to December 1994) to 28 220 for the same period in 1995

*The Citizen* has remained roughly constant, going from 136 972 a year ago, to 141 000 six months later, and back-up to 136 000 again

Eurospace media analyst Alistair Duff said the decline in print media had nothing to do with the emergence of new electronic media such as satellite

"There seems to be a belief that the emergence of new media would kill off print, given time, and some might believe that the decline in newspapers is because this phenomenon is taking root

"I disagree totally because the emergence of radio did not kill newspapers, nor did the emergence of television kill radio, so why should this theory suddenly materialise with the setting in of satellite TV?"

He said the decline could be attributed to a combination of things but if one were to gauge from overseas publications, the figures seemed to copy worldwide trends where circulation figures dropped off as newspapers become more "niche-oriented" and begin concentrating on targeting specific markets

"Following a world trend may be one of the reasons for the decline, but then when we compare South Africa with a country like the United States we realise that we are way off from targeting specific markets in print

"Why? Because we are neither incredibly overtraded nor densely populated in the field of print and therefore targeting more specific markets when we only have only one national publication, for instance, indicates that we are still a long way off," Duff said

CALL FOR OBSCENITY CLAUSE

# SA porn laws 'too liberal'

ET 16/2/96 (243)

**THE FILM AND PUBLICATIONS BILL** before Parliament will allow virtually any perversion with the exception of four limited categories. **DALE GRANGER** reports.

SOUTH AFRICA'S pornography laws are now among the most liberal in the world, and videos and magazines featuring a wide range of sexual acts that would be outlawed as obscene in America and Britain are freely available in the city

The differences between South African pornography laws and those of other countries were highlighted last week when Hustler publisher Joe Theron was arrested in Britain and 400 videos he had allegedly imported from South Africa were seized

His trial starts on March 4 If convicted he could face a maximum of seven years in prison, British Customs chief press officer, Mr Dez Barratt-Denyer, said yesterday

He said child pornography, bestiality, sado-masochism, "nasty elements with bodily functions" and anything classified as "not normal sex in any fashion" was illegal in the UK

In America people caught making pornography available to children can be fined $100 000 (about R364 000), but in Germany only child pornography is restricted

Several sex shops visited in the city this week displayed for sale videos featuring teenagers having sex, hermaphrodites engaged in lewd acts and scenes of sado-masochism in which women are chained and whipped

In a video titled Freaks of Nature deformed couples perform perverted acts, and the picture on the container leaves little to the imagination

Ms Tessa Heunis, an advocate in the attorney-general's office, said yesterday that the problem with the Film and Publications Bill before Parliament is that it is "limiting what is restricted to four distinct categories, and there is no general obscenity clause"

While child-porn, certain mixtures of sex and violence, bestiality and extreme violence were prohibited, a "huge range of perversions too obscene to be allowed in many countries" escaped banning

Heunis said pictures of naked women hanging from meat hooks would be acceptable to the proposed legislation if there was no blood and nobody was shown inflicting violence

Similarly, coprophilia and other disgusting acts were allowed Sixteen-year-olds would be able to act in a pornographic movie but would not be allowed to buy a copy until they were 18

Rondebosch Preparatory School headmaster Mr Bruce Lane, who last year launched a successful campaign with a petition signed by 15 000 people to force shops and cafes to cover up their pornographic magazines, said objecting adults should "have strength of character" and use their financial muscle to show purveyors of porn that their behaviour is unacceptable

"I don't have illusions that pornography will be banned, but my campaign is to protect the kids until they are old enough to make the right choice," he said

"If adults see something that offends them, they need to take a stand"

Lane said people should tell owners of video shops and cafes that they will boycott their businesses unless pornography is placed on back shelves out of sight of children and the adults who disapprove of it

**FRIDAY**
FEBRUARY 16, 1996 ★

ANC REJECTS PORTRAYAL OF 'CORRUPT' MPs

# Some media guilty of 'deep-seated racism'

CT 16/2/96 (243)

**TOP ANC MEMBERS** lashed out at the way MPs have been portrayed in some media. This follows the latest Idasa survey which showed that the majority of South Africans questioned their honesty. **BARRY STREEK** reports.

SECTIONS of the media had been racist in trying to show the first black parliamentarians as "corrupt natives", the ANC's senator Mr Bulelani Ngcuka and MP Mr Carl Niehaus MP said yesterday

Together with ANC caucus chairwoman Ms Baleka Kgositsile, they accused the media of creating a perception that parliamentarians were dishonest

They spoke after an ANC caucus meeting following the release of an Institute for Democracy in South Africa (Idasa) survey which found a majority of South Africans questioned the honesty of politicians and civil servants

Niehaus said "It's an approach to try to undermine the institution that is Parliament

"I don't know what the motives are — whether it is because this is a democratic institution that represents the majority of the people and therefore you try to say things that are going to detract from the good work that is being done."

Ngcuka said these perceptions meant that MPs could be labelled as "as a bunch of corrupt natives — I take strong exception to that"

He added "You can't blame Idasa If that is the perception of some of the people, you need to look where that is coming from

"It's absolutely clear that from the moment we moved in here, we have been subjected to one form of attack or another Whatever we do is hardly ever presented in a positive manner.

"Is there anything that we have done, one thing, where you can say we are corrupt Nothing. You can't make that accusation stick," Ngcuka said

Niehaus said the way some sections of the media had reported on parliamentary salaries had demonstrated "deep-seated racism"

"I feel very strongly that there has been a deliberate attempt by a number of organisations, a number of structures, and unfortunately some in the media have been a part of that, to undermine the legitimacy, the profile of Parliament "

Kgositsile said the perception that legislators were corrupt was created by people opposed to democracy

"You can't blame the people You can say that the media have certainly played a role in perpetuating, from day one, an attitude towards Parliament as something that can't be trusted "

The NP's Mr Cobus Dowry said the lack of decisive action and apparent empty promises by ANC leaders were at the root of the public's perception that corruption was rife in all levels of government

High-profile incidents had contributed to this perception, including the ANC's failure to deal with "problem cases" such as Mrs Winnie Mandela and Mr Peter Mokaba

The fraud with the RDP food programmes had also strengthened this perception, Dowry said

Niehaus also said the ANC caucus had been unable to finalise a decision on the proposed code of conduct for parliamentarians because some members only received copies of the proposed code yesterday and wanted more time to study the proposals

"I want to make a strong appeal to the media to deal with this matter in the correct fashion and not in the kind of sensationalist way that we have had issues dealt with in the past," he said

# Showdown looms over TML's publications

(243)

ST 18/2/96

By PETER DE IONNO

THE Caxton printing and publishing group will launch a Supreme Court action to enforce its right to buy the magazine and free newspaper interests of Times Media Ltd, Terry Moolman, the managing director of Caxton, said yesterday

Mr Moolman said restraint agreements between Caxton and Argus Holdings (now Omni Media which owns 90 percent of TML) prohibit Omni from operating magazines and free newspapers

Mr Moolman would not specify the detail of Caxton's claim but said a unanimous decision by the Full Bench of the Appeal Court in March last year upholding the restraint agreements, meant that his company had the right to buy any magazines published by Omni companies

The titles in dispute could include the Financial Mail, Playboy, Out There and a number of trade publications including Computing SA, Software World, Mining, Transport Management and local newspapers operated by the Daily Dispatch acquired by TML last year

Mr Moolman said he had been angered that South African interests were being excluded from moves to sell 40 percent of the Financial Mail and Business Day to the Financial Times of London, after they had also been "frozen out" of the sale of the Argus newspapers to Irish millionaire publisher Tony O'Reilly

Mr Moolman said Vaughan Bray, chairman of TML, which owns the Financial Mail and Business Day, had threatened to use the financial muscle of the Anglo American group against Caxton after Mr Moolman's lawyers had warned the Financial Times that buying an interest in the Financial Mail would contravene Caxton's rights

Mr Bray has denied making such a threat, but said legal action by Caxton would create "irritation to Anglo American which could result in a loss of business" Mr Bray said TML's legal advice was that Caxton had no claim against the company's publications

Mr Bray said the courts must decide.

Mr Moolman said the restraint agreements applied to Omni because "nothing has changed except the name We have a democratic right to defend our rights All we want is for Omni to stick to the agreements"

# Intellectual rights in possible danger

BD 20/2/96 (243)

**Reports by Jacqueline Zaina**

A POSSIBLE oversight on the part of the constitutional drafting committee could result in the omission from the constitution of protection for intellectual property rights — including trademarks, copyrights, patents and designs — with major implications for SA trade and industry

The SA Institute of Intellectual Property Law and the Association of Marketers are questioning the omission, which could leave owners of intellectual property without legal recourse, were the state to impinge on their rights

Institute president Chris Job — a senior partner at Adams & Adams — said the institute had made submissions to the drafting committee to have the protection of intellectual property included in the constitution. "We believe it is essential to see intellectual property rights guaranteed in the Bill of Rights of the final constitution"

In legal terms, intellectual rights constitute a form of property which is incorporeal — having no material existence — and while there has been much discussion relating to land issues in finalising the constitution, intellectual property has not featured

"With all the emotive connotations surrounding land rights," he said, "we believe that the individual's intellectual property rights are in danger of being overlooked."

Job said intellectual property rights represented assets of inestimable commercial value including technology, invention, trademarks and know-how.

He said a section in the constitution on the protection of intellectual property rights would prevent the state from impinging on those rights by guaranteeing the individual proper recourse to the law

While it seemed unlikely that the state had any such intentions at present, there was potential for state expropriation of property, as was the case under the previous government when millions of people had been dispossessed of their land The lack of property rights at the time meant the move was not subject to challenge in court

Theoretically, the state could expropriate technology or — perhaps more controversially in the light of government's initiative to reduce the cost of drugs to the state by using generic medicines — pharmaceutical patents

The Association of Marketers was also lobbying for the inclusion of the clause in the constitution, said executive director Derrick Dickens

esterday to
said would
and corpo-
GARTH LUMLEY

# Land reform welcomed

CAPE TOWN — The Senate land affairs and agriculture committee's approval of the Land Reform (Labour Tenants) Bill was welcome, the national land committee said yesterday.

The Bill was tabled on Tuesday.

The committee said labour tenants would now have protection from arbitrary eviction. The Bill would also provide for labour tenants, assisted by the state, to acquire land and rights in land.

At least 500 000 labour tenants and their families would be affected by the Bill, the committee said.

Land owners might now be evicted only for a breach of contract, or for being guilty of misconduct or if the owner had very specific needs for the land.

"The process of eviction is circumscribed and is governed by the Land Claims Court," it said.

It believed that labour tenancy was semi-feudal and had to be transformed entirely.

The committee describes itself as an independent umbrella organisation of nine regional affiliates, working with rural and landless communities throughout SA. — Sapa.

# Intellectual rights Bills

Wyndham Hartley

CAPE TOWN — Three Bills which will bring SA into line with its international obligations regarding the protection of intellectual property rights have been approved by Cabinet.

Cabinet secretary Jakes Gerwel told a news briefing yesterday that the Intellectual Property Laws General Amendment Bill would bring domestic law into line with SA's agreement at the Uruguay Round of GATT talks on trade-related aspects of intellectual property rights legislation.

The Counterfeit Goods Bill, which aims to provide adequate protection against trading in counterfeit goods for the benefit of both lawful producers of goods and consumers, was also approved. The third bill, the Intellectual Property Laws Consolidation Bill, will remove anomalies that exist as a result of different laws in the former TBVC homelands.

# Transnet pensions 'will be paid'

TRANSNET's pension deficit would not jeopardise future pension disbursements to its employees, Public Enterprises Minister Stella Sigcau said yesterday.

The company's deficit on March 31 last year amounted to R4,209bn she said.

Transnet became liable for the funding of a deficit of about R17,1m which the company had immediately prior to the transfer of the business of the SA Transport Services to Transnet on April 1 1990. This obligation was in turn guaranteed by the state.

Transnet had taken steps to address the deficit, including issuing bonds to the value of R10,394bn and increasing its contribution rate from 11% to 15,525%.

The rules of the pension fund were amended to provide for the fund to invest in growth assets and the board of trustees reduced the benefits of fund members. — Sapa.

# Language board stumped

CAPE TOWN — Parliament was unable to supply interpreters for a meeting of the special senate committee to set up a pan-South African language board yesterday.

Hansard deputy editor Paul Wise said in a memorandum to the committee his section was hard pressed even to sustain a rudimentary translation service for sittings of the National Assembly and Senate. "It is virtually impossible to provide interpreters for committees as well."

Parliament had no full-time interpreting staff, and staff with interpreting skills were "borrowed" from Hansard's reporting and translating sections, often disrupting this section.

The committee was to have compiled a list of up to 26 candidates for the 13-member board meeting yesterday but was unable to do so because the ANC, IFP and DP had not submitted nominations.

Committee chairman Attie Jooste said the nominations would all be in by the end of this week and the committee would discuss them on February 26. It was hoped that interviews would take place early next month and the Senate would confirm the appointments by the middle of the month.

The constitution calls for creation of a language board to foster development of all official languages and to advise on language legislation. — Sapa.

SOWETAN Thursday February 22 1996

# Union opposes sale of papers

(243) Sowetan 22/2/96

By Abdul Milazi
Labour Reporter

THE Media Workers' Association of South Africa yesterday called on the Government to stop the mooted sale of part of Times Media Limited to the London *Financial Times*

TML managing director Mr Roy Paulson said the newspaper group, publishers of *Sunday Times, Business Day* and *Financial Mail*, was approached by the British financial publication in June last year.

## Foreign control

In a statement Mwasa said the possible sale of 40 percent of *Business Day* and *Financial Mail* to a foreign company was cause for concern following the sale of the biggest single shareholding in the Independent Newspapers to Ireland's Mr Tony O'Reilly in 1994.

"If this trend is not stopped, there is very little doubt that by the year 2000 the South African English Press will be foreign-owned, controlled and directed," said Mwasa.

Mwasa said it believed that preference should be given to local buyers.

"The print media is tenaciously sticking to obsolete practices which refuse to implement affirmative action and legitimate unbundling which will give black people a share in the business ownership," the statement said.

Paulson said TML would benefit from a partnership with the *Financial Times* because the publication was one of the most powerful financial organisations in the world.

He argued that the partnership would mean TML would share the British publication's strong data base and other skills.

"We also want to upgrade our journalists and we would be sending them over for training," said Paulson

Paulson, however, said the deal had not been finalised yet.

Mwasa opposed the O'Reilly deal and has consistently called for more local ownership of the media, and a ban on foreign control.

More organisations have of late blamed the white monopoly of the local media for alleged bias in coverage of events, and the foreign ownership is seen as compounding this

# Change is press group's goal

CT 22/2/96 (243)

**EVELYN HOLTZHAUSEN**

NEWSPAPERS in the Independent newspapers group were fully committed to transformation that would reflect the real make-up of South African society, Mr Ivan Fallon, deputy chief executive and South African group editorial director of Independent Newspapers, said in Cape Town yesterday

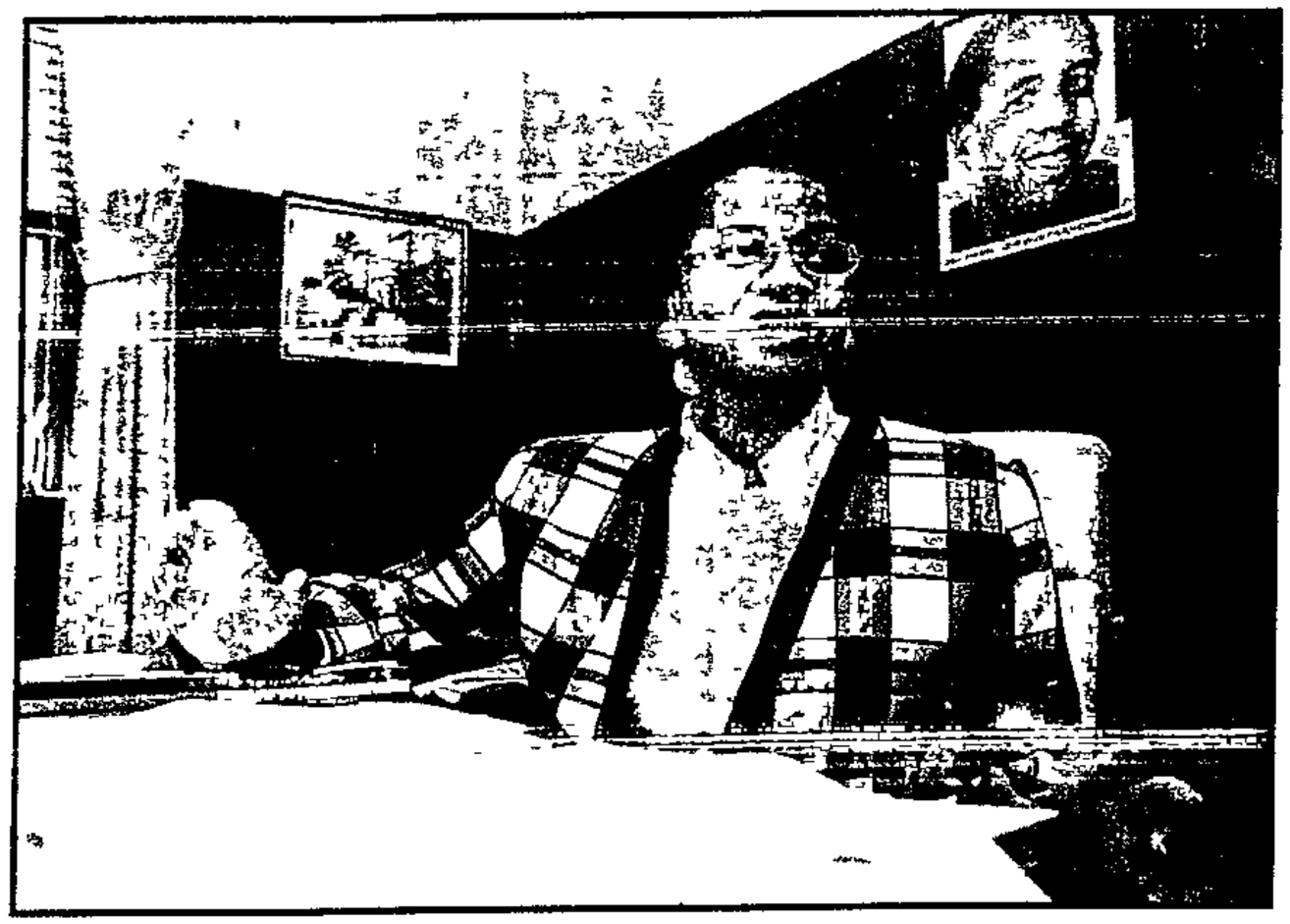
Mr Fallon, who was addressing a meeting of the Mount Nelson 100 Club, said the transformation of the newspapers in the group, including the Cape Times, the Argus, the Star, the Natal Mercury, the Sunday Independent and Business Report, was a "serious challenge"

He said transformation would not be achieved "without pain" but "it is our goal and what we will achieve".

He said Independent Newspapers was already leading the way with the appointment of Mr Moegsien Williams as Editor of the Cape Times and other recent top appointments, including those of younger editors to newspapers in Independent Newspapers

He added that the company was creating a groundbreaking "fast tracking" course with the Niemann Foundation in Boston in the US to train black editors and senior people, men and women, to take up senior appointments on local newspapers

He said the company had to make the necessary changes "if we want to survive".



Picture DOUG PITHWEY Staff Photographer

□ **BE POSITIVE.** Chairperson of ANC parliamentary caucus Baleka Kgositsile says the media must be more positive in its coverage of the transition South Africa's first non-racial parliament is going through

# Media told: 'Be positive on parliament'

**MXOLISI MGXASHE** (243) (ARG 24/2/96)
Staff Reporter

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 do miracles where our predecessors failed dismally to build democracy in the country

'What the media seems to have concentrated on mainly is the so-called gravy 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 gravy 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 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, will 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 Kgositsile 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."

# Bill 'can open way to child pornography'

ARG 28/2/96

(243)

**TYRONE SEALE, Political Staff**

TOP Western Cape prosecutors are furious that "ridiculous" exemptions in the new anti-porn bill will open the way for child pornography in South Africa.

The new Film and Publications Bill allows child porn to be displayed in scientific, literary or educational media

Western Cape Attorney-General Frank Kahn lashed out at the bill at a parliamentary committee hearing yesterday The bill proposes new controls on sexually explicit material, but Mr Kahn said it would have the opposite effect and would sustain the child sex industry.

He said the bill was unconstitutional, vague and unenforceable

Frank Kahn

Giving evidence to the national assembly portfolio committee on home affairs, Mr Kahn and two advocates from his office, Tessa Heunis and Ronel Berg, launched an unremitting attack on the bill and took turns to say the proposed law was sloppily worded and full of contradictions

The bill, formulated by a task group appointed by the minister of home affairs, places emphasis on the protection of children through age restrictions on the distribution of magazines, films and videos which contain harmful or disturbing material and also by limiting access to licensed premises to adults.

It deals extensively with the classification of various kinds of materials and grants protection to "bona fide" art, literature, drama and scientific works, only providing for age restrictions, where necessary.

The bill is being considered by the portfolio committee which is hearing public evidence and studying written submissions before deciding on amendments that will lead to the writing of another bill that will be debated at parliament within months.

In his evidence, Mr Kahn said the bill, as it stood, made room for the distribution or possession of materials which it effectively wanted to outlaw.

He questioned how the law could, for example, attempt to make a distinction between the distribution and private ownership of certain materials Any talk of the right to privacy would be countered, he said, with the 17 000 cases of child abuse dealt with by his department and the high incidence of wife battering in the privacy of the home

One of the unconstitutional provisions in the bill was the definition of children as those under 16 years of age, while the constitution gave this age as 18.

By allowing certain "ridiculous" exemptions for certain images, including child pornography, to be displayed in scientific, literary or educational media, the bill would sustain the child sex industry.

In her submission, Ms Berg said the bill lacked clear definitions of phenomena such as bestiality and that its reference to explicit bestiality would leave the courts, police, distributors and buyers of porn wondering exactly which forms of bestiality were acceptable in terms of the proposed law

By saying that certain publications or films would be prohibited if certain specified acts or phenomena were predominant in these publications or films, the bill made it possible for such depictions to be imported to this country provided they did not overshadow the material concerned

Ms Heunis told the committee that while the home affairs task group had studied relevant legislation in established democracies such as Canada and the United States, thought had to be given to writing legislation in South Africa that recognised this country's history of violence against and abuse of women and children, and of racial hatred.

In a written submission, Mr Kahn and his team called for the inclusion of gender and racial hatred clauses in the new legislation and an obscenity clause that would cover harmful and socially abhorrent materials, as opposed to attempts in the current bill to deal with these issues separately

Mr Kahn also demanded tougher penalties, saying pornography was a multi-billion dollar industry in the United States and had the potential for becoming hugely profitable in South Africa as well.

Coming to the defence of the bill, Colin Douglas, parliamentary affairs manager of the SA Institute of Race Relations, said his organisation did not believe the government should be given the power to tell people what they were allowed to read and view.

Every genuinely harmful act targeted by censorship laws could already be prosecuted under existing statutory and common law crimes that outlawed sex with minors, rape, assault, cruelty to animals and profiting from crime.

The millions of rands that were poured into the state's anti-pornography bureaucracy each year would be better spent fighting real crimes like child abuse and rape.

to join the Russian Space Programme as a gesture of friendship and goodwill to the new South Africa According to this offer young South Africans will be trained to join Russian space flights

Furthermore, a Science and Technology agreement was signed in June 1996 Under this agreement geology and geophysics have been identified as prime areas of collaboration with Russia, and satellite technology has been mentioned as possibly the most important source of new earth data Discussions and active planning in this area are proceeding

He accepted the offer, believing that sending a South African cosmonaut in space, together with Russian cosmonauts, would not only strengthen our relationship with the Russian Federation, but would stimulate and generate enormous interest in science and technology, especially amongst young people in South Africa

South Africa's participation in manned space flights will contribute a great deal in public awareness, consciousness and understanding of the power of science and technology

He also believed that this would enormously enhance the image and stature of our country in the continent and internationally

Cabinet accepted this offer in principle on 29 November 1995 This was followed by a Note Verbal to the Embassy of the Russian Federation accepting the offer

Subsequent to this, a Ministerial Committee was constituted to pursue this project, with the Ministry of Science and Technology as the lead Ministry The Ministerial Committee in turn constituted a Technical Sub-Committee to look at the technical and scientific aspects of the offer

We are expecting a report from the Ministerial Committee soon On the basis of this report further negotiations with the Russian Federation and the Russian Space Agency will be entered into to conclude an agreement which will be the basis on which this project is carried out

I believe that this project offers great opportunities for South Africa to generate interest in science and technology which in turn will enhance our economy

It is my belief that our science and technology initiatives must further the goals of our national growth and development strategy on which we are working In partnership with our scientific community we must reprioritise and orient our research system and our national system of innovation towards development and global competitiveness Our growing science and technology relations with the Russian Federation and with other nations will promote this aim

No agreement has yet been signed on this matter An agreement will be signed only once details of the project have been agreed upon In the light of this, sections (a) and (b) of the question falls away

Dr F J VAN HEERDEN Mr Speaker, arising from the reply given by the hon the Deputy President, in which he said quite correctly that this was a gesture of goodwill from Russia towards South Africa I would like to ask him whether he does not agree that it was not only a gesture of goodwill, but was possible also because of the advanced space initiatives taken over the years in this country by South African scientists and technologists

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki) Mr Speaker, I think that the hon member is quite correct There was a lot of very good and advanced work done in this country by South African scientists and engineers It would be my belief that we need to expand our contacts with other scientists in this area, whether Russian, American, or whatever That would enable the enhancement of our own capacity in this regard, but certainly the contribution of South African scientists in this project will be very important Hence those scientists have been very much part of this discussion that has been taking place under the leadership of the hon the Minister of Arts, Culture, Science and Technology

Mr J H VAN DER MERWE Mr Speaker, arising out of the reply by the hon the Deputy President, I wish to ask him whether the Government has so far considered the names of any South Africans to be sent into space If not, I wish to propose the name of Mr Tony Yengeni [Laughter]

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki) Mr Speaker, so far we have received only one request, and that request to go out into space came from Mr Koos van der Merwe [Laughter]



Dr F J VAN HEERDEN Mr Speaker, I have another question for the Deputy President arising from his reply Would I be correct to deduce that what we can look forward to now is a revival of the advanced space technology that we have? If so, would the Deputy President be prepared to admit that the so-called apartheid regime did indeed achieve something, at least in this regard, otherwise the gesture from Russia would not have come? [Interjections]

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki) Mr Speaker, I do not believe that we should politicise this question There are indeed very many, very talented South Africans in all sorts of fields who were able to develop and make important contributions despite the existence of the apartheid system

*New questions*

*1 Dr B L GELDENHUYS—Executive Deputy President (Mr T M Mbeki) [Withdrawn]

**Media Task Team: terms of reference**

*2 Ms M SMUTS asked the Executive Deputy President (Mr T M Mbeki)

(1) Whether the Media Task Team has been appointed, if not, what is the position in this regard, if so, what are the formal terms of reference of this team,

(2) whether the said team has been given any other briefs apart from those falling within its terms of reference, if so, what briefs?

N112E

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki)

(a) Yes, the Communications Task Group has been established in accordance with the recommendations of the conference of Government Communicators held in Arniston in August 1995 The Communication Task Group is composed of 10 people

The brief of the Communication Task Group has been formulated using the decisions of the conference as a guide

It has been briefed as follows

- To review existing government communications policy, structures and facilities at national, provincial and local level
- To review relationships between government communication functions at national, provincial and local level
- To review the existing government budget with the intention of identifying any duplication as well as rationalising the use of resources with special reference to personnel, operations and equipment
- To review relationships between government communication structures and non-governmental information providers
- To deal with the training of government information functionaries and to make recommendations with regard to capacity building with special emphasis on affirmative action
- To look at the ownership and control of South African media and how this facilitates or impinges on the ability of government to communicate with the citizenry
- The Communications Task Group should examine existing information delivery mechanisms and make appropriate recommendations
- The Task Group should examine international communication experiences with special emphasis on the dissemination of information by other democratic countries with the purpose of drawing some lessons that could be useful for our purposes here in South Africa
- The Task Group should research on government communication policies in developing countries
- The Task Group should make recommendations on new government communication policy, functions, structures, personnel and budget at national, provincial and local level

(b) The Communications Task Group has no brief other than the one I have just set out

Ms M SMUTS Mr Speaker, arising out of the reply of the hon the Deputy President, given the fact that the reason for the existence of the media is obviously not in the first place to give effect to Government communications, I wish to know whether, by including this review of ownership and how it impinges on Government communication policy, there is not a danger of killing the

messenger or of maiming the messenger—the media—instead of following the laudable approach which is clearly taken in the rest of the brief, which is how to improve the Government's own communications performance

It seems strange to me that the ownership and control of the media are included under these particular terms of reference, especially given the standing of the Arniston conference, which would appear to us to have no particular standing to recommend the investigation of media ownership and control Is there not such a danger?

The EXECUTIVE DEPUTY PRESIDENT (Mr T M Mbeki) Mr Speaker, I do not know what the hon member means by the conference not having standing The conference included Government communicators and senior people from the privately owned, nonstate media who participated in this process

In the course of the discussions about all these issues, the conference felt that one needed to look at the privately owned media, as the terms of reference say, to see in what way ownership, structure and functioning impact on this I think it is a very legitimate question The term of reference has nothing to do with seeking to change the ownership of the privately owned media, or anything like that It is to assess, given the structure, how this impacts on the Government's own efforts to communicate I think that the hon member should have no fears that there is any intention on the part of the Government to take any action which compromises the ownership or independence of such media That is not the task of this task group

*Ministers*

*1 Mr A H NEL—Mineral and Energy Affairs [Withdrawn ]

*2 Mr G M E CARELSE—Transport [Question standing over ]

**Economic growth: jobs created** (173)

*3 Mrs P DE LILLE asked the Minister of Finance

(a)(i) How was the figure of a growth of 3% in the economy determined, (ii) which sectors of the economy were responsible for the said growth and (iii) how many job opportunities were created as a result and (b) what is the effect of the current tax system on unemployment at the margin of unemployment?

N109E

The MINISTER OF FINANCE

(a) (i) The figure (2,7% in the fourth quarter of 1995) was calculated as the percentage change of the fourth quarter of 1995 on the third quarter of 1995 at an annual rate The actual figure is compiled/calculated by the Central Statistical Service

(ii) The non-agricultural sector was the mainstay of economic growth in the fourth quarter of 1995 The non-agricultural sector grew by 1,9% whilst the agricultural sector declined by 2,4% Although the secondary sector declined by 1,5% the tertiary sector grew by 4,0% Encouragingly, mining also showed an increase of 2,5%

(iii) Whereas GDP figures lag about two months, employment figures lag about nine months to one year It is therefore not possible to answer this question

From available figures it is, however, evident that although South Africa's economy entered its current growth phase in the second quarter of 1993, employment creation got off to a relatively slow start with only 52 000 jobs having been created up to the first quarter of 1995 Although a lag between the business cycle and employment trends is not uncommon, the present lag is longer than usual It should be noted, however, that the official labour statistics do not satisfactorily cover employment creation, especially in present circumstances where, for example, consulting, subcontracting, contract-employment and "piece-work" practices seem to be becoming increasingly common in the formal sector Official statistics, furthermore, do not cover employment creation in the agricultural and informal sectors

(b) An adequate tax system must strike a balance between, on the one hand, the tax burden and its distribution through the economy and, on the other hand the delivery of services especially where appreciable backlogs exist Within the tax



structure a fair balance must also be struck between the respective burdens of direct and indirect taxes Experience has for instance shown that indirect taxes result in a relatively smaller misallocation of resources It has also shown that tax incentives, inter alia for employment purposes, narrow the tax base, burden tax administration and result in tax avoidance and tax evasion thereby limiting the ability of government to render other essential services

The interaction between the tax system and unemployment implies that the tax system should not discourage taxpayers from employment and/or investment Our present tax system and recent relief measures in respect of individual and company income tax were attempts to prevent this from occurring and, as far as investment and employment are concerned, also to achieve international competitiveness

Interaction between taxes and unemployment is also influenced by the level at which income becomes taxable, the tax rate and social security benefits If taxes associated with an increase in personal income outstrip declining income-related social benefits, a so-called "poverty trap" may develop The incentive to take up paid employment is reduced and there may even be an incentive to give up employment in order to qualify for social benefits However, given the structure and functioning of the social security system and the level at which incomes become taxable in South Africa, the "poverty trap" situation is not viewed as a problem

Mrs P DE LILLE Mr Speaker, arising out of the hon the Minister's reply, I would like to know whether he has any intention of establishing a mechanism to measure economic growth in relation to job creation It is our perception, and also mine as a lay person, that if the economy grows it creates jobs, but the figure of 53 000 is disappointing

The MINISTER OF FINANCE Mr Speaker, the figure of 52 000 is very disappointing It related to a period when the growth rate was significantly lower than the 3% that we are talking about I referred to that as the first quarter of 1995

Are we taking steps to address the unemployment problem? In the national strategic vision that our colleague Jay Naidoo is preparing with a view to a 6% growth rate in 2020, as we discussed over the past two days, we should concentrate on building the Ministries and all the various support systems that we have in order to resource and support that vision In that context, the financial economic, fiscal and monetary aspects will have to be organised in such a way as to create jobs and that growth rate of 6% in 2020

Mr D H M GIBSON Mr Speaker, I rise on a point of order The point of order relates to the previous question, which was Question 2 It transpired that the Minister of Transport was not present in the House The ruling from the Chair was simply that the Minister was not here and that the question therefore fell away The point of Question Time is that this is where Ministers are held accountable to Parliament and to the people of South Africa I would like to ask you to rule that when Ministers are not here, they should make arrangements with one of their colleagues to represent them Ministers are important and busy people, and we understand that sometimes they cannot be here, but they should not simply be absent and a question should then not simply fall away

The DEPUTY MINISTER FOR WELFARE AND POPULATION DEVELOPMENT Mr Speaker, my apologies to this House Unfortunately I was engaged in a serious discussion when the question came up and did not hear it being announced I was requested to present an apology on behalf of the Minister of Transport, who is unable to take questions today owing to other very serious commitments impacting directly on the work he is doing He will take the question during the next Question Time It was a fault on my side, and not on that of the Minister of Transport

†Mr J W MAREE Mr Speaker, further arising from question 3 may I ask the Minister of Finance, with regard to job creation, whether the problem is not, in his opinion, that trade unions are influencing the economic situation to such an extent that, although there is economic growth, industrialists now prefer to invest in capital goods by buying machines to do the work rather than employing people? Is this not having an adverse effect on job creation?

†The MINISTER OF FINANCE Mr Speaker, I think this is a new question There are, however, several aspects in the entire job creation situation which influence job creation It is undoubtedly

# Advertising support helps lift Independent

Jacqueline Zaina (243)

BD 5/3/96

INDEPENDENT Newspapers Holdings showed a 45,2% pro forma increase in attributable earnings to R60,8m for the year to end-December in the group's first full year of trading.

The group, whose titles include The Star, Business Report and Sunday Independent, saw shares at 134,6c against a pro forma 92,7c.

For the nine months to December, earnings came in at 67c.

A final dividend of 40c was declared, bringing the full-year payout to 60c against 20c in the nine months to December 1994 The company has offered a capitalisation shares option.

CE John Featherstone said a 20,6% pro forma increase in turnover to R872,2m was helped by firm advertising support throughout the year and positive growth in circulation revenue despite lower sales levels of some titles.

Circulations were showing a healthy trend in the current year

Operating income before exceptional items was R102,3m (R89m pro forma) Exceptional items were higher at R9m (R2,6m) due largely to staff rationalisation resulting from technological changes.

An interest bill of R4,5m (R2,3m) left operating income after interest 31% ahead at R88,7m.

Investment income remained unchanged at R4m, resulting in pre-tax profit 29% up at R92,7m.

A lower tax rate lifted taxed attributable profit 45% to R60,8m

Net interest paid almost doubled, reaching R4,5m in financial 1995 due to financing costs on borrowings

The group has changed its accounting policies by valuing its titles in line with international conventions, in terms of which its titles were valued at R683,3m on an open-market basis

# Independent Newspapers boosts earnings by 45%

(243) RT(BR) 5/3/96

By Ann Crotty

Johannesburg — Independent Newspapers boosted its earnings by 45 percent to 134,6c a share in the year to December on turnover up by 21 percent to R872 million

Because of a change in the financial year end and in order to allow for comparison, the results for the nine months to December 1994 have been restated on a pro forma basis.

The dividend for the year is 60c, with the final 40c carrying a capitalisation option In the nine months to December 1994 the company distributed 20c to shareholders

Exceptional items were R9 million (R2,6 million), largely because of staff rationalisation costs resulting from technological change

Interest of R4,5 million (R2,3 million) left operating income after interest 31 percent ahead at R88,7 million

A lower tax rate lifted attributable profit 45 percent to R60,8 million

The directors said the group was well placed to benefit from the improved level of economic activity forecast for this year. They expected "further good growth" this financial year

All three of Independent Newspapers' regional subsidiaries had performed satisfactorily

"Group turnover benefited from firm advertising support throughout the year and from positive growth in circulation revenue despite lower sales levels from some titles Circulations are showing a healthy trend so far in the current year," said the directors

Strong cash generation had improved the borrowing position by R24 million

The directors said the group had continued its major investment in new prepress technology

"Improved flexibility and operating efficiencies brought about by this investment will begin impacting positively on the business in the coming year"

John Featherstone, the chief executive, noted that the three new titles launched last year — The Sunday Independent, Business Report and Sunday Life — "have all settled into their respective market positions and are growing both advertising and reader support"

In addition to the new titles, the group had continued its programme of redesigning, relaunching and repositioning all of its other titles, "the better to serve their identified markets"

Independent Newspapers has changed its accounting policy on the treatment of publishing rights and titles to conform with the policy applied internationally by its holding company, Independent Newspapers of Ireland

This valuation is determined on behalf of the directors by internationally recognised specialist valuers, with any surplus or deficit on valuation transferred to non-distributable reserves

As a result of the change in accounting policy, the value of the group's publishing rights and titles is stated at R683,3 million.

Liam Healy, chief executive of Independent Newspapers of Ireland, commented "Our decision to enter South Africa has certainly been vindicated"

# MacPhail reports R2,9m loss

CT(BR) 5/3/96

By Charlotte Mathews

Johannesburg — Squeezed margins and restructuring costs saw MacPhail, the coal marketing and distribution company controlled by Forward Corporation, report a R2,9 million loss in the six months to December compared with a R14,9 million profit in the same period a year earlier

MacPhail said in a statement that owing to the buoyant export market for coal, supply in the local market had been tight and prices for coal at the pithead rose by about 25 percent across the board, levels that could not be recovered from customers This coincided with once-off restructuring and retrenchment costs

Although group turnover rose by 31 percent to R255,9 million, an operating loss of R2,8 million was reported, of which about one-third came from trading operations and the other R1,9 million was the book loss on the disposal of MacPhail's investment in MacPhail Namibia.

MacPhail sold its 40 percent stake in MacPhail Namibia last October, turning its initial investment of R460 000 into a cash profit of R14,3 million. This was below the book value, which meant that a loss was reflected on the income statement.

The British operation reported a loss for this period but this was attributed to development costs MacPhail's management remains confident about its prospects

The bottom line was lifted by interest income of R210 000, a tax credit of R580 000 and a R252 000 share of MacPhail Namibia's profit. A loss of 12,5c, against a previous profit of 104,9c, was shown.

Owing to the cash profit from the sale of the Namibian investment and confidence in the balance sheet, an interim dividend of 13,5c was declared.

MacPhail chief executive Paul McNaughton said despite intense competition the group had managed to maintain volumes and market share. The local market was expected to return to normality by mid-1997.

"In the mean time it is still one of our major strategic objectives to diminish our exposure to the South African coal distribution market by increasing our offshore presence and expanding exports"

# Community Bank defends R45m loss

BD 5/3/96

By Thabo Leshilo

Johannesburg — Cas Coovadia, the chief executive officer of the Community Bank, confirmed yesterday that the bank would suffer losses of R45 million for the period January 1994 to March this year He said there should be no concern because the loss had been budgeted for

"In our original projections, we predicted a loss of R30 million. But, it must be borne in mind that the higher loss includes establishment costs and the R10 million-a-year interest we pay the Development Bank of Southern Africa (DBSA), the Industrial Development Corporation (IDC), and the five major banks on their loans for the initial capital," Coovadia said.

He put the bank's actual loss at R8 million when the costs of establishing its 18 branches and the interest were taken into account.

Coovadia said that when the bank was conceptualised three-and-a-half years ago it was agreed it would run at a loss for the first five years It had to raise institutional capital because its low-income clientele could not provide enough deposits to fund its loan book.

He said that since its establishment 18 months ago, the bank had raised R20 million from 22 000 clients Its initial capital was R200 million, of which R130 million was paid out by the bank's initial funders. A total of R50 million was still due from the DBSA and R20 million from the IDC

The two organisations are due to decide on Friday whether to pay the outstanding money.

The bank expects to lend R200 million this financial year and R200 million next year at which point it would break even. The bank was speaking to local and foreign institutions to raise R400 million over the next two years.

Christo Wiese, the registrar of banks, said the Community Bank was complying with all statutory requirements and he was not aware of any major problems

# 'Stop attacks on journalists'

(243) CP6/3/96

THE Black Editors' Forum and the Conference of Editors have issued a joint statement calling on the Zambian government to desist from its attacks on journalists from the Post newspaper.

They have also urged the SA government to protest against the Zambian action against the editor and two journalists of the Post.

Mr Thami Mazwai, chairman of the BEF, and Mr Anton Harber, chairman of the COE, said according to reports editor-in-chief Mr Fred M'membe, managing editor Mr Bright Mwape and columnist Ms Lucy Sichone have gone into hiding to avoid imprisonment for charges of contempt of parliament. They were found guilty by the speaker of parliament under a law which dates back to British colonial rule.

The charges relate to articles criticising Zambian Vice-President Godfrey Miyanda for remarks he made in parliament about the

ON TRACK

**PAYING OFF** *JCI's Pat Retief with Tony O'Reilly and his son Cameron O'Reilly*

# O'Reilly's move for Argus vindicated

CT(BR) 6/3/96 (243)

BY ANN CROTTY

Back in March 1994 Tony O'Reilly surprised the local investment community by emerging as the bidder for JCI's stake in Argus Newspapers. The surprise was not the identity of the bidder but that Argus was the target and not TML as had been expected

The announcement sparked speculation about a counter-bid; Terry Moolman's Caxton-CTP group was mentioned as a possibility Nothing emerged and nobody seemed to think O'Reilly was particularly astute in having acquired effective control of South Africa's largest newspaper group

Auntie Argus did not have a glamour image in the market. Historic earnings performance was steady and reliable but far from sparkling. The trading environment was dogged with uncertainty. An additional disconcerting factor was that ownership of newspaper interests had become a political hot potato

Talk at the time was that executives at Anglo and JCI were getting daily calls about one or other article in one or other of their newspaper operations

For much of the early nineties it seemed that management efforts were directed at preparing Argus for disposal

Inevitably, this meant that the Anglo-JCI camp was proving to be a not very dynamic or committed controlling shareholder So not only were the assets undermanaged, but the controlling shareholder camp was something of a forced seller

Two years down the track it is certainly looking like a very good purchase for the Irish The massive revaluation of the titles increased shareholders' interest threefold From Dublin's perspective this will certainly be sufficient to ensure a good book profit no matter what happens to the rand

The revaluation may lead to controversy among analysts who reckon that the full value of the titles comes through in the group's earnings' capacity But Independent management is adamant — this is international convention. James Parkinson, financial director at the Dublin head office, argues that this is the only way to give shareholders an accurate indication of the group's value base

Much more exciting from the shareholders' perspective is management's ambitions to boost operating margins. There has been reasonable improvement on this score within the first full year under new management: operating income before interest margins rose to 10,6 percent from 9,6 percent Management refers to margins in the international industry of as much as 20 percent, a level that probably has not been seen in the South African industry for the best part of 20 years

Though the management sees scope for improvement, distribution activities appear to get special mention with plans to subcontract operations in some fringe areas

The fairly sharp increase in cover prices of the group's publications may have looked like a brave move given the state of flux in the industry, but local and Irish executives were convinced South African cover prices were too low by international standards Though the move hit circulation in the review year, the first quarter of this year saw some recovery

The management's commitment to higher cover prices is part of its strategy to lift the percentage contribution from circulation revenue in an attempt to reduce dependency on advertising income In Britain, about 60 percent of newspaper company revenues come from circulation and 40 percent from advertising It is almost the reverse in South Africa

Certainly, it looks like a good buy on the basis of revalued assets, but the last financial year's earnings a share of 134,6c, or 131,6c if all of the R9 million launch costs are taken in one year, makes the R12 average paid for control look like a bargain For each year the new owners push the margins closer to international levels it will look like an even better bargain

Minority shareholders must be pleased Anglo-JCI was forced to shed some of its media interests

# SA becoming benchmark of African free press

**By Peter Fabricius**
Star Bureau

Washington – Self-censorship of the South African broadcast media was proving to be a problem, the international Committee to Protect Journalists (CPJ) said yesterday in its 1995 annual survey, "Attacks on the Press".

"On three occasions the South African Broadcasting Corporation withdrew scheduled programming in response to public protest and threats of court action."

However, overall, South Africa was rapidly becoming the benchmark of a free press in Africa, the report said South Africa was the only country on the continent where the New York-based CPJ could find no instances of attacks on the press last year

But it noted that the South African media had not yet completed its change from being "the continent's premier press freedom offender"

"Journalists and publishers now face more daunting structural challenges than those posed by the apartheid government.

"The collapse of the alternative press, which historically maintained editorial autonomy, was swift and far-reaching

"As previous funding sources disappeared with the advent of the new 'normalisation', topics that were once solely the domain of the alternative press were quickly absorbed by the mainstream press

"The mainstream press is also reeling from a series of mergers and acquisitions," the survey found. Today, media ownership requires close scrutiny.

(243) Star 15/3/96

# Public has a stake in press row

(243) CT7/3/96

**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 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 its 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 slowing 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 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

# 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 negotiators 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 maintaining 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.

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.

ST 24/3/96

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# 'Blacks to own paper'

**By CP REPORTER**

BLACK control of City Press is on the cards, Ton Vosloo, executive chairman of Nasionale Pers, owner of City Press, announced this week

Addressing the paper's staff members in Johannesburg this week, Vosloo said 51 percent of shares in a proposed new company would be offered by NasPers to black investors (243)

This figure would include shares offered to present City Press staff members.

He said the chairperson of the new company would be black

Naspers would retain 49 percent of the shares in the new company It would manage the company and retain its right to appoint the editor, print the paper and distribute it CP 24/3/96

NasPers had the required infrastructure to publish and distribute the paper

He said no black publishing house existed at present which could afford to buy printing presses and which could assemble a massive distribution chain

This arrangement would also guarantee the retention of present staff benefits, like pensions, the medical aid scheme, housing subsidies and other allowances.

Vosloo stressed it was NasPers policy not to prescribe to its editors regarding newspaper content or policy matters

NasPers, a listed company on the Johannesburg Stock Exchange, bought City Press in 1983

Vosloo said NasPers had from the start been prepared to "unbundle" City Press, but only once it became profitable. "That stage has now been reached I will be happy if the restructuring of City Press is made final within six months," he said

Talks are in progress with groups interested in becoming co-owners of

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Talks are in progress with groups interested in becoming co-owners of City Press.

NasPers was prepared to offer the shares to partners on either a cash basis or by means of soft loans

This means that buyers could purchase a block of shares for a small deposit and pay off the balance from future dividends from profits

Staff members would be offered similar options, he said

# Black consortium buys stake in TML

(243)
BD 26/3/96

**Adrienne Giliomee**

A BLACK consortium has paid R600 000 for a 30% stake in a company formed to house Times Media Ltd's Port Elizabeth-based newspapers and printing operations — assets TML values at R40m.

The publishing group said yesterday that the new company, Times Media Eastern Cape (Pty) Ltd, would include the five regional newspapers — The Eastern Province Herald, The Evening Post, The Weekend Post, Our Times and Algoa Sun — as well as all fixed assets, including printing presses, buildings and editorial equipment.

The assets were worth R40m, although TML finance director Lawrence Clark said the new company had been heavily geared to buy the assets It would have a share capital of R2m, with the consortium — holding the 30% stake through the Eastern Province Media Trust — providing R600 000 and TML the remainder

TML was providing the new company with R38m debt funding, open ended at prime rate.

Clark said the group had also left the door open to the consortium to increase its stake to 49%, with the terms

**Continued on Page 2**

## TML

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**Continued from Page 1**

of that deal negotiated at the time

The consortium is made up of three trusts representing diverse business interests in the Eastern Cape.

Consortium members are EPMT, a venture of the Zwelethu Development Trust — a business trust formed with the objective of broadening black business participation in Port Elizabeth; the Uitenhage Pioneer Investment Trust for Uitenhage's black business people; the United Women's Investment Trust; and the community and individuals.

TML's Port Elizabeth division is among the group's larger profit centres. It is hoped that the consortium members will enhance TML's image in the broader community and increase the circulation of its newspapers

It is also expected that the consortium will make editorial suggestions, although the acquisition will not affect editorial independence

EPMT member Stephen Dondolo said the investment was a good opportunity for "the previously disenfranchised business community in the Eastern Cape" and said he believed the consortium would add value to the company. "We will assist in the circulation of newspapers in the townships and our involvement will enhance TML's image in the broader community " He said the deal would also empower the communities with knowledge and encourage participation in journalism among blacks in the Eastern Cape

TML — whose other interests include Business Day, the Sunday Times and magazines — was capitalised at R766m on the JSE yesterday

Apart from Clark and Dondolo, the new company's board members will be the consortium's secretary Julius Miya, Andile Ben-Mazwai, Phindi Vena, TML MD Roy Paulson, TML Eastern Cape division MD Derek Smith, EP Herald editor Ric Wilson and Allan Beaumont

# Publishers and co-editor fined

(243) Sowetan 2/4/96

A JOHANNESBURG Regional Court magistrate yesterday sentenced Mail and Guardian Media Ltd and M&G co-editor Anton Harber to fines of R3 000 and R1 000, respectively, for "bugging" the offices of a Johannesburg hotel

Magistrate Mr Francois Roets accepted a *Weekly Mail* submission that it had reasonably suspected Civil Cooperation Bureau Region Six head Staal Burger was involved in meetings related to third force activities and violence

However, Roets said he had to weigh up the right of the public to know against the right of an individual to privacy

The telephone in an office at the Breakers Hotel in Berea was fitted with an eavesdropping device during the weekend of August 28 to August 31 1992 by private investigator Mr Jan Kleynhans of Krugersdorp

Kleynhans was acquitted on the grounds that he had believed his actions were lawful

The bugging was done on the instructions of M&G Media Ltd, publishers of the *Weekly Mail* and *Guardian* and Harber

Convicting M&G Media Ltd and Harber, Roets said the court had not been given an insight into the instructions given to Kleynhans. Therefore, it was unknown whether all conversations were to be monitored or merely meetings held in Staal Burger's office The hotel at that stage was owned by Burger

However, all conversations were monitored, including conversations relating to insurance, family members and staff

This constituted invasion of privacy and M&G Media Ltd and Harber were accordingly convicted of crimen injuria – *Sapa*

# Editor, paper fined for bugging office

(243) Star 2/4/96

**STAFF REPORTER AND SAPA**

More than three years after the then Weekly Mail thrust itself into a public debate on journalistic ethics for bugging the offices of Civil Co-operation Bureau (CCB) operative Staal Burger, the newspaper and its co-editor Anton Harber were yesterday found guilty of crimen injuria.

Magistrate F Roets fined the newspaper and Harber R3 000 and R1 000 respectively for placing a listening device in the office of Burger, owner of the Breakers Hotel in Berea

Harber's co-accused Jan Kleynhans, employed by the newspaper as a private detective, was acquitted of crimen injuria because he was not aware of the illegality of his action Kleynhans was found in the room next to Burger's office with three other people and a tape recorder

During the course of the trial, charges of malicious damage to property against Harber and Kleynhans were dropped because the hole made in the skirting board where the bug was placed was so small it was barely visible to the naked eye

Defence counsel Eric Dane never disputed that the Weekly Mail had attempted to bug Burger's office However, he said in the newspaper's defence that, because meetings of the notorious Badger Unit took place in the office, the paper's activities were in the public interest

The newspaper believed that the Badger Unit was involved in carrying out Third Force activities at a time when such violence threatened political negotiations

Among those alleged to have attended meetings in Burger's office are former Vlakplaas commander Eugene de Kock, who is currently on trial for murder, former CCB member Eugene Reilly, former CCB member and convicted murderer Ferdi Barnard and CCB member Chappie Kloppers

In passing sentence, Roets said the court had taken the best interests of society into account in finding the newspaper and Harber guilty, adding that it was not a normal crimen injuria case

Press reports during the trial indicated Burger was unhappy with the trial. He said he had pressed charges because he had held personal meetings and conversations in the office.

# Weekly Mail fined R4 000 for bugging

243
ARG 2/4/96

JOHANNESBURG – The Weekly Mail and Guardian newspaper and its editor have been fined a total of R4 000 for bugging the offices of a former security police officer

A magistrate yesterday convicted the paper and its editor, Anton Harber, of invading the privacy of ex-policeman Staal Burger in August 1992

Harber said that at the time he had hired a private detective and asked him to place a listening device in Mr Burger's office in Johannesburg.

Harber said he had suspected that Mr Burger was involved in political dirty tricks

He had pleaded not guilty to the charge – Reuter

# Black newspaper group seeks 20% of govt ads

(243)

Ingrid Salgado

A DELEGATION of black newspaper and magazine editors meets Public Works Minister Jeff Radebe today to ask government to commit itself to placing at least 20% of its advertising in community newspapers and black-controlled publications which serve the black community.

The delegation, which includes Enterprise Magazine editor Thami Mazwai, Penta publications editorial director Jon Qwelane and Sowetan editor-in-chief Aggrey Klaaste, is also due to meet Deputy President Thabo Mbeki, Public Service and Administration Minister Zola Skweyiya and relevant provincial officials.

Mazwai said yesterday many black-owned and managed publications had traditionally been denied advertising, rendering them less able to serve and reflect the views of their communities, while traditionally white publications — including Financial Mail and Business Day — did not reflect black views and aspirations.

Publications benefiting from a quota should include New Nation, Sowetan, Tribute, Bona and True Love. It should also include City Press, even though the weekly newspaper was owned by Nasionale Media Beperk. The Weekly Mail & Guardian, however, should be excluded since its editorial and management teams were still predominantly white, he said.

Certain publications needed extra support from government to compete with their white counterparts. Government, if it was committed to affirmative action and black empowerment, should support "struggling" publications which conventional advertisers rejected.

Mazwai said the effect of an advertising quota on white-owned publications would be "the development of a more diverse media industry to advance democracy". Skweyiya's office said yesterday that job adverts, which comprised a large portion of government advertising, were placed in the print media according to circulation and readership.

No information was available on the breakdown of government advertising in black-controlled publications.

BD 2/4/96

ANIES

# TML papers 'to stay independent'

(243) BD 17/4/96

**Jacqueline Zaina**

TIMES Media Ltd (TML) yesterday played down advertising industry fears that the editorial independence of its newspapers could be jeopardised under plans by Anglo American to sell its stake in TML owner Johnnic to a black empowerment grouping

TML MD Roy Paulson said that if New Africa Investments (Nail) was successful in its bid for 48% of Johnnic, it would not be the only shareholder in TML. "There is no way that the other shareholders will allow changes to editorial policy to the detriment of the profitability of TML publications."

Media directors said yesterday that they were concerned editorial independence of TML's newspapers could be jeopardised by Nail's political objectives if it was successful in its bid.

Hunt Lascaris TBWA media director Lyndall Campher said that the company's newspapers could lose circulation if there was interference in editorial policy.

"There is the risk the new stakeholders will change the editorial stance to reflect the political alignment of their constituency," she said.

Nail, which has appointed Cyril Ramaphosa as deputy executive chairman, has expressed particular interest in Johnnic's stake in Omni Media, the holding company of TML

An analyst said the subtle pressure which could be expected from shareholders could result in Business Day and Financial Mail becoming less conservative over time But a major change in editorial stance would have disastrous results.

However, Paulson said that he believed Nail subscribed to the policy the Press should be free from outside pressures. Nail had adhered to a charter in dealing with the Sowetan, which it owned, and a similar set-up would provide TML editors with a degree of protection.

The deal would be a positive step and would open the way for TML to enter the black market One of the intentions was to add black titles to TML's stable.

# Bid for new right-wing paper

Star 19/4/96 (243)

**By Norman Chandler**
Pretoria Bureau

Conservative Afrikaners plan to establish a weekend newspaper and are seeking R20-million through a public share offer in order to do so

No date for the first publication of the new, so far unnamed newspaper has been disclosed but it is understood that one of the aims of the share offer is to develop the paper into a daily

A prospectus for a publishing company called Volkspers Beperk has been lodged with the registrar of companies in Pretoria The holding company is listed as Volksbehandel Beherend (Edms) Beperk. Both companies are based in Hatfield, Pretoria

Member of Parliament Pieter de la Rey is chairman of the Volkspers board, and the prospectus lists the directors as former MPs Casper Uys and Daniel Nolte (a former member of the executive committee of the South African Rugby Football Union), farmer Charl Hertzog, businessmen Daniel Theron and Willem Horn, and attorney Friedrich Danzfuss.

Volkspers, through its affiliated company, Acapo, already operates Patriot, a weekly newspaper serving "Boere, Afrikaners and other language communities" It was bought from the Conservative Party in 1993

According to the prospectus, "in order to establish the weekend newspaper, the directors believe that a total of R20-million will be required" Thus will be made up of R1,6-million from existing shareholders and the remainder from shares offered to the public

The only Afrikaans-language weekend paper currently circulating in SA is Rapport, while the Afrikaans dailies are Beeld (Johannesburg), Die Burger (Cape Town) and Volksblad (Bloemfontein).

# TML's nervous editors

(243) M+G 19-25/4/96

**As the first black consortium bids for TML, a charter is suddenly being drafted to safeguard editors and to preserve traditions in the group**
**Jacquie Golding-Duffy** reports

**Nigel Bruce: The charter will 'preserve the traditions, integrity and independence' of the various publications in the TML group**
PHOTOGRAPH ROBERT BOTHA

THE editors of Times Media Limited's (TML) core publications say they do not fear losing their jobs under a new black stakeholder However, on the eve of the first serious bid by a black consortium, an editorial charter is hastily being finalised

Johnnic chief executive and chairman of both TML and Omni Media, Vaughn Bray, says there is a sense within the company that a charter would be an appropriate means of preserving the traditions within TML "With Anglo American having been the custodian of newspaper publications for about 50 years, there is a sense that they would want their traditions preserved," he says

The charter is "merely a concept at the moment and nothing has been brought to the table", but the idea has been around for some time Should the charter materialise it will be presented to the TML board of executives for confirmation The board may then, at its discretion, pass the charter on to Johnnic

A draft version of the charter, under which the editorial independence of TML s publications would be safeguarded, was submitted to Bray early this week, according to TML executive director and *Financial Mail* editor Nigel Bruce

Bruce says he was requested by Bray to devise a draft Although he was not instructed to canvass opinion among editors within the stable, he recommended the draft be circulated among various parties within the group to gather opinions on it He has chosen to draw from the charters of various publications abroad, including Australia

Bruce says he cannot disclose details of the charter as it first has to be approved by TML board members and then passed on to TML's parent company — Johnnic — for scrutiny

Bruce says the charter is not being drafted as a defence mechanism by editors within TML, but rather to "preserve the traditions, integrity and independence" of the various publications within the group.

"This charter is being drafted because it will give editors the peace of mind and comfort of knowing that editorial integrity and the traditions of their respective publications will be preserved," he says

Chairman of the Black Editors Forum, Thami Mazwai, says the decision by TML to establish an editorial charter confirms that some editors are desperate to cling to the past of white ownership

"It's not surprising to see some of the editors in the group scrambling to finalise a charter when before they did not see the need to have one under Anglo American All of a sudden it is a matter of urgency," he says

Bruce denies the charter has been hastily compiled and says it is not being driven by fear at the prospect of a black consortium controlling TML

He is adamant that the *Financial Mail* will continue to be as critical of government and its "lack of economic policy" as it has always been, even if New Africa Investment Limited (Nail), headed by Nthato Motlana, secures all or part of Anglo American's 48% stake in Johnnic

"If anything, we will become more critical, and I do suspect they [Nail] will have the good sense not to interfere or attempt to dismiss editors If I am dismissed it will be because I am critical of government and the people responsible for my dismissal will have to face the international and commercial consequences," Bruce says

Nail and the National Empowerment Consortium (NEC) are the main contenders for Anglo American's 48% Johnnic stake But although both consortiums are bidding, there are ongoing merger talks between the two to formulate a joint bid for the Johnnic stake, valued at R4-billion Although African

**Jim Jones: 'Any owner would want to see Business Day continue to be successful'**
PHOTOGRAPH ROBERT BOTHA

National Congress secretary general Cyril Ramaphosa is Nail's new executive deputy chairman, it is uncertain whether he will represent both consortiums under a single bid The incorporation of Nail into the NEC is, however, the most favoured option

Nail and the NEC's business interests will put up half the funds for the 48% stake, while labour unions such as the National Union of Mineworkers and others will supply the rest of the money, drawing from union pension funds and membership fees

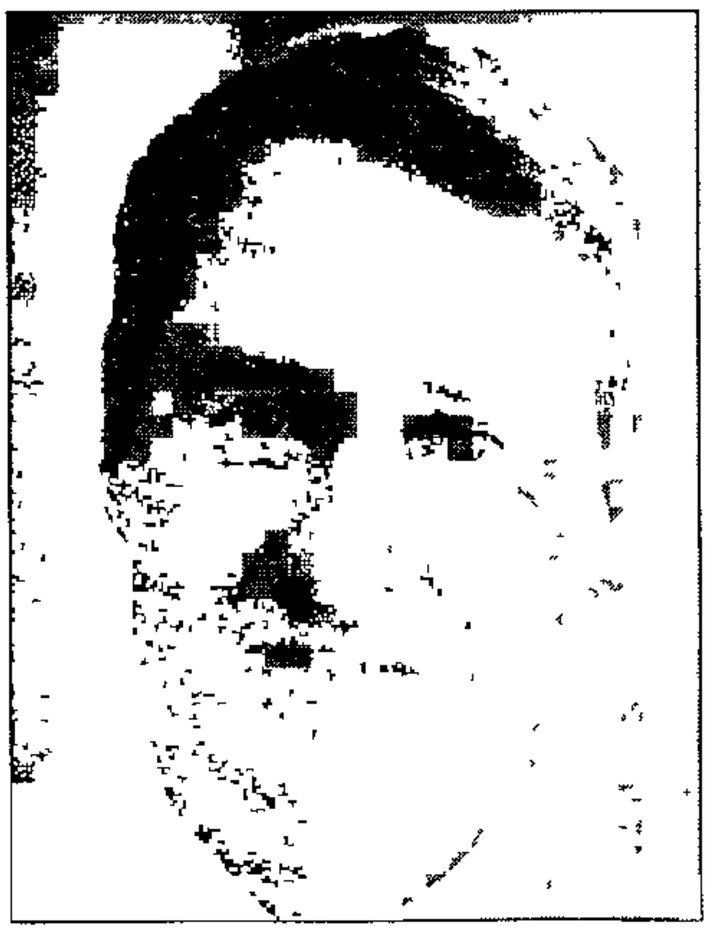
Nail, which already controls the *Sowetan* has previously said it is particularly interested in Johnnic's 43,2% in Omni Media, which owns TML

TML managing director Roy Paulson says the new owners of TML would have to honour the charter It is his view that an alliance with a black grouping could only be good for TML in the new spirit of black empowerment in South Africa

*Business Day* editor Jim Jones says he believes the daily finance newspaper will go from strength to strength 'Any owner, I believe, would want to see the newspaper continue to be successful and will manage it in such a manner," he says, adding that he has no fears of losing his job

*The Sunday Times* editor-designate Brian Pottinger says he is "looking forward to editing *The Sunday Times* under a new owner"

Although he feels it is too early to speculate on what the future holds under a new stakeholder, Pottinger says the critical issue for the new owners should be the quality of the publication and the type of service the newspaper offers. Pottinger will become fully fledged editor of *The Sunday Times* from July 1



**Brian Pottinger: 'It is too early to speculate on the future under a new stakeholder'**
PHOTOGRAPH SOUTHLIGHT

The charter, he says, should be widely canvassed within the stable before being implemented

Editor of *Out There* magazine Monica Graaff says it might not be a bad idea" to draw up a charter to ensure that the press's independence is protected "It hasn't been necessary to have a written charter until now because newspaper establishments have abided by an unwritten charter With newcomers entering into TML, it is a good idea to have one for the future " she said

# Government's media personnel resigning

By KARIN SCHIMKE
Political Staff

An increasing number of ministerial and departmental communications officers have left their government positions recently at what some have called an alarming rate

This is in spite of efforts by Deputy President Thabo Mbeki to address the problems surrounding government communications and the establishment of a task group to investigate these and make proposals for improvements

People whose names were familiar in the press as government spokesmen have left to join either the private sector or, since many are former journalists, to freelance They have spoken openly of the pressures that led to their resignations These are communications people considered to be competent, a government source told The Star

The reasons most frequently cited for the resignations are a lack of infrastructure and support, long hours, overwork and the pressures on family life of commuting between Cape Town and Pretoria Most of the people concerned also mentioned that the financial rewards of the job were unequal to the work involved

Shareen Singh, who works in the Labour Ministry, said she might be leaving the Government at the end of June to pursue her studies. Stephen Laufer, formerly with the Housing Ministry and then with the Department of Housing, has joined a national daily newspaper after receiving "a very good offer"

Sue de Villiers, an ANC stalwart and formerly a spokesman for the Justice Ministry, is now working on a consultant basis for a project called Children at Risk

Muff Andersson, who worked for the defence and the posts, telecommunications and broadcasting ministries, now produces a weekly television programme, *Between the Lines* But these are not the only ones.

Andersson's comment on the frustrations of her government job was "It was a case of the old guard desperately hanging on to their grey shoes No matter what innovative and creative ideas we had, there would always be some reason we were prevented from executing them.

"You would be at your desk by 8 30am, work without stop until around 7pm and then get home to countless telephone calls that needed answering and journalists w[illegible]telephone until as late as m[illegible]t. And you were always exp[illegible]cted to be on top of absolutely everything," Andersson said,

De Villiers also commented on the long, hard hours, saying her family life had suffered considerably during this period despite the family's constant support

Val Pauquet, spokesman for the Task Group on Government Communications (Comtask), said the Government had inherited a communications system that was not suited to its new needs

"Mbeki's concern about this has led to the development of Comtask which is made up of a range of people who can analyse this objectively

"We have to produce a report on our findings in six months But to do this we have to be aware of problems and specifics, and so we have sent questionnaires to all government officials," said Pauquet.

"If people are committed to the new South Africa this would really be the worst time for them to leave Communications are one of the most important aspects of the new Government and to leave now would not be in the interest of an effective communications body in the future," she said

(243) (3[illegible]) Star 25/4/95

# Mazwai slams the IAJ

Sowetan 26/4/96 (243)

**By Abdul Milazi**

THE chairman of the Black Editors Forum, Mr Thami Mazwai, yesterday slammed the Institute for the Advancement of Journalism for organising a conference of African editors without consulting local editors

The conference, organised by IAJ director Mr Allister Sparks in conjunction with a Dutch organisation, has angered Mazwai, who has labelled it the "height of European paternalism"

"We are amazed that a conference of editors can be held in Johannesburg without first consulting the Conference of Editors and Black Editors Forum," Mazwai said yesterday

Acting chairman of the Conference of Editors, Mr Anton Harber, said they were also surprised that "we should hear about it third-hand from Holland" However, he said the CE would not take any action

An invitation to Mazwai to participate in the conference panel, received via the Dutch organisation in Amsterdam, sparked off the anger against the IAJ

The conference, whose theme is Corruption as a Contributor to Africa's Plight, promises to bring together "leading" African editors and African "specialists"

Sparks said the whole thing had been blown out of proportion

He said the seminar was a conference of senior journalists and not editors and was open to everyone.

Mazwai said when he and other editors met Sparks, he maintained he was not obliged to consult anyone if he wanted to hold a conference

# Old censor board still snipping away

(243)

M+G 29/3-3/4/96

**A new structure will replace the archaic Publications Control Board, writes Jacquie Golding-Duffy**

SOUTH AFRICA'S apartheid-era censor board is grinding along on taxpayers' money to the annual tune of R2,5-million, although censorship is in direct conflict with the government's interim Constitution

The Directorate of Publications, commonly known as the Publications Control Board, will, however, be given the boot at the end of the year, according to the committee set up to scrutinise the new Films and Publications Bill.

Committee chairman Desmond Lockey says he was informed by the Department of Home Affairs director-general that the board would be dismantled and replaced by a new structure following the passing of the Bill

Lockey says the board's activities, which include censoring and banning items its members find undesirable, "are in in direct conflict" with the constitution's right to privacy

Lockey said although the board was abiding by the Publications Act of 1974, its powers were by default The Act is still on the statute books and neither Parliament nor the committee can do anything until the new Bill is promulgated

The Bill is to be rubber stamped by President Nelson Mandela at the end of June and will replace the current Act which provides the board with overwhelming and unaccountable power, such as being able to prohibit the production of undesirable publications.

Director of the board Dr Braam Coetzee argues that he is merely doing his job in accordance with the Act and the issue of being in conflict with the constitution is "old hat".

The Bill will in effect get rid of the board, which is the administrative body, and the committee, which is the decision-making body Coetzee, director of the board for 15 years, will lose his job and nominations will be made for positions in the new structure.

The lastest item to suffer a blow from the board is a compact disc which a foreigner declared at Durban International Airport. The CD's lyrics were deemed "unsuitable" and its cover, featuring a naked woman covered in blood with the title *Blood and Pussy*, was found to be "upsetting".

Coetzee said the CD was confiscated together with a pack of playing cards featuring "pictures of erect genitals, sexual penetration and so forth".

The directorate then slapped a ban on the CD and cards The CD was smacked with "prohibition on possession" and is now at the Publications Appeal Board, a body which ratifies the board's decisions. Coetzee said it was a mere formality and the ban would become legally binding

However Lockey says the directorate's activities should be more pragmatic in the light of the new Bill being scrutinised. "The 1974 Publications Act which [the directorate] is working with is unconstitutional The banning of CDs is ridiculous How do you enforce it? Does it mean police will demand to look at peoples' CD racks?"

According to Lockey, the new Bill will enforce a distribution ban on child pornography, and a ban on the possesion of child pornography The other categories not for distribution are bestiality, a crude mixture of sex and violence, extreme violence during sex, and a possible ban on material inciting the degradation of women.

"The directorate should concentrate on pursuing items featuring child pornography and bestiality, rather than banning CDs.

The directorate has, in the last eight months, banned one CD (*Blood and Pussy*), one film (*Erotique*) and heavily censored a second film (*The Doom Generation*) The film *Erotique* was deemed explicit, while *The Doom Generation* was found to border on blasphemy.

If the new Films and Publications Act is passed, explicit sexual material between two consenting adults will be permissible, but Lockey said the issue of pornography was being studied by various parties including the ANC's Womens League

# Call to disband the govt communications service

BD 30/4/96 (243)

**Mduduzi ka Harvey**

A BLACK journalists' lobby group has called for the SA Communications Service (SACS) to be disbanded, because it was duplicating duties which could be performed by government departments and was costing the taxpayer about R50m a year.

The interest group made recommendations to the 10-member government communications task group yesterday, and called for the redeployment of SACS personnel into national and provincial government departments, which should take over all progammes handled by SACS.

The annual SACS budget, estimated at about R50m, should be distributed evenly among the government departments, which should have a strong training component.

The group noted that SACS had failed in its objective of informing the public on all aspects of government, involving communities in the RDP at a grassroots level and facilitating dialogue between government and the public.

In addition, it said, SACS had failed to provide a co-ordinated and cost effective communication and information service at all levels of government.

The group's vision for a new government communication strategy was one where government spokesmen were up to date with what was happening in their departments instead of pleading ignorance and offering to find out. Spokesmen should not see their roles as defensive, but should inform the public about the successes and shortcomings of their departments.

Parliamentarians were called on to be more accessible to the public as this would give the public a sense of ownership of government.

Other recommendations included the opening of channels to give equitable control and ownership of the media to black communities, the use of affirmative action as a tool to address historical imbalances in the media and more input from black stakeholders in the strategic planning and financial aspects of the media.

The task group would also visit countries in Africa, Europe, the US and Asia to research and write up on international models by June.

After visiting all the provinces, the first report would be drafted in June and finalised by September, and would include comments from stakeholders.

# 'Media groups must redress historical imbalances, improve communication'

(243)

ARG 1/5/96

By PATRICK PHOSA

A GROUP of black journalists has called on the government to disband the South African Communications Services (SACS) with immediate effect because it has failed to inform all citizens on all aspects of the government

In a report submitted to a government task group on communications on Monday, the group said the SACS had only duplicated the work of existing provincial and national communications departments

The group comprises black journalists from the most influential daily and weekend newspapers in the country, including broadcasters

Concern was raised about the "state of media ownership in South Africa (which is) roughly 90 per cent in white hands"

The group stated that harrowing cases of black children being abducted have been and are being ignored in the media while equally horrible cases involving white children were given prominence and cited the Micaela Hunter case as an example

The group called on media houses to implement legitimate affirmative action programmes as a corrective measure to redress historical imbalances, and the acceleration of efforts to include black personnel in top managerial positions in print and electronic media

It also called for the inclusion of media workers in ownership of the press for an increase in worker participation in the selection of news and other facets

"A sense of belonging and pride can be restored if workers are genuinely empowered to actively buy into media establishments, and to this end we recommend that mechanisms be set in place to make it a priority to allow workers to buy into these," the group's submission read

SACS employees should be integrated into national and provincial government departments, the group said adding that the SACS's annual budget of R50 million should be evenly distributed to the departments, which should have a strong training component in their programme

The group said it should be made policy for government officials to speak native languages when appearing on national and radio talk shows to make information accessible to the majority

The use of English as the medium of communication has resulted in the government increasingly losing touch with the majority of its citizenry who are both ignorant and illiterate " it said

The group also said government communication departments should reach out to already existing clubs societies and groupings, especially among the African communities, to distribute information on programmes it has embarked on

It said government should be allocated some time on national radio and TV to present their case

"However to avoid using the media as a vehicle of government's one-sided propaganda apparatchiks' should be subjected to critical questioning by independent journalists or critical intellectuals who have an intuitive grasp of the issues concerned, the report stated

# Journalists call on SACS to disband

Sowetan 1/5/96 (243)

## 'The organisation has failed dismally to inform the public on government'

**By Pamela Dube**
Political Staff

THE SOUTH AFRICAN Communication Services was a dead horse and it must be disbanded, a group of black journalists said this week.

The group, which represents more than 40 black journalists from both print and electronic media, told the government–appointed Task Group on Government Communications that SACS had failed dismally to achieve its objectives of informing all citizens on all aspects of government

The group also noted that each government structure had a communications department and that SACS only duplicated the work of these departments

In disbanding SACS, the group suggested that employees of the organisation be integrated into existing government communication structures.

The group also argued that government ministers and officials be allocated specific time on national radio and television to present their views However, to avoid using that window as a vehicle of propaganda, they suggested that government spokespersons should be subjected to critical questioning by independent journalists or critical intellectuals who have an informed grasp of the issues concerned

On media ownership the group said print media was still in white hands

They argued the control of 52 percent of *Sowetan* and 100 percent of *New Nation* by Dr Nthato Motlana's New Africa Publications did not reflect a true picture of black empowerment

"If one goes into an assessment of the politics of empowerment, does Motlana really own the *Sowetan* and the *New Nation*?" one of the group members asked

The group argued that black journalists should be involved in decision making of their media operations and that affirmative action should be a must.

"We should not apologise for it (affirmative action) The question of ownership and control of the media and editorial input by all stakeholders within the media is crucial

"There is an urgent need for involvement in the financial and strategic planning by working journalists in the various media."

# Govt fails to tell its story, black journalists say

Star 2/5/96 (243)

## Call to close Communication

## Services with immediate effect

**By Patrick Phosa**

A lobby group of black journalists has recommended the disbanding of the South African Communications Services "with immediate effect"

In a submission to the Task Group on Government Communications, the Black Journalists Group said SACS had failed to inform citizens on all aspects of the Government and was a drain on state resources.

The 10-man task group, established by Deputy President Thabo Mbeki, is hearing submissions on improving government communications and how media ownership impacts on the Government's ability to communicate with citizens

The BJG said SACS had only duplicated the work of existing provincial and national communications departments

**Media in SA is 'roughly 90% owned by whites'**

BJG spokesman Jovial Rantao said SACS employees should be integrated into national and provincial government departments, adding that the SACS' annual budget of R50-million should be evenly distributed to the departments which should have a strong training component in their programme.

The BJG said it should be made policy for Government officials to speak native languages when appearing on national and radio talk shows

"The use of English as the medium of communication has resulted in the Government increasingly losing touch with the majority of its citizenry who are both ignorant and illiterate," it said.

The BJG also said Government communication departments should reach out to existing clubs and groupings, especially among the African communities, to distribute information on programmes it has embarked on

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The group called on media houses to implement legitimate affirmative action programmes as a corrective measure to redress historical imbalances and the acceleration of efforts to include black personnel in top managerial positions in print and electronic media

It also called for the inclusion of media workers in ownership of the press, and for an increase in worker participation in the selection of news and other facets

"A sense of belonging and pride can be restored if workers are genuinely empowered to actively buy into media establishments, and to this end we recommend that mechanisms be set in place to make it a priority to allow workers to buy into these," the group's submission read

# Mwasa in wage agreement

Sowetan 3/5/96 (243)

**By Abdul Milazi**
Labour Reporter

THE Media Workers' Association of South Africa and the *Independent Newspapers* this week signed a wage and conditions of employment agreement

The parties agreed on a 10,5 percent across the board wage increase The settlement also means the lowest paid member will now earn R1 750 a month

The parties also agreed to establish a National Consultative Committee (NCC) where all recognised employee organisations would meet to discuss issues like affirmative action, housing subsidies and allowances

Mwasa national treasurer Mr Joe Mdhlela said that although the union had conceded a lot from its initial demand of 15 percent, more would be recovered in the NCC

It was also agreed that female employees with one year of service will be entitled to six months maternity leave

# African journalists slam 'tolerance of monstrous leaders'

ST 7/5/96 (243)

**OWN CORRESPONDENT**

JOHANNESBURG Africa's "appalling tolerance of monstrous leaders and its culture of submission" were referred to repeatedly at yesterday's opening of the conference of African journalists organised by the Institute for the Advancement of Journalism

The three-day conference, on "Africa — Crisis and Challenge", began with harsh criticism of Africa, by Africans

Newsday correspondent Dele Olojede said "Years after independence, Africa managed to produce a crop of leaders who were absolute failures and destroyed the legitimacy of new governments

"There has been a singular failure on the part of Africa's leaders to criticise each other"

Political scientist Professor Jonah Elaigwu of the University of Jos in Nigeria said the problem with Africa's leaders was their "begin again" attitude

"New leaders destroy every project begun by their predecessors, so there is no sense of development or improving on another's foundations," he said

The conference is aimed at fostering ties between journalists in South Africa and the rest of Africa.

# Union signs pact with Independent

CT(BR) 8/5/96 (243)

By Fiona Leney

Johannesburg — The Independent Newspapers group has signed an agreement on wages and conditions with the Media Workers Association of South Africa, removing the last obstacle to the creation of a national forum to decide company policy

The company's management agreed to set up the negotiating forum as part of a package it signed last month with the South African Union of Journalists and the South African Typographical Union

The package included a 10,5 percent pay rise but the establishment of the forum was dependent on the media union's acceptance of the deal It had been insisting on an 11 percent pay rise

Sithembele Khala, the union's general secretary, said his union had decided that the benefits of the package had balanced the concession it was forced to make on pay

"The main focus was to establish a forum to deal effectively with issues that have been dragging on We want to improve the standard of living for our members," he said

The national committee on conditions will meet for the first time this month It will discuss affirmative action, housing subsidies and allowances

"The committee must have a definite time frame We want a housing policy and recommendations for the acceptance of an affirmative action plan by June," Khala said

Under the new contract signed with the Independent group's management, the union will receive help from the company to investigate an alternative healthcare scheme

Some union members consider the existing scheme to be too expensive

Deon du Plessis, the managing director of Gauteng Newspapers, said he was delighted with the media union's acceptance of a final agreement Du Plessis led the management side in negotiating this year's union agreements

The media union had negotiated cleverly, he said, but he hoped that "now that our negotiating round is over we can all return to the job in hand, which is producing the best newspapers in Africa"

DONATION MADE TO DP

# Nasionale Pers deserts NP

CT 10/5/96 (3[illegible]) (243)

**IN A MAJOR** blow to the National Party, Nasionale Pers, long regarded at the party's official mouthpiece, has told Deputy President F W de Klerk that the NP could no longer rely on the company's support, writes **BARRY STREEK.**

THE former National Party-supporting Afrikaans publishing house, Nasionale Pers, has made a significant donation to the Democratic Party

Nasionale Pers and the National Party were for years virtually synonymous and its newspapers used to be the official mouthpiece of the party

The Cape Town daily, Die Burger, was particularly close to the NP establishment and its editorials and columns used to be quoted as if they were the voice of the government

The party, in turn, regularly rewarded Die Burger, its editors and its political writers with service awards and passed laudatory resolutions at its Cape congresses

Nasionale Pers' move is a major blow to the NP as it tries to reposition itself as an opposition party, indicating that its support base is declining

It is understood, however, that Die Burger editor Mr Ebbe Domisse informed De Klerk about a month ago that the links between the NP and Nasionale Pers were now over and that its publications would now be completely independent of the party

In the latest issue of Millennium, released today, Nasionale Pers' executive chairman Mr Ton Vosloo confirmed that the company's board of directors had taken a decision, in the interests of promoting "multi-racial democracy", to make a "modest" cash donation to the DP

Ms Ingrid Uys, who wrote the article said "Millennium understands that the donation was not all that modest"

Vosloo told the magazine that the newspaper group had adopted a "value approach" towards party politics

The article continued "It has decided that it will contribute to a multi-party democracy to which everyone could subscribe, and not just NP supporters

"The Afrikaans newspapers had learnt that being too close to a political party was no longer 'expedient' "

Uys said that on at least two occasions Die Burger had criticised the NP and praised the DP and she quoted a column by the newspaper's Dawie which said: "Alas, it seems sometimes as if the cloak of freedom and democracy lies uneasily on the NP's shoulders

"This is in contrast to the DP, which fights like fury for a proper democracy — someone who can lighten the heavy hand of authority more meaningfully and create more space for a civil society"

Recently, South Africa's former ambassador to Denmark Mr Conrad Sidego was appointed to a senior position at Nasionale Pers to lead the company's strategic planning for the future

Sidego is the first black person to hold a senior management position with the company

Nasionale Pers recently announced it would sell most of its shareholding in its Sunday newspaper, City Press, to a black-owned company

# SAUJ declares a dispute with the SABC

(243)

Sowetan 16/5/96

**By Coudjoe Amankwaa**

THE South African Union of Journalists has declared a dispute with the South African Broadcasting Corporation over the alleged failure by the SABC to negotiate conclusively and in good faith over wages and working conditions

In a statement yesterday, SAUJ general secretary Mr Motsomi Mokhine said "Critical to SAUJ's demands was the need for a visible and pragmatic commitment by the corporation to the betterment and enhancement of journalism skills and broadcast quality in the SABC"

He said SAUJ had noted that the SABC would have increasing difficulty in fulfiling its new mandate as a national public broadcaster unless it committed some of its major resources to skills development for journalists

"SAUJ sought to eliminate remaining discrimination practices within the SABC where some staff members, by virtue of positions they hold in the corporation, receive benefits which are denied their colleagues

"Having regard to the fact that most of these benefits do not impact on the finances of the corporation, the SAUJ is surprised why this demand has been dismissed by management"

SAUJ's approach to these negotiations was meant to ensure that the new mandate of the SABC was translated into concrete steps that would ensure that the quality of programmes made by SABC's staff are of a high nature and calibre

"Alas, the attitude of management, coupled with the composition of its negotiating team, suggested a lack of interest in these important goals," he said

Mokhine said SAUJ would continue to strive for the speedy resolution of the dispute but not at the expense of the integrity of its members

## Negotiations

The SAUJ believed that the following issues should be the subject of bilateral annual negotiations with the SABC for 1996/97 Parking facilities, housing policy, corporate buying power, in-house tax consultancy, training policy and skills development, overtime, allowances and staff leave policy

Annual leave, maternity and paternity leave, long service awards, insurance cover for journalists, staff empowerment and affirmative action were other issues

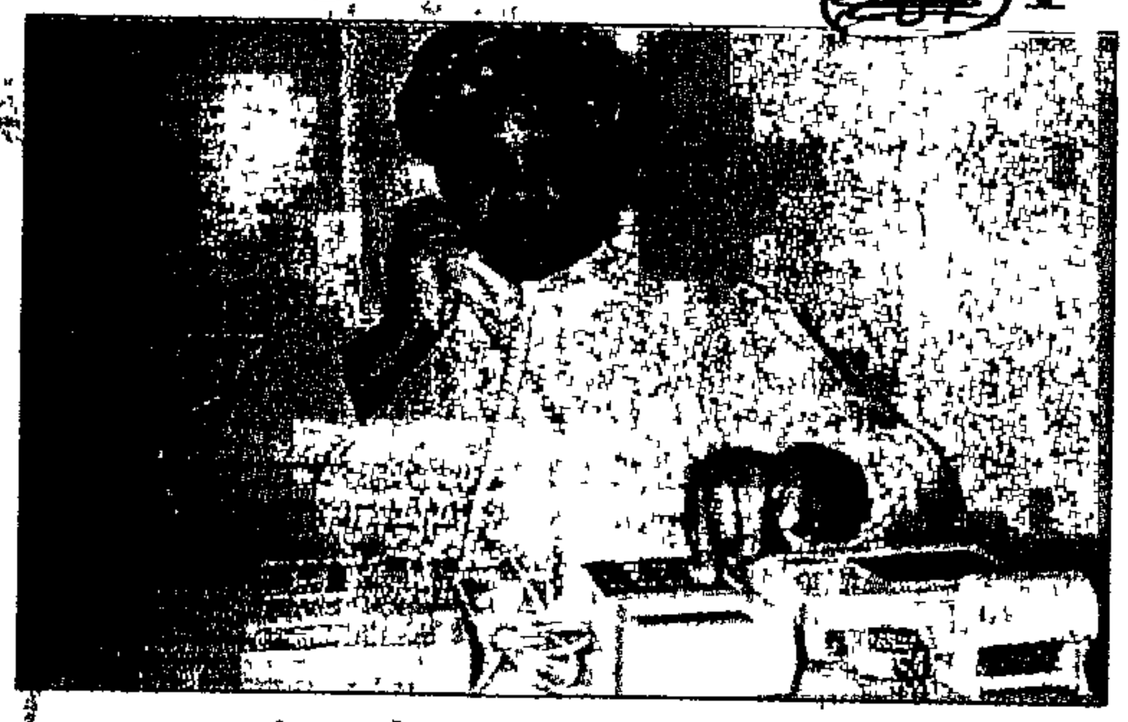
The union has applied for the establishment of a Conciliation Board

SABC management could not be reached for comment yesterday

# Phone shops get townships talking

CT 17/5/96

**THANKS TO THE** introduction of "phone shops" in townships, residents no longer have to face the frustration of out-of-order public phones. **EVELYN HOLTZHAUSEN** reports.



**DIALLING OUT:** Mrs Nosipho Funani keys in a call charge for a customer at her Philippi phone shop.

DISTORTED reggae music from a radio in a makeshift shop, patched together from old wooden planks and plastic sheeting, blasts across the pot-holed dusty square

On the other side of the square, a bored shopkeeper peers absentmindedly through the rectangle cut in the side of a container cafe.

There is not much business The morning commuter rush is over and until the evening trains disgorge their passengers, there's nothing for the shopkeepers to do but pass the time of day

Only one container has a steady stream of visitors The phone shop run by Mrs Nosipho "Gladys" Funani and her husband Lulama

They are at the forefront of a new business which is putting the people of South African townships in touch with each other and the world through modern communications technology

The Funanis' phone shop is one of over 30 in the Cape Flats It was set up by Vodacom which, in terms of its licence, has to install 22 000 subsidised community telephones within five years

The phone shops consist of containers neatly fitted with booths for up to 10 standard telephones, linked to a cell-phone network and a counter

The containers are bought at subsidised rates from the company, which services and maintains them

Vodacom also runs a training programme which includes basic bookkeeping and marketing

Customers pay up front — from a minimum of 45c for a one-minute local call to R5 for a long-distance call — the operator punches in the amount and the customer is directed to a booth to make the call

The phone shop owners pay 67% of the money earned to the cellphone company for the calls and rental, and keep 33% as profit

Funani, who paid R2 000 for her shop (they now cost R4 000), is open from 7am to 7pm six days a week and takes an average of R750 a week — an income of about R1 000 a month after she's paid Vodacom

Throughout South Africa, phone shops have created thousands of jobs directly and many more in spin-off businesses such as maintenance and servicing

The service has given millions of people ready access to working telephones for the first time in their lives as well as created a score of business success stories

"People prefer to use our phone shops because their money is not wasted as it can be in a public phone which takes your money even if it is out of order," says Funani She hopes to open a second shop as soon as she has saved enough capital

She bought her phone shop on money earned at her roadside stall selling hair products

She still has her hair products stall but it's now next to her phone shop — a prime position thanks to the flow of customers on their way to make telephone calls

According to Vodacom local area manager Ms Nobushlie Chonco, the phone shops, which Vodacom run at subsidised rates, have been an unparalleled success Most owners, she says, make a good profit but there have been some who have gone out of business

"A few spent their earnings then could not pay for their calls and we had to repossess their shops But most franchisees run their business efficiently and make a good profit "

But it's not only the profit factor which has made phone shops a booming success

According to Funani, people who have never used a telephone are suddenly discovering the wonders of modern tele-communications

"I have to teach some people who come here how to use a telephone It is wonderful to see how happy they are at suddenly being able to talk to friends and relatives they have not seen for years "

# Editors to hol conference on press freedom

(243)

STAFF WRITER

CT 17/5/96

A WATERSHED conference press freedom and the future journalism in South Africa h been agreed to by the Black Edit Forum (BEF) and the Conferen of Editors (CoE)

The decision was taken at t first working session in Johanne burg this week of a joint task gro set up by the BEF and the CoE establish a single, representati body for editors and senior jou nalists The conference will be he from August 30 to September 1

The Editor of the Cape Tim and chairman of the task grou Mr Moegsien Williams, said t conference participants would b drawn from the senior ranks of a the country's major news organis tions, including the SABC

"We are planning a unique ge together of between 60 and 100 South Africa's most senior journa ists Our purpose is threefold T lay the foundation for the estab lishment of a single, nonracial ed tors' organisation, to develop universal editorial charter to pro tect editors from interference b management or government an to hammer out a vision of journal ism and press freedom in the ne South Africa

"The task group also agreed t set up immediately a watchdo body on press freedom," he said

# White domination of press must be ended — Mandela

(243) CT 2/5/96

**BARRY STREEK**
POLITICAL WRITER

THE press is playing a constructive role, but its control is still too white, President Nelson Mandela says

"(T)he newspapers are . serving as a mirror for us," Mandela told the Cape Times.

"Of course, this is because the press is a fundamental part of democracy"

However, he would like to see broader ownership of newspapers, Mandela said.

"The control and domination by whites, no matter how progressive some of the whites may be, is undesirable It is something we should put an end to.

"It is not just the press — 98% of our industrial property is in the hands of the whites and more than 80% of the shares quoted on the Johannesburg Stock Exchange are owned by six companies We have to change that."

Mandela said he and his colleagues were happy when journalists and columnists "say something nice about us, but we also use the press as a mirror to see ourselves and how we are performing"

"We don't want any paper to be the mouthpiece of the ANC, but a press that is commenting on public issues fearlessly and without favour is a pillar of democracy.

"I appreciate the role the Cape Times is playing. Its contributions, its articles, have been thought-provoking."

# State tension with media healthy, says Maharaj (243)

LINDSAY BARNES
Staff Reporter
ARG 28/5/96

TENSION between the government and the media was healthy but did not mean the two were in a state of war

This was the view of Transport Minister Mac Maharaj, speaking last night at the Public Relations Institute of Southern Africa's national conference in Cape Town, at which President Mandela was awarded a gold medal as government communicator of the year.

Mr Maharaj said although habitual suspicion existed between the government and the media as a legacy of the country's autocratic past, the media was correct in jealously guarding its autonomy and carrying out its duty of scrutinising all aspects of government.

● A National Party delegation headed by its secretary- general, Roelf Meyer, is seekig an urgent meeting with SABC chief Zwelakhe Sisulu to discuss alleged bias in election coverage during the buildup to local polls in the Western Cape

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243

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Mr Maharaj said although habitual suspicion existed between the government and the media as a legacy of the country's autocratic past, the media was correct in jealously guarding its autonomy and carrying out its duty of scrutinising all aspects of government

"By its very nature, government will often find this close attention embarrassing and even annoying," he said

A government committed to the values of transparency and accountability would welcome this, just as it knew that its five-year mandate was not a blank cheque, and that its legitimacy must be recreated every day through the sensitivity with which it attended to people's changing needs, he said

The media had the power to create images which continually reflected the complex reality of people's changing lives.

Furthermore, if democracy was to thrive, the media had a duty to provide people with dependable information about the government; and so would present them with with an empowering instrument

Mr Maharaj praised Mr Mandela for the readiness and frankness with which he publicly acknowledged changes of view

● A National Party delegation headed by its secretary-general, Roelf Meyer, will seek an urgent meeting with SABC chief Zwelakhe Sisulu and its board chairman Ivy Matsepe Casaburri to discuss alleged bias in election coverage.

The NP was deeply unhappy about the SABC's "blatant favouring" of the ANC in its coverage of the build-up to Western Cape local elections

# Editors in bid to reverse media ban

(243) CT 31/5/96

**ANEEZ SALIE**
HEALTH WRITER

CAPE TIMES editor Mr Moegsien Williams has joined forces with Argus editor Mr Shaun Johnson in defence of journalistic integrity following a scathing attack on the media at a disciplinary hearing into sexual misconduct by a city doctor last week

The editors are determined to reverse a ban imposed on the media and the public from attending a South African Medical and Dental Council disciplinary tribunal which started last Thursday at UCT's medical school, and which is scheduled to resume on June 5

They will seek relief from the Supreme Court if needs be, according to their lawyer, Mr Jacques Louw

In a letter to the council on Wednesday the editors, both in the Independent Newspapers stable and leaders in the transformation of the media, slated the ban as an ominous development in South Africa's unfolding democracy

They believe the ban flies in the face of the constitution's commitment to transparency and its Bill of Rights which safeguards freedom of expression

The Cape Times reported last Friday that, in a landmark ruling, the tribunal agreed with a legal representative for the doctor that the media would sensationalise the matter to the permanent detriment of his client, irrespective of his guilt or innocence

The fact that his client may well be found not guilty would not counterbalance the harm done in the meantime to his professional and social standing, and consequently his earning capacity, the doctor's lawyer argued (he cannot be named in terms of the ban)

"We are dealing with the very essence of sensation The matter will receive enormous publicity," said the lawyer

"If he is convicted, it should appear in the papers, but in the case of acquittal, what effects would it have on his practice, and his family?"

The tribunal agreed to conduct the inquiry in-camera, even though a lawyer it had appointed to represent the complainant, a young woman, had opposed the application

He said the public had an inherent right to know, especially in the new era of transparency

The findings would however, be made public, the tribunal ruled.

In their letter the editors state "The secrecy in which the tribunal sought to shroud itself is not even accorded to courts of law where evidence is also often 'sensational', without the press having to make it so

"Newspapers have a right and duty to inform the public of matters which affect them The laws of the land within which we operate are clear and the doctor in question can seek redress in the courts if he believes we have acted illegally "

The editors warned that South Africa could not afford to return to an era when the dissemination of information was regarded as a privilege, not a right

Louw, a city media lawyer, said the council had undertaken to respond urgently to the editors' letter

DEV ☐SUPREME COURT ROLL 5 ☐CLASSIFIED 11 ☐BRIDGE 16 ☐COMICS 10 ☐SPORTS

# Editors object to Press ban

ARG 21/5/96 (243)

**JOHN YELD**
Staff Reporter

THE Medical and Dental Council's disciplinary committee, which barred the media from a hearing into the alleged sexual misconduct of a local doctor, is out of step with the new openness in South African society and may have contravened the new Constitution

This is the view of the editors of Cape Town's two daily English-language newspapers - Shaun Johnson of The Argus and Moegsien Williams of the Cape Times - who have expressed their "strongest objection" to the closed hearing

The two newspapers, published by Cape Newspapers, may bring an urgent Supreme Court application for a review of the disciplinary tribunal's decision

In a joint letter to the Medical and Dental Council, the two editors pointed out that its own legal representative had argued in favour of having an open hearing of the tribunal, and that they wholeheartedly supported such transparency

"We hold the view that the decision by the tribunal is an ominous development in a new democracy committed to transparency, and whose Bill of Rights safeguards the freedom of expression," the editors said

The decision to hold a closed hearing - postponed by a week to next Wednesday - was taken after the doctor's legal representative claimed his (the doctor's) reputation could be irreparably harmed should evidence relating to the charges be "sensationalised" by the media

"This is unfortunate in the light of arguments presented by your lawyers that the public has an inherent right to information disseminated at tribunal hearings," the editors said

"The secrecy in which the tribunal sought to shroud itself is not even accorded to courts of law where evidence is also often 'sensational', without the Press having to make it so "

Newspapers had a right and a duty to inform the public of matters that affected them

"The laws of the land within which we operate are clear, and the doctor in question can seek redress in the courts if he believes we have acted illegally

"We would also argue that doctors are no different from people in other professions and walks of life, and have no automatic right to deny the public, whom we represent and they treat, of knowing how they conduct themselves "

South Africa could not afford to return to the days where the dissemination of information of vital importance to the public - in this case, a doctor's alleged sexual misconduct - was regarded as a privilege rather than a right

"We urge you therefore to investigate this matter and overturn the decision made by your tribunal Such efforts will receive our wholehearted support," Mr Johnson and Mr Williams said

The two newspapers were investigating options to enforce their rights to attend the hearing, they added

The newspapers' lawyers also sent a letter to the medical council, saying that they had been instructed to investigate the media's exclusion from the disciplinary hearing

"We note from certain information submitted to us that the decision was made by the tribunal on the basis of the protection of the integrity of the doctor, which reason appears to be insufficient and ultra vires the authorising act as read with the regulations," they said in their letter

Yesterday the council sent a three-line letter of acknowledgement to Mr Johnson and Mr Williams, saying the lawyers' letter was "in the process of being replied to"

# Editors go to court over ban on Press

ARG 4/6/96 (243)

**JENNY VIALL**
Health Reporter

CAPE NEWSPAPERS and its editors are today challenging a Medical and Dental Council's disciplinary committee order that bans the Press and the public from the hearing of an alleged sexual misconduct case against a doctor

The Argus editor Shaun Johnson and Cape Times editor Moegsien Williams, and Cape Newpapers, have asked the Cape Supreme Court to set aside the disciplinary committee's decision, or alternatively to correct its ruling

The urgent application comes two days before the hearing is due to resume The public and the Press's right to be present at such hearings is central to the application

The application arises out of proceedings on May 23, when a Medical and Dental Council committee ruled that charges against a doctor and subsequent proceedings be heard in camera

The Medical and Dental Council argued against this, but the doctor asked for the hearing to be held in camera so that he could be spared the publicity

The committee ruled that there were good reasons for the hearing being held in camera, and at that point a Cape Times reporter was asked to leave

This ruling is being challenged on the basis of Medical and Dental Council regulations that proceedings at a disciplinary hearing should be open to the public, or alternatively that Cape Newspapers knows the name of the doctor and general details of the allegations, and has a right in terms of section 15 (1) of the constitution to publish such information The committee ruling violates this right, according to papers before the court

Professor J P Van Niekerk, in his capacity as chairman of the disciplinary inquiry, the South African Medical and Dental Council and the doctor, who is unnamed, are respondents in the case.

The complainants in the case of alleged sexual misconduct against the doctor have said on record that they have no objection to the details being made public

The doctor's name is not given in the court papers

The application is sought urgently, claim the editors, because if the hearing is allowed to continue and the application delayed, irreparable prejudice will be suffered If leave to publish is given only in due course, the rights of the Press will be infringed.

The editors say that the contention that the hearing of evidence in camera would prevent negative publicity was based on a false premise, and that there was therefore no basis, let alone good cause, shown for the committee's ruling

While it may have been the Medical and Dental Council committee's intention to prohibit publication of the doctor's name, the ruling did not do this and the committee was not competent to issue such a ruling

The editors argue that in terms of the Medical and Dental Council's disciplinary regulations, the committee was not competent to order that the charges be put and pleaded to in camera In making such a ruling the committee misdirected itself and exceeded its powers

According to the alternative application, the name of the doctor and general details of the allegations against him are already known In terms of the constitution, newpapers have the right to publish such information

According to the constitution "Every person shall have the right to freedom of speech and expression, which shall include the freedom of the Press and other media ."

The newspaper editors say the ruling of the Medical and Dental Council committee violates this constitutional right

# Editors' action finds support

(243)

**EUNICE RIDER**
SUPREME COURT REPORTER

CT 4/6/96

MONITORS of press freedom have come out in support of Cape Times and The Argus editors' decision to challenge a ruling by the SA Medical and Dental Council in the Supreme Court.

The editors are seeking an order overturning a council decision barring the press from a disciplinary hearing against a city doctor alleged to have sexually molested two women patients. The application is to be heard today

Expressing its support for the editors' action, the Freedom of Expression Institute in Johannesburg said yesterday it was in the public interest "for people to be informed about doctors who are accused of such gross misconduct".

"Doctors are there to serve the interests of their patients and therefore offer a public service," spokeswoman Ms Jane Duncan said yesterday

"In criminal law cases, reporting the names of accused persons and information about the crime is standard practice and the SAMDC will be hard-pressed to come up with a convincing argument about why its hearings should be exempt."

Mr Thami Mazwai, the chairperson of the Black Editors' Forum, said there was a new spirit of openness in South Africa "One would have expected the Medical and Dental Council to be much more sensitive to issues of press freedom "

The SAMDC's disciplinary tribunal barred the press and public from hearing evidence or details of charges of sexual misconduct against the doctor on May 23. It found the media would "sensationalise the matter to the permanent detriment of the doctor, irrespective of his guilt or innocence"

The editors argue that newspapers have a duty to inform the public of matters that affect them and that the doctor may seek redress in the courts if he finds newspapers have acted illegally in coverage of the charges against him

BRIEFS

# Editors contest doctors' ruling

THE editors of The Cape Times and The Argus will appeal to the Cape Supreme Court today to overturn a landmark Medical and Dental Council decision to bar the press from a disciplinary hearing against a city doctor alleged to have sexually molested two women patients.

The Council's disciplinary tribunal barred the press and public from hearing any evidence or details of charges of sexual misconduct against a city doctor on May 23, after finding that the media would "sensationalise the matter to the permanent detriment of the doctor, irrespective of his guilt or innocence".

CT 5/6/96 (243)

# Judge backs 'right to know' but editors lose application

(243)

ARG 6/6/96

**DENNIS CAVERNELIS**
Supreme Court Reporter

CAPE Newspapers has lost an application in the Cape Supreme Court for a review of the South African Medical and Dental Council (SAMDC) decision to bar the Press from reporting on a disciplinary hearing

The application was brought by the editor of The Argus, Shaun Johnson, the editor of the Cape Times, Moegsien Williams, and Cape Newspapers

The SAMDC disciplinary hearing, which will continue today, is into allegations of a doctor's "disgraceful conduct" involving alleged sexual misconduct

The Cape Newspapers application was for the Supreme Court to review and set aside the decision on May 23 by the SAMDC to hold a disciplinary hearing in camera, or alternatively for the Supreme Court to correct the SAMDC's ruling

Mr Justice D H Van Zyl said although the newspapers had a right to bring the application and there was an arguable case on the merits, his view was that the application should have been brought on the day the SAMDC decided to bar the Press from the hearing

He said by bringing the application yesterday the doctor did not have time to prepare

However, the judge said certain aspects of the SAMDC decision to bar the Press from the hearing, were wrong

Judge Van Zyl said he found it "surprising" that the newspapers had not brought an urgent application to prevent the SAMDC disciplinary committee from hearing evidence, until there could be a review of the ruling

He said an urgent application could have been brought the day of the ruling, or the next day, to halt the proceedings

He said the newspapers would have had to prove the urgency of the application, as "there is no doubt this is a matter of importance"

Judge Van Zyl said although the finding of the disciplinary committee would be made public some time in the future, "the public wants to know what the facts of the case are the finding means nothing if you do not know what the facts are"

L A Rose-Innes, counsel for the doctor in the disciplinary hearing, who may not be identified, argued that "there is no compelling reason why the public can't be told in three months time (about the case) instead of tomorrow"

"To tell (the public) about something a couple of months later is not going to satisfy or interest (them), " said Judge Van Zyl

He said the Press represented the public, "who have a right to know what's going on"

The application was dismissed with costs

A G Binns-Ward and J C Butler, instructed by Lionel Murray Schwormstedt and Mr Louw appeared for Cape Newspapers L A Rose-Innes, instructed by G A Van Der Spuy of MacRobert de Villiers Lunnon & Tindall, for the doctor, and A la Grange, instructed by Rooth Wessels, for the SAMDC

# Press go-ahead on Medical Council hearing

AR4 6/6/96 (243)

JENNY VIALL
Health Reporter

IN a breakthrough today, newspapers including The Argus have been allowed to attend the SA Medical and Dental Council (SAMDC) disciplinary hearing into alleged sexual misconduct of a Cape Town doctor.

Details of the charges can now be revealed for the first time, but evidence may not be reported until the final outcome of the case.

This decision was reached after lengthy debate between the SAMDC, the doctor's lawyers and lawyers for Cape Newspapers, owners of The Argus and Cape Times

The SAMDC had earlier closed the hearing to the media on the grounds that evidence would be sensationalised. An urgent Supreme Court application by Cape Newspapers yesterday failed on technical grounds to overturn the decision

But after argument today before the SAMDC by newspaper lawyers, reporters were allowed to attend the hearing on condition they did not report the evidence until the hearing was finalised.

The name of the doctor and the complainants may also not be published yet. The names of the complainants will not be published at all. During argument at the SAMDC today, the newspapers offered not to name the doctor although it was contended by the lawyers that the tribunal did not have the right to prevent him being named.

The charges by two women patients relate to incidents that allegedly occurred in April 13, 1994 and February 21 last year.

In both cases the doctor is accused of "improper or disgraceful conduct" in that he unnecessarily administered dormicum, which is a benzodiasepine (a sedative) to his patient, which was "not in the best interests of the patient" under false pretences, without first adequately explaining, or explaining at all, the possible side effects to the patient.

He then allegedly "committed an act of an indecent or unacceptable physical or sexual nature" on his patient, abusing his position as a medical practitioner or taking advantage of his patient, in that he placed his penis in his patient's hand.

In the second case he is also alleged to have rubbed ointment into or on to his patient's vagina in a "sexually stimulating manner". ● See page 3.

# Editors lose appeal for press to attend tribunal

(243) CT 6/6/96

**EUNICE RIDER**
SUPREME COURT REPORTER

THE editors of The Cape Times and The Argus yesterday lost their urgent application to the Supreme Court to set aside a recent landmark Medical and Dental Council decision, barring the press and public from a disciplinary hearing against a city doctor who is alleged to have sexually molested two women patients.

The Cape Times will this morning ask the tribunal to reconsider its earlier decision and allow the proceedings to be reported.

Mr Justice D H van Zyl said he had sympathy for the press and agreed with Mr Moegsien Williams, editor of the Cape Times, and Mr Shaun Johnson, editor of The Argus, that in principle the press had a right to cover the disciplinary hearing in the public interest.

However, he could not grant the application as no proper case for urgency had been made out and affidavits by the applicants were "unpersuasive" and "extremely superficial", not dealing with the kind of detail expected by courts of law when matters of an urgent nature are brought before the court.

Judge Van Zyl said although it was important to consider prejudice against the public and newspapers in not allowing them to be present and publish reports on the disciplinary hearing against the doctor, the serious prejudice which might be suffered by the doctor in question also had to be considered.

He said the doctor had not been given adequate time to prepare for the hearing — having received 24 hours warning of the editors' court application — and that he was presently still tied up with the continuing tribunal hearing.

Mr Justice Van Zyl said what the newspapers should have done was to ask the tribunal to reconsider its ruling, or to have come to court immediately after being asked to leave the hearing on May 23 and there request a stay of the proceedings until a proper review case could be made out.

The disciplinary tribunal had ousted the press and public after hearing argument by counsel for the doctor that the media would "sensationalise the matter to the permanent detriment of the doctor, irrespective of his guilt or innocence".

# Mbeki wants stronger state media role

ARG 11/6/96 (243)

**CLIVE SAWYER**
Political Correspondent

DEPUTY President Thabo Mbeki wants a public broadcaster with a stronger role in conveying government news and opinion

He believes most people want to hear directly from the government, in addition to other sources such as privately owned media and the South African Broadcasting Corporation

Mr Mbeki was speaking during the SA Communication Services budget vote in the national assembly yesterday

He said citizens could play a meaningful role in government only if they had access to information and knew fully the aims of their elected representatives

"It is only an informed population that would be able to curb the excesses of government where these occur"

The new democracy was still struggling to break with a past in which the government thrived on secrecy and the use of communication not to inform but to manipulate and intimidate

The new government had so far not been able to communicate with citizens satisfactorily

This was not because of a lack of will, but because of the realities into which the new democracy had been born

A task team on government communications would report on these issues by September, with the report being publicly available about a month later, he said

He said acentral issue was that the government communicator had no vehicle for mass communication

The government did not want the public broadcaster to abandon its duties, as outlined by the Independent Broadcasting Authority, to inform people about the activities of the government

Carl Niehaus (ANC) said journalists to whom he had spoken still wanted a neutral government communicator, a concept he dismissed as a "mythic figure"

He said relations between the ANC and the media were at a low

The media was too white and too conservative, particularly in senior editorial positions

This did not absolve government from the duty to communicate through the established media

Dene Smuts (DP) said the impression endured that the transformation of the media was as much on the task force's agenda as was the improvement of government communications, in spite of denials by Mr Mbeki that the government intended interfering with the Press

Wednesday June 12 1996

NEWS

(243)

# Media in SA 'still in white hands'

12/6/96

By Rafiq Rohan
Political Correspondent

THE Government is still of the firm view that the media, particularly print, are still largely being controlled by whites, reflective of a certain political viewpoint and that the current Government is still not getting a fair Press

Deputy President Thabo Mbeki said at a briefing on Monday "We come from a situation, where the majority of the people were excluded all round from the economy and politics

"A major segment of political opinion is not represented in the mass media and it is for this reason the Government needs the services of a restructured body, like the South African Communication Services"

## All viewpoints

Had South Africa possessed media that reflected all viewpoints, it might not have been necessary for a body like SACS, Mbeki said

However, it is not clear what form the SACS will take Its future is dependent on proposals that the Government Communication Task Team will come up with The team consists of several media experts, including *Sowetan* political editor Mathatha Tsedu

Mbeki said while it was necessary for the Government to communicate with and inform citizens, it had thus far been unable to harness human and material resources to do this and had not been able to build the required capacity

This had occurred not because of a lack of will but because of the objective realities

## General rule

Turning to the media in general, he pointed out that it was a fact that the majority of Africans were denied access to it

He also pointed out that there was nothing unusual about newspapers openly supporting one political party This was a general rule in established democracies

Mbeki said he did not want to deny those already "well represented but we should be working towards creating equity"

ANC MP Carl Niehaus also emphasised the need for the Government to get a fair Press

"There can be no doubt that the media are still too white and conservative, particularly in senior editorial and management positions"

The ANC head office feels the Government needs a more effective way of providing the public with information

# Africa's media is more, not less, shackled

(243) Star 18/6/96

**ROSS HERBERT**
Maputo

What is a typical day in African journalism? Despite the crude thuggery of a Sani Abacha or a Daniel Arap Moi, murder is not part of the reportorial routine, except perhaps in Algeria

The dark, forbidding telephone call is the much more common occurrence, based on recent conversations with journalists from a dozen African countries

At a recent Harare gathering of labour leaders and journalists, the head of the International Confederation of Free Trade Unions declared his intention to mobilise international labour against the Swaziland government The king had trampled on human rights, denied its labour unions internationally accepted rights and stood against the democratic tide of history, he said

A first-rate story for the Swazi press The only attending Swazi journalist was not elated to have an exclusive story

To fend off government pressure, he would have to slip the speech to the rival newspapers and get assurances from them that they too would print it

"If I, run this story alone, the government would call my editor They would call my father They would call my headmaster in school and say 'What have you done with this boy? Why did you bring him up wrong so he does things like this?' I could never run the story by myself," the journalist said.

For all its weaknesses in economic management, Africa is a richly creative place when it comes to finding ways to restrict journalists For example, Ghana's constitution protects free expression, but loosely defined libel laws allow the state to imprison journalists for criticising the government Most African governments signed the 1991 Windhoek declaration pledging support for press freedom Yet few respect the pledge Zambia president Frederick Chiluba came to office promising reform but is now seeking to impose a law that forces journalists to be registered like other professionals Once registration is required, it is easy to ban unco-operative journalists

**Govt would call father to complain**

With most of Africa's media in government hands, only occasional acts of censorship are needed to cast a pall over reporters for state-owned media After a tiny opposition party won two of the three opposition-party seats in Zimbabwe's parliament, a memo was sent to reporters at the state broadcasting company.

It said that reporters were not allowed to mention the opposition party without permission from the editor In April, a representative of the International Monetary Fund gave a speech stating that Zimbabwe's economic policies were so off track, the fund would not give the government additional funding

Local reporters attended the speech but wrote nothing for the public "Oh no. This is much, much too hot," said one reporter for the Ziana news agency

In Kenya, Zimbabwe and Zambia constitutions protect freedom of speech but journalists have been jailed in all three countries for sedition, libel and defamation

**Mention of opposition not allowed**

In Sierra Leone, Nigeria and the Gambia, military rulers have overridden court rulings and suppressed press coverage by executive decree

Insisting that reporters reveal their sources is another censorship tool, which is similar to South Africa's section 205. The Botswana Guardian has fought a long legal battle in which it faced steep fines unless it revealed the source of a story alleging the central bank governor had mismanaged the bank

There is no direct censorship at the government controlled Times of Zambia and Zambia Daily Mail, according to Mike Moono, a chief sub-editor at the Times "The editor is expected to impose self-censorship Promotion for junior staff is based on how well the individual articulates party and government thinking "For journalists in the two dailies, it's a matter of knowing on which side your bread is buttered "

Self-censorship also affects South Africa Although the Committee to Protect Journalists praised South Africa for having the most free press on the continent, the committee expressed concern that the SABC was pulling its punches in covering the new Government

Most African governments would argue that they don't prevent the press from telling the truth However, state ownership, sedition laws, criminal libel laws, registration, official secrets acts and self-censorship combine to keep Africa's press far from free – Star Foreign Service

# The power of the media or the media of power?

PALLO JORDAN

ARISTOTLE, with the philosophical rigour for which he is renowned, once remarked that "a democracy exists whenever those who are free and are not well off, being in a majority, are in sovereign control of the government "

The Greece of Aristotle was a smaller and far less complex society than our own This made it possible for the "not well off" majority to exercise their sovereign control over government directly, in popular assemblies

To accommodate their size and greater complexity, modern societies have had to invent representative democracy, in which a select few persons – usually professional politicians – carrying a popular mandate, exercise power as representatives of the people In other words, government on behalf of the people.

Given that they act as custodians of popular sovereignty, it is inevitable that politicians in a democracy are subjected to all manner of scrutiny by way of ensuring that they faithfully carry out their mandate

The discipline of regular elections compels them to renew this mandate and the vigilance of opposition parties can test their policies in open debate

With the arrival of mass circulation newspapers and the electronic mass media, far greater means became available to monitor the words and actions of public representatives Invariably, this has produced a degree of tension between

politicians and the mass media

Each of the parties at the opposing poles of this argument claim that they are merely pursuing their chosen fields of endeavour

Democrats don't question the right and duty of the mass media to continuously weigh and assess the performance of politicians and other public figures As most citizens' principal source of information it is the media who are best placed to draw the public's attention to gross mishandling of their mandate by those to whom they have entrusted their sovereignty

However, the centres of power that bear directly on people's lives in our society are dispersed and distributed among many institutions

AR9 18/6/96

**PALLO JORDAN** . "I was perplexed to learn that a group of editors, in anticipation of the acquisition of Omni Media by a consortium of black business groups, took the unprecedented step of drafting a charter to secure the editorial independence of their journals

Besides government and other bodies of state, immense power is wielded by business corporations, as the recent increase in bank rates demonstrated Organised business, the rich farmers and their unions also partake of large chunks, as do religious bodies and cultural organisations

All these demonstrably exercise power over the lives of millions of ordinary citizens. In many cases the power with which these bodies are vested would be the envy of many politicians, whose well-laid plans are often thwarted by it

Despite the evident power they exercise, such bodies, their leadership and membership, for some reason, are exempted from the attentions politicians are favoured with (243)

The suggestion that top business executives should disclose their salaries was parried with the protest, "privacy" Ironically such considerations do not seem to apply to workers negotiating a pay increase

The plea of legitimate business confidentiality has also been marshalled for withholding information about the performance of companies and their future plans that could have a far-reaching impact on national life

I was therefore perplexed to learn that a group of editors, in anticipation of the acquisition of Omni Media by a consortium of black business groups, took the unprecedented step of drafting a charter to secure the editorial independence of their journals

This charter, like its precursor in English history, was then placed before Cyril Ramaphosa with a view to obtaining his seal of approval which would guarantee the barons of Omni Media their rights in the future

I am informed that though expressing his support for editorial independence, Ramaphosa declined, and pointed out that the action of the editors suggested an unfortunate distrust of the bona fides of the prospective owners Hardly a propitious note on which to begin a relationship between new owners and incumbent editors

The editors, it would appear, were content to bide their time until a more auspicious moment when they hoped once again to broach the matter of their rights

Enter, stage right, the current owners of Omni Media, who emphasise to Ramaphosa the importance that they (the current owners) attach to the editors' charter In the course of these discussions it also emerges that Cyril's immediate endorsement would smooth ongoing negotiations about the unbundling of Johnnic considerably

Ramaphosa remained unconvinced and withheld his consent That is where the matter rests, for the moment

Securing the media against the undue influence of the very persons we would like it to interrogate is a healthy instinct But a profound scepticism makes it difficult for me to believe that the bosses of JCI were motivated solely by their concern for the public good

Their actions in this instance speak louder than all their glib protestations about freedom of the press and smack of an urge to rule after their abdication

The question arises What purpose were they pursuing in trying to strong-arm Cyril Ramaphosa? The first question suggests a second Exactly whose agenda does the editors' charter represent?

Would it be uncharitable to assume that neither the editors nor the owners were acting to ensure that " those who are free and are not well off, being in a majority, are in sovereign control of the government "?

● Dr Pallo Jordan is a member of the ANC's national executive committee and will become Minister of Environmental Affairs on July 1

# Naspers improves on last year's results

(243) CT(BR) 27/6/96

By John Spira
DEPUTY EDITOR

Johannesburg — Nasionale Pers has improved on last year's results with a 30 percent earnings advance before abnormal items to R1,44 a share in the year to March 31.

Earnings after abnormal items and income derived from associated companies grew by almost 75 percent to R1,91 a share

The dividend on the N ordinary shares has been increased by 50 percent to 18c, covered eight times by earnings.

Income from associated companies contributed R5,8 million, compared with a loss of R33 million in the previous year At the end of March, cash resources were a total of R187 million, compared with R102 million a year previously

Ton Vosloo, the chairman, said that the group had now entered a new phase of development

He said that since the end of last year, Naspers' share price had increased from R38,25 to R45,80, reflecting shareholders' confidence and a buoyant media sector

"However, shareholders must bear in mind that management cannot consistently meet market expectations," he said

He ascribed Naspers' success over the past year to the main divisions — magazines, newspapers and book publishing — exceeding expectations. "This followed on from management's objective to be the market leader in all our sectors," he said

The group's single biggest undertaking, the new magazine printing works in Montague Gardens near Cape Town, was nearing completion The first magazines from the new press were expected in September

Naspers holds substantial stakes in M-Net, MIH and M-Cell Vosloo said that M-Net had experienced a good year, while MTN, M-Cell's operating company, was on the verge of profitability

Establishment losses at Nethold, in which MIH holds 40 percent, were smaller than budgeted Significant progress was made with international transactions, thereby speeding up Nethold's turnaround

Vosloo said that announcements would soon be forthcoming about partnerships with those who, in the past, had been excluded from the business process

He said that the recent "fairly heavy" interest rate shocks were curbing the country's capacity for growth and in some sectors adspend had slowed noticeably

☐ See Business Watch, Page 3

# A watchdog for press freedom

M+G (MM) 31/5-6/6/96 (243)

**Two editors' organisations will be meeting to discuss the future of journalism in the new South Africa, writes Jacquie Golding-Duffy**

**Looking ahead: To ensure the paper you read has press freedom** PHOTOGRAPH WILLIE DE KLERK

A WATERSHED conference on press freedom and the future of journalism in South Africa is to be held shortly by the Black Editors Forum (BEF) and the Conference of Editors (CoE)

*...ne Times* editor and chairman of ... joint task group of the two editors' ... ganisations Moegsien Williams, ...ays the conference is a "crucial step- ... stone" towards the creation of a ...gle editors body to guard the free- ...n of the press

... is the first coming together of ... ior black and white journalists ...re a meeting of minds can take ...ce and prejudices can fall away," Williams says

The decision to hold a conference ... taken at the first working session ... Johannesburg two weeks ago by ... joint task group established by the BEF and the CoE The conference ... planned for August 30 to September 1 this year

Williams says he has a vision of a single organisation for all editors where "a foundation document will be drafted encapsulating the vision of editors in terms of ethics and other issues"

This unique get-together of between 75 and 100 of South Africa's most senior journalists has a threefold purpose: to lay the foundation for a non-racial editors' organisation, to develop an editorial charter which is universal and to hammer out a vision of journalism and press freedom in the new South Africa

"Press freedom must bind us all since this is the central pillar of all our beliefs as editors," Williams says.

Chairman of the BEF, Thami Mazwai, agrees "Together we will produce an editorial charter for all journalists in South Africa which will enshrine issues such as press freedom The charter by the two organisations must become the bible of the industry"

He says it is timely to host a joint conference now "For the first time, black and white editors will be talking to each other rather than past each other"

Mazwai cautions against the conference being seen as a formality towards a single organisation "It must not simply be understood that we will be a joint organisation after this conference. It must rather be seen as a forum in which the two racial organisations can co-exist

"The BEF do not want a shotgun marriage, but rather for a partnership between the two bodies to develop Perhaps in about two years, when we are comfortable with each other, then will we become one umbrella body," Mazwai says

Editors, journalists and others, he says, are recovering from apartheid and its side-effects and areas of concern still exist. "Among other things, the perceptions and attitudes of editors in the different organisations is a matter which we have to work at."

For example, the notion of upward mobility for blacks, training, skills development and affirmative action is crucial within the BEF, he says, while for white editors, protecting what they had garnered through the years is important

*Mail & Guardian* editor and chairman of the CoE, Anton Harber, says it is a mistake to put all the white editors in one corner, and suggest they all agree, and black editors in another, suggesting that they all see eye-to-eye

The CoE is "now dominated by a new generation of editors", says Harber, a generation who "are impatient to create one voice for the editorial side of the industry"

"We will have disagreements and there will be a range of diverse views in the new organisation, but we are agreed that our priorities are the protection of press freedom and training of journalists to overcome the inequalities of the past Both organisations are going to have to shift from their traditional positions and take a leap forward into the new organisation"

It is not only opinions on such issues that divide the two organisations, but their understanding of what constitutes an "editor" also differs

According to Williams, the BEF includes anyone in an executive role from news editor and chief sub-editor upwards, while the CoE counts only the person who takes legal responsibility for the newspaper as a whole

Despite their differences, the two bodies have agreed via a joint task group to establish a watchdog on press freedom which will be an interim body until the two decide to merge.

The watchdog, says Williams, will take the form of a joint sub-committee with members drawn from both organisations "It will take specific note of press freedoms and those areas where inroads into press freedom are made Monitoring will be ongoing and statements will regularly be released"

It was also decided that all future representations to government national or international organisations will be done jointly

# Editorial charter poses worrying questions

BD 1/7/96 (243)

**ALAN FINE**

JOURNALISTS should be able to debate the merits of a range of subjects dispassionately This is less easy when the subject is their own company or publication

TML, the publisher of this newspaper, faces a major ownership shake-up through the proposed sale by Anglo American of its controlling interest in TML through Johnnic This major business deal also has huge sociopolitical implications

But aside from the occasional leak, opaque official statement or tendentious commentary, there has been little public discussion of the terms of the deal The leaks are often designed to advance the interests of one party or another and are hence of limited reliability

Large commercial deals tend to be carried out confidentially for a period There are rational reasons for this However, the sociopolitical issues at stake cannot be so easily kept under wraps This applies, in particular, to the ready-drafted editorial charter which has been placed on the table at negotiations between Anglo and the National Empowerment Consortium, which includes Nthato Motlana's New Africa Investments (Nail)

Criticism of the Anglo negotiators' handling of this aspect of the process from within TML newspapers is a sensitive business This is not because of fear of the reaction of TML's owners They are, after all, themselves plainly committed to editorial independence But the critic could be perceived as trying to ingratiate himself with the prospective new owners This aside is intended as a disclaimer

It is not clear, from official statements, how strongly Anglo's negotiators plan to press for the acceptance of the charter as a condition of sale Detail on the charter's contents is also sketchy Is it a standard set of principles in line with those which govern management/editorial relationships at several foreign and local publications, including Nail's Sowetan? Or does it contain more unconventional conditions which would unduly restrict a newspaper owner's prerogative to hire and fire editors?

The most critical assessment of the proposal is that it represents an attempt by the owners of TML and/or its "white, middle-aged" editors to prevent new owners from intervening in the culture and, more importantly, from changing the editorship of the company's publications It implies, some argue, a racially based mistrust of the new owners — particularly since these newspapers have long operated happily under Anglo ownership without any such charter The extent to which the proposed charter would entrench the position of incumbent editors is unclear, since its contents have not been publicised

An alternative interpretation sees Anglo as having an obligation to seek to preserve past traditions of editorial independence if and when a change in ownership and control occurs Forcing the new owners to accept restraints on their ability to manoeuvre is therefore legitimate, especially given fears that they may be inclined to turn the publications into apologists for the ANC. The purpose would also be to protect editors from being forced to advance the owners' commercial interests

Based on this interpretation, there are two possible realities The first is that the new owners have no intention of adhering to traditional standards on editorial independence and that the doomsayers' worst fears are legitimate If so, it is difficult to imagine a charter being worth the paper it is written on for more than a brief period It would raise questions about Anglo's judgment in contemplating talks on a change in ownership with a party not committed to the publications' integrity The entire editorial charter exercise by Anglo negotiators would be a waste of time and energy

The second possibility is that Cyril Ramaphosa and others involved in the NEC bid have as clear a commitment to editorial independence as do the current owners If so, it is easy to understand the sentiments expressed by Pallo Jordan in an article in the Star — that the charter proposal implies a distrust of the bona fides of the new owners It reflects, more or less, the attitude which led white consumers to rush out and buy cases of tinned baked beans before the April 1994 election

This implied distrust could undermine, not strengthen, the basis for the new owner/editorial relationships And this is why, arguably, the charter proposal was ill conceived and lacking in strategic sense

Yes, Anglo negotiators have a duty to do what they can to ensure the future editorial integrity of the newspapers they are selling That means, primarily, satisfying themselves that the prospective owners are not the types who would destroy the publications' integrity It may even include seeking a commitment in principle to negotiate an editorial charter with the publications after the sale — a far cry from placing a document before the negotiators more or less as a fait accompli

The charter governing the relationship between The Sowetan and New Africa Publications — subsidiary of the senior partner in the NEC bid — would be a good model to work on — if and when the deal goes through Its very existence indicates a commitment by Nail to editorial independence, and should have made the Anglo negotiators wonder whether their approach — seen within the NEC as highly insulting — was necessary Even if, as recently reported, some pressure was placed on Sowetan journalists by representatives of its owners, the charter, combined with a bit of backbone, has been sufficient to protect editorial integrity

Anglo negotiators could also have considered whether the contents of the charter should not have been canvassed more widely among journalists in the company

More important for the future of TML publications is whether the new owners will be willing to take a longer view — to improve editorial quality even at the expense of a portion of profit That, as outgoing Sunday Times editor Ken Owen said in his farewell address last week, is what the future of quality SA journalism depends on

**BOOKS**

The Star .... Tuesday

(243)

# Journalists' union eyes buyout

Star 2/7/96

The South African Union of Journalists has decided to investigate joining the National Empowerment Consortium in its bid to buy the holding company for media group Times Media Limited. At its 1996 congress at the weekend, the SAUJ's national executive was mandated to investigate participation in the bid for Johnnic's OmniMedia – Staff Reporter

# Curbs will reduce print media to ashes

Star 5/7/96 (243) (198) (89)

**By Cheryl Hunter**

Rigid anti-tobacco legislation, in line with the growing global lobby against smoking, is poised to impose severe restrictions on advertising which the media industry currently relies on for a substantial portion of its revenue

Most forms of media, including newspapers, radio and magazines, are largely dependent on the tobacco industry for millions of rands worth of advertising and sponsorship each year

If South Africa chooses to follow international trends next year by banning tobacco adverts, certain media could face a financial crisis

The World Health Organisation has drawn up draft legislation advocating a total ban on the advertising of tobacco and its related products and the Ministry of Health in South Africa is considering adapting those recommendations here

## Tobacco firms can accept big restrictions

But many people are unsympathetic as they believe the media has played a decisive role in perpetuating the culture of tobacco smoking with their financial dependency on the tobacco industry

Executive director of the Council Against Smoking, Yussuf Saloojee, said he favoured the ban because advertising influences young people more than adults

"They remember advertising better and are more influenced by it They also read more adverts than adults," he said

Tobacco advertising preys on our perceptions of ourselves, according to Saloojee "African and Asian women very rarely smoke, so the tobacco industries are targeting their marketing at these women," he said

He cited recent Japanese and Indian adverts where a new brand of cigarette was being aimed directly at women in those countries and marketed as symbolising a "Western, affluent, feminist lifestyle" where "the ideal woman declares her independence with a decision to smoke"

"This is a woman's health issue," Saloojee said

The Tobacco Products Control Act, implemented in 1993, effectively prohibits the sale of cigarettes to anyone under 16 years of age, allows the Minister of Health to regulate smoking in public places and makes it a legal requirement to carry health warnings on tobacco products and advertisements

When this was introduced, however, the SABC used its enormous lobbying power to make sure that health warnings were not required on radio

"They objected because newspapers and billboards could hide the health warning in black and white print which people would eventually ignore, but on radio the warning would continue to hit you between the eyes," Saloojee said

He said the only other strong argument against health warnings on radio was that tobacco advertising comprised up to 20% of the revenue for many of the radio stations and that the tobacco industry had threatened to withdraw all advertising if they were forced to carry a warning with the adverts

The SABC won out – but not entirely A compromise was reached where there would be no health warning accompanying the adverts, but a percentage of time would be allocated for counter-advertising and this would be broadcast at no cost to the council by the SABC Hence the "And now we're really smoking" adverts

This reprieve was granted to radio stations until May 1996 and renewed by the Ministry of Health this year, but things may change considerably next year

Radio Active's executive sales and marketing manager, Rob Hayne said "We have been given a reprieve until May 1997, but this does not mean that there will be no more tobacco ads next year We will lobby extensively to keep on advertising and our chances of success are pretty good "

His belief in their ability to deflect the health department's attempts at regulation relies on the financial implications of discontinuing tobacco advertising

"The public broadcaster needs to be financed and we cannot burden the taxpayer with this shortfall "

His confidence may be inappropriate One of the largest international tobacco companies and the makers of Marlboro cigarettes, Phillip Morris, are so worried about US proposals to regulate the industry that they have agreed to support strong measures to curb tobacco use by minors if the US government drops efforts to regulate tobacco

## Health warnings not needed on radio

As part of a new federal law to restrain teenage smoking, they have said they will accept a nationwide minimum age of 18 for buying tobacco products, ban cigarette names and logos on t-shirts, baseball hats and other non-tobacco items, establish a $250-million (about R1-billion) enforcement fund to be financed by the tobacco industry, ban all outdoor advertising of tobacco products within 300m of a school, ban sales of single cigarettes or packs with fewer than 20, ban all cigarette vending machines and ban tobacco advertising at sports events with significant youth audiences

This they are willing to accept in return for continued exemption from regulation by the US Food and Drug Administration – whose proposals include regulating what goes into a cigarette and labelling cigarettes "nicotine-delivery devices"

But Saloojee and his US colleagues criticise this move "A US survey shows that only 2% of under-age smokers obtain their cigarettes from vending machines and this concession would not affect sales

"They are effectively giving in on the smaller battles to avoid the larger ones which will cost them dearly," he said

Other members of the media industry have taken a hardline stance "Personally I am against compromising people's freedom of activity and this is exactly what is being proposed here," general manager of sales at Times Media Limited, Trevor Ormerod, said

"We will support the tobacco industry for as long as we can," he said

Ormerod said there simply are no alternatives for advertising revenue "When cellular phones were introduced here we were very happy because they represented more revenue, but there's no way they will make up for the loss of the tobacco industry"

Independent Newspapers advertising and marketing director Steve Serfontein said banning the adverts would represent "an abuse of people's rights" by not allowing for freedom of choice

"Not only that, but I believe we will lose a lot of employment, which is the last thing we can afford," Serfontein said, adding that radio and the print media would suffer the most from the change in advertising revenue

Hayne also believed that there would be a "hole" if tobacco advertising was banned "We can only hope that these people would then buy the time currently utilised by cigarette ads," he said

The Ministry of Health refused to comment on what possible legislation lay ahead for the tobacco industry, but the unspoken advice to the media was to start probing for alternative sources of revenue

# Kagiso bids for the big league

MTG (BM) 5-2 11/7/96 (243)

Kagiso Trust Investments is graduating from little to super league in the media industry. **Jacquie Golding-Duffy** looks at its future media interests

**Buying in the media: KTI is moving into not only radio, but print and television too**

KAGISO TRUST INVESTMENTS (KTI) has come out of the closet, admitting it is involved in talks with major Afrikaans press group Perskor — owner of the most notorious of the apartheid-era newspapers, *The Citizen*.

While media attention has focused on the bid by black empowerment companies for Times Media Limited, KTI has quietly been securing joint control of Perskor. This will give it ownership of *The Citizen* — originally started by the National Party government with secret funds — a number of highly-profitable magazines, a large printing works and a stake in M-Net.

The announcement by KTI, the investment arm of the Kagiso Trust, comes amid a host of other media plans it has been nurturing involving radio bids and a television licence application.

On the Perskor front, an insider who is privy to negotiations says talks with the stable are close to being finalised following two months of ongoing talks and two cautionary notices alerting Perskor shareholders to changes within the stable.

KTI has a guarantee of board representation as part of the deal, something which another major but passive shareholder, the other Afrikaans media giant Naspers, does not have. Naspers and Perskor, do, however, jointly own the biggest Afrikaans newspaper, *Rapport*.

Board representation for KTI means it will play a key role in the "strategic direction" of the company an insider says, adding that it will have a "joint control of the stable" and not be relegated to the backbenches

KTI has previously said it is interested in expanding its printing capacity and publishing company with no specific interests in newspapers. However, the fact that *The Citizen* forms part of the stable is a plus for the consortium

In a statement published earlier this week, it said Perskor was negotiating a number of transactions, one of which was the possible acquisition of KTI's 40%-held Kagiso Publishers The deal could see the trust becoming a substantial and joint controlling shareholder in Perskor Beleggings (Persbel), the parent company of Perskor

Aside from Perskor talks, it emerged this week that KTI is also the leading member of the consortium that is the sole bidder for the SABC's Radio Oranje, following the withdrawal by other bidders. The Independent Broadcasting Authority now has to consider KTI's application for a licence and unless there are objections from outside parties or the IBA itself, KTI is guaranteed the radio station.

With a modest R11-million bid for Radio Oranje, it seems likely that KTI will be the first black owner of a commercial radio station in South Africa The consortium that made the bid for Radio Oranje consists of KTI with a 25,5% shareholding, film producer Anant Singh's Durban Videovision Entertainment with 25,5% and Publico with a 24 % shareholding

This consortium, with the addition of musician Johnny Clegg, has also bid for East Coast radio. And with M&G Media, owners of the *Mail & Guardian*, it has submitted applications for new radio licences in Durban and Cape Town.

Kagiso Publishers also recently acquired Craft Press, a Johannesburg-based printing company.

KTI is planning to apply for a television licence when the IBA invites licence applications for free-to-air television next year.

The investment company is planning to link up with an international player when making the application, but as yet refuses to divulge information on who the likely partner will be.

KTI's main objectives at the time it was launched by Kagiso Trust, the country's largest non-governmental organisation, was to make the trust more self-sufficient and less dependent on grant aid. Profits from KTI are fed back into the Trust. The second objective was to take advantage of opportunities in the market following the socio-political changes in the country since the April 1994 elections.

Operating from an office in Braamfontein, KTI's backbone consists of three people: executive chairman Eric Molobi who sits on, among others, Telkom's board and the Independent Newspapers' International Advisory board, managing director Johnson "JJ" Njeke and executive director Fani Titi.

The Kagiso Trust board of trustees includes former Archbishop Desmond Tutu, chairman of the Truth and Reconciliation Commission, Reverend Frank Chikane, apparently an adviser to Deputy President Thabo Mbeki, Zanele Mbeki, trustee of the Women's Development Bank; and anti-apartheid veteran Reverend Beyers Naude

# Editorial charter is motivated by a desire to enhance credibility

JIM JONES (243) BD 11/7/96

Does a newspaper neec an editorial charter? If so, what should prompt its introduction and who should be involved in its creation?

The simple answers are Yes, all newspapers can benefit from thoughtful agreements between journalists and owners The motive for a charter's introduction should be to enhance the independence and, hence, the credibility of the newspaper If it is to succeed, its creation and final wording should be agreed on a basis of equality by the groups or individuals involved in its implementation And, above all, it should be devised on the understanding that an editorial charter confers responsibilities, duties and rights on all its adherents

The alternative — of having a charter that is not agreed or unduly favours a particular adherent — is likely to be a document that all sides will circumvent when it suits them It runs the risk of becoming a document with little clout, scarcely worth the paper it is printed on

Instead of being a constructive agreement between parties whose press needs or views might often conflict, an editorial charter that does not enjoy complete support can become a fertile source of conflict that damages the very newspaper it is designed to enhance

Business Day and other newspapers owned by its parent company, Times Media Ltd, have never had editorial charters The group's newspapers came into their current ownership when Anglo American Corporation stepped in to save the Rand Daily Mail from falling into the hands of Louis Luyt, acting as a front man for the then NP government The question of an editorial charter did not arise — it seemed enough that the Rand Daily Mail had been saved from becoming the ruling party's mouthpiece

The charter, printed elsewhere in this newspaper today, is, then, the TML group's first, and has already aroused debate and criticism even though its draft was only completed this week and has only now been presented to the various groups that could be affected by it

Why is a charter felt to be necessary now if there was no internally perceived need for one while this newspaper and others in the group have been controlled by white interests? The question itself carries the racial innuendo: is it because no one trusts prospective new black owners whose politics might differ from those of the current owners? Is the charter designed simply to protect the jobs of white editors who might find the country's transition uncomfortable? Again the convenient racial innuendo

An answer that seeks to avoid the racial or political issue is futile

A charter that can be interpreted and portrayed by consummate politicians or ordinary readers as racist, as having been devised by whites who fear or mistrust SA's black population or as being devised to protect individual interests is also futile If the charter is not agreed by the people — journalists, owners and managers — who will be bound by it, it will regularly be used to attack the newspaper whose credibility it is designed to enhance

Better, perhaps, to ignore the innuendo and express principles

The implications of the question why a charter is felt necessary now are that this newspaper is the uncritical or fawning mouthpiece of its present owners, that it promotes their interests alone, that its editorial line is taken on instruction of the owners

If that is the case — and Business Day's readers must make up their own minds — why should it be any different under new ownership? The same mindset that believes ownership influences a newspaper's editorial content will ascribe the same venality no matter who the owner is

Already there are rumblings about the fact that the CE of the prospective ultimate new owners of this newspaper will not have disavowed his political affiliations and could impose his views on TML's newspapers, even though he is stepping down as secretary-general of the country's largest political party I believe those concerns to be as ill-founded as those that ascribe self-interested editorial intervention to Business Day's current owners

To revert to the question of credibility, whatever credibility this newspaper might enjoy has been won because of what I believe is its independent editorial line A change that favoured one interest group over another might enhance or detract from that credibility As with any relationship, that between a company's owners and the managers who run its operations has to be founded on trust and agreement.

If the case of a newspaper is different from that of any other business, it is that there will almost inevitably be a tension between the newspaper and one or other commercial or political interest That is inevitable if a newspaper is to play its societal watchdog role properly There is no reason commercial or political interests in future should not seek to influence the editorial direction of this or any other newspaper through appeals or threats to owners and commercial managers It happens regularly now when someone feels aggrieved over reports or interpretation

Many newspaper owners realise this tension exists and remain unmoved by it Others cave in to the first threat and seek to intervene editorially with a consequent effect on their newspaper's credibility

One has to ask whether an editor of a newspaper deserves any more favourable treatment from his newspaper's owners than does a manager of another commercial company Certainly the pressures on newspapers or their owners are different and, perhaps, more irrational On the other hand, a newspaper's responsibilities to its readers and to society as a whole merit, perhaps, more scrutiny and safeguarding than a bean canner's responsibilities to his customers

South Africans have proved in these past few years they can negotiate a future that may not be wholly perfect for all, but a future that is founded on trust and negotiated agreement Skin colour has nothing to do with trustworthiness — that comes from inside the individual

Our constitution might have its flaws But if we are to have any confidence in our own country, we must retain the reasonable belief that the same spirit of open discussion that gave us a constitution can be harnessed to negotiate an agreeable removal of flaws In its way, this newspaper has contributed to our national accord Business Day has actively sought to stimulate debate and to present the diversity of views that needed airin if the country was to achieve a peaceful and constitutional transition Our intention is to continue to do this

I am proud of the role Business Day has played and continues to play, and I admire my colleagues' contribution to building this newspaper's credibility and the wide respect with which it is viewed

However, if constitutional negotiations could succeed only with open debate, the same surely goes for other agreements, whether they be editorial charters or an individual's implicit social pact with government

When should an editorial charter be negotiated? The Sowetan put one in place after its recent change of ownership One was put in place in part to allay journalists' concerns over new ownership when Jim Bailey sold City Press to Nasionale Pers The new Irish owners of the Independent Group's newspapers have either not considered or discussed the issue The Mail & Guardian is governed by the terms of the Scott Trust, which governs its principal shareholder, the London newspaper The Guardian

The Scott Trust exists to defend the newspaper's editorial independence, it appoints and dismisses editors and managing directors, and defines their responsibilities and rights Furthermore, the Conference of Editors and the Black Editors' Forum are together working on a code of conduct for journalists

TML's editorial charter is being proposed ahead of a change in ownership The timing is less important than reaching agreement on what the charter is intended to achieve and how it can achieve it We have published TML's proposed editorial charter today principally for our readers' benefit It is already in the hands of this newspaper's other stakeholders If it helps enhance the credibility of Business Day, it will have succeeded in its intention If parts or the whole are construed merely as a device to preserve me or any of my successors unduly in the job of editor, I would disavow it

As always, this newspaper can succeed commercially and in its duty to inform its readers only if its operations are based on real trust between its owners, its staff and its editor And that is something that cannot be regulated but has to be won when all participants want it

# Business Day, Sunday Times staff reject TML's editorial charter

BD 12/7/96 (243)

**Amanda Vermeulen**

TIMES Media Limited's charter to protect the editorial independence of its publications under new owners has been rejected by the editorial staff of the two leading TML newspapers, Business Day and Sunday Times.

The charter, sent to the National Empowerment Consortium this week and published in Business Day yesterday, was rejected unanimously at staff meetings. The NEC is negotiating to buy Anglo American's 48% stake in Johnnic which, in turn, owns 46% of TML.

The SA Union of Journalists said earlier this week that it also rejected the suggestion by TML parent and "certain TML editors" that the acceptance of the charter be a precondition for a successful bid in the negotiations between Anglo and the NEC over TML owner Johnnic.

In a letter to TML MD Roy Paulson, chairman Vaughan Bray and the various editors of publications in the group, the SAUJ said it denounced efforts to railroad the charter through at the eleventh hour. "It was noted that there had been no previous attempt to involve staff or their representative unions in negotiations on an editorial charter."

Staff members said they would not be bound by any charter unless they played an active role in drawing it up.

"The SAUJ supports the basic concept of an editorial charter, and has attempted to negotiate one in the past.

"However, it was rebuffed by the same TML management which now insists on the entrenchment of such a document."

TML MD Roy Paulson said last night he had no comment on the move by staff to dismiss the editorial charter.

Staff on the Financial Mail, whose editor Nigel Bruce conceptualised and originally drafted the charter, had not yet met to discuss the issue, but staff members said yesterday they were in favour of it.

While the NEC said yesterday it would probably consider the charter only at the next NEC meeting, scheduled for the end of next week, other consortium sources said it was likely to be rejected with some "distaste".

TML closed 160c down on the JSE yesterday at R41, as one deal for 1 000 shares went through, cutting the company's market value to R960m from the previous day's R992m.

# Union perturbed by the lack of consultation on charter proposal

Dear Sir,

THE South African Union of Journalists is perturbed by recent developments surrounding a proposed editorial charter for Times Media Limited, particularly the fact that a final version has been put together without the involvement of the key stakeholders, namely staff.

While we were at first amazed that TML sought to introduce this charter without due input from staff members, its proposed contents and the article by Business Day editor Jim Jones in yesterday's edition of the newspaper seem to explain why.

The SAUJ as a stakeholder has to date not been consulted throughout this process Neither, as suggested in the articles referred to, has the union been given an official copy of this charter This fuels our perception that there certainly is more to this charter than suggested

We reject the contention that "there was no internally perceived need for one (editorial charter) while this newspaper and others in the group have been controlled by white interests".

For the record, since at least 1994, the SAUJ tried to negotiate a charter with TML but management consistently rejected this proposal, arguing that there was no need for same The question has to be asked therefore why is there a need NOW?

In trying to answer this question, Mr Jones suggests that their overriding consideration is a desire to enhance the credibility of their newspapers. This can only presuppose that the newspapers lack enough credibility at the moment or that their credibility could be harmed as a result of TML acquiring new owners.

One of the SAUJ's considerations for a charter at TML newspapers was certainly to assist in strengthening their credibility away from perceptions that they were a mouthpiece for the captains of industry and were generally politically conservative

This still needs to be done, hence our in-principle agreement that a charter is indeed required.

We, however, have a problem with the timing and the process that has been followed to date to meet this need. This much was expressed by the June 29 1996 annual congress of the SAUJ in Kimberley, which, recognising that there is a relationship between media ownership, cultural background and the reportage and interpretation of news, resolved inter alia that:

"The SAUJ rejects in the strongest possible terms the demand by Anglo American and certain TML editors that the National Empowerment Consortium commit itself to a charter of editorial independence as a precondition for a successful bid. This demand suggests racism and incorrectly assumes that Anglo American is a benign, hands-off owner. The SAUJ would feel itself bound by such a charter only if journalists, through their trade unions, are an integral part of these negotiations.

"A charter must recognise the editorial independence of TML newspapers and limit the role of owners to setting budgets and appointing and firing editors."

We cannot agree that this charter should be referred to the company's annual general meeting on August 19 1996, without our input. Should this happen, the shareholders as well as any prospective new owners should be aware that the charter does not enjoy universal acceptance within TML and would therefore not be endorsed by all stakeholders.

As for the contents of the proposed charter,, the SAUJ is not satisfied with its codes of ethics and conduct, the appointment and dismissal of editors, the role of the board of trustees as well as the elected representative of editorial staff. We trust that the authors, together with TML management, will afford us the opportunity to present our proposals and thus make us part of the process of drafting such a historic, indispensable document.

**Motsomi Mokhine**
**General secretary, SAUJ**

As the unit set out on Thursday, coming rose and fell across the silent for the law"

# TML charter withdrawn

(243) ST 14/7/96

By SVEN LUNSCHE

EDITORS and management at Times Media Ltd on Friday asked its parent company, Johnnic, to withdraw a proposed editorial charter for TML newspapers

They backed a call by journalists at TML's leading publication, Sunday Times, and Business Day to re-negotiate an editorial charter with all staff

Johnnic's chairman, Vaughan Bray, said he would follow TML's suggestion, and called for "urgent consultation with staff to produce a charter that is acceptable to everybody"

The charter has emerged as a crucial element in the negotiations between Anglo American and the National Empowerment Consortium about future control of Johnnic

The consortium's chief negotiator, Cyril Ramaphosa, former general secretary of the ANC, on Friday described attempts by Johnnic to adopt the charter as "undermining and insulting"

"It is not coincidental that the charter was tabled at the time when the owners, who are mostly black, are knocking on Johnnic's door," he said

He welcomed the withdrawal of the charter, and committed the consortium to editorial independence through a charter once negotiations on Johnnic's ownership had been concluded

Editorial staff and the SA Union of Journalists backed the principle of a charter, but stressed that the TML document had been presented to staff at the eleventh hour without proper negotiations

They said staff would not be bound by a charter unless they played an active role in drafting it

TML's managing director Roy Paulson said the company had never intended to impose a charter "Our prospective new owners, whether black or white, have a strong political background and it would be a disaster if our newspapers were turned into party-political publications"

Paulson said there was no need for a charter while Anglo American controlled Johnnic "as Anglo is a benevolent, non-political and almost absentee owner in the running of newspaper"

This was rejected by Ramaphosa, who said that Anglo had for years "bankrolled the Democratic Party and they are as political as we are"

The consortium and Anglo American resume their take-over talks later this month. Ramaphosa promised that the charter would feature prominently on the agenda

He said the negotiations were being undermined by Anglo American, which had made the charter a "concealed precondition" of a successful take-over for Johnnic

By tabling the charter without prior consultation with the consortium, Anglo had acted "in breach of faith of the principles we agreed to"

The consortium would demand that it was included in all restructuring discussions at Johnnic companies, he said

## WEATHER AND TIDES

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NASIONALE PERS (~~243~~) (243)

## KEEPING HIS HAND HIDDEN

FM 19/7/96

**A year** ago Naspers' newspaper division CE Hennie van Deventer told the *FM* it understated the performance of his newspapers and was biased

- **ACTIVITIES** *Printing and publishing of newspapers, magazines and books Also commercial printing*
- **CONTROL** *Nasionale Pers Beleggings 45% (through voting pool)*
- **CHAIRMAN** *T Vosloo*
- **CAPITAL STRUCTURE** *111,2m "N" ords Market capitalisation R5,37bn*
- **SHARE MARKET** *Price R48 Yields 0,4% on dividend, 3,0% on earnings, p e ratio, 33,3, cover, 8,0 12-month high, R49, low, R18,56 Trading volume last quarter, 5,6m shares*

| Year to March 3 | '94 | '95 | '96 |
|---|---|---|---|
| ST debt (Rm) | 50,0 | 36,5 | 83,1 |
| LT debt (Rm) | nil | nil | 131 |
| Debt equity ratio | n/a | n/a | 0,04 |
| Shareholders' interest | 0,77 | 0,61 | 0,54 |
| Int & leasing cover | 24,5 | 111,7 | 412,6 |
| Return on cap (%) | 14,2 | 29,2 | 23,7 |
| Turnover (Rbn) | 1,02 | 1,18 | 1,61 |
| Pre-int profit (Rm) | 159 | 228 | 298 |
| Earnings (c)† | 88 | 111 | 144 |
| Dividends (c) | 8 | 12 | 18 |
| Tangible NAV (c) | ‡4 280 | 427 | 595 |

† Before abnormal items ‡ Prior to share capital restructuring

Van Deventer missed the point In fact, we had quoted chairman Ton Vosloo in which he demonstrated that, without financial information, commentary on performance is of little analytical use

Put simply, the point is that without any form of financial breakdown it's difficult to determine the historical performance of Naspers' four main divisions, and even harder to gauge where they might be going Details on what the various divisions have done and hope to do are interesting but of little use to shareholders or investors

Van Deventer provides an example in this year's annual report, saying of the newspaper *City Press* "Its profit has more than doubled "

Is that from R5m to R10m? Or from R50 to R100?

*City Press* is important because it has been the subject of negotiations with various black-controlled parties interested in acquiring a 51% stake in the newspaper

Chief executive finance Eric Wiese says he hopes an announcement will be made soon, adding the disposal will not be a "charitable exercise "

Interest in *City Press'* financial performance, thought to have been patchy in the past, is therefore critically important To be told blandly that profits have more than doubled is no help

It may be too much to expect financial details on individual publications, but Naspers should seriously consider providing a divisional breakdown

Wiese lists two main reasons why this is not disclosed "Strategically, we don't think it's in our interests to give a divisional breakdown " Second, he says that due to the group's method of accounting (business units are debited by head office on an inflation accounting system, and pay rentals to Naspers, including replacement value, for buildings and equipment), divisional profits and losses would not be comparable with other business organisations

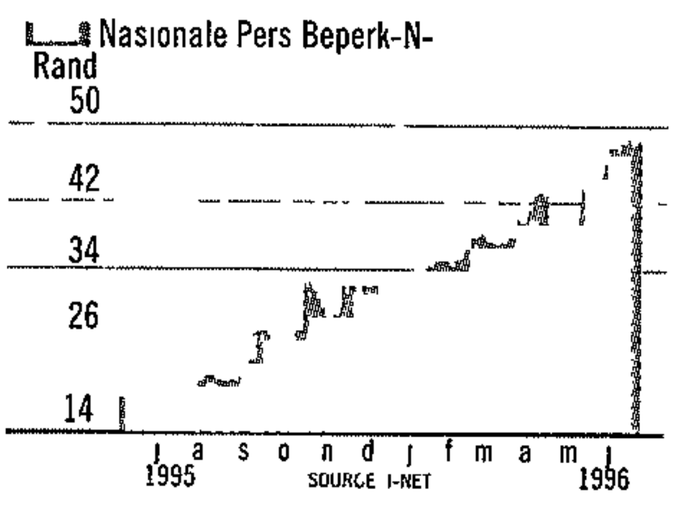
At least this is an understandable apology but now it is listed Naspers should give more indication of divisional financial performance

The consolidated group figures indicate a sound year, though the bottom line has benefited from the writing down of Naspers' 29% interested in cash-absorbing MIH, the offshore pay-TV operation which holds 40% of Nethold This turned the previous year's R33m loss from associates to a profit of R5,8m

Wiese says all core operations made a valuable contribution, with no weak spots in any of the divisions

Major developments this year will be the commissioning of the mainstay magazine division's new R215m printing works, and the conversion of a famous old title, *Drum*, from a monthly to weekly magazine, to complete a trilogy with *Huisgenoot* (SA's largest-selling publication) and *You* magazine

This division should also benefit from softer paper prices, the high cost of which affected profitability last year




Prospects as recorded in the annual report are cautious, with Vosloo saying since budgets were prepared "heavy interest shocks" are curbing the country's growth potential, with a noticeable slowdown in adspend in some sectors

But Wiese says the first quarter of the financial year has been promising, especially for newspapers

The strong performance of the share price supports good results, with an historical p e of 33,3 indicating the market is expecting a great deal more

M-Shares however, exert a strong influence, accounting for more than 40% of market capitalisation Stripped out, the p e on core activities declines to about 16, still demanding but more realistic

There is every indication that Naspers has long-term value, though the share must be regarded as fully priced now *Shaun Harris*

EDITORIAL CHARTER

# A LITMUS TEST ON PRESS FREEDOM

(243) FM 19/7/96

The origins of the controversial editorial charter adopted by our publisher, Times Media Ltd, predate by some years the proposed sale of Anglo American's industrial interests in Johnnic to a black business syndicate They grew out of concerns about a new and inexperienced MD who wanted to change the *FM*'s editorial policy to appeal to younger readers

Not only was this cause for grave commercial concern, but it also had the potential to threaten our traditional editorial support for freedom of trade and exchange by requiring a more accommodative attitude towards government's collectivist inclinations

So I turned for guidance to *The Economist* in London, from whence the first Editor of the *FM* came 37 years ago and in which the *Financial Times*, one of our founding shareholders, had a substantial interest

There I learnt how the editorial traditions and integrity of that newspaper (founded 153 years ago to oppose the Corn Laws and promote free trade) were entrenched This was through limiting votes to a specified class of shareholder and an independent board of trustees, whose approval is necessary for the appointment or dismissal of the editor

My attempts to have a similar board appointed then for the *FM* found little enthusiasm from our immediate controlling shareholder But I persisted, and in time the resistance diminished and other telling events unfolded

Several things happened which raised the concerns of the TML board One was the political attitude given expression through the Task Group on Government Communications appointed by Deputy President Thabo Mbeki, who had already made plain his view that criticism of government should take into account what he believed to be its good intentions and be muted accordingly

The implication from the group's mandate is that the commercial press, far from serving its defined markets, has a broad communications responsibility In not fulfilling this, it is accused of creating government's communications problems arising from its faulty delivery

Similar attitudes were discussed at a seminar organised by the Wits University communications and media department and the Amsterdam-based Centre for Communications and Human Rights on how the proceedings of the Truth & Reconciliation Commission should be reported adequately

One of these is the assumption that journalists carry personal responsibility for the consequences that flow from their reports And that consequently those who failed adequately to oppose apartheid should seek indemnity from the commission

It is an attitude akin to the Unesco-inspired new world media order that requires journalists to foster social harmony and avoid criticism of government policies that have as an end result the greater social good

Just prior to this, the Anglo American-owned Argus newspaper group had been sold to Irish-based Independent Newspapers in a hasty sweetheart deal Editorial policy on these SA papers, always benignly ambivalent, was then moved vigorously to appease and support the ANC

The Black Editors' Forum, founded as a pressure group for affirmative action on newspapers, became more vigorous in its criticism of foreign ownership and white editors as it sought the empowerment of its own members

These events suggested to TML's board that its own liberal attitudes towards press freedom were likely to come under pressure aimed at fostering an anodyne press supportive of government

To achieve this in the face of constitutional safeguards to the contrary, there were likely to be attempts to force black ownership through political pressure for further sweetheart deals If that were to happen to TML, and editorial independence were undermined, the board would then need to consider the adverse commercial consequences that are certain to occur

Attitudes at TML towards the proposed sale of a share in Johnnic to a black syndicate were up until then rather benign But the subsequent

statements surrounding the appointment of ANC secretary-general Cyril Ramaphosa to head the syndicate's negotiations with Anglo gave cause for concern

It was then clear that the syndicate's target was the acquisition of TML's newspapers (a very small contributor to Johnnic's profits) rather than the brewing, food and other industrial portfolio investments

So the board, having heard me on the trusteeship issue, asked for a formal editorial charter into which I incorporated a form of trusteeship but also used ideas from British, Australian and Dutch sources to balance the appropriate interests of shareholders, editors and journalists

At the core of the charter is the trustees' ability to delay for a cooling-off period of six months the appointment or dismissal of an editor should it prove to be controversial They may delay, but certainly not prevent, a sustained effort by shareholders to make significant editorial changes It gives shareholders time to consider and react rationally to ill-conceived political intrusions into editorial integrity

Few publications will sustain commercial success if owners and editors are in constant discord This has not been so at TML for at least 10 years Indeed, TML editors have been anxious to edit profitable publications The irony might be that, if the black syndicate does get control, the new owners, because of their political objectives, are more careless of commercial realities than editors

It might be argued that, had the Johnnic deal with the syndicate been a normal commercial one, the new owners would have every right to treat the newspaper as they please But this is not a normal commercial deal — it's an overt political act by Anglo to empower and enrich a few black businessmen by reserving for them, and only them, the right to buy noncore assets

Anglo's gain, as it was when it created Federale Mynbou, will be some political approbation from government in the future

The Johnnic deal will not lead to greater diversity of media ownership On the contrary, it could lead to greater concentration of media influence in government-supporting undertakings And therein lies Anglo's dilemma For dissent will be reduced and the business interest be ignored

It acquired control of TML publications nearly 20 years ago deliberately to prevent their falling prey to apartheid interests That, too, was an overt political act to prevent a change in editorial policy

Anglo has never interfered in the editorial policy of the *FM* — or, as far as we know, in the policies of other group papers It has supported our free trade principles and remained largely inert when we have criticised its commercial shortcomings

Contrary to what some politicians assume, the *FM* is constantly critical of corporations, and our most expensive and exhausting fights have been with business rather than government An owner who required us to modify our criticism in line with its own commercial interests and aspirations would damage the publication's credibility and undermine it commercially That is why it is important for us to know and be able to trust our shareholders

There can be no doubt that, in the apartheid years, Anglo's newspaper ownership was an expression of political sentiment With the country's move towards greater democracy, and as Anglo turns to the global expansion of its core business, it's reasonable to expect that the political safety net it provided for its newspapers (and from which it received latterly good returns) would become less of a priority But if Anglo does care for its papers, that may be an attitude that's far too phlegmatic For the ANC government is displaying authoritarian sentiment towards media criticism of policy formation and execution (or lack of it) that allies it with other intolerant societies of a collectivist predisposition

Should Anglo in these circumstances abandon its publications (even at a market price) to a syndicate that's underresourced, has at best limited commercial experience and has strong ties, which it plans to maintain, with a government that demonstrably does not understand what a free press is, let alone editorial integrity?

Even if Anglo takes the cynical view that its responsibilities of the past have been discharged, it might not choose to dispose of its newspaper assets without some conditions That is not racist, it is prudent That is its right as an owner, regardless of to whom it sells

Anglo says that it has made clear constantly to the aspirant syndicate that there will be conditions attached to the sale of its newspapers, one of which is the entrenchment of an editorial charter

The situation may change, but right now the syndicate has little claim to be consulted as a prospective new owner Its expression of intent has been protracted, it has raised at best only enough to buy 20% of Johnnic and its shrill response to variations on the deal suggests opportunism rather than a desire to add value If the deal comes off, it will be the beneficiary of Anglo's political beneficence It is protected from competition It just has to find the money

In the final analysis, however comforting an editorial charter may sound, it offers scant protection from new and predatory shareholders who will have their way It will not prevent the publications from being used as political pawns by existing shareholders Nor will it provide our publishers with a vision of the future — the MD retires in six months and no replacement is in sight

To my mind, the use of an editorial charter — and this one in particular — is to indicate through its acceptance or rejection by aspirant owners their motives and what use they plan to make of the papers they might acquire

So far, the charter has brought forth from the syndicate unjustifiable accusations of racism, protestations of outrageous insult and shrill dismay at "hidden" conditions A fat lot the syndicate cares about editorial integrity and commercial success It wants the power it imagines goes with proprietorship The cat has taken the bait

*The Editor*

# TML charter back to square one?

(243) M+G (pbm) 19-25/7/96

TML's charter has been criticised — again. This time by the union which objects to the presentation and timing of the draft. **Jacquie Golding-Duffy** reports

THE South African Union of Journalists (SAUJ) is recommending that its members disregard Times Media Limited's (TML) charter and start the entire process from scratch.

SAUJ vice-president for Gauteng and TML's branch co-ordinator Jimmy Beaumont says a meeting was held earlier this week with the union's president and other executives where it was decided that members would be encouraged to throw out the current charter and renegotiate a new draft with current owners, Anglo American.

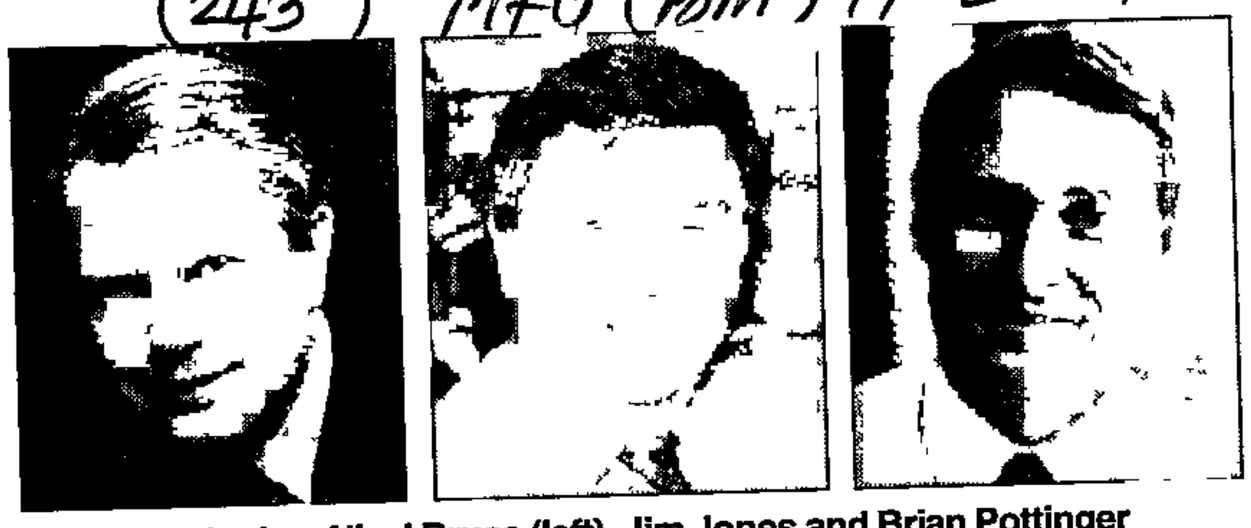
Beaumont says two years ago the union, keen to have an editorial charter, approached TML management but the idea was rejected.

"Our objections to the charter are its presentation and timing The timing is suspicious, and since the current charter is already tainted, it was decided that it would be in the best interests of all parties to start a charter from scratch — one that won't be aimed at any new buyer," Beaumont says

*Financial Mail* editor Nigel Bruce says the charter has "certainly not been abandoned" by either shareholders or editorial staff and has "nothing to do with the union"

"I think the union will grasp every opportunity to be representative," Bruce says, adding that he understands the union to have "procedural objections It will presumably be renegotiated based on what is already there."

It is understood the *Financial Mail* staff fully supports the charter, but, according to Beaumont, with the SAUJ having majority representation within TML, talks concerning the editorial charter will have to be conducted between the union and TML management irrespective of the *Financial Mail's* editorial support.



**Editors under fire: Nigel Bruce (left), Jim Jones and Brian Pottinger**

Bruce says he briefed his staff about the charter prior to its publication in *Business Day* and was unaware if other editors had done the same.

*Business Day* editor Jim Jones spoke on two occasions to staffers, once last week and again earlier this week. *Sunday Times* editor Brian Pottinger also addressed staffers this week.

Pottinger says he believes the charter should be fully supported by all parties in the draft stages before it is finalised and now, he believes, it has been fully thrown open for debate "If the charter does not have the support of staff then it is pointless," he says, adding that he thinks it is a well-balanced document which is not in the least extreme

The TML editorial charter was drafted at a time when there were ongoing talks between the National Empowerment Consortium headed by Cyril Ramaphosa and Anglo American for a stake in Anglo's publishing interests Also, there have been unofficial talks between TML representatives and Pearsons, the parent company of London's *Financial Times*, for a shareholding in Anglo's financial publications — *Business Day* and *Financial Mail*.

The charter aims to ensure editorial independence and integrity.

However, it makes the firing and hiring of editors difficult through its stipulation that the appointment and dismissal of editors be subject not only to the agreement of the majority of directors, but also has to be supported by a resolution from the board of trustees.

Furthermore, a six-month period has to be allowed for, in case the majority of trustees do not agree with the dismissal or appointment, after which the board of directors can dismiss without the approval of trustees.

Jones says the charter creates the opportunity for staffers to make a valued input into the draft version via proposed amendments He says staffers could, however, at their prerogative, choose to reject the document.

Johnnic and TML chairman Vaughn Bray says the charter is "praiseworthy" and he understands the state of play to be that staffers have to now give their input

# Journalists plan to invest R2-m in bid for shares

(243) (21) ARG 20/2/96

THE South African Union of Journalists (SAUJ) plans to invest about R2 million in the National Empowerment Consortium's bid for Anglo American's shares of Johnnic

This decision was taken at the union's annual congress in June and follows earlier tentative forays into media investment. These amounted to buying about 100 shares apiece in major media companies, including Times Media, Independent, Perskor, Omni Media, Primedia and Nasionale Pers These investments, valued at about R60 000, were undertaken to enable greater access to company information.

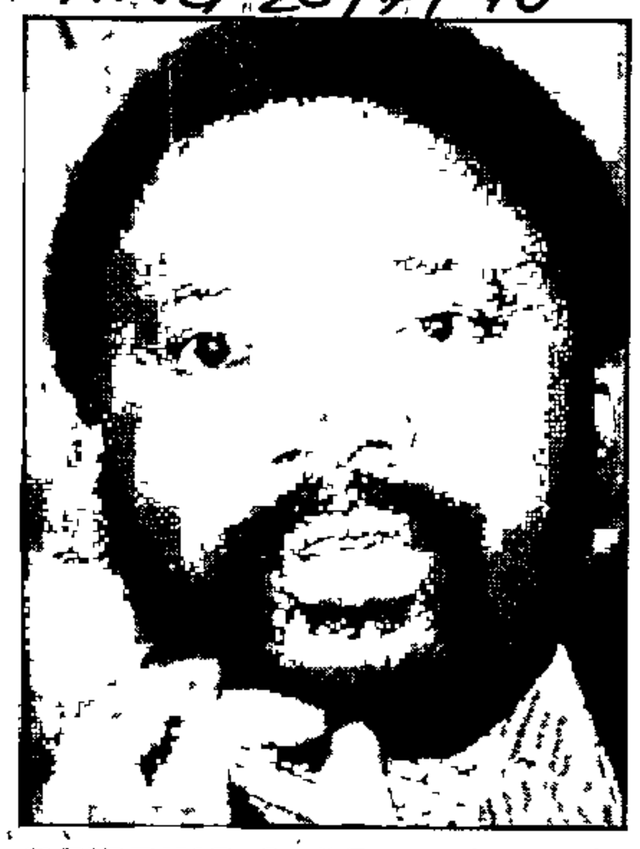
The intended venture into Johnnic, the SAUJ hopes, will not only be financially viable but also give the union greater influence over the South African media.

Johnnic was established in January 1995 when JCI unbundled into three separate structures - Amplats a platinum and diamond house, JCI (Ltd) a mining finance house and Johnnic, an industrial finance company. Johnnic has property valued at R300 million and controlling interests in Omni Media, the holding company for Times Media, publishers of the Sunday Times and Business Day.

**■ The Union is looking for greater influence over the South African media, writes ESTELLE RANDALL**

The main bidders for Anglo's 48 percent shares in Johnnic are New Africa Investments (Nail) and the National Empowerment Consortium (NEC) Nail has about R8 billion worth of assets through its 30 percent ownership and management control of Metropolitan Life It also has a majority share in the country's largest daily newspaper, the Sowetan The NEC, established in October 1994 on the initiative of trade unions, currently comprises eight trade unions and 50 black businesses. Unions include the Congress of SA Trade Unions' National Union of Mineworkers and SA Clothing and Textile Workers' Union's, whose investment arms have been involved in several other major investments, including the bid for SABC's KFM and Highveld Stereo radio stations. The entry of small investors, such as the SAUJ, into the deal being brokered is likely to be made possible through a retail vehicle which would offer a discount price on about five percent of the shares on sale, an NEC source said

Talks about the sale of Anglo's 48 percent shares in Johnnic are likely to resume in the next two weeks and the deal is expected to be concluded by mid-August



❐ **BIDDING:** Cyril Ramaphosa of New Africa Investments.

Star 23/7/96 (243)

# Black and white editors find common ground

The mainly white Conference of Editors and the Black Editors' Forum had agreed to establish a body to help the media industry to speak with one voice, Conference of Editors' chairman Anton Harber said yesterday

Addressing the task group on government communications in Johannesburg, Harber said the move came about after several meetings where it was realised that the two parties agreed on many issues

He said the creation of the umbrella body would help create a structure for training in the industry and play a role in the implementation of affirmative action

Black Editors' Forum chairman Thami Mazwai said the formation of the umbrella body did not mean the two organisations would fold. He said the two, although agreeing on many issues, still had some differences

Mazwai said the two bodies would retain their identities and continue their day-to-day operations as before

He said although there was a possibility of eventually having a single organisation, it was not possible to disband or merge the two organisations in the near future as there were still outstanding differences – Sapa.

# Editorial charter 'smacks of racism'

(243) CT 23/7/96

**BARRY STREEK**
POLITICAL WRITER

THE proposed editorial charter for Times Media Limited (TML) newspapers was racist or appeared suspiciously like racism, former editor of the Sunday Times Mr Ken Owen told the Cape Town Press Club

"I am not an admirer of charters. I think they can have pernicious consequences," he said in response to a question at a meeting of the press club on Friday

"It seems better to accept that owners have the right to fire editors if they don't like them That is a political act for which he is answerable to the public at large. The consequences can be devastating

"To introduce a charter as TML has done at the moment when you are trying to sell the product is, if not racism, then something that suspiciously looks like it.

"If I had still been there, I would have joined my staff in rejecting it."

Owen said it was fair to say that South Africa was one of the leading nations in the world in the degree of free speech allowed, but this was nowhere near complete

It was not as advanced as the Australians who had made large and exciting advances in shifting back defamation laws which protected the rich, the powerful and the important, but not the poor.

South Africa had adopted British attitudes and institutions, he said, "such as gagging writs, the Official Secrets Act and a whole host of conventions" which British newspapers follow.

"The question I want to raise is What are we going to do with our freedom? How are we going to use the space given to us to be a truly democratic nation?"

He felt Deputy President Thabo Mbeki's comments that most South African newspapers were doing a poor job in reporting on the transformation were valid, although this view had not been shared by most of his fellow editors

"We are going through an enormous transformation. No aspect of our lives is going to be untouched by it, but you see hardly any of it in the newspapers"

Owen said the evidence was that the newspapers were filled by stories most South Africans did not want to read

"A very small number of South Africans read newspapers and that number is falling very rapidly I do not believe the kind of newspapers we are producing now, and this applies to many of the newspapers I put into the market, are what people want."

His experience however was that people would read different newspapers provided they were reasonably attractively presented, were intelligent and relevant to their lives

Owen also said the essential mission of the Afrikaans press had not changed "It was established to serve the interests of Afrikaners and it did so to the best of its insights and abilities — and it is still doing exactly that job"

# Media study results released

(243) BD 23/7/96

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 communications,

□ 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;

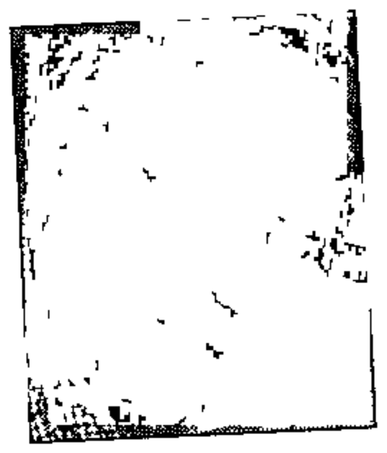
□ National weekly newspapers were the most critical; and

□ Regional and local weeklies were predictably less substantial in their coverage —Sapa

# TML's proposed charter a definite case of bad faith

(243) Star 29/7/96

## Sale of newspapers should go ahead without precondition, writes Allister Sparks



The unfortunate thing about the attempt to make the sale of Times Media Ltd's newspapers to a black business consortium conditional on the buyers adopting a prescribed "editorial charter", is that this is discrediting an important concept

Editorial independence, which means the freedom of a newspaper's journalists to publish the news as they see fit without pressure from the owners, is vital to a free press

The way this charter has been introduced, as a proposed condition of sale to a black company by a white one which itself has no such charter, taints it with the accusation of racism and opportunism

The prospective buyers are understandably offended If the white owners don't have a charter, why should the black consortium be required to adopt one before the sale can take place?

The implication is that they cannot be trusted as the white owners can Indeed the editor of the Financial Mail, who is the author of the proposed charter and a member of the board of TML, has said as much

In the latest issue of his magazine, he writes that the white owners, Anglo American, have "never interfered in the editorial policy of the FM – or, as far as we know, in the policies of other group papers".

Of the prospective black purchasers he writes "A fat lot the syndicate cares about editorial integrity and commercial success"

And behind the syndicate, he contends, is "a Government that demonstrably does not understand what a free press is, let alone editorial integrity"

This of a Government that has entrenched a protection of press freedom in the constitution and is running the most open legislative process this country has ever seen.

The insulting language aside, it is simply not true that Anglo and its predecessor as TML's majority shareholder, the Bailey Trust administered by Syfrets, were so exemplary in their observance of the principle of editorial independence

In the space of 20 years they fired four editors of major daily newspapers, the Rand Daily Mail and the Cape Times, all of whom had been internationally acclaimed for their papers' crusading journalism against apartheid

In each case it was claimed the dismissals were for economic reasons, but the truth is their challenging of the status quo was felt to be discomforting

As for Anglo's supposed commitment to preserving the political independence, this did not seem to count when in 1987 it sold the Zulu-language newspaper, Ilanga, to Inkatha

Anglo's sense of public service faltered, too, when in 1985, it closed down The Friend and left the entire Free State without an English-language newspaper – all because it was losing a paltry R300 000 a year

Two years ago, when TML was considering buying New Nation, the paper's black editors asked for an editorial charter guaranteeing their independence TML was reluctant and the sale fell through

Black editors, it seemed, could not be trusted with independence Now black owners can't be trusted to grant it"

This is the ugly insinuation which is discrediting the concept of editorial independence in the eyes of black people and of the Government. It looks like a trick to frustrate media transformation and preserve the status quo of white editorial control

The pity is that the concept is indeed important Clearly newspaper owners are entitled to appoint editors who are in broad agreement with them on matters of political philosophy and editorial policy

But if the newspaper is to be fair and balanced and not become a propaganda organ for the proprietor's pet interests, editors must have the freedom to exercise their professional news judgment day-to-day within broadly agreed parameters

There is no reason to suppose TML's prospective new owners would not adhere to such a tradition But it is unreasonable to expect them to accept a charter forced on them by others

# SA press dogged by poor training, says Mbeki

(243)

PETER FABRICIUS
The Argus Correspondent

ARG 25/7/96

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

Mr Mbeki said he believed that the South African press based its reporting on the wrong assumption that the press relationship with government was adversarial

The problem was that the media had correctly adopted an adversarial approach to the old government to destroy apartheid

Now that apartheid was gone this anti-system attitude was no longer appropriate

# SABC, SAUJ in Olympic wrangle

Sowetan 26/7/96

~~260~~ 243

**By Coudjoe Amankwaa**

THE South African Union of Journalists was trying to hold the country to ransom by threatening to disrupt coverage of the Olympic Games, the SABC said yesterday

SABC spokesman Mr Don Seokane said "It is unacceptable to us that the SAUJ is trying to hold the nation to ransom We call on the SAUJ to recommit itself to the process of mediation that is in the hands of capable mediators, the Indepenent Mediation Services of South Africa, as agreed to with the SABC"

He was commenting on threats by the SAUJ to disrupt coverage of the Olympics if its members were not given monthly allowances of R200

The SAUJ is also demanding increases in housing subsidies, overtime, better working conditions and a pay raise for its members

Seokane said the SABC had offered a pay increase of 12 percent across the board, back-dated to May 1 The offer is valid until 6pm on July 31

## Time frame

"Should this offer be accepted within this period, it will be effected as offered If it is not accepted within the said period, any agreement between the parties reached thereafter will be effected on the date of settlement," Seokane said

Representatives of the union could not be reached for comment yesterday

# Black ownership welcome, says TML

(243) CT(BR) 26/9/96

By Ann Crotty

Media group Times Media (TML), which is 48 percent owned by Johnnic, said it would welcome the sale by Anglo of its stake in Johnnic to one or more black-controlled organisations.

"This would be beneficial to TML as it would be appropriate for a group with publications serving a wide variety of markets in South Africa to have shareholders representing the broad cross section of the population," Vaughan Bray, the chairman, said in the latest TML annual report

Bray said management had received assurances from the seller and the prospective buyers that the ownership change would not affect TML's editorial independence

He also referred to media ownership "Those who harbour concerns that the press selfishly serves the cause of only a small segment of the population are simply not facing up to the realities The publishing industry in South Africa has at least five significant, separate groups who compete vigorously in addition to the hundreds of independent smaller publishers"

Bray said it was the responsibility of the press in a democracy to report and comment on all matters of public interest, both good and bad "If a publisher or publication fails to do this properly, it will not be serving the needs of its readers, leading to a drop in circulation and advertising revenue and ultimately to the failure of the publication"

Bray said the competitive nature of the industry would ensure that all sides of the news and all types of communities were adequately served

"There is absolutely no need for the government or any other authority to intervene in this regard."

The group's balance sheet shows that for the fourth consecutive year there has been a dramatic change in the value of shareholders' interests. These are attributable to exceptional developments more than a pattern in the retention of operating profit

In financial 1992, shareholders' interests were R120,7 million Retained profit lifted this to R141 million in 1993 In 1994, shareholders' interests rose to R184 million despite a once-off provision for post-retirement costs of R28,5 million, the bulk of which related to the previous years' liabilities

The effect of these costs was countered by extraordinary profits on the sale and liquidation of investments, as well as extraordinary profits of TML associates

**Costs**

Last year exceptional costs were R38,3 million, related to the writing down to nil of the loss-making associate MIH investment and an attributable loss of R9,6 million because of the MIH loss These exceptional costs resulted in a drop in shareholders' interests to R160 million

This financial year there was another fall as a result of TML decision to hand over all its investments in M-Net, M-Cell and MIH to its holding company, Omni Media, for nothing Minority shareholders were compensated for the diminution in asset value

A spin-off from this deal was the R6,2 million payment to staff to cover the fall in value of their share incentive scheme

A TML spokesman said that in future shareholders' interests would be more stable and predominantly reflect profit performance

# TML attitude smacks of racism

(243) ET 29/7/96

**THE PROPOSED** "editorial charter" for South African newspapers that could soon pass from white to black ownership smacks of racism, argues **ALLISTER SPARKS.**

GOVERNME

THE unfortunate thing about the attempt to make the sale of Times Media Ltd's newspapers to a black business consortium conditional on the buyers adopting a prescribed "editorial charter" is that this is discrediting an important concept.

Editorial independence, which means the freedom of a newspaper's journalists to publish the news as they see it without pressure from the owners to slant it in a particular direction, is vital to a free press

But the way this charter has been introduced, as a proposed condition of sale to a black company by a white one which itself has no such charter, taints it with the accusation of racism and self-serving opportunism

The prospective buyers are understandably offended If the white owners don't have a charter, why should the black consortium be required to adopt one before the sale can take place?

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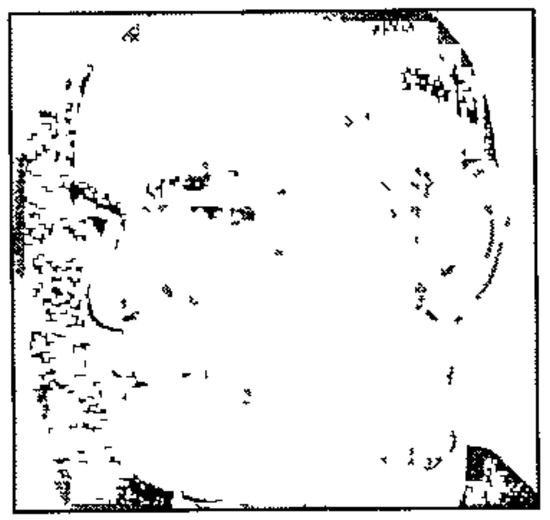
SUB-STRUCT LOCAL AUTHORIT

Indeed, the editor of the Financial Mail, who is the author of the proposed charter and a member of the board of TML, has said as much

In the latest issue of his magazine he writes that the white owners, Anglo American Corporation, have "never interfered in the editorial policy of the FM — or, as far as we know, in the policies of other group papers " Of the prospective black purchasers he writes "A fat lot the syndicate cares about editorial integrity and commercial success."

And behind the syndicate, he contends, is "a government that demonstrably does not understand what a free press is, let alone editorial integrity " This of a government that has entrenched a protection of press freedom in the constitution and is running the most open legislative process this country has ever seen

The insulting language aside, it is simply not true that Anglo and its predecessor as TML's majority shareholder, the Bailey Trust administered by Syfrets, were so exemplary in their observance of the principle of editorial independence



Internationally acclaimed editors **Laurence Gandar**, above and **Anthony Heard** were both fired

In the space of 20 years they fired four editors of major daily newspapers — Laurence Gandar, Raymond Louw and myself of the Rand Daily Mail and Anthony Heard of the Cape Times — all of whom had been internationally acclaimed for their papers' crusading journalism against apartheid

In each case it was claimed the dismissals were for economic reasons, but the truth is that their challenging of the status quo was felt to be discomforting and "bad for business"

In the case of Gandar — probably the most important figure in the history of South African journalism — the head of Syfrets, Clive Corder, wrote in a privately published book that he had him removed from the editorship because he had switched the Rand Daily Mail's support from the United Party to the Progressive Party Corder was a close friend of Sir De Villiers Graaff, then leader of the UP

During my own editorship of the Mail, from 1977 to 1981, I came under constant pressure for giving what was considered undue publicity to the emerging black trade union movement — a development I judged to be of landmark importance in the mobilisation of black power, but which my publishers felt was bad for the paper's relationships with the business community

As for Anglo's supposed commitment to preserving the political independence of the newspapers it controls, this did not seem to count when in 1987 it sold the Zulu-language newspaper, Ilanga, to Inkatha

Anglo's sense of public service faltered, too, when it closed down The Friend of Bloemfontein in 1985 and left the entire Free State without an English-language newspaper or an opposition voice — because The Friend was losing a paltry R300 000 a year

Two years ago, when TML was considering buying New Nation, the paper's black editors asked for an editorial charter guaranteeing their independence TML was reluctant and the sale fell through

Black editors, it seemed, could not be trusted with independence Now black owners can't be trusted to grant it

This is the ugly insinuation which is discrediting the concept of editorial independence in the eyes of black people and of the government It looks like a trick to frustrate media transformation and preserve the status quo of conservative white editorial control

The pity is the concept is indeed important

Clearly, newspaper owners are entitled to appoint editors who are in broad agreement with them on matters of political philosophy and editorial policy But if the newspaper is to be fair and balanced and not become a propaganda organ for the proprietor's pet interests, editors must have the freedom to exercise their professional news judgment day-to-day within broadly agreed parameters

A good analogy is that of a ship's captain The owner of the shipping company appoints the captain, gives him a mandate to sail from point A to point B, then leaves him alone He does not get on the radio to give him day-to-day navigational instructions, or orders on how to cope with the storm ahead

There is no reason to suppose TML's prospective new owners would not adhere to such a tradition But it is unreasonable to expect them to accept a charter forced on them by others — especially not one drafted by an editor who has insulted them so publicly

The best would be for Anglo to let this sale go through with no such condition, and for the new owners to draft their own editorial charter afterwards

# Union rejects SABC's offer

Star 30/7/96 (243)

The SA Union of Journalists yesterday said it rejected the SA Broadcasting Corporation's final wage increase offer of 12% across the board.

SAUJ general secretary Motsomi Mokhine said the SABC had also made a housing subsidy offer ranging between R100 and R150

Mokhine said the SAUJ was not opposed to the 12% increase or the subsidy, but rejected the conditions attached to the increases

The SABC's conditions were that next year's salary increase would not run into a double digit figure and that no government funding would be spent on salaries next year

Mokhine said the SAUJ initially demanded a 15% across-the-board increase for members, but was prepared to accept the SABC's 12% across the board if the conditions were withdrawn

The union decided to hold a strike ballot at the SABC premises today The decision had been endorsed by union members at SABC regional centres around the country, as well as those covering the Olympic Games

The SAUJ said it had noted viewers and listeners were increasingly disenchanted with the quality of SABC's programming

The SAUJ further rejected attempts to characterise the dispute as revolving around the coverage of the Olympic Games

"We have never threatened to disrupt Olympic Games coverage" – Sapa

# Government and media have job to do — together

BD 31/7/96 (243)

**Popo Maja**

RECENT criticism in the media of Gauteng health department policies by highly placed officials in the department raises critical questions Are these individuals allowed to publicly criticise government? What role should media workers within government play in facilitating the public's right to information? And what of employer-employee loyalty?

It has been my view that whoever wishes to criticise government should first leave the government service and join the private sector. But this position inevitably raises a question: to whom do government communicators owe their loyalty? To government officials only? Or to the public, who pay the taxes needed to keep government running?

Do media officials in state employment not have a duty to respect the public's right to full information?

It could be said that self-criticism within government is aimed at improving the government service. However, it cannot be denied that there have been cases of intentional maliciousness designed to traduce government

Equally, our commitment to a free Press must be accompanied by deliberate efforts to ensure a paradigm shift by the media — to ensure they move away from their old "government bashing" style The fact of the matter is that, although the majority of people in the civil service are still from the old school, there is not enough recognition of the dynamic changes taking place in the new government.

Often the media does not adequately acknowledge positive features of government policy.

Another common complaint concerns the type of news covered. By and large, newspapers are urban-oriented and what happens in the rural areas tends to be buried in the inside pages. Only stories of crime, political violence or natural disaster make the headlines.

The main objective of government communicators is to promote innovative ideas generated by policies of the new government. The public expects us to tell them the truth, complete and undisguised truth. If government communicators begin to fully grasp their strategic position in government and play their role unreservedly, they can make sure that the truth is well presented and understood by the media

In my opinion, criticism of government should be encouraged, so long as the presentation of facts is fair and balanced. If this policy is implemented by government and the media, there will be no need for government to be concerned about bias. All media workers in government and outside government have to be acutely aware of the fact that, more than ever before, an honest word freely spoken has a special value.

## Information flow

Even the most bitter truth can motivate people to perform great feats in this period of reconstruction and development, while gift-wrapped lies pushed to or by the media can breed nothing but apathy When words do not square with everyday reality, they can cause a painful dualism in the public mind and breed hypocrisy and double standards.

Ensuring the free flow of information and the right to critical judgment by members of the public is the first challenge government communicators have to meet A situation where officialdom holds a monopoly on the truth, and defers to authority, should not be tolerated.

Freedom of information and the right of any individual, whether in or outside government, to dissent are more than essential principles, they are a practical necessity for a people that really wants to move ahead The only way in which a young democracy can avoid the error of merely paying lip service to principles is by constantly subjecting its actions to the tests of the free circulation of information and of critical assessment

Respect for freedom of information and critical appraisal should head the list of reforms of any government that desires effectively to renew society and remedy its defects. Our government should be applauded for the proposed Open Democracy Bill which effectively proclaims freedom of information and of the Press. But proclaiming freedom of the Press is one thing, implementing it another. Although it can be affirmed in principle, in practice it may be restricted, intentionally or unintentionally, unless the necessary steps are taken by civil servants to translate it into reality. Government communicators should facilitate this process

It might be said that a society enjoys freedom of information and of expression when, through the various means of communication, its citizens are able to criticise the powers that be — not only the political powers, but also the economic, military and ecclesiastical powers, as well as the representatives of social institutions such as trade unions and, of course, the information media themselves.

The opinion of an informed and critical public is the best defence for a democracy Ensuring that all our people are informed is a vital battle. If we lose it, we shall also lose the future we have all been yearning for If we emerge victorious, we shall have turned our backs on a past of impoverishment of thought, of social injustice and of violence.

**☐ Maja is media liaison officer in the Gauteng health department.**

PRESS — 1996

AUGUST — DEC.

# SAUJ meets Ramaphosa

BD 11/8/96 (243)

Jacqueline Zaina

THE SA Union of Journalists met New Africa Investments deputy chairman Cyril Ramaphosa yesterday to discuss the editorial charter that has been proposed for Business Day owner Times Media Limited.

SAUJ vice-president, Gauteng, and union coordinator for TML in Gauteng, Jimmy Beaumont, said the meeting had been constructive, and Ramaphosa had reiterated his commitment to editorial independence.

Ramaphosa had undertaken to give TML an official response from the National Empowerment Consortium next Thursday. Nail is a member of the consortium, and Ramaphosa is leading the NEC in negotiations to buy Anglo American's stake in TML parent Johnnic.

The original proposal by TML editors raised the ire of both the consortium and the union, with the latter arguing that staff had not been consulted. The NEC was also concerned that the charter proposal suggested a lack of trust by TML editors.

The SAUJ has now drafted its own version. TML management wants the charter incorporated into its articles of association at the company's annual general meeting later this month. Beaumont said Ramaphosa had said the editorial charter would be discussed by the NEC's steering committee next Wednesday.

# Circulation of daily newspapers declines

(243) BD 1/8/96

Jacqueline Zaina

THE newspaper sector continued its declining trend with the circulations of most daily publications falling in the six months to June compared to the same period the year before, according to figures supplied by the ABC

Only the papers which had clearly defined target markets appeared to be holding their own or growing, in keeping with the fragmentation of media across the board, said Hunt Lascaris TBWA media director Lyndall Campher

The average daily circulation of The Star, owned by Independent Newspapers, fell 6,7% to 169 994 in the first half, compared to the same period last year.

However, it was up 3% on the second half of last year.

The Saturday Star showed a similar improvement on the latter half of last year, moving up 2% to 138 486, but was 6% down on the same period last year

The Sunday Independent launched last year, achieved a weekly readership of 34 497, 2% higher than its performance from July to December

Times Media Limited's Business Day grew its average daily readership 3,2% in the first six months of the year to 38 146, compared with the same period last year It was up 3% on the latter half of last year.

Sunday Times' average weekly circulation, while recovering 2% on the period to December, fell 6% to 477 284 in the first half against the first six months last year.

While Sowetan grew its average daily circulation by 1,6% to 211 688 in the first half, The Citizen was down 2% to 138 071, against the same period last year.

Beeld's average daily readership fell by 5,4% to 110 220 in the first six months, against the same period last year, while Natal's Daily News lost 7,2% to reach an average readership of 75 205.

The average daily circulation of The Argus declined by 8% to 82 370 compared to the first half last year.

New Nation, which experts said had found a niche as a "government and labour" publication, jumped 59% to 28 280, climbing 51% on its weekly figures achieved in the six months to December.

City Press grew its average weekly readership 1,4% to 271 220 against the first six months of last year, while Mail & Guardian was up 8% to 30 745 in the same period, against last year.

# SAUJ members at SABC decide to strike if demands are not met

(251) (260) (243)

More than 70% of SA Union of Journalists (SAUJ) members at the SABC have given their executive a mandate to embark on a strike action should their demands not be met.

The results of the strike ballot conducted by the Electoral Institute of SA throughout the SABC's national offices and its employees currently in Atlanta, was released last night.

Spokesmen for both the SAUJ and the SABC said the ball was in the other's court to resolve the dispute as quickly as possible.

The dispute revolves around three issues presented to SABC management a special allowance of R200 per month to all SAUJ journalists, an increase on this allowance and an extension of reduced parking fees to SAUJ members.

The SAUJ accepted the offered 12% increases for next year, but refused to budge on the issue of allowances.

Magdaleen Kruger of the SAUJ said she believed the SABC was interested in having the dispute mediated and expected them to come to an agreement in the next three days.

She said the SAUJ was prepared to return to negotiations, but with the mandate from its members, they would call a strike if they were not satisfied

Marj Murray from the SABC said they were "eager to resolve the issue". – Staff Reporter.

Star 2/8/96

# Can print remain lily-white?

(243) M+G(BM)2-8/8/96

**Black empowerment means more than just having black faces in the newsroom, argues**
**Jacquie Golding-Duffy**

MAJOR newspaper companies seem to be lagging behind on the issue of black empowerment, focussing instead on doing their bit for affirmative action by training journalists and other staff Although some print conglomerates have attempted to address black empowerment, others are worried that their affirmative action efforts are not enough to quell the quest by black consortiums seeking a stake in their newspapers

The general understanding of real black empowerment is that substantial shares have to, at some point, be vested in black hands That means that black partners, if they are to be empowered, need to have some clout at management level

Affirmative action, on the other hand, is the bottom rung of the ladder where black candidates are trained in the newsroom as competent reporters and potential editors But they do not have commercial power in terms of shares and redirecting a conglomerate such as Times Media Limited (TML) or Nasionale Pers (Naspers)

Perskor seems to be leading the pack on black empowerment since it jumped into bed with Kagiso Trust Investments (KTI), the financial arm of Kagiso Trust This means, ironically, that *The Citizen*, the most notorious of the apartheid-era newspapers, will soon be jointly controlled by Perskor and its black partner, KTI

KTI is adamant that it will not be a mere black token in Perskor With its board representation and executive management positions, it intends to be actively involved in decision-making and have some clout when it comes to determining the stable's long-term direction

The future of *Rapport* is uncertain as it is jointly controlled by both Perskor and Naspers, but there has been talk that KTI's interest in Perskor will not necessarily balance the all-white control of *Rapport*. As Perskor's black partner, KTI has, to some degree, empowered itself It will not only play a role in the commercial aspects of the newspaper, but will also be involved in the editorial composition of *The Citizen* Here empowerment has taken place at the top

There seems to be consensus in the print industry, as in the advertising sector, that black empowerment has to go hand-in-hand with affirmative action and training To have control at the top end without the necessary knowledge and expertise of what happens in a newsroom is futile Furthermore, having black reporters, news editors and editors is useless unless there are shareholders in the upper echelons of management — shareholders who are representative of changes in the newsroom

Naspers, which owns *Die Burger*, *Beeld* and *City Press*, among others, is believed to be holding talks with potential black partners in an effort towards acquiring a joint shareholding in *City Press* It is believed that Naspers wants control of *City Press* to go to a black shareholder

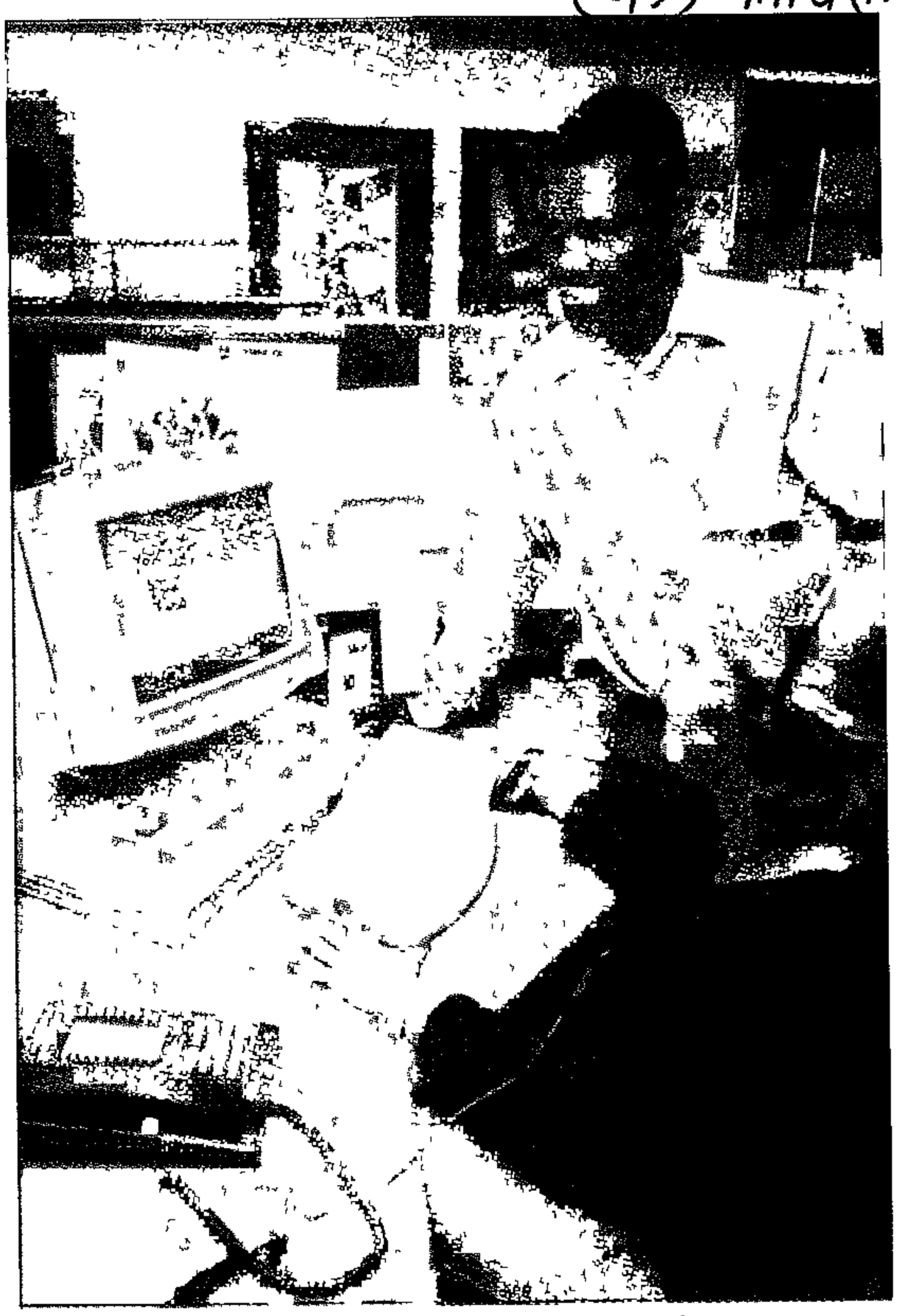
Joint shareholding or even majority shareholding in a single publication is sometimes not enough, as can be seen from the situation in the Independent group

The *Sowetan* is owned by New Africa Investments Limited (Nail) with the Independent as a minority shareholder The *Sowetan* has editorial independence and managerial clout as far as the newspaper is concerned, but beyond that, the black partners are powerless and cannot play a role in the overall policy-making or direction of the conglomerate even though that conglomerate has minority shares in the publication

Naspers's intention to rid itself of a mainly black-interest newspaper (*City Press*) and follow in the footsteps of Independent Newspapers may not be enough to address the imbalances in the print media

But should print conglomerates take in black partners who are only interested in the commercial side of operations and not concerned with the basic functions of a newsroom? This throws up the debate of whether newspapers are like any other profit-making businesses and can be run like baked-bean factories where commercial concerns are the only consideration, and the quality of the baked beans of only secondary concern

Newspapers require a delicate balance between costly editorial needs, which sell the paper, and advertising needs, which bring in the revenue They usually thrive when they achieve a balance between management's desire to carry as many advertisements as possible and spend as little as possible on the editorial and editorial demands for space and resources in order to produce a good product



**Is the newsroom black enough? Some newspaper conglomerates are focussing on affirmative action and neglecting real black empowerment**

Hence we may end up with a media industry where several black partners have shareholdings in print publications, but, like some of their white counterparts, have no desire to spend money to improve the publications

Gauteng Newspapers managing director Deon du Plessis says an important question facing the Independent group is whether it can afford to enter the next century as an all-white company with no "affirmative action candidates" at an executive level

He argues that no one can accuse the Independent of being "static" as it is actively involved in affirmative action However, when it comes to real black empowerment, the stable may be faltering Du Plessis, head of the policy committee on affirmative action, says the group is holding ongoing talks with unions and non-unionised staff in a bid to establish company policy The committee is discussing the issue of affirmative action in management, a matter "high up on the agenda"

Independent Newspapers have embarked on a fast-tracking course at Harvard University to groom black journalists as the country's future editors But the questions remain, whether this will be enough

The fast-tracking course includes 12 candidates 10 black males, two white females

Although the Independent group is leading the way in training black journalists, it has not been seen to have embraced black empowerment, other than its joint shareholding in the *Sowetan*.

Ivor Jones & Roy media analyst Peter Armitage argues that it is difficult for the Independent group to make steps towards joint shareholding as its majority shareholder, Irishman Tony O'Reilly, is offshore

No decisions can be made without O'Reilly s approval This is similar to the *Mail & Guardian* s situation where a foreign publication — *The Guardian* — holds a majority of the shares However, unlike *The Argus* and *The Star*, which are large newspapers, the *Mail & Guardian* is a small publication and the only newspaper in the M&G media group

Armitage says there is concern among the newspaper houses as in all white businesses that the future requires a black partner He believes that the Independent will, in the next couple of years, make a move towards real black empowerment and will not want to see itself lagging behind other stables

TML seems to be at the back of the pack in both affirmative action training and black empowerment

Although it is negotiating with the National Empowerment Consortium (NEC) whose talks are being headed by Cyril Ramaphosa, the company has been accused of wanting to stall the process by introducing an editorial charter

The NEC has also set the tone by rejecting the TML charter and making sure that the transaction is not complicated by any preconditions stipulated by TML management However, Ramaphosa has made it clear that he supports an editorial charter in principle, but is opposed to it being used as a bargaining tool

TML is also believed to be having unofficial talks with Pearsons, owner of the *Financial Times*, in an effort to have its business publications, the *Financial Mail* and *Business Day*, jointly controlled by Pearsons and the NEC

The group is clearly uneasy about having a black partner, but at the same time its management realises that a black partner can only bode well for it as it is clear that the road ahead for print media can no longer be vested in lily-white hands alone

Once the NEC acquires a stake in Johnnic and in Omni Media, the holding and parent companies of TML, it will be in a position to have some clout on an executive level, allowing some balance from a black partner against TML's former custodian, Anglo American

Deputy President Thabo Mbeki also established a task team on communications (Comtask) earlier this year, the team's brief includes monitoring the role the media plays in reporting government issues and evaluating the impact that media conglomerates which are predominantly white, such as TML and others, have on government communications and the impartiality of the press

The team has yet to address the issue of media ownership, but it is clear that the print media has to be more representative of the country. However, representation has to occur on two levels Firstly, on an executive level and secondly, in the newsroom itself

**Having black reporters, news editors and editors is useless unless there are black shareholders in the upper echelons of management**

# Though there is much to criticise, clash between white-owned press and black critics will rage on

(243) Star 3/8/96

**It is rare that journalists anywhere give the news behind the news like sober analysts, writes PAC MP**
**BENNIE BUNSEE**

The battle about the media rages on In one form or another, Deputy President Thabo Mbeki appears to stoke the fires of the dispute His latest broadside is a confirmation of his previous doubts when he appealed for a half-hour slot on the SABC, and which drew howls of disapproval, an attitude that hasn't died down

For the second time in two weeks he has repeated his arguments, though in a modified form There is no doubt Mbeki has misgivings about the media conveying the Government's views

On the other side there have been the broadsides launched by the Black Editors' Forum They have cursed white control of our media, and a huge dispute has ranged over that already The two views actually mesh, and it would be interesting to note what the recommendations following the Arniston Conference will dredge up

This latest dispute also had an interesting development concerning the takeover of Times Media's productions by Johnnic's potential black stakeholders, when the demand by the former for an editorial charter was suddenly dropped So, in one form or another, a battle goes on between a white-dominated media and its black critics in the same field It will continue to rage on, for obvious reasons One cannot be entirely unsympathetic to Mbeki's views that the ANC Government does not get the most favourable coverage This is in the manner in which news is handled Seasoned journalists, and the established media, have a mindset of looking at the world as nit-pickers They are rarely holistic Journalists are generally concerned about the here and now, and the newsworthy

The quality of South African journalism has been commented upon, not least by the departing Ken Owen It leaves much to be desired and has yet to recover fully from the constrictions, bannings and censorship of the past The investigative powers of journalism, its frankness bordering on impudence, which marks so much of journalism in democratic societies that dare to challenge the powers-that-be, has yet to catch on here

**THABO MBEKI** Has voiced serious doubts

But there is always the need to approach news soberly, to give a truthful and realistic overview, and to explain the problems involved It is rare that journalists give the news behind the news like sober analysts

Scrutinising the news recently, one is struck by the negativity of approach to the problems involving the ANC Government and its attempt to deal with them That there is much to be criticised, there can be no doubt – the sudden abandonment of the RDP, for example, without adequate explanation, and the Government's announcement that the programme was being transferred to other departments

But there was also something to be commended in that the Government was attempting to get to grips with the question of economic growth, and to build a sustainable-growth economy Similar problems in other fields are not approached in the same manner This, after all, is a government still on a learning curve

There is also the grave danger of propaganda *a la* Himmler replacing serious assessments by the Government of its achievements and failures The adage that power corrupts, and absolute power corrupts absolutely, must always be kept in mind in the relationship between the media and Government Better to err on the side of media in this relationship than give leeway to the Government There should never be restrictions on criticism, honest assessments and frankness

But a matter of concern about the established media is that it does not generally favour this government, or any other black government for that matter It reflects a polarity between white and black that no amount of talk about reconciliation and nonracialism can overcome On most issues reflecting black interests, the white-dominated media has taken, at most, liberal positions that do not truly reflect the interests of blacks It is so with the lockout clause, privatisation, transformation and so on

The black press, which is more sympathetic and would agree with the radical aims of a black government, is less extensive than its white counterpart, which overwhelmingly dominate the media situation

# SA media changes soon

(243)

CP 4/8/96

NASIONALE PERS aims to involve fellow countrymen who have been excluded from the business process more and more in its activities, Executive Chairman Ton Vosloo said at the company's AGM in Cape Town on Friday

Fairly extensive changes were expected in the South African media. "New partnerships are being formed, and just as the political scene has been drastically re-arranged, the business world will also change.

"If current negotiations with leading groups from the black and coloured business sectors are successfully concluded, these new partnerships will be implemented in the current financial year. An announcement about this can be expected soon," he said

Naspers publishes various newspapers and magazines – including City Press.

Vosloo called on the government to drop its "neo-apartheid and new job reservation," claiming the President was isolated in his appeals for co-operation and nation-building.

Some of the President's political supporters with axes to grind were working on an entirely different political agenda from Mandela's.

Vosloo said with the Government's policy of neo-apartheid many able public servants and talented persons were being shunted out in pursuit of the fallacious doctrine that all posts and institutions should reflect the population structure.

"In the process the Afrikaans language is being violated and living space is becoming cramped for many people in this country.

"A true democracy provides for participative management by all citizens. When restrictions are placed upon this, it loses its value.

"We as a media organisation are keen to have South Africa succeed. **Sapa**

# Naspers talks to black investors

(243) CT (BR) 7/8/96

By Jabulani Sikhakhane
BUSINESS EDITOR

Johannesburg — Nasionale Pers, the print and electronic media group, is negotiating the sale to black investor groups of significant shareholdings in its educational publishing group and City Press, the Sunday newspaper

Ton Vosloo, the chairman of Naspers, said at a presentation to investment analysts last night that negotiations that might lead to the unbundling of Boekhandel were at an advanced stage

Boekhandel holds the book-publishing interests of Naspers

In the case of City Press, the three black investor groups with whom Naspers is negotiating will buy up to 51 percent in a new company into which City Press will be transferred

Sources said last night that the three groups included the Cape-based Ukhozi Investments and Oscar Dhlomo's Dynamo Investments City Press staff would be offered between 6 and 8 percent of the shares and Naspers would retain the rest.

Vosloo said "Naspers intends to merge its two largest educational publishing concerns — Via Afrika and Nasou, together with its interests in distance education, as represented by National Colleges — into a new company and then sell off 50 percent to its new partners"

> *'The biblical pronouncement is, he who wants to keep all to himself will lose all'*

The negotiations, as in the case of City Press, involve finding partners "among members of the disadvantaged communities", he said

"Naspers management is well aware of the biblical pronouncement that he who wants to keep all to himself will lose all

"The educational world is predominantly black today, and although the group's educational publishing houses are still doing extremely well, it would be unrealistic to think that this situation could continue indefinitely," Vosloo said

"By incorporating business partners at this stage — and here, once again, as in the case of City Press, more than one interest group is involved — Naspers is increasing its chances of maintaining its leading role in this market," he said

# Kagiso Trust strikes deal with Perskor

**Reinie Booysen** (243) BD 8/8/96

THE black-controlled Kagiso Trust agreed yesterday to become a joint controlling shareholder of the Afrikaans Perskor group after merging its subsidiary Kagiso Publishers into Perskor, a company with extensive publishing and electronic media interests.

Perskor's complex shareholding structure — which vests effective control of its holding company, Persbel, in the Dagbreek Trust — will be unbundled and simplified, with all extraordinary and special voting shares converted to ordinary shares.

After shareholder approval, control of Persbel will be vested in a voting

**Continued on Page 2**

## Kagiso (243) BD 8/8/96

**Continued from Page 1**

pool made up of Kagiso Trust Investments (KTI) with 19,64%, Dagbreek (18,63%), and Rembrandt (13,26%) Each will appoint three directors

Before the deal, Dagbreek received 10% of Persbel's dividends and had a 10,17% stake in subsidiary Perskor. These shares, held through Dagbreek Trust Ltd, will be exchanged for Persbel shares. Rembrandt previously had 27,01% of the ordinary shares

The deal will leave Persbel with a 62,88% stake in Perskor (42,48% previously). All holdings in Persbel and Perskor will be diluted by 7,3%, but Perskor deputy MD Piet Greyling says there will be no dilution in earnings.

Perskor chairman Koos Bultendag and Kagiso chairman Eric Molobi said the deal was "arguably the most significant of its kind in the new SA. Politically, it unites two entities from opposite ends of the spectrum. Economically, it brings together a superb mix of business synergies."

In exchange for KTI educational publishing subsidiary Kagiso Publishers, Persbel agreed to issue KTI 6,6-million Persbel shares, worth R300m on the basis of Persbel's R45 share price yesterday. Persbel had agreed to pay 11 times net earnings for Kagiso Publishers, or R241m The share consideration was calculated at Persbel's 120-day moving average of R36.

Perskor's interests include The Citizen, 23 regional titles, 13 magazines and stakes in M-Net, MIH Holdings and M-Cell

# Black editor for Citizen, first prize, 8/8/96

STAFF REPORTERS AND SAPA

Thami Mazwai, chairman of the Black Editors Forum, has welcomed the merger and published Afrikaans printing group Perskor with the black Mazwai said "The effects of the merger must be extended to the operating company level. We will put pressure on Kagiso to make sure this happens at The Citizen, currently owned by Perskor, would be "first prize" for the black Editors Forum said the transaction is subject to approval. It would become a joint shareholder of the Perskoy Publishers, shareholding group.

"This is arguably the most significant deal of its kind in the new South Africa," said Perskor chairman Eric Molobi in a joint statement. "It unites two entrepreneurial groups and brings together a broad range of business skills."

Nevertheless, the deal exercised the minds of many black journalists who wished to remain anonymous for fear of losing their jobs. "But it is going from one extreme to the other, from having no black journalists in the newsroom to black ownership"

Kagiso would not be appointed to the Perskor board, and that editorial independence would be guaranteed by the merger, Chirg said. The Star reported Johnson told some of his staff members they would not be affected by the merger, and that editorial decisions would be made by the Perskor board.

However, Chizen staff said they had no idea how it would affect them, or that the Citizen and The Star's parent Johnnies would be merging.

Johnny refused to take The Star's call last night, referring journalists to the Johnson, editor of The Citizen, would not believe Kagiso would push into anything personal motivation was behind a Kagiso's black editor was looking at a newspaper, Falloon said that the Citizen was looking for a black editor. However, he did not believe the deal "a giant step" of Independent Newspapers, called the deal "a synergies" Ivan Falloon, deputy chief executive of Kagiso, said "Political opposition to business is from opposite ends of the spectrum. Economically, it unites two entrepreneurial groups and brings together a broad range of business skills."

Nevertheless, the deal exercised the minds of many black journalists who wished to remain anonymous for fear of losing their jobs. "But it is going from one extreme to the other, from having no black journalists in the newsroom to black ownership"

**FRIDAY**
AUGUST 9, 1996

PUBLIC SERVICE CODE MOOTED

# 'Pressure media to use black languages'

ET 9/8/96

(243)

**PRETORIA:** South Africa has to equalise its 11 official languages for the sake of democracy, says Dr Neville Alexander.

THE government should use legislation to pressure the country's media to allocate more time and space to the nine official black languages, the Language Plan Task Group (Langtag) proposed yesterday

Langtag chairman Dr Neville Alexander said there was an almost automatic skewing on television and in newspapers, mainly towards English, but also towards Afrikaans .

More equitable time and space for the official black languages should be made available in the media.

This was one of the short-term proposals in the body's final report presented to Arts, Culture, Science and Technology Minister Dr Ben Ngubane yesterday.

Asked whether media institutions not complying with envisaged legislation would face prosecution, Ngubane said "That is the story of the past We will never do such a thing

"There is not going to be coercion, but there is going to be discussion "

The group, set up by Ngubane eight months ago, also recommended a language code of conduct for the public service

**'NOT COERCION':** Dr Ben Ngubane

Langtag member Dr Anne-Marie Beukes said such a code should address issues such as which language a public servant should use to address a member of the public She said there was not equal access to the services the government managed on behalf of its citizens.

The report proposed compelling political, economic and cultural leaders to use black languages on important occasions

Alexander said South Africa had to equalise its 11 official languages for the sake of democracy

Afrikaans should be "reduced" to equality "The same basically applies to English "

Citing the European Union, which spent about a third of its budget on interpreting and translation services to accommodate the 11 languages of its members, Alexander said South Africa had to follow suit

"But we haven't got the resources, so it is going to take longer, we have got to be more innovative But we must do it "

Other recommendations included incentives for employees and employers to learn new languages, promoting black languages at tertiary institutions, reviewing language curricula and studying the feasibility of multi-lingual classrooms

Ngubane said the report was a road map for his ministry on how to make the constitution more meaningful Democracy could be attained only once every citizen had a sense of identity, and language was pivotal for this

Ngubane said he was concerned by an apparent scepticism towards multi-lingualism and appealed to all South Africans to commit themselves to functioning in more than one language — Sapa

BEELD (243)

## IMAGE PROBLEMS

FM 9/8/96

**SA's most** influential Afrikaans newspaper — *Beeld* — is to get a new editor It is expected that Naspers will announce a shake-up of the paper's top editorial positions this week following a board meeting in Cape Town last Friday

Editor Willie Kuhn is to be replaced as a result of the Naspers hierarchy having been confronted with numerous complaints about his management style Kuhn is expected to edit the group's highly successful magazines *Huisgenoot* and *You*, which have been run on a consultancy basis by former editor (retired) Niel Hamman

Unhappiness about Kuhn among *Beeld*'s senior staff reached an all-time low after senior editorial board member Thinus Prinsloo threatened Kuhn and Naspers with industrial action for alleged unfair labour practices Prinsloo, a respected journalist, was previously *Rapport*'s (50% owned by Naspers) political correspondent and served as the group's London correspondent

Relations between Prinsloo and Kuhn grew so strained in recent years that Prinsloo once obtained legal advice Letters were also sent to board members

Apart from Prinsloo's grievances, Naspers' board also received an anonymous letter, which had also been circulating among editorial staff Addressed to Naspers chairman Ton Vosloo and former *Beeld* editor (now in management) Hennie van Deventer, the letter contained examples of staff unhappiness and more serious allegations As part of the shake-up, Prinsloo has agreed to be transferred to *Die Volksblad* in Bloemfontein He declined to comment

Kuhn's expected move to the magazines is bound to trigger more discord in the group Staff on both magazines are strongly opposed to Kuhn's appointment, because he's seen as a political journalist with no experience of family magazines

It had been widely expected that either *Huisgenoot* northern editor Franz Kemp or assistant editor Julia Viljoen would be next in line

Replacing Kuhn at *Beeld* will not present a headache for Naspers Assistant editors Tim du Plessis and Charles Naude are seasoned journalists and both are tipped as possible editors

Former SA ambassador to Denmark Conrad Sidego, recently appointed head of Naspers' public affairs, was apparently offered the editorship but declined

The smart money is on Johan de Wet, a former *Beeld* assistant editor and former editor of *Die Volksblad* De Wet, the group's former Washington bureau chief, was appointed publisher and joint editor of City Press, now up for grabs as part of Naspers' black empowerment plans

*Beeld* played a major role in shaping Afrikaner attitudes to political transformation Under Vosloo, Van Deventer, the late Willem Wepener and Kuhn the newspaper steadily moved towards the centre Any of the candidates named as new editor will continue the trend *Eddie Botha*

head of State to grasp the importance of nation building through sport He has called on all SA's top sports teams in their dressing rooms or on the practice field, invited SA's world boxing champions to his residence, donned the number 6 rugby jersey, attended the wedding of rugby captain Francois Pienaar and hailed Thugwane and Heyns as SA's golden boy and girl

Little wonder that in the aftermath of last weekend's rugby Test between the Springboks and Australia, the national side has shown what premium they place on unity in SA

In an unprecedented move Pienaar and his players issued a statement through manager Morne du Plessis castigating fans who still wave the old flag "We are not playing for you and do not need your support," they said Thugwane's first words after his win were that he had won the medal "for SA and Nelson Mandela "

Advertising agents have jumped on the bandwagon A scene of the sports facilities used by political prisoners on Robben Island is used to promote Cape Town's 2004 bid to host the Olympics

At least in sport, if not over the economy, the Madiba magic has again won the day ■

AIMING HIGH: Naspers managing director Ton Vosloo believes in the local newspaper market

# Confident Naspers invests in future

(243) ST(BT) 11/8/96

By MARCIA KLEIN

NASIONALE Pers is to increase and upgrade its newspaper printing capacity extensively — a move that will require substantial but essential investment, says the group's managing director, Ton Vosloo

He told an Investment Analysts Society meeting this week that upgraded and extended facilities in Cape Town and Johannesburg were necessary "if Naspers wants to unlock the full potential the local newspaper market offers in terms of existing and new titles"

The project is two to three years down the line, making the cost difficult to quantify, but Vosloo points out that Naspers is ungeared. The expansion will also enable him to fulfil his ambition of having an English daily newspaper.

The upgrading of the newspaper division will follow the completion of the R215-million new printing works for the magazine division which is to be commissioned in September Vosloo points out the new magazine printing facility will be profitable from day one and will considerably enhance the profitability of the magazine division.

Vosloo says Naspers has outperformed both its sector and, more convincingly, the industrial sector on the JSE Financial 1996 was a record year for profit growth, with all the main divisions contributing equally.

He says the group's performance should be judged first and foremost by its core business of magazines, newspapers and books "Our management objective is unashamedly to be the market leader in all the sectors in which it operates."

Commenting on newspapers, he says all three dailies reached record levels in terms of circulation and profitability Die Burger grew while its English counterparts in the Western Cape continued to lose ground It is now the Cape's biggest daily newspaper, with a circulation of 80 417 to end-June The Cape Times and Argus have reported a marked decline since the early 1990s, "which also ushered in a new period for these papers in terms of ownership".

He believes the success of Afrikaans dailies reflects acceptance by a wider community (Die Burger now has more coloured than white readers), the government and the SABC denying Afrikaans its rightful role, a sustained effort by the papers to improve coverage and respond to community needs and a new realisation of the importance of Afrikaans speakers in the advertising mix

The Afrikaans Sunday paper Rapport, in which Naspers has a 50% interest, reported its best performance in its 25-year existence The English Sunday paper City Press now finds itself "firmly in the black", Vosloo says

Negotiations are at an advanced stage with three black groups, all of whom are expected to take up a share in a new company into which City Press will be moved

Naspers has said it will sell 51% of its stake when City Press is profitable The group believes City Press can become the largest selling Sunday newspaper, but its growth has been slowed by a lack of printing capacity The new facility will enable the division to take on lucrative outside work and to develop the full potential of new and existing titles.

An immediate benefit is the division's ability to increase the frequency of Drum magazine from a monthly to a weekly

Negotiations for the unbundling of the interests of Nasionale Boekhandel have reached an advanced stage Describing the negotiations as "ambitious", Vosloo says Naspers will merge its two largest educational publishing concerns, together with its interests in distance education, into a new company and then sell 50% to its partners

In financial 1996 these interests contributed 45% of the book division's turnover and are among the group's fastest-growing components Vosloo says it may seem Naspers is "selling the family silver", but there are moral and practical reasons for its decision.

Commenting on the group's investments in M-Net, MIH (formerly MultiChoice) and M-Cell, Vosloo says the group's future financial well-being is closely connected to the performance of these groups.

He says the cautionary announcement issued by MIH/Nethold this week relates to alliances on the international pay television front, but he would not be more specific On the group's investment in MIH, he says the risk is great, but the value to be unlocked is even greater.

# TML charter on back burner

BD 14/8/96 (243)

**Amanda Vermeulen**

TIMES Media Ltd has dropped its plans to incorporate an editorial charter in its articles of association at the group's annual general meeting next week

MD Roy Paulson said yesterday the charter, which still forms part of the Anglo American talks with the National Empowerment Consortium on Anglo's stake in TML parent Johnnic, had been put on the back burner

"There is a feeling that the charter should be discussed with potential new owners," he said "The NEC has given a commitment to editorial independence and there is no reason to push the issue now"

But Paulson wanted to see the charter incorporated into the articles of association at some stage, and did not rule out the possibility of calling a special shareholders' meeting in the future

Anglo's spokesman Michael Spicer said the charter was still part of negotiations with the NEC and that it would be discussed at the next meeting But NEC chief negotiator Cyril Ramaphosa has described the charter as "insulting and undermining"

The original charter, drafted by TML editors and management, was rejected by the SA Union of Journalists and editorial staff of Business Day and the Sunday Times

It was withdrawn and staff drew up a new charter Business Day editorial staff broached the idea of a charter with the NEC, which said it supported editorial independence but would discuss the matter only once it controlled Johnnic

TML had planned to incorporate a charter prior to any transaction being completed

SAUJ spokesman Jimmy Beaumont welcomed the decision to suspend the charter

"We are pleased management has accepted a consultative approach which should have been adopted from the beginning," he said

"It is common sense that a charter affecting journalists should be negotiated with them, and we hope Anglo will adopt the same principle"

Publications Bill is more liberal

# New law still puts curbs on pornography (243)

**Wyndham Hartley** BD 15/8/96

CAPE TOWN — Controversy continued to dog SA's new film and publications law when it was approved by a parliamentary committee yesterday with amendments that still make possession and distribution of some pornographic material a criminal offence.

While Parliament's home affairs committee has resisted religious demands that all pornography be prohibited, it has rejected "libertarian" suggestions that "everything goes"

While the Film and Publications Bill is significantly tougher than the first draft, it is more liberal than existing censorship laws.

Possession and distribution of child pornography will be forbidden if the Bill is approved and the concept of "unknowing possession" of banned material is treated as a criminal offence

Bona fide artistic work is exempted unless it is simulated or real sexual material involving children under the age of 18, shows sexual conduct or the lewd display of nudity or violent sex, sexual degradation, extreme violence or bestiality.

Also outlawed is "explicit" sexual material which degrades women and is calculated to cause harm. The DP attempted to modify this clause with the inclusion of the word "demonstrable" because there is no scientific finding that such material causes harm. The DP amendment was rejected.

The maximum penalty for possession, distribution or exhibition of banned material has been increased from two to five years' imprisonment.

Home Affairs Committee chairman Desmond Lockey (ANC) insisted that the Bill does not herald a new era of oppression to replace that which existed under apartheid The Bill must be passed in the National Assembly and the Senate before President Nelson Mandela can sign it into law.

Speaking after his committee had approved the Bill, Lockey said the ban on possession extended only to limited material and was regulatory as opposed to censoring in nature

Race Relations' parliamentary affairs manager Colin Douglas challenged the clause making "unknowing possession" a criminal offence. He questioned the way in which the final version of the Bill was approved yesterday morning in a meeting lasting only 30 minutes where the official NP opposition did not say a word.

DP MP Dene Smuts said the DP opposed the inclusion of a hate speech clause in a law dealing with publications and films.

Smuts also predicted there would be "endless litigation" as challenges were mounted against what degradation of women actually entailed.

# Tough new censorship bill to combat porn

Star 15/8/96 (243)

**By Patrick Bulger**
Parliamentary Correspondent

Cape Town – A parliamentary committee has approved tough new censorship legislation which introduces prison sentences of up to five years for the possession of banned material

The proposed legislation, which still has to pass through the National Assembly and the Senate, has profound implications for all films and publications

The Films and Publications Bill, passed by Parliament's portfolio committee on home affairs yesterday, is a much tougher version than the more liberal draft legislation drawn up last year by a home-affairs task group

It makes provision for a film and publication board and a review board, and for classifications of films and publications. The board, acting only on complaints from the public, may ban the distribution of magazines with photographs of child sex, explicit sexual violence, bestiality, and degrading sex which constitutes incitement to cause harm

Non-violent explicit material may be distributed only in licensed outlets All films and videos will have to be approved beforehand

Last year's liberal version drew criticism from anti-pornography crusaders who argued that it would open the way for a wave of child and other pornography

▶ To Page 2

# New Censorship Bill to fight porn

(243)

▶ From Page 1

Star 15/8/96

Committee chairman Desmond Lockey said yesterday the Bill "afforded people in the new South Africa a chance to fight against degradation"

The amendments, put to the full committee yesterday, had been agreed to by the ANC and the National Party meeting in private session earlier this week. The changes are based on the constitutional limitation of free speech when it involves "hate speech" involving race and gender.

The DP's home-affairs spokesman, Dene Smuts, failed in her attempt to water down some of the provisions of the bill.

She wanted the bill to allow for banning of a film or publication only when it could be demonstrated that harm would follow

Sapa reports that the committee was criticised by SA Race Relations Institute official Colin Douglas for having barred the media and other interested parties from its discussions on the Bill

The Bill was passed over the objections of the DP and African Christian Democratic Party. The Freedom Front and Pan Africanist Congress were not present.

Sowetan 15/8/96

# Two unions in merger

**By Abdul Milazi**
Labour Reporter

THE Broadcast, Electronic Media and Allied Workers Union and the Media Workers Association yesterday formed a broadcasting federation in a historic marriage of convenience

General secretary of the new Broadcast Workers Federation of Africa (BWFA) Mr Sithembele Khala said the merger of the two archrivals was necessitated by the need to build the capacity of workers in Africa to be on par with the rest of the international industry

The new federation aims to take control of broadcasting, and determine the content and destiny of the industry

"We want broadcasting to be controlled by workers instead of academics as it is at present," Khala said

The two unions collectively command 90 percent of the workforce at the SABC

R500 SCRATCH CARDS

Accidents Fund policy document is still in its draft stage



ALL FINANCIAL INTERESTS TO BE DISCLOSED

# MPs adopt code of ethics

(30) CT 15/8/96

**ONLY** the IFP did not support the adoption yesterday of a new code of ethics for MPs, saying it was a cosmetic measure. Political Writer **BARRY STREEK** reports.

A CODE of ethics for parliamentarians, which will require them to disclose all their financial interests, was approved by the National Assembly without opposition yesterday, although the Inkatha Freedom Party abstained on the issue

The adoption of the code "represents not the end of the road but the start of a process whereby an all-pervasive culture of disclosure, and hence accountability, can be achieved", Water Affairs and Forestry Minister Mr Kader Asmal said when he introduced the code.

In a separate development, the office of the President has adopted an even stricter code of conduct for all staff, including the disclosure, in writing, of all gifts worth R100 or more.

"Ours is very strict," spokesperson Mr Parks Mankahlana said, pointing out that the potential commercial exploitation of President Nelson Mandela was considerable.

Asmal said the parliamentary code was based on the principle that public representatives "must make decisions solely in the people's interest, and should not take any improper benefit, profit or advantage

"It supports this principle by requiring the transparency and disclosure of the private financial interests of all Members of Parliament"

The code, which is to be debated in the Senate today, was supported by all political parties except the IFP, which said in a caucus statement that the code was "dangerous because it will create the impression that the problem of dishonesty and corruption has been dealt with or will shortly be dealt with."

"The adoption of the code is politically correct 'show-politics' at its worst," the IFP said

Asmal said parliamentarians would have to disclose shares and financial interests held in any public or private company, remuneration payments by any other employer, directorships and partnerships, any consultancy or retainership, any financial sponsorships, gifts or hospitality with a value in excess of R350, other benefits of a material nature, and travel abroad other than personal visits

It also included "interests in property including private residences, vacation homes and other landholding" and "any public or private pensions".

The public disclosure of pensions could prove particularly embarrassing for National Party veterans, including former President F W de Klerk.

During yesterday's debate, ANC MP Ms Thenji Mtintso said the clause on enforcement of the code needed strengthening and called for penalties for non-disclosure.

"The spirit of anti-corruption, openness and honesty must be applied to provincial and local government, senior civil servants and ministerial staff," she said.

# Committee passes censorship Bill

(243) CT 15/8/96

THE Film and Publications Bill, which proposes major changes to the country's censorship laws, was passed by the National Assembly's Home Affairs Committee yesterday after a series of closed meetings.

The committee approved the Bill after making substantial amendments to the draft measure first tabled in Parliament last year by Home Affairs Minister Chief Mangosuthu Buthelezi

In summarising the amendments, the committee said the Bill emphasised the importance of giving adults choice while improving the protection of children against pornography

If passed, it will become an offence to import, produce and distribute sexually explicit material "which degrades a person and constitutes and incitement to cause harm"

Exposing children to sexually explicit material in any way would also be an offence The artistic exemption which applied to child pornography has been removed, and a prohibition on written child porn has been added

The Bill bans publications, films, videos, broadcasts and public entertainment "which amount to propaganda for war, incite to imminent violence, or advocate hatred based on race, ethnicity, gender or religion". It also increases the maximum penalty for possession, distribution or exhibition of banned material from two to five years imprisonment

The Bill was passed over the objections of the DP and African Christian Democratic Party The Freedom Front and Pan Africanist Congress were not present — Sapa

# Furore over censorship Bill

(243)

**ADELE BALETA**
Staff Reporter

THE chairman of the Freedom of Expression Institute, Raymond Louw, has lashed out at the imposition of censorship in the new Film and Publications Bill

He said the restrictions went against the concept of freedom in the new South Africa and expressed alarm at the "adoption by the national Home Affairs Committee of quite extraordinary secret methods to bring this about"

The Bill, which proposes major changes to censorship laws, was passed by the national assembly's Home Affairs Committee this week, after a series of closed meetings

Mr Louw said the committee had ridden roughshod over the recommendation of a task group set up to rid the country of rigid censorship It had opened the way for people to be jailed for possessing banned material

He found it "bizarre" that the ANC majority should enter into secret processes to discuss censorship in the new South Africa with its "claimed dedication to transparency"

He said the institute had heard the reason for the secrecy was some committee members did not want to be seen "washing their dirty laundry in public" and as a sub-committee sought consensus on the issues, before the bill was considered by the full committee in public

He said it was an "outrageous decision", given that the purposes of Parliament were "precisely to launder dirty linen" Parliamentary privilege specifically provided for this

If the bill is passed, it will become an offense to import, produce and distribute sexually explicit material "which degrades a person and constitutes an incitement to cause harm"

Exposing children to sexually explicit material in any way would also be an offense

Mr Louw said the institute believed the possession of child pornography should not constitute an offense because a police raid would compromise an individual's right to privacy

But he said there should be a ban on child pornography and there was legislation which handled the abuse of children in the Child Act

Mr Louw said the committee had introduced restrictions on "hate speech" where the task group had recommended none

It had also introduced other restrictions, which the task group warned against, or were covered by other laws involving conduct

Mr Louw said these related to child pornography, sex and violence, bestiality and sexually explicit material which would result in the degradation of women and constitute incitement to cause harm

AKG 17/8/96

These restrictions would curb the sale of books and other material, against the spirit of the Bill of Rights and the concepts of freedom in the new South Africa, Mr Louw said

# Kagiso merger sparks questions about Citizen

## Rumours rife that senior black journalists being considered as editor

AR G 19/8/96 (243)

**JAIMIE SEATON**

JOHANNESBRUG – The announcement of the Kagiso/Perskor merger has immediately set tongues wagging about the future of the Citizen, where the reign of 73 year-old editor Johnny Johnson is now drawing towards its close For years the Citizen has operated on a shoestring budget, with Johnson working 12-hour days as he almost single-handedly brought out the paper, relying heavily on wire copy, lifter services and junior reporters

The paper has never been able to shake the stigma of the Info scandal when it was revealed that it had been started as a front for the National Party government Despite this, the paper has shown a steady increase in black readership.

Rumours are rife in the market place that key players at Kagiso are sounding out various senior black journalists about replacing Johnson as editor of the Citizen in a move which will see the Citizen going head to head with the Sowetan

Kagiso director Fani Titi, however, is adamant that no journalist – black or white – has been approached with a view to taking over the editorship of the Citizen

"I'm not aware of any offers being made to any journalist for the editor's job", Mr Titi said soon after the deal was announced

"It's too early for that Something this fundamental would have to be discussed fully and it hasn't

"In terms of an editor, you look for the best man for the job, regardless of colour It's a serious position and needs technical skills We won't bring people willy-nilly into any position We'll fill positions with the people who can make the best contribution"

Pointing out that Kagiso was not yet a shareholder in Perskor, Mr Titi said it would not be until after the end of September that they would take a strategic review of the Perskor operation, including the Citizen In that respect, Mr Titi said Kagiso could not prejudge anything

On the question of whether or not black reporters would soon sit in the virtually all-white newsroom at the Citizen, Mr Titi responded that they would do whatever was necessary to make the Citizen more profitable

"We have dealt with situations like this before", said Mr Titi "We took over Kagiso Publishers two years ago and in that process have brought in black managers But we are first and foremost business people and we have a responsibility to make money for Kagiso Trust"

While the deal has been touted as a significant step towards black empowerment, Mr Titi said black empowerment should be carefully defined

"For us, empowerment is a lot of things One, ownership enables us to make money that will be ploughed back into poorer communities by Kagiso Trust

"Secondly, it's the opportunity to increase significantly the participation of blacks in management positions

"Thirdly, we are responsible citizens of the country, and will not be irresponsible in terms of what we do with the publications"

(243) ST 18/8/96

# Press freedom under appeal

By CARMEL RICKARD

THE Appeal Court was put to the test over the liberty of the media again this week when a company argued that courts should place the plight of defamed persons above considerations of press freedom

Legal analysts, who have criticised the Appeal Court in the past for not fully appreciating the media's role in a democracy, say the outcome is likely to reflect the Constitution's influence on the court's approach to press freedom

The case involves a computer company, Hix Networking Technologies, which had tried to prevent a magazine, ComputerWeek, from going to press in February 1995

Hix claimed that an article in ComputerWeek was defamatory as it suggested that it obtained its supplies from the "grey" market and not from authorised sources

ComputerWeek countered that the article was not defamatory and that publication was justified since the material was true and in the public interest

The Rand Supreme Court refused to order that publication be stopped

But the company appealed against the decision, claiming the court should have put Hix's plight above considerations of press freedom

Bernard Gudelsky, appearing for Hix, said the Constitution protected the right to dignity, and that this right should enjoy priority over the constitutional right to free speech and media freedom

In reply, counsel for ComputerWeek, David Unterhalter, said that in its approach to media freedom cases, the court had recognised the value of free speech and the danger of halting publication without good reason

Unterhalter said the courts should not make it easier to halt publication, as this would have a chilling effect on free speech

He said the Constitution gave the Appeal Court the responsibility to ensure that the common law reflected the constitutional guarantee of free expression and press freedom

While press freedom was guaranteed by the Constitution, there was no right that a company's dignity should be protected

Judgment was reserved

INDEPENDENT NEWSPAPERS (243)

# NEW VENTURES ADD IMPETUS

FM 23/8/96

**Better than** expected halfway results from Independent Newspapers are a bit misleading, as the full inclusion of new titles *Business Report, The Sunday Independent, Sunday Life* and newly launched *Personal Finance* kick in

These publications were not in for the full six months of the comparative period, so the additional advertising and circulation revenues helped boost turnover by 17%

Apart from this distortion, the operating result must be considered sound, evident in wider margins and strong cash generation, which helped reduce debt and more than halved interest payments to R1,2m

It's difficult to strip out the effect of the new titles on comparative results Comparisons against the second-half of financial 1995 are also not particularly useful, as the Independent is traditionally a second-half group

CE John Featherstone says the distortion will continue this half as the new publications grow, particularly *Business Report* which claims a readership of 545 000 people

The outlook for the full year is more cautious Apart from uncertainty over the economy, Featherstone notes that retailers are feeling the pinch with a resultant dip in adspend But he says the group is not uncomfortable about the year, expecting some compensation from the hoped-for growth of new titles

Since the reporting period, Independent made its first significant diversification away from mainstream newspaper printing and publishing with the acquisition, with Sheldon Cohen's SMC Capital, of liquidated Penta Publications

Deputy CE Ivan Fallon won't reveal the price, but says the speculated amount of R17m is "way too high "

While the final scheme of arrangement still needs approval, it seems the new joint venture media company to be formed by the Independent and SMC will start off with a clean slate Penta, which owns six niche magazines, has debt in the region of R20m, including about



**102 Fox**

R3,5m owed to its printer, Perskor, and R12m to a bank Both are secured creditors and have accepted an offer of compromise, Fallon says

Contributions to the group are unlikely to be meaningful in financial terms, but plans are for the magazines to be profitable from the outset With no experience in niche publications, Independent will have to rely heavily on Cohen, who will head up the new company

After its good start to the year, Independent probably remains on track to achieve full-year EPS growth in the lower 20% region, despite the prospect of a softer advertising market

Much of this, though, is probably in the share price, which at R24 earlier this week has gained close to 90% over the past year *Shaun Harris*

tomed It's time to start looking for a recovery — interims should provide an indication *Shaun Harris*

# Editors unite against orders

(243) ARG 24/8/96

**An order for five major news organisations in Cape Town to hand over nformation to the police has met with widespread condemnation and a unıted stand against the controversial Section 205.**

**DENNIS CAVERNELIS**
Staff Reporter

N a strong show of unity the editors of Cape Town's three major newspapers and repre-sentatives of other media organisations have ommitted themselves to fighting subpoenas ordering them to give police information on he organisation People Against Gangsterism and Drugs (Pagad)

The decision not to give information to he police has been backed by the Foreign Correspondents Association, political par-ies, the union Media Workers of South Africa and the Institute for Democracy in South Africa (Idasa)

At a meeting held between the editors and other media representatives in the city esterday, the group resolved to oppose the subpoenas with all the resources of the law at heir disposal

The group said it would not hand over the naterial requested by the police

The group said it believed that an attempt o force compliance with the terms of the sub-poenas would amount to a contravention of he basic constitutional right to the freedom of the press

Under Section 205 of the Criminal Pro-edures Act the police can demand infor-nation from individuals regarding an offense committed in their presence, and provides for their imprisonment if they efuse

Justice Minister Dullah Omar said he was not consulted before the subpoenas were served

"Neither the minister nor the department as consulted," he said

The Freedom of Expression Institute called for the immediate withdrawal of the sub-poenas

The institute said the media could not act, or be perceived to act, as an informant of the police "because that will destroy the media's credibility and independence"

Yesterday's meeting was called by The Argus editor, Shaun Johnson, a day after police served subpoenas on The Argus, Cape Times, Die Burger, SABC Television News, and the news agency Associated Press

The editors of these organisations are to appear in court next Friday

Democratic Party spokeswoman Dene Smuts said the mass subpoenas were "grave-ly misguided and are bound to lead to a Constitutional Court challenge"

Idasa's executive director Wilmot James said police investigating the activities of Pagad should have sources other than the press

Section 205 should not be invoked on jour-nalists in the course of their work, Mr James said

The editors said their opposition to hand-ing over information to the police was based on two fundamental issues the safety of jour-nalists on the one hand, and the public's interest in the free operation of the media on the other

The group stressed that journalists would face serious threats to their own safety if their neutrality in reporting events was ques-tioned

"Journalists cannot be seen to be instru-ments of the police "

The media could not function if it did not enjoy the trust of the public, which required a clear separation of the functions of law enforcement agencies and the media

❒ **SUBPOENAED:** Editors of newspapers and news agency representatives met in Cape Town yesterday From left, Alexandra Zavis from AP, Ryland Fisher, deputy editor of the Cape Times, Shaun Johnson, editor of The Argus, Mandla Yeki, from the SABC, Ebbe Domise, editor of Die Burger, and Francois Krige from Sapa

Legal advisers believed the court would not uphold the subpoenas

The editors stressed that all the media organisations involved strongly supported government efforts to fight crime, but believed subpoenas would have a negative effect on the law enforcement agencies and the media

South African Press Association editor Mark van der Velden said the organisation was aware that police wished to serve a sub-poena on its Cape Town representative, Fran-cois Krige, but this had not yet taken place

He said that if the subpoena was indeed served on Krige, Sapa would align itself solidly with the other news organisations in their rejection of the use of Section 205 in this matter

Safety and Security Minister Sydney Mufamadi said he would convene a meeting with the editors on Thursday to discuss the issue

# Hated law on agenda

**By BENISON MAKELE**

MEDIA EDITORS are expected to demand no less than the repeal of the notorious Section 205 of the Criminal Procedure and Evidence Act when they meet Safety and Security Minister Sydney Mufamadi in Cape Town on Thursday

Mufamadi announced the scheduled meeting on Friday following the subpoena of several media organisations under the section

The subpoenas were issued after the alleged leak to the media of a police report detailing the existence of 11 Muslim extremist organisations inside South Africa (243)

A subpoena under the dreaded section permits police to demand information from individuals, who, if they cannot provide it, risk being jailed. Media practitioners have condemned the section as violating the media's right to freedom of expression under the new constitution

The section further demands that journalists divulge their sources of information – a prospect that has resulted in many a journalist choosing prison rather than alienating himself from his sources

It is also expected that Justice Minister Dullah Omar, currently attending a Southern African Development Community council of ministers in Lesotho, will attend the Thursday meeting CP 25/8/96

In their efforts to get information on Cape Flats violence involving members of the People Against Gangsterism and Drugs (Pagad) that left the gang leader Rashaad Staggie dead, police swooped on journalists from seven publication and news agencies – sparking an outcry

Mufamadi said he was optimistic that the controversial Act would be discussed to the satisfaction of all parties involved on Thursday

Media editors on Friday afternoon vowed not to hand over the information being solicited by police and further pledged to resist Section 205 with all the power at their disposal

## Political Briefs

(243)

# SABC staffers vote to strike

**JOHANNESBURG:** Journalists at the SABC moved a step closer to a strike yesterday by voting in favour of industrial action in a ballot held by the SA Union of Journalists

SAUJ general secretary Mr Motsomi Mokhine said members had voted in favour of embarking on industrial action. However, the SAUJ has indicated it will consider mediation before striking

# Subpoenas: Kahn seeks legal clarity

CT 26/8/96

ROGER FRIEDMAN, BARRY STREEK AND EUNICE RIDER

THE Constitutional Court should "clarify" the Criminal Procedure Act's controversial Section 205, which is being used to obtain information from the media on the activities of People Against Gangsterism and Drugs (Pagad), says Western Cape Attorney-General Mr Frank Kahn.

Kahn issued Section 205 subpoenas against Cape Town newspaper editors and representatives of the SABC and Associated Press at the behest of the police last week.

Meanwhile, more than 1 000 members and supporters of Pagad marched to the Paarl police station on Saturday night. They delivered a memorandum calling on police to stop harassing them and describing the issuing of the subpoenas as "unacceptable".

Police monitored the march, but no incidents were reported.

Kahn said last night that journalists regularly outshone the police in investigating crime.

"I cannot solve the (Hard Livings gang leader Rashaad) Staggie murder — or trace and prosecute gang leaders who freely give interviews about their criminal activities — without the co-operation of the media.

"I have no witness accounts. The police on the scene (of the Staggie killing on August 4), for reasons best known to themselves, did not see fit to bring along video cameras.

"In no way do I wish to wave a big stick at the media. I was informed by the police that there were sections of the media who were willing to co-operate in the investigation, provided they had something in writing.

"However, while I appreciate the dangers to the press, I feel it is in the interests of everyone concerned that we get clarity from the Constitutional Court in respect of Section 205.

"The time has come to clarify Section 205, so that my office, the media and police know exactly where they stand and are able to get on with their jobs.

"I can assure you I don't relish going hat in hand to the press, rather than the police, to gather the necessary evidence."

Lashing out at national Police Commissioner Mr George Fivaz's criticism of the issuing of the Section 205 subpoenas, Kahn accused him of making "popular media noises" instead of taking steps to shore up weaknesses in his own department.

"Commissioner Fivaz would be best advised to see to it his police

Turn to Page 3

# Kahn blames police for predicament

From Page 1

CT 26/8/96

are equipped with video cameras and other such electronic devices as this would make them more efficient than the press in the fight against crime," Kahn said.

"The actions, or non-actions, of the police have placed the media and my office in the unfortunate position we are in today."

Responding yesterday, Fivaz said the debate on Section 205 was "too complex to blame on any one official, institution or factor".

"The thrust" of his comments to date had been to "find solutions to protect the credibility of the media and the criminal justice system".

He had recommended a meeting with editors, media unions, police and all attorneys-general as an attempt to find a "shared approach" to Section 205.

"Another aim would be to seek a review of the Section 205 orders served on the media," Fivaz said. "Fighting crime effectively depends on an independent media, which must not be seen as an extension of police investigations."

Minister of Safety and Security Mr Sydney Mufamadi said at the weekend that he would meet the editors on Thursday, the day before some of those affected are to appear in court. "I am optimistic that we will be able to address this complex issue to the satisfaction of all parties."

Mufamadi said he would also ask Minister of Justice Mr Dullah Omar to attend the meeting.

See Page 7

The Star, Monday August 26 1996

# Fivaz to meet press on controversial section 205

(243) 24 (94) Star 26/8/96

## Commissioner says issue has to be defused rapidly and addressed in the best interests of the media and the SAPS

By Norman Chandler
Pretoria Bureau

Police Commissioner George Fivaz says he wants to meet newspaper editors, media unions, attorneys-general and other stakeholders on the controversial section 205 legislation which can result in a journalist being jailed for not divulging sources to the police

Sydney Mufamadi, the Minister of Safety and Security, is to meet editors on Thursday

Newspapers and radio and television stations were raided last week by police seeking the names of sources and material in regard to an extremist Muslim underground organisation said to be operating in South Africa.

The Argus (Cape Town), The Cape Times, Die Burger (Cape Town), Beeld (Johannesburg), SABC Television News, and the Associated Press news agency were served with subpoenas in terms of section 205 of the Criminal Procedure Act.

In a statement from Victoria Falls, Zimbabwe, where he has been attending a conference of regional police chiefs, Fivaz said it was "clearly necessary to re-examine the section's practical implication to specifically the media".

He added that the issue had to be "rapidly defused and addressed in the best interests of the media and the South African Police Service."

**'It's clearly necessary to re-examine its practical application'**

Both the police and the media existed to serve the community, and their credibility was crucial in the fight against crime.

"I believe the police and the broader criminal justice system must realise that the pivotal role of the media in fighting crime is absolutely dependent on both the perceived and practical independence of the media.

"Police in a democracy cannot expect the media to compromise their independence by becoming mere extensions of the investigate authority," Fivaz said.

Although section 205 was a legitimate judicial instrument and a vital tool in fighting crime in general, "it is clearly necessary to re-examine its practical application to, specifically, the media".

Fivaz said the proposed meeting would discuss directing the police to proceed with orders against the media only on the direct and explicit authorisation of an attorney-general, and the issuing of clear directives to police structures that they had to exhaust all other investigative and information avenues before an attorney-general is asked for such authorisation, to initiate discussions with attorneys-general to reach a joint approach on such orders against journalists; and to seek a review of all section 205 orders against journalists.

# Hardly a profession safe from law's tentacles

By Cheryl Hunter

Last week several prominent journalists were subpoenaed by police to reveal confidential information in court, but few people realise that this law applies to almost all professions.

Under South African law, even a priest may be forced to repeat details revealed to him in the sanctity of the confessional

In terms of section 205 of the Criminal Procedure Act, any person can be forced to hand over information to the police if they consider it essential to the solving of a criminal case

Those refusing to hand over the information can be jailed indefinitely, or until they give authorities the required information.

According to an advocate from the Witwatersrand attorney-general's office, the only relationship which is exempt from this section of the law is that between a lawyer and client.

"The most cut-throat murderer can make outrageous and damning confessions to a lawyer and nothing he says can be used against him," said the advocate, who preferred not to be named.

A doctor, however, who claims that his patients' medical records are privileged or confidential information, will be served a subpoena to provide the requested information or face imprisonment.

"People claim privileged information which they say is confidential, but the law does not recognise this," the advocate said.

# Old law attacks press freedom

CT 26/8/96 (243)

**An old apartheid measure, long used against journalists, is back, reports BARRY STREEK.**

THE controversial Section 205 of the Criminal Procedure Act, used last week to subpoena Cape Town editors and journalists for information regarding the murder of alleged drug dealer Rashaad Staggie, is an old apartheid measure, long used by the police against journalists to flush out their sources of information.

There has been some liberalisation of the measure — minimum jail sentences are no longer obligatory and its scope has been limited by the Constitutional Court — but the fact remains it is the modern-day version of a long-standing, anti-democratic practice of getting journalists to compromise their profession.

In spite of all the laws that give the police the power to search for evidence about the committing or planning of crimes, they still feel the need for extra powers to deal with journalists.

In just about every case the police have first tried the soft approach, by going to the editor or crime reporter and asking for the "evidence".

If that fails, they get tougher, threatening to break off contacts or boycott journalists.

And when that fails, they go for the throat: Section 205 and jail — or these days the threat of jail.

Brave journalists like Peter Welman, Patrick Laurence, Benjamin Pogrund, Andries Cornelissen and others were sentenced when the authorities went the whole hog. Some left the country rather than be compromised

In the early 1960s one journalist was given repeated jail sentences for refusing to disclose his source about the adoption of "white" babies by "coloured" parents.

The reality is that in the past there has been no recognition — tragically continuing in the new South Africa — that independent journalism cannot exist if reporters are seen as potential agents of the state and their investigations are merely regarded as another source of information for the authorities.

In yesterday's Sunday Independent, Mr Peter Reynolds, a media lawyer, wrote: "What journalists worth their salt would willingly give evidence to the state for purposes of criminal prosecutions arising from events which they saw or filmed in the course of their duties?

"First, they would be singled out for 'treatment' next time they ventured into an unrest area and, second, their integrity would be blighted for the remainder of their careers.

"Journalists must be allowed to pursue their professions in a lawful manner, without harassment, in the best interests of the media's right to know. This is what freedom of the press is all about."

In an editorial yesterday, City Press commented: "Some things never change. Just when we thought apartheid laws were dead and buried, the newly democratic government exhumes these laws from the grave and wants to force them upon us."

Indeed, what last week's events have emphasised is the urgent need for a law or a constitutional court to ensure that journalists and the media cannot be manipulated or compelled into doing the work of the police.

# Media subpoenas are withdrawn

(243)

CAPE TOWN — Western Cape attorney-general Frank Kahn has withdrawn the section 205 subpoenas served on media organisations in a bid to force them to disclose information on the vigilante group, People Against Gangsterism and Drugs (Pagad).

Kahn said yesterday he had held talks with Muslim Judicial Council members and had received representations from Pagad's attorneys Further statements would be made available to his office as a result of these talks, which might be relevant to the matters raised in the subpoenas served on journalists last week and yesterday morning. If the new evidence he had received made further steps against the media unnecessary the matter would rest there, he said

However, it was in the interests of the proper administration of justice that a binding decision on the constitutionality of a section 205 subpoena be obtained before issuing any new subpoena against the media, he said

Police commissioner George Fivaz

BD 27/8/96

**Continued on Page 2**

# Subpoenas

(243)

BD 27/8/96

**Continued from Page 1**

said earlier yesterday that no requests to attorneys-general for section 205 orders against the media would be made without his authorisation, which would be granted only after "every other avenue of investigation" had been exhausted. Journalists were not above the law but he believed that their role and safety could be jeopardised if they were "perceived as extensions of the police"

Section 205 of the Criminal Procedure Act has been used in the past by police to extract information from journalists, some of whom have served time in jail for refusing to comply.

Since last Thursday, Section 205 subpoenas have been served on media organisations in the Western Cape demanding that journalists supply police with information on Pagad's violent crusade against drug dealers.

Police served a subpoena on the Cape Town office of the SA Press Association early yesterday and last week subpoenaed the Associated Press, Die Burger, The Cape Times, The Argus and the SABC. All the parties have said they will not co-operate. — Sapa.

# Kahn halts subpoenas as media seek clarity on law

ANDREA BOTHA
Staff Reporter

ARG 27/8/96

WESTERN Cape Attorney-General Frank Kahn, has withdrawn subpoenas against Cape Town editors and has recognised the possibility that Section 205 of the Criminal Procedure Act – under which they were subpoenaed – may be unconstitutional

Three Cape Town editors, including Argus editor Shaun Johnson, as well as the SABC, Sapa and Associated Press, had been subpoenaed to provide information on the activities of the People Against Gangsterism and Drugs (Pagad) This included information on the slaying of gang co-leader Rashaad Staggie

But after Pagad agreed to provide him with information on its activities, Mr Kahn withdrew the subpoenas

On their withdrawal, Mr Kahn acknowledged the right of journalists to question the constitutionality of the subpoenas

Mr Kahn said he had held discussions with members of the Muslim Judicial Council and with representatives of Pagad They would make further statements to his office

He said subpoenas to members of the media under Section 205 were regarded as a last resort and that if new evidence was presented to him in statements from the other organisations, no further action would be taken against the media

Although Mr Kahn did not exclude the possibility that journalists could be subpoenaed again, he did state that they would be given opportunity to appeal to the Constitutional Court to determine the constitutionality of any new subpoenas

Mr Kahn said he would leave it to the Constitutional Court to make a binding decision on the constitutionality of issuing Section 205 subpoenas to the media No new subpoenas would be issued until further evidence was presented to him

Although the withdrawal of the subpoenas could signal a victory for the media, The Argus lawyer Gordon Schwormstedt cautioned that the Constitutional Court might eventually decide that Section 205 was constitutional after all

'The Attorney-General believes that Section 205 is not unconstitutional We believe it is Both parties would like a determination," he said

Johnson said the issuing of the Section 205 subpoenas had been an "extremely unfortunate interlude"

"The subpoenas should never have been issued The Argus and the Cape Times will be investigating whether it is possible to gain clarity on these issues from the Constitutional Court

"I am very proud of the way in which such diverse media stood together in opposing the subpoenas," he said, "and in particular how they refused to allow the neutrality – and therefore the safety – of their journalists to be compromised "

Mr Kahn said today his decision to withdraw the subpoenas was prompted by a promise from Pagad's legal representatives that the organisation would provide the justice department with more witnesses to give evidence about what happened on the night of Rashaad Staggie's public execution

"I promised them an opportunity to make a representation There was no deal I just gave them every opportunity to provide evidence," said Mr Kahn He emphasised the possibility of subpoenas to the media was "by no means out of the way"

● **See leading article – page 10.**

# Cape A-G withdraws writs on media

Sowetan 27/8/96

WESTERN Cape Attorney-General Frank Kahn has withdrawn the Section 205 subpoenas served on several media organisations in a bid to force them to reveal information on the vigilante group People Against Gangsterism and Drugs (Pagad).

Kahn said in a statement last night that it was in the interests of the proper administration of justice that a binding decision on the constitutionality of a Section 205 subpoena be obtained from the Constitutional Court.

Police yesterday served a subpoena on *Sapa*'s Cape Town office. Last week they subpoenaed *Die Burger*, *The Cape Times*, *The Argus*, the SABC and *Associated Press*.

*Sapa* editor Mr Mark van der Velden said last night: "It is a sensible move by Cape Attorney-General Frank Kahn, who was clearly facing an uphill battle to get the media to do a job which belongs to the police. While the media supports the need to counter crime, it must at all times remain neutral in the public interest."

### Move welcomed

*Die Burger* editor Mr Ebbe Dommisse welcomed the withdrawal of the summonses as confirmation of the fundamental role of the free Press in a true democracy.

"The serious criminality in South Africa will only be effectively combated if the SA Police Service carries out its duties as it should and at the same time allows the independent media to do its proper duty towards the community," he said

The decision to withdraw the subpoenas followed talks with the Muslim Judicial Council and attorneys representing Pagad, in which Kahn's office was promised further statements

Kahn said he had always believed the issuing of subpoenas in terms of Section 205 of the Criminal Procedure Act to members of the media was "always a last resort" – *Sapa*

# Why we refused to help the police

(243) ARG 28/8/96

**After the withdrawal this week of subpoenas aimed at trying to force newspapers to assist police in investigating the Staggie murder, the Editor of The Argus, SHAUN JOHNSON, explains why he refused to co-operate and what important principles were at issue**

AS the prolix, stylised war of words and warrants played itself out in South Africa over the past few days, many aspects of the Section 205 saga bothered me greatly, but one nagged in particular Predictably it received the least attention

It seemed that while the grand cast of dramatis personae – olympian attorneys-general, irksome editors, pettifogging police, confounded commissioners, eager attorneys – would determine the precise legal outcome, no one was talking about what the public thought of what was going on

This perception is of paramount importance, as I will attempt to explain

The legal background to Section 205 subpoenas as tools to extract information from journalists is complicated and murky Even the most recent developments, which saw attorney-general Frank Kahn issue and then conditionally withdraw the dreaded things, have not put an end to the saga nor yet provided clarity for the future There are many rounds still to go in this particular fight

But what did ordinary people out there make of it all? Whose side were they on?

I am concerned, for the sake of a healthy, independent media in this new South Africa of ours, that the basic motives at play are understood by everybody, not just legal experts

So why did we editors refuse to hand over material which the police think could help them in their investigations into the murder of Rashaad Staggie? It is fair to ask the question of us after all, we are forever banging on pompously in our editorial columns about the failure of the government to curb crime But our answer needs to be listened to carefully, for it deals with the rights and liberties of future generations

We did not refuse to cooperate just because we felt like being cavalier or contrary, or because we believe we enjoy greater privileges than those afforded to other citizens We did not refuse to cooperate just because we enjoy a good punch-up with the authorities, and the attendant publicity We did not refuse to cooperate because we are perversely attracted to opportunities for martyrdom

We refused to cooperate because we *could not agree* to cooperate We could not agree to cooperate on deep moral and ethical grounds These grounds are principled and practical, and involve editors' commitment to the free operation of the media in a democracy, as well as our duty to protect our own staff as far as possible

On the first point, you don't need to be a great fan of the media to accept that the moment journalists and their media are used as instruments of law-enforcement agencies, their neutrality is crucially sullied

The very reason that I as an editor can in good conscience send staff members out into dangerous situations in order to provide reports to the public, is that I believe our role as professional observers to be understood, accepted and respected by the public My reporters are not police stenographers and my photographers are not police photographers

In any society where the media can be used at will by the State, there is no freedom of the press worth talking about You will eventually stop reading the newspapers because you will soon no longer know which interest group's subagenda is colouring the news that day Your understanding of credibility is one of the reasons that you make the free choice to buy this newspaper in preference to another

Thus it might require subtlety to grasp how a newspaper such as our sister title the *Cape Times* can simultaneously run an anti-crime campaign and refuse to collude with the police, but that subtlety is precisely the point

Newspapers can adopt editorial stances they believe to be for the good of their societies, but their reporting of events must always attempt to be as accurate a reflection of reality as possible – whether or not that reality conflicts with the editor's editorial stance

We will not get near enough to reality to even think of reflecting it if we are seen to be the agents of one or other interest group – especially in a country like South Africa where the wounds and divisions of the past are still so fresh and so deep

A less fraught but equally illustrative case in point is the enthusiastic editorial support of *The Argus* for Cape Town's Olympic bid, coupled with a strict injunction to reporters to report the facts as they fall – whether or not they reflect well on the bid

An honest, energetic attempt at the truth is the best we can strive for in our reporting, in the full knowledge that our efforts will necessarily be imperfect

The second issue which made it quite impossible for me to accede to the police request is, literally, closer to home Our staff is of and in the wider community that makes up the Western Cape

Our journalists live and work here, have relatives and relationships, are ordinary human beings living their lives in the region that is their home It would be unconscionable of me to place their lives in special danger by allowing their employer to be seen to be taking sides in the profound conflict now unfolding

The Western Cape has been a troubled emotional crucible these past weeks, and the risks to our journalists are hardly theoretical the threats and pressures from many sides have been as real and direct as they come

Our journalists have, I believe, been courageous and impressively professional in their efforts to cover the story of the activities of Pagad and all the others involved

The story has no ending as yet, and it is this newspaper's duty to try to tell it to you as well as possible as it continues to unfold I would have been throttling our ability to do that had I agreed to do the work of the police for them

This episode will be looked back upon by future generations for reasons which go beyond Pagads and Hard Livings I hope it will be remembered as a proud, principled moment for the press

For if our basic integrity is trusted in our society, then our carefully considered decision to defy the attorney-general will be understood and accepted If not, it won't, and the institution of a free media – in my view nothing short of a necessary condition for the maintenance of multiparty democracy in South Africa – will be under threat

If that sounds melodramatic, it is because reality is sometimes so We need the ordinary people of South Africa to trust the basic integrity and intentions of the media, and to protect themselves by defending us

I am the first to admit that we have much work to do yet in winning that trust, but I hope that our stand this week will make some contribution

It gives me some pleasure to think that the united stance of the "Cape Town Six" in August 1996 would have enjoyed the approval of the *Rand Daily Mail's* George Heard who, way back in 1937 when Section 205 subpoenas had not yet been given a name, refused to reveal a source though prison loomed

As his son Tony recalled much later, Heard's principled stance meant that people flocked to him with confidential information, knowing he could be trusted After all the legal labyrinths have been negotiated, it is that five-letter word trust that really counts

CALL TO HALT STAFF APPOINTMENTS

# Communications group faces revamp

(243) CT 28/8/96

**THE GOVERNMENT** is planning a major revamp of its communication system and is discussing ways to promote diversification in the media, says the communications task group chairperson in an interview with Political Writer **BARRY STREEK.**

THE government's R54-million-a-year South African Communications Service (SACS) has been told by the communications task group (Comtask) to stop making permanent staff appointments because a major restructuring is imminent

Comtask chairperson Mr Mandla Langa disclosed yesterday that the group had written to Deputy President Thabo Mbeki urging him to stop the appointment of new SACS staff which were recently advertised

He said if the appointments were made now, people would regard Comtask's proposals for the restructuring of SACS as "a foregone conclusion"

The government's communication structures needed "a lot of revamping" and some of the work given to government-owned organisations, such as SACS, could "easily have been farmed out to independent contractors (who would) do a good job of it in the most cost-effective way"

"SACS might need temporary staff, but not at the level of director"

Langa also said the ownership of the media was far too concentrated in South Africa and Comtask would recommend diversification

Comtask, which met for the first time in January this year, is to formulate its proposals this weekend and submit them early in October.

Langa said in an interview he was confident that Comtask and all sectors of the media would be able to achieve consensus on the proposals

He was certain consensus would eventually be reached between the government and the media

Comtask had received more than 100 oral submissions which had given it new insight into the media

It had discussed media ownership and came to an understanding that the current monopoly did not reflect diversity

On outside contracting, Comtask had looked at models in other countries Langa also said the abuses of the past should not in any way creep into the new dispensation

Comtask also discussed government communication yesterday afternoon with Mr Essop Pahad, the Deputy Minister in charge of communications

SACS was a bloated structure and there was a need for "a real serious restructuring", and far-reaching proposals were likely from Comtask

Comtask was still investigating how to promote media diversity and it was examining the issue of government subsidies, tax incentives like those in countries such as Sweden and a structure funded by the government

**OPTIMISTIC:** Mr Mandla Langa

to promote diversity which did not jeopardise the freedom of expression

"We could have a multiparty pool which would be interested in ensuring that the electorate in this country is as informed as possible"

There had to be a pro-active way to promote diversity, and the state had to use its institutions and the legal system to ensure this took place

Comtask has also discussed the foreign ownership of the print media Langa said that black ownership would not necessarily produce reporting that would advance the cause of the underdog

"Most of us make the mistake of thinking that since all brothers are black, all blacks are our brothers Because it is not like that"

Countries like Brazil did not have any foreign ownership of the media, and that gave the country a good self-image where there could be no doubts about who was calling the tune

But the issue could not be discussed without examining the question of investment and "you find yourself juggling or walking a tightrope you cannot throw the baby out with the bath water"

"It is ridiculous to throw job opportunities and job creation on the altar of political correctness"

# Films Bill 'smacks of political compromise'

BD 29/8/96 (243)

**Ingrid Salgado**

THE Freedom of Expression Institute called on Parliament yesterday not to pass the controversial Films and Publications Bill when it debated the legislation today, saying undemocratic procedures followed during its drafting smacked of political compromise

Institute executive member Andries Oliphant warned the Bill's contents could lead to the recurrence of infringements on freedom of expression like those seen during apartheid The institute registered its concerns with speaker Frene Ginwala yesterday

The Bill was recently approved behind closed doors by the home affairs portfolio committee Oliphant said the meeting had agreed on far-reaching amendments to the Bill without public input, amounting to a "serious lack of transparency" The public had been unable to comment since then as the amended Bill had not been gazetted

At the meeting, committee members overturned a provision that previously banned party political office bearers from serving on classifications committees The amendment posed "a grave danger" because freedom of expression could become subject to political control, Oliphant said A clash of party political interests could result in compromise decisions rather than decisions based on principle

The portfolio committee had included "sweeping provisions" on hate speech. Limitations on religious hate speech were now extended to ethnicity, race and gender if the hate speech constituted incitement to cause harm

The institute "in no way" liked hate speech — or pornography — but such speech was a tool used by powerless groups because they had few other non-violent means. Through fair and open speech, society could address the root causes which led to hate speech, rather than suppressing symptoms Reconciliation would occur only through open dialogue

The institute had opposed a freedom of expression clause in the new constitution on the grounds that it would pave the way for statutory curbs to be placed on hate speech "That is precisely what is happening now."

Oliphant warned that the Bill could hamper Press freedom. Publications that were not members of the Newspaper Press Union would fall foul of the legislation should they report expressions of hate speech or publish photographs depicting pornography.

On pornography, the Bill used vague definitions. It tried to prevent women from being depicted in "degrading" ways, defining degrading as a form of advocating hatred based on gender. This presupposed there was only one view — that pornography was degrading to women But anti-censorship feminists called on society to remove the root causes of discrimination and violence against women

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# Vosloo looks at new challenges

(243) BD 29/8/96

**Samantha Sharpe**

CAPE TOWN — Nasionale Pers (Naspers) executive chairman Ton Vosloo says it was 30 years' experience as a journalist, culminating in his editorship of Afrikaans daily, Beeld, which prepared him for a role at the helm of the rapidly changing publishing house, where he became MD in 1984

"As editor of Beeld I learnt that running a newspaper is much like running a business, and Naspers's core businesses are magazines, books and newspapers, which essentially involve leading a team of journalists"

He concedes that his weakness as group executive chairman lies in the lack of a formal education in law or accounting "But put a pure accountant at the head of a publishing house and it's a recipe for disaster. Much of Naspers's success is attributable to its people and the fact that management moves close to the rock face of journalism"

Vosloo says the group's strong growth record is clearly linked to its decision to tackle the advent of television head-on with pay television in the '80s — a 'wonderful, wild, enjoyable ride" — that worked and is now being followed through with the group's forays into digitalisation through European pay and satellite TV operator Nethold

"When television arrived in SA, the print media did not know how to handle it SABC, as a monopoly, was taking 50% of our advertising revenues and print media reacted with requests that it reduce advertising time All the while the SABC was as rapacious as it could possibly be."

Vosloo says pay television offered a new earnings source which did not rely on advertising for revenue and which would not usurp print media revenues derived from advertising

"We prised out of government a licence to form the first opposition to the SABC One of the greatest ironies is that we offered the SABC 30% of M-Net for 30% of their then entertainment channel TV4 — an offer they rejected out of arrogance"

Naspers's M-Net stake translates to about R2,3bn in market capitalisation terms — with the pay channel contributing to the market rating of most SA media houses, a remarkable turnaround for a sector under threat "Where wouldn't the SABC be now?"

Vosloo is aware that success is a moving goal and the group's forays into digitalisation through the R13bn Nethold, in which it holds an 11,7% indirect stake, are now the focus of attention and his seemingly limitless enthusiasm

"Digitalisation as a process has unlocked everything from high finance to publishing . and what it does for TV is only one eighth of its potential

"The key to interactive communication lies in digitalisation, which is why the SABC is barking up the wrong tree in insisting on going the analogue route, and why US telecommunications groups like AT&T are getting into bed with financial institutions"

He says Nethold is close to announcing finalisation of an alliance with a US partner that will pull the European venture to profitability At an earlier stage 1998 was set as Nethold's turnaround target and this could still be met if partnerships offering consolidation and rationalisation were made.

Nethold's operating losses were about £100m for the year to March

Vosloo has few fears apart from the threat from developers and local authorities that have the potential to move in on and destroy SA's natural heritage — he serves as a trustee on the National Parks Board and as deputy chairman of the World Wildlife Fund

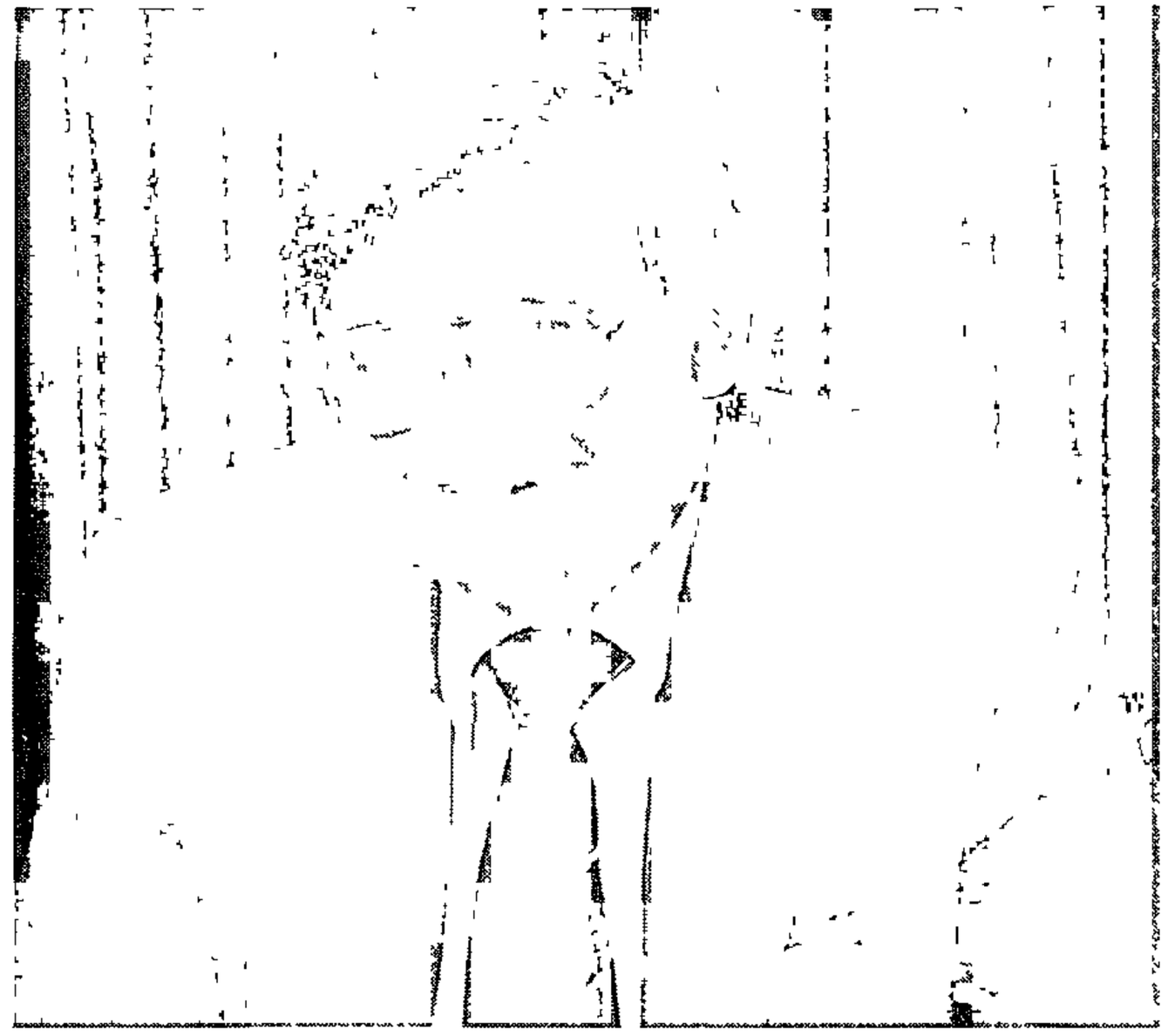
But he is patently aware of the dangers inherent in stifling a free Press, which he says is a finger in the dike holding back autocracy

While welcoming the sale of Anglo American's stake in Johnnic, with its publishing group Omni Media and Times Media Limited, to the National Empowerment Consortium — "good fortune and good luck" — Vosloo warns against the dangers of a newspaper born to mouthpiece a political party

"Of course, one can argue that everybody from the NP to the UK's Tories have done it and I'm all in favour of diversity of ownership — as long as we ascribe to universal democratic truths"

One can only learn from businessmen like Anton Rupert, he says, who are able to look forward and expedite a business ethic based on a vision of shared wealth for all in SA

Vosloo, who will be 59 next month, says he is not man who wants to cling to power, but it is difficult imagine him stepping away from Naspers as it move into a new era of digitalisation



VOSLOO

CT 29/8/96 (243)

# Bill 'lacks transparency'

JOHANNESBURG: The Freedom of Expression Institute has called on Parliament not to pass the Film and Publication Bill which is to be debated today

Director Ms Jeannette Minnie said the bill's passage "looked like a rush job" and smacked of political compromise

The institute is objecting to amendments made to the bill made during a closed meeting of the portfolio committee on Home Affairs after the draft legislation was drawn up in broad consultation with interest groups

"We are in principle opposed to parliamentary committees holding secret meetings."

# Kagiso treads softly, but surely

M+G (Pom) 30/8 - 5/9/96 (243)

The tie-up with Kagiso Invesment Trust does not mean overnight changes at Perskor The process of transformation will take time, Eric Molobi tells **Madeleine Wackernagel**

ERIC MOLOBI, head of Kagiso Trust Investments, is not about to upset nine months of delicate negotiations with strong-arm tactics "We have no immediate plans to change the existing management at *The Citizen*," he assures me, "or at Perksor for that matter

"We cannot hold a gun to Perskor's heads and force them to transform overnight By doing so we would just be shooting ourselves in the foot I don't believe in turning everything upside-down for the sake of it We have to tread carefully, but purposefully "

Perskor and Kagiso may strike some as strange bedfellows, but to Molobi it made perfect sense

"The writing is on the wall," says Molobi "The government has made its position clear, no doubt there are many companies that turn away the opportunity of linking up with a black partnership, but that attitude is very short-sighted in this environment

'In a time of transition, as South Africa is experiencing at present, one can either run away from the reality or engage it We chose to do the latter We must work together to close the gap between the polarised elements of our society "

But Rome — and the new South Africa — was not built in a day The pace of change has been slow but not frustratingly so "Africans and Afrikaners are very similar — much more than is generally believed Take the extended family and our love of culture It's just that one was the underdog

"So the process of engagement is a slow one, but we will get there "

Certainly, that approach has worked well at Kagiso's other investments Take the publishing group De Jager-HAUM -A-very-conservative institution, the company changed, slowly, after Kagiso took over in 1994 Today, the managements work verv well together, building on their respective strengths

In Perskor's case, Kagiso will be represented by three members of a nine-person board, and its influence will be restricted to board level

"We will not be involved in the day-to-day management," says Molobi "That is a recipe for chaos We must leave the management to do what they do best We can't just tell them what to do, we must learn to understand the business, and from there develop a strategy for change "

There is no doubt in his mind that Perskor has to reposition itself and he has firm ideas on how to make it happen "We will set up management committees, overseeing human resources, for example, as we have done, very successfully, at our other partnerships

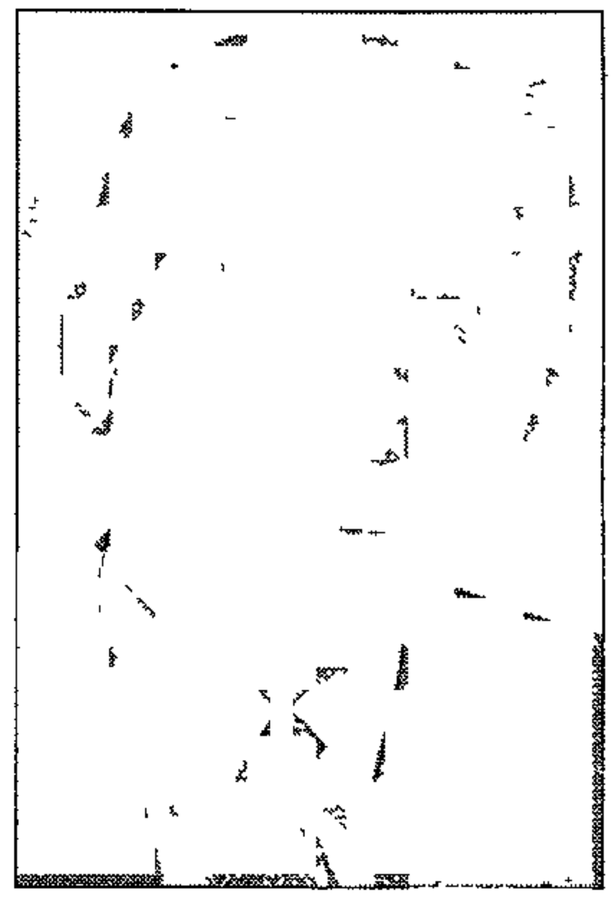
"But you cannot change a newspaper overnight Repositioning *The Citizen* will have to be done cautiously and thoughtfully It still has the image of being a bastion of right-wing thinking but if you change a brand too drastically, you could end up killing it The paper has a strong black readership — maybe not for the news content — but we have to consider that when debating potential changes '

'We will be canvassing other editors, marketing and advertising experts to come up with a feasible, workable solution — and it will take time "

Editorial independence, however is assured — unless the editor is completely outrageous and 'writes a lot of nonsense", he jokes But over the years Kagiso Trust has lent financial assistance to many a struggling newspaper, including this one, and never attempted to get involved "It is the best way,' says Molobi

Ever since the tie-up was announced, speculation has been rife that *The Citizen* will soon get a black editor Molobi is keen to quash such rumours

"Affirmative action for the sake of it is not productive When it first became fashionable, people were being poached all over the place, earning more and more but not staying in any one job for long I would question whether anybody really benefited — the individual didn't stick around long enough to learn loyalty, to the company or the position, and the economy lost out because training costs money



Eric Molobi. 'We have to tread carefully, but purposefully'

"But by the same token, one cannot ignore the need for positive discrimination Companies will have to take the lead to defuse the argument for government legislation Already we are seeing a bit of a backlash, with old mind-sets taking hold again "

Molobi reiterates the need for patience "Training is a long-term undertaking and we need to emphasise skills and competency before colour when making appointments But at the same time there is no room for complacency '

Kagiso, for one, is not resting on its laurels It is actively looking around for other synergistic investments, but Molobi will not be drawn on specifics "Shouting our plans from the rooftops helps only to push up the price," he says "We prefer to go about our business quietly " And assuredly, he might have added

# Media not above the law — Kahn

(243)

DAN SIMON CT 30/8/96

WESTERN CAPE attorney-general Mr Frank Kahn is confident the Constitutional Court will decide in his favour over the use of Section 205 subpoenas to obtain information from journalists about violence in the city

Addressing the Cape Town Drug Counselling Centre's annual general meeting at Valkenberg Hospital yesterday, Kahn said he was compelled by the law to prosecute the individuals responsible for the "barbaric murder" of Hard Livings gang co-leader Rashaad Staggie

Kahn last week issued subpoenas for information relating to Staggie's death to the editors of three daily newspapers, the SABC and two news agencies The subpoenas were withdrawn this week after an outcry.

Kahn criticised the media "Big Six", as he called them, for their stance, saying the media considered themselves "white knights" who believed they were above the law

Kahn said he had a "job to do" and that he was not in his position for the "popularity stakes".

"I am here to fight crime The bottom line is to bring Staggie's killers to justice."

Kahn added: "I will see the Big Six in the Constitutional Court and I am sure they (the court) will decide in our favour."

interest burden The sums produced by radio station sales are, even at a potential R600m, relatively trivial But if it were all given to the SABC as if by right, it would establish a precedent that could haunt government when it came to deploying far larger privatisation proceeds from, say, Telkom

The SABC's financial problem would be half answered, says Sadik, if government were to add TV licence fees to electricity bills It would produce an extra R300m/year, he calculates That's half of what the Independent Broadcasting Authority said government should give the SABC annually once it was fully implementing the broader public service mandate the IBA recommended

Then, if government were to pay the SABC what Pretoria had been paying the former TBVC broadcasting services, about R250m/year, the SABC would be home and dry, says Sadik

The problem is that government is trying to reduce both its debt and operational costs. Until the communications task group reports, government won't have any recommendations as to what its overall financial commitment to communications ought to be

The task group will spend September digesting its local and international research and agreeing on a report

It's likely that the matter of how (white) ownership and control of SA media affect their responsiveness to government communications will be dealt with briefly A study of the matter by the Media Monitoring Project for the task group strongly suggests it's a nonissue Moreover, there have since been moves to bring black groups in as shareholders in press and broadcasting enterprises

Meanwhile, government's insistence that Channel Africa become self-supporting within five years is commercially unrealistic SA advertisers are likely to use media in countries to which they export to target their markets

The value of Channel Africa lies in the good image of SA it creates elsewhere on the continent If that's worth the price, government should continue paying for it while the service needs support

So, too, with the SABC's internal public service broadcasting. It is, the SABC insists, a loss-maker in need of cross-subsidisation That will become harder There is such pressure on the SABC to provide for all language groups and regions that it is failing to satisfy the audiences that provide the most income from TV licences and advertisers

Amps figures show the SABC's total adult TV audience has barely risen this year But the proportion of white, coloured and Indian viewers fell from 43% to 37% while blacks rose from 57% to 63%

The SABC has revealed a R56m deficit for the year to September 30 Yet the main TV changes that alienated many whites took place only halfway through the year The SABC achieved a R100m surplus last year All of which points to a deficit as high as R200m next year

Government must realise it cannot have its cake and eat it When it comes to public service broadcasting, the SABC is merely its instrument and must be financed accordingly If Cabinet ignores that, the national broadcaster faces disaster ■

GOVERNMENT MEDIA POLICY (243)

## PAYING THE PIPER

FM 30/8/96

**Channel Africa**, the SABC's external broadcasting arm, seems for now to have escaped the death sentence pronounced by its backer, the Department of Foreign Affairs

The 30-year-old service has attracted large audiences elsewhere in Africa Late last year, too, Deputy President Thabo Mbeki appointed a task group to research and advise him on a future communications policy and structure for government at international, national and local levels. It will present its report to Mbeki in late-October

Disregarding all this, Foreign Affairs declared in May it would no longer cough up the R33m it had been costing to meet Channel Africa's operating costs. Now government says it will meet its costs for the year to March 31 and is prepared to do the same for a scaled-down operation from next year Within five years, though, the service will have to win enough advertising to be self-supporting

Not, says SABC finance chief Talib Sadik, that Broadcasting Minister Jay Naidoo has confirmed any of this in writing Nor has he said whether money from the sale of six SABC radio stations will go to the cash-strapped organisation.

Cabinet's indecision over what money to give, or return to, the SABC is explained by its commitment to reducing government's outstanding debt and

ANC, NP VOTE TOGETHER

# New censorship law passed

CT 30/8/96 (243)

**ANC WOMEN MPs** have said they may still introduce amendments to the new censorship law passed yesterday when it reaches the Senate committee next month.

NEW censorship legislation was passed in the National Assembly yesterday amid opposition from the Democratic Party, the Freedom Front and some Inkatha Freedom Party MPs

Earlier yesterday, ANC women MPs told the ANC's weekly parliamentary caucus that they may still introduce amendments when the Films and Publications Bill reaches the Senate committee next month.

The ANC and the NP voted together to pass the bill — 219 votes to 18 with six abstentions The bill replaces the Publications Act used during the apartheid era to clamp down on pornography

The new law strictly outlaws any form of child pornography, bestiality and sex combined with violence, but dispenses with terms such as obscenity and lewdness.

Home Affairs Deputy Minister Mrs Lindiwe Sisulu, who introduced the bill instead of Home Affairs Minister Chief Mangosuthu Buthelezi who, it is understood, opposes the new law, said the replacement of the current Publications Act was "a matter of urgency" She said the department had been advised that the old law was unconstitutional and this had led to a situation where "pornographic publications, films and videos are readily available and easily accessible to children".

She said the debate over the bill manifested itself in two opposite poles — "the one side demanding absolute freedom for the individual and the other requiring conformity by the individual with the rights and interests of the community"

In a remark which she directed at Deputy Speaker Ms Baleka Kgositsile who has expressed opposition to the bill, Sisulu said. "I have had to understand, resolve within myself and accept that legislation which infringes on the right of the individual to read, hear and to look at what he or she likes, can only be a manifestation of the demands of the society and not the product of the government in its presumptuous belief of being the custodian of morals in the country"

**FREE SPEECH:** Ms Dene Smuts

The DP's Ms Dene Smuts said to ban things because they were offensive to some was to contradict the idea of free speech.

She said the DP supported the banning of child pornography, bestiality and a combination of sex and violence, but opposed the provision on "degradation" or the "hate speech" provisions.

"For as long as race and politics intersect in SA, for so long will hate speech provisions be vulnerable to exploitation by the strong against the weak; and for so long will they lead to self-censorship or the inhibition of debate about the very pressures we need to confront".

Home Affairs committee chairman Mr Desmond Lockey (ANC) said Parliament and the government "should not see ourselves as the arbiters of public morality, but as the defenders of public rights and that means the right of people to read and watch what they like in privacy and the right of people not to be exposed to harm" — Political Staff

# A good bill – but controls on hate speech are a mistake

(243) ARG 31/8/96

SICKENED by seeing children's worlds shattered by exposure to the unsuitable material clogging every corner café, South Africans have clamoured for stricter controls, but are advised that the constitutional right to free expression stands in their way

It is a pity that pornography presented the first test The defence of pornography is, as Ronald Dworkin has said, politically weak and intellectually doubtful it makes no contribution at all to political or intellectual debate or to the search for the truth, it is also intrinsically offensive to women Yet in a genuinely egalitarian society such views cannot be locked out in advance And to ban things because they are offensive to some is to contradict the essence of the idea of free speech Allowing only views and images with which you agree is not free speech

The draft bill took a progressive approach It avoided altogether, and still does, the broad and necessarily subjective concepts that underlie even American law obscenity, community standards, patent offensiveness, prurience

Obscenity is difficult to define, but you have to try The bill therefore concentrates directly on the most modern aspects of obscenity law

Three of the banning categories are applied world-wide child pornography, bestiality, a combination of sex and violence These we support

We have concerns about the extreme violence category because it will be so difficult to adjudicate

The new category, degradation, does not have our support, even though it has been carefully couched in the hate speech language of the Constitution and will escape constitutional challenge

We do not support, either, the hate speech provisions included as a separate criminal offence

**■ The Film and Publications Bill represents our first practice run as a rights-based society with the concept of free speech and expression. A genuinely progressive draft bill has been tabled which proposes no administrative body whatsoever, and banning is left to the courts. But it is quite clear that the South African public would like some distribution regulation, writes the Democratic Party's DENE SMUTS.**

although they, too, are clearly constitutional, and although we think it appropriate that the courts rather than an administrative body should sit in judgement on matters that will include politics

In South Africa, the immunisation of hate speech from the right to freedom of expression is particularly designed to express our revulsion at the racism of the past It is intended to say never again will racial and ethnic hatred be allowed to be presented as legitimate political discourse

The problem is that race and politics are inextricably intertwined in South Africa That is why section 47 (2) of the old Publications Act was revoked by agreement at the Kempton Park talks as part of a package of repeals to make free and fair political activity possible

The old section, like sections on fomenting racial hostility in other Acts, was routinely abused over the years to suppress political dissent

For as long as race and politics intersect in SA they will lead to self-censorship or the inhibition of debate about the very pressures we need to confront

Of course, that is not the intention, but that becomes the consequence, especially when a ban is imposed in this kind of legislation, on pain of five years' imprisonment That is why we now put forward the classical American free speech arguments

The first argument is that democracy cannot thrive without free speech During negotiations, we argued that it was undemocratic to silence opinion at source Elected majorities should deal with the consequences of hatemongering and prejudice, but it is the inalienable right of each citizen to have "not only a vote but a voice" which influences the choice of a government and the laws which it passes and which he or she will have to obey This is particularly true under our constitution, which enshrines openness and participatory democracy to an unusual degree We cannot outlaw ideas proscriptively because we have no basis for judging good from bad ideas Ideas that were once seen as the truth are later rejected, and vice versa The only possible approach is to protect all ideas

Secondly, it is more dangerous to let government regulate opinion than to allow dangerous opinion to be expressed This encompasses the "fresh air" position let racists speak, people will judge for themselves, and the "safety valve" approach – it is better for us as a society to know what we are dealing with than to force evil underground and allow government to suppress whatever government wishes to suppress Governments will always suppress their opponents, majorities will always use any existing measures against minorities and create more This is the "slippery slope" argument one thing will lead to another, which is analogous to the "chilling" argument if sanctions exist self-censorship occurs

It is also not the intention of the Constitution to strengthen the majority's hand and inhibit dissent yet that could be its consequence Fortunately two safeguards will operate Firstly there is the qualification that only hatred that constitutes incitement to cause harm is immunised Secondly, the Bill's criminal offences of advocacy of war, imminent violence or hatred, are also qualified by our amendment excepting bona fide discussion on matters of belief, conscience and public interest

We remain convinced that a film and publication law is not the place for hate speech measures We unapologetically take the American view never regulate content except for the obvious exceptions of obscenity, defamation, incitement to imminent violence and misleading commercial claims, because one thing will lead to another and government will end up censoring citizens Regulate only conduct it is when people act out their hatreds that government must be able to act Only where speech is an essential element of violent or unlawful conduct, or is likely to cause immediate injury, should it be subject to regulation and criminalisation

Hate speech laws always create unintended consequences It is a mistake to introduce hate speech provisions into an otherwise largely praiseworthy piece of work

CITY PRESS, September 8, 1996

# 'Section 205 muzzles press'

**CP CORRESPONDENT** (243)

THE PRESS has a very important task. But if it is curbed by Section 205 court cases, it will be unable to carry out that task – and this affects the public interest

This is the response of Esmé du Plessis, chairwoman of the Law Society of Transvaal, to a Section 205 summons served on reporter Nick Bezuidenhout of *Beeld*, a sister paper of City Press

Bezuidenhout came into possession of a document, allegedly provided to him from within the police's own ranks After a report on its contents appeared in *Beeld*, he was summonsed in terms of the controversial Section 205 when he refused to name his source.

He is to appear in the Middelburg magistrate's court on Wednesday, where he will be forced to reveal his source – or possibly go to jail

☐ Du Plessis said the press had "a very important duty to ensure that information reaches the public – to play a role in the whole process of transparency"

"If the press is not allowed to protect its sources, it will no longer be able to do its job. When the press receives information from a source, its duty as a provider of information to the public must weigh heavily. There should be no circumstances under which a newspaper is forced to reveal its sources CP 8/9/96

"The confidentiality of the press's sources of information has to be protected It has to be distinguished from a situation in which a reporter by chance witnesses an incident such as a murder. In that case the reporter is an ordinary citizen and cannot invoke the freedom of the press.

"But when a reporter receives information it is a different matter The confidentiality of a reporter's source has to be protected – because if this isn't done, it becomes impossible for the newspaper to do its job Then transparency is undermined."

# State news service faces shake-up

(243)

BD 13/9/96

**Stephen Laufer**

DEPUTY President Thabo Mbeki's task group on communications is to propose sweeping changes to government information structures — including disbanding the SA Communications Service — while taking a pragmatic line on media ownership.

The group's findings are to be presented to government and others, including the media, at a national colloquium in Caledon next month. They are the result of months of intensive investigation of government communications practices in SA and abroad.

The group's report is understood to express concern about the concentration of media ownership in SA, but does not propose treating the media differently from other industries The report will recommend that concerns be dealt with under general competition policy, rather than through specifically created regulatory mechanisms.

Among other key proposals are those of a chief government spokesman, closer co-ordination and better training of communications officials, and the professionalisation of government communications

Mbeki established the task group in January in response to widespread government dissatisfaction over difficulties in conveying its transformation message to the mass of South Africans Mounting media criticism over the inaccessibility of crucial information provided added impetus Headed by author Mandla Langa, it includes members from the media, business, community bodies, the legal profession and the Commonwealth. The task group concludes that the SA Communications Service (SACS) lacks credibility, is inappropriate for a democracy and is beyond reform It will propose a leaner support structure for ministerial and provincial communications

The new agency would incorporate "centres of excellence" from the SACS, but would shed departments that did work which could be contracted out to the private sector.

The new organisation's central tasks will be training government communicators and setting professional standards for all government communications. Informing the public well and involving it in policy debates will be possible only if communications are professionalised, the report will argue

The new organisation could contribute to the cost-effectiveness of government communications by co-ordinating the purchase of advertising space, the group believes Savings of up to R30m a year could help finance the use of community media, post offices, the Internet, and technologies to reach those with little or no access to the media Government must make a big effort to reach communities starved of information, the group argues

The report will recommend that communications functions currently split between departments and ministries should be unified under a communications chief reporting directly to the minister. A public service or political appointment, this role should be very senior, the task group argues

The chief government spokesman would head communications in the president's office and co-ordinate counterparts in the ministries

**See Page 9**

# Sacs to go, says Comtask

MTG (Print) 13-19/9/96 (243)

**Jacquie Golding-Duffy** provides a first taste of Comtask's findings on the South African Communications Services and the print industry

DEPUTY president Thabo Mbeki's task group on government communications — Comtask — will recommend that the South African Communications Services (Sacs) be dissolved and replaced with a new and much leaner government structure

This will allow for a "more streamlined professional body" to disseminate information concerning the government, says Comtask convenor Mandla Langa

The four major print conglomerates — Nasionale Pers, Perskor, Independent Newspapers and Times Media Limited (TML) — will also be scrutinised when the operations conducted by these print stables are brought to the attention of the Competition Board The board works under the auspices of the Department of Trade and Industry, which is considering drawing up new competition legislation, possibly anti-trust

In an interview with some Comtask members, the *Mail & Guardian* got an idea of what the group's findings will be The report promises to be a heavyweight compilation of impressions, recommendations and alternatives offered by members of the team, as well as the input and concerns of stakeholders

Comtask believes the Competition Board, or the committee reviewing competition legislation, could assist the team with its brief on foreign ownership and diversity in the media by placing the spotlight on those print stables believed to have unlimited clout and an unfair advantage in the press industry

The task group was commissioned by Mbeki earlier this year to investigate the relationship between the media and government and the effect foreign ownership has had on the diversity of local media

It is understood that Comtask is concerned about the stranglehold held by, among others, Independent Newspapers and TML. Comtask members are concerned with the distribution bases of the print stables Langa says Comtask's findings will be referred to the Competition Board in an effort to flag the state of the print industry

Depending on the legislation drafted, legal measures could possibly be taken against those print groups believed to be in control of the print and publishing arena, but this route may be a last resort

However, he cautioned that the recommendations regarding Sacs and the print stables had to be "discussed further", and possibly amended, once all the responses are gathered and studied at Comtask's colloquium in the first week in October The colloquium involves getting feedback from various stakeholders, government departments and several broadcasting and print groups

The responses to Comtask's findings will be debated again, before the report is finalised and handed over to Mbeki in mid-October

The operations of the four major print groups involve the publishing, printing and distribution of newspapers Concern is mounting that it is only a handful of large newspaper houses which appear to dominate and control all three practices

Comtask is focusing its attention on distribution and who is responsible for this task The team found that in the English press the dominant player in printing and distribution is Independent Newspapers The stable has its publishing done by Allied Publishing, a company partly owned by TML

As one task team member put it "The reason we are interested in distribution is because it can so easily be a controlling mechanism Distribution can be seen as a gateway to the dissemination of material Diversity in the print media is not possible unless the gateway of distributing dailies and weeklies is not vested in the hands of a select few players

"Having a hold over distribution is having effective control of who comes into the newspaper arena and what material goes out and where that material goes"

The current publishing and distribution practices carried out by the four print houses could possibly be tested when the new competition legislation is drafted

However, the finer details of when the findings will be referred to the board still have to be thrashed out Langa stressed that no formal relationship will be developed with the board, but that the intention of the task group is merely to draw the board's attention to the situation prevailing in the media

Independent group deputy chief executive Ivan Fallon says the "stranglehold theory is absolute crap peddled by the *Mail & Guardian*"

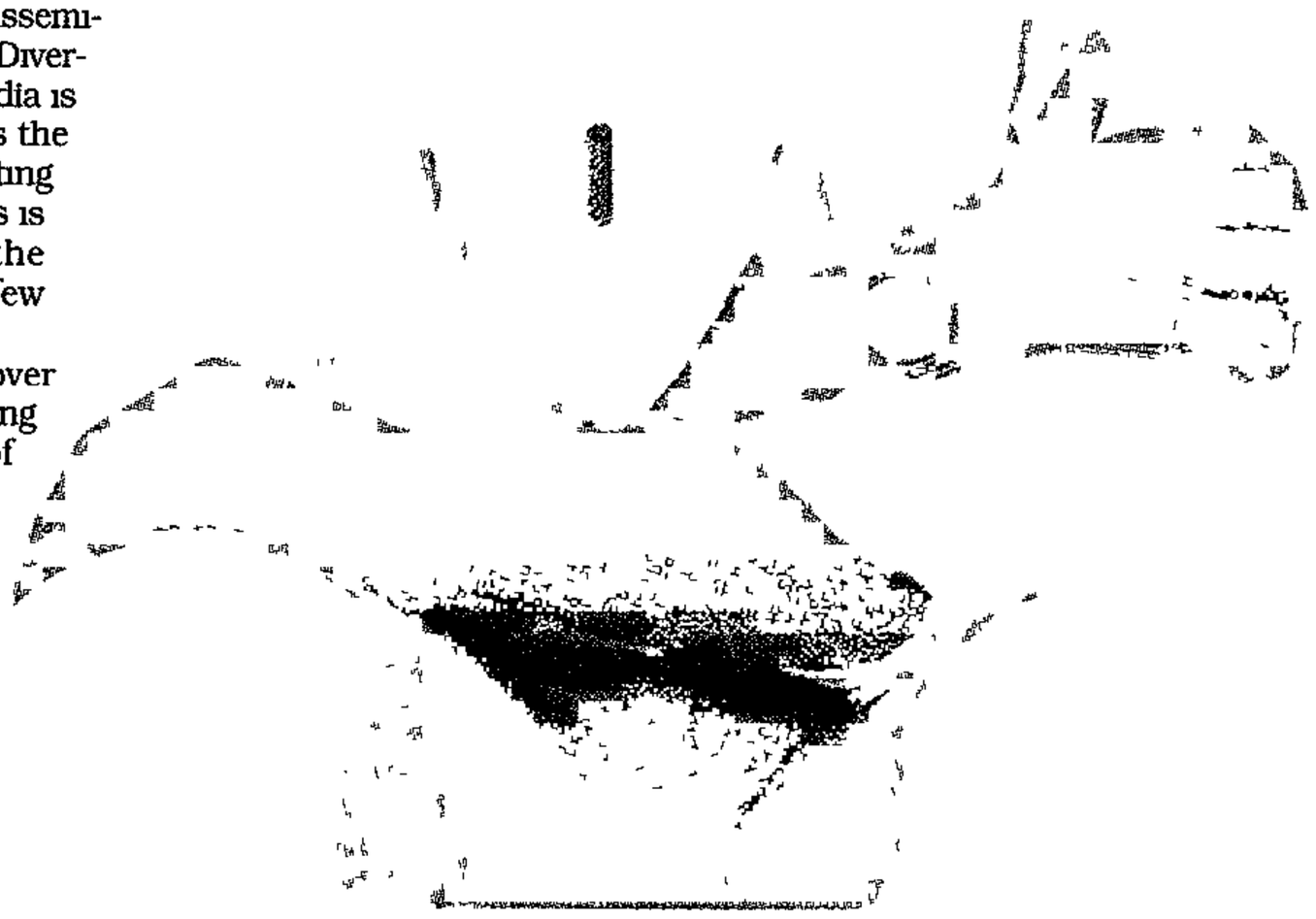
Fallon argues that the group does not have as many printing presses as other stables and that Allied Publishing is a not a money-making mechanism, but a necessary operation which is costly and complex and in line with international press operations Independent owns five printing presses in Gauteng, three in Durban and three in Cape Town

**'Diversity in the print media is not possible unless the gateway of distributing dailies and weeklies is not vested in the hands of a select few players'**

Langa says Comtask members are aware that the control of distribution goes hand-in-hand with having the economic clout and can only work on a "co-operative basis", but who wields the economic clout has to be examined

He says although Comtask was aware that some newspapers' holding companies were offshore, it also recognised that some stables were at the forefront of black empowerment "Although some groups push black frontiers, they have to at the same time take cognisance of a need for equity"

**Mandla Langa: 'We have to develop streamlined communication facilities to be in line internationally'**
PHOTOGRAPH RUTH MOTAU



Print media is also "far too white", which created a "disturbing picture" as newspapers catered for multitudes of people, the majority of whom are black in South Africa, says Langa This imbalance would be addressed in Comtask's report

As concerns Sacs, the idea is to streamline with more professionals on board — the expertise, if necessary, drawn from talented people outside of the government, Langa says

The perception of one task team member is that Sacs consisted of "hangers-on"

"There was considerable debate on the future of Sacs as it was found that in most instances there was duplication of tasks Expertise is also needed at Sacs as most of the people employed are not sufficiently trained to be doing the job that they are doing"

There is apparantly an insecurity prevailing among Sacs staffers who have the option to resign and accept a package — if they do, they are prohibited by law from working for the government again Staffers can choose to remain at Sacs and be part of the transformation, but it is believed that the positions they currently hold are not guaranteed Staffers will have to reapply for their jobs

Langa says Comtask investigated internationally and locally the pros and cons of having a ministry of information directly linked to the government and concluded that "it will not be proper for South Africa" He says international trends indicated that bulky departments of information are no longer operational

"The trend is towards much smaller communications structures [with competent people]," he says, adding that government departments and various ministries had to buck-up and become more efficient with less bureaucracy "We have to develop streamlined communication facilities to be in line internationally," he says

The attitude of the media also had to be addressed, says Langa "Age-old fossilised thinking" apparent in most reports published in local dailies and weeklies has to be seriously addressed

The media, he says, tends to quote mostly white people, developing a situation of "unrecognised disempowerment" This, Langa explains, is when reporters consciously or sub-consciously choose to illustrate the points of white people in senior positions rather than those opinions of black people

"A rethink of our own attitudes has to take place," he says

A partnership, Langa argues, has to develop between the government and the media However, this did not mean that the press has to "jump into bed with the government and consummate its relationship

"No, no, no It means that the relationship, if not amicable, has to be one of accurately informing the public of what is happening The media can no longer operate from a premise of false assumptions, but will have to ensure that it carries well-researched articles based on fact

"The government has to ensure that its responses to media inquiries are more timeous, while the press has to strive towards producing more analytical material that is well-informed"

# Many retrenched at communications service

Stephen Laufer (243)(3[illegible]) BD 16/9/96

MORE than one third of the 450 staff of the SA Communications Service have been granted retrenchment packages only weeks before government's communications task group submits a report expected to call for the agency to be disbanded

About 160 packages had been approved, decimating some departments, including project management and production sections, a senior official said. The departure of so many officials was to "lessen the impact" of possible disbandment.

Staff at the service's Pretoria headquarters had been "rather dejected and dismayed" following first reports late last week on the proposals to close the service.

Few staff members had been naive enough to believe things would stay the same, but most had been surprised by the magnitude of the proposed changes.

The task group was expected to call for the creation of a new communications service agency better suited to support ministerial and provincial efforts at meeting the information needs of the population.

It was appointed by Deputy President Thabo Mbeki last January and is to discuss its findings early next month at a colloquium in Caledon.

New communications service head Solomon Kotane said at the weekend he had told his staff that the task group's proposals were still a matter for discussion, and there was no cause for panic.

He was sharply critical of "attempts to set the agenda" for the discussions on the future of government communications structures by "mischievous people who released the task group's report before it went to the deputy president." Those responsible had been "trying to cause panic," Kotane said

He wanted to see the report before commenting, but "would want to ask whether the task group has fulfilled its mandate to help government identify vehicles for effective communication". He had not expected it to suggest fragmenting government's information base; he opposed "obliteration of government's ability to speak with one voice."

Separately, it emerged that more than 50 service staff positions advertised in recent weeks were frozen when the task group wrote to Mbeki saying that it was inappropriate to offer the jobs before clarity on future structures had been achieved

Comment: Page 9

# 'We will protect journalists'

CP 15/9/96

(243)

**CP CORRESPONDENT**

ALMOST ALL of the country's attorneys-general, their deputies and Justice Minister Dullah Omar "are agreed" that journalists' rights concerning confidential sources should be protected, Omar said on Friday.

After meeting with the attorneys-general and their deputies, Omar told a press conference that the implementation of Section 205 of the Criminal Procedure Act had also been discussed

The implementation of this section recently led to a summons being served on all the editors of the Western Cape media to provide information to the police

A journalist of City Press's sister paper *Beeld*, Nick Bezuidenhout, was also summonsed in terms of this section to reveal who had given him a document about an investigation into extremist Muslim groups in South Africa A journalist who refuses to name his sources can be sent to jail.

Omar said they had agreed that journalists' rights should be protected and that they should not be prosecuted to force them to reveal such sources However, like any other citizen, a journalist who is witness to a murder, for instance, should still make a statement about it and, if necessary, give evidence in court.

☐ It was also decided to take decisive measures to improve the performance of the courts as part of the fight against crime

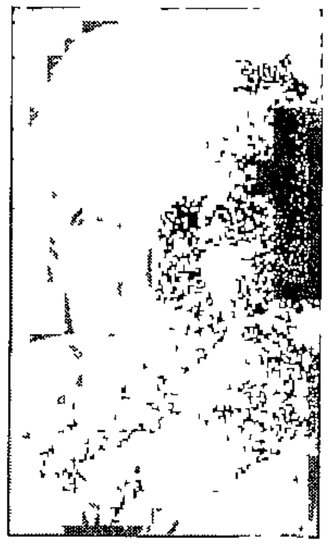
The meeting discussed problems with bail, trials and sentencing, and ways of increasing the number of convictions

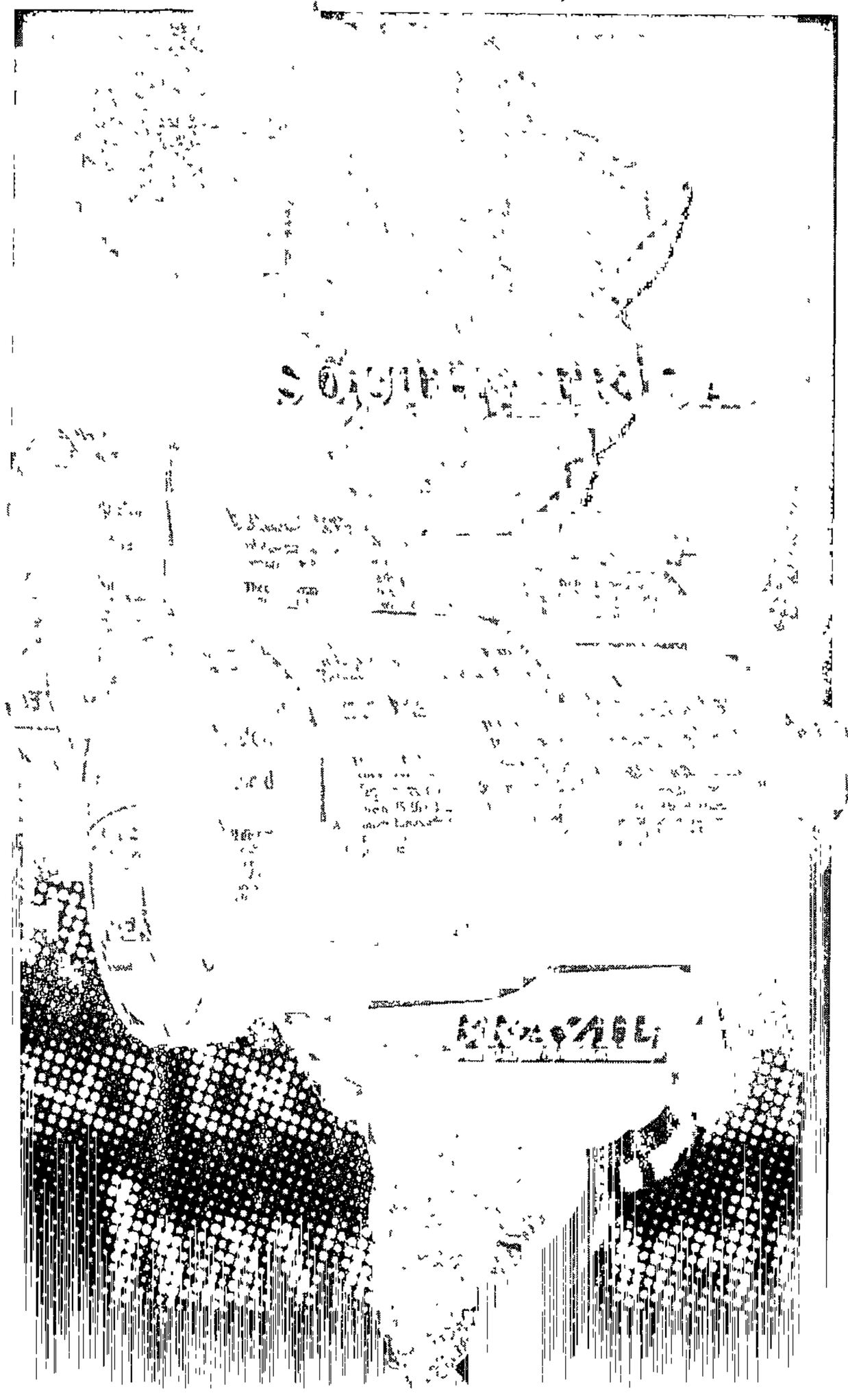
There was unanimous agreement that the prosecution system had to be strengthened

# Role of press in developing nations

(243) Star 23/9/96

The Star's editor, Peter Sullivan, tomorrow presents a paper in Rio de Janeiro on the role of newspapers in developing countries with unequal societies, focusing on South Africa and Brazil. The paper was prepared for Brazil's International Relations Research Institute. Here are three extracts.





Statistics never tell the whole story, in newspapers as much as elsewhere Besides the numbers game, there is quality And quality depends on education, as all newspaper sales depend on literacy So let us look at that nebulous thing called quality, and more specifically, at the things newspapers ought to do Here's a list of the most common attributes people tell me they want from a newspaper

Quality journalism, meet readers' needs, entertain, inform, investigate, raise hell, show vision and courage, stop the deterioration of standards, fight for freedom of the press, make money, start being responsible, stop being irresponsible, defend the public's right to know, be objective, take sides, be accurate with facts, be impartial, be market-oriented, be profit-oriented, ensure you are not profit- and market-oriented, show leadership, fight racism, sexism, religious intolerance and xenophobia, actively seek the truth.

You will notice the contradictions They are an inherent part of newspapering and any editor unable to keep contradictory views in his or her head at the same time would go mad We must be objective, but we must take sides We must be profitable, but must publish and be damned even if it hurts We must promote diversity, yet try to monopolise our region.

Simple questions in newspapers seldom elicit simple answers For instance "What would you like your newspaper to be like?" This easy question elicits very different responses from four groups Readers tell you one thing, journalists another, advertisers yet another what the media should be doing Usually that view includes reporting all their boring speeches And carrying their boring pictures kissing babies, opening libraries, voting, or accepting donations Never accepting bribes Strangely enough, when we look seriously at what role newspapers in particular should be playing in society, we discover that these much-maligned politicians think deeply about this question and may even provide some good ideas

What would I like my newspaper to be like?

I may want my newspaper to be written by Shakespeare or Camões, but they have pressing engagements elsewhere I may wish to report that Brazil has won the World Cup but somebody first has to score the goals Dreams become different when reality intervenes So in asking what would you like your newspaper to be like, we must accept that a reality will intervene

But what do journalists think the media should do? Where do they think newspapers should be? One of the first qualities all journalists seek and indeed demand of a medium is that indefinable word, quality But do readers really treasure good writing? I venture to suggest they don't. Look at Britain's tabloids Many newspaper people say, while nodding sagely, "some of the best writing is in the tabloids" This may be true, but most people believe most of the best writing is in the quality papers, not the tabloids

I am convinced good, indeed *excellent* writing, will have long-term effects on the quality of newspapers and of language, and may not make profits, newspapers owned by governments or political parties or rich businesses, but those are not the media needed for democracy and development They are helpful in creating diversity but are usually shortlived, serving more as propaganda sheets than real newspapers

Let us look for real value in the second thing journalists praise for being an essential part of the media. information This value is, indeed, a true one But it tells us little Conveying information simply defines what a newspaper does It is like saying you must breathe to live - perfectly accurate and apparently essential information but of little practical use

*Newspapers must entertain* of course, but so what? We are trying to discover what sort of information will benefit society, what sort of entertainment will help create a better country, a better culture Surely, that is our aim

This is where newspaper people often start dividing into two groups At the one pole are those who say newspapers are a vehicle for making money Here stand advertisers, managers, accountants and often, owners At the other end are those who say a newspaper has an enormous role in shaping society, a huge and responsible function in helping to determine a nation's health The truth, I think, as usual lies somewhere between

But the one role newspapers must have in common is to support each other, no matter how great the rivalry Democracy thrives on a multitude of voices, it dies in a one-party state

And finally, in the words of President Mandela, "newspapers

## Newspapers set trends, some better than others

Opinion surveys have long suggested the public gets most of its news and information from TV and radio, so in examining media for democracy and development, there is a temptation to focus on these two

But the latest studies in the 1996 spring Journal of Communications (JoC) show TV and radio are not really the agenda setters Newspapers, instead, are the really sexy medium According to the JoC survey of 3 667 American adults, the best predictors of political knowledge remain education and income – but, and this is the important message, these demographics were followed by newspaper usage It confirms my own prejudice so I choose to believe newspapers determine the public debate

Researchers speak a funny language lost to the rest of the civilised world In their research-speak, what they discovered "after the multivariate computer program Multiple Classification Analysis (MCA) adjustment" was that "people who read newspapers had twice the 'information gain' of people who watched news on television"

What is happening out there in the real world? In advertising, newspapers worldwide are losing market share but gaining revenues Of all advertisements placed, newspapers now get fewer than their rival media get, compared to five years ago Yet this smaller slice of the advertising cake is bringing in more money The World Press Trends, published in May, show interesting statistics Japan and America lost 1% of the total population

> **Brazil used change to improve; so can SA**

Over the past five years penetration increased in Brazil, but dropped in most other countries My unfortunate country has one of the world's lowest newspaper penetration figures at only 27 per thousand inhabitants (1995), down from 30 in 1994 Brazil went up from 28 per thousand inhabitants in 1991, to 38 in 1994 and a far better 42 in 1995 Well done! I hope we can copy you

Incidentally, the top achievers are cold and northern countries Norway, Japan, Sweden, Finland and Switzerland are the top five with 600, 576, 464, 464 again, and 365 The bottom list of countries which measure penetration (those measuring are generally more sophisticated than those not measuring) is Yugoslavia worst, followed by India, South Africa, Sri Lanka, Peru and Brazil with 1995 figures of 17, 26, 27, 29, 30 and 42. Obviously literacy and wealth are major factors

Throughout the world, the number of daily newspapers in circulation has dropped Between 1991-1995 it went down by 26 titles in Europe and the United States, Portugal gained four, Spain and Austria one each. Switzerland has done worst. Since 1991 it has lost 19 daily newspapers which is 15,7% of its total, compared to the USA's loss of 53 titles, which is 3,34% of that lucky country's 1 532 newspapers A First Amendment guaranteeing freedom of the press is as helpful to achieving a diversity of newspapers as are high literacy and wealth.

Now let's get down to Brazil

# TRENDS

## Inventor has tabs on champagne

➤ Champagne celebrations could soon go with a phut, not a pop, if a revolutionary new cork catches on that takes the explosive fizz out of a bottle opening. A tiny pull tab reduces the cork's width and a hole in the cap then releases gas from the neck of the bottle. However, traditionalists need not fear. Inventor Jacques Pitoux says: "If you want to pop the cork or even crack the bottle with a sabre, you simply don't pull

# Macho men still tend to rule the family roost

## Advertising trends show that South Africa is short on positive role models for men as helpful dads. Glenda Daniels reports

In Sweden, a handsome young man with a small child could be used to sell almost anything. In South Africa images of motherhood continue to perpetuate the traditional view of parenting

Most of the Swedish advertisements convey a feeling of closeness, care, and consideration between father and child

This was the theme presented by Charlotte Hagstrom of the European Ethnology Department at

advanced than here where there are no positive role models

"Overseas there certainly appears to be a greater concern on the part of fathers to be involved in the lives of their children," Albertyn says, but adds that even with positive media images, women in Scandinavian countries say they still bear the major burden, if not the whole, of childcare

In South Africa, even where men want to be involved in the

dulgent, humorous way, not to be taken too seriously

She mentions one particular SA advertisement which happens around Mother's Day The kitchen is in a chaotic state because father is cooking with his children There is a huge smile on his face This would not be the case had it been Father's Day

Meanwhile, politics and gender lecturer from the University of the Witwatersrand, Dr Sheila

JIGNASA DIAR

## Swedish law encourages hands-on male parenting

A person who has a child in Swe den is able to draw a parental al lowance of 75% of his/her income for 360 days in order to stay home and look after the infant

Each parent is entitled to half of the period of parental allowance If the parents so wish, one of them can transfer her/his days to the other

Since 1995, however, 30 days are reserved for the mother and the father respectively And during these days, the level of benefit is 85%

The purpose behind the government's ruling to legislate a stipulated time for a father's parental leave is to increase the male's hands-on involvement in

Press in South Africa is doing a good job, says Mandela

While writing this paper, I went to see President Mandela "I have a tough paper to write," I told him, "But would love to tell the people in Brazil what you believe the role of the media is in furthering democracy and development. They may not believe me, but they're sure to sit up and listen to my president"

He said "If you notice I have said on countless occasions that we regard the press as a mirror in which we see ourselves and to assess how we are seen by the public In any democracy the press is the pillar of democratic values, and therefore we must allow the press to carry on independently

"They must be able to criticise public figures without fear or favour Even when you are criticised, it does not diminish you at all Throughout my own career, I have believed in surrounding myself with very strong and powerful people, whether at city, provincial or national level

Politicians have a definite view of what they would like their newspaper to be like, and general-

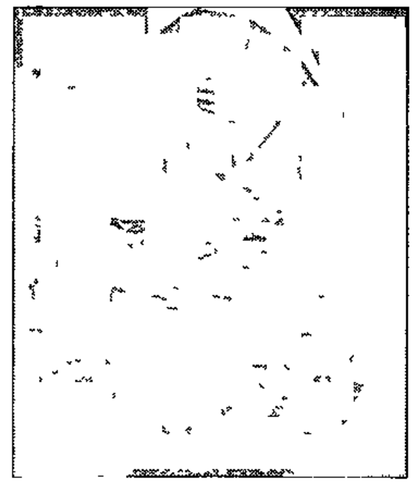
people, people who can say to you 'Mr President, we do not agree with you, this is the line you should adopt' This is how we regard the press in South Africa "

I asked him how newspapers were doing in South Africa "There is a perception, a very widespread and deeply entrenched perception, but not necessarily mine, that the conventional press in the country is in the hands of white conservative editors, who do not accurately appreciate the sentiments of blacks in the country And sometimes we are placed in difficulties, those who have the vision and who appreciate the danger of trying to censor the press

"I sincerely hope that in due course blacks will be promoted to positions of influence in the newspapers, not just decorating, but to give them a real say in the policymaking of the editorial

"I have no doubt personally that in spite of this perception the press in South Africa is doing a good job, both English and Afrikaans-speaking press We must not forget that it was in particular the English press that, when the government of the day wanted to cut us out of the public eye, that we should be forgotten, and when we should not like personally to have

**Respect . Mandela believes in honesty and integrity**



the (apartheid) government tried to put before the public their own stooges, that is was the English press that kept reminding the public that the acknowledged leaders of the country are in exile or in prison And that forced even the Afrikaans press now to come along this line In our differences, we must not forget this

"You build up democracy not only by praising us but by showing us where we are wrong If you don't do that, if you don't criticise us where we are wrong, you will find the more irresponsible people able to draw the attention of the public to themselves Responsible people should be objective, and objectivity means praise where praise is due "

The president told me he read The Star every day and read the editorials "without exception"

Would he like a newspaper which supported his party? "I would not like personally to have a paper supporting the party, because in the first place it would is a political party paper they don't want it People want something independent and objective that can be a reliable source of information I am satisfied, I don't think we have too few newspapers at all "

He then said something interesting before relating this to the way in which politicians should treat the press "In a way everybody, newspaper editors included, their behaviour, their own attitude, is influenced by the way your own attitude is constructed If you accept everybody with whom you deal as a man and woman of integrity, people will in turn be influenced in their attitude towards you If you suspect everybody, want to be controversial, if you are quarrelsome, people will adopt the same attitude towards you" He had noticed this was The Star's commendable way of dealing with public figures

"My own attitude towards our people is 'don't be replying to every criticism towards you What is important is to know we are correct and that we will be proved correct That is what will destroy the credibility of anybody who recklessly rushes to print everything without proper investigation' Sometimes people go to the press and say things which are completely one-sided, where it can easily be exposed, and the credibility of the media is affected

"We don't want that We want every publication to be credible so that we can actually depend on it as a mirror through which we can see ourselves, see how we are behaving That is my ideal"

To summarise our president's advice "*Be credible, criticise with caution, treat people well, be responsible, have integrity and expect it from others, try to be balanced, fair and as objective as is humanly possible*"

Clearly, owners want profits That is a *sine qua non* Without profits we do not survive

There is a debate to be had on the value of newspapers which do

even if they are focused on business, always have the interests of the poorest of the poor in mind, for if we do not look out for them it is possible that nobody will

more actual dollars and yen. The greatest growth was in one specific market, Brazil Under current prices Brazil grew 131,24% from 1991 to 1995 South Africa achieved a number one rating as well In the ratio of advertising revenue to circulation revenue, according to the FIEJ statistics South Africa showed a dramatic shift, from 49% of revenue coming from advertising in 1992 to 97% of revenue in 1995

This is clearly incorrect and I am not sure why FIEJ got it wrong I am not sure if this is supposed to show a real trend or merely a different way of doing the accounting – allocating all costs, for instance, to circulation, before calculating revenue

How is circulation doing, then? Not good in most places, with Brazil a notable exception Over the past five years daily circulations declined 4,02% in the USA, 0,67% in Japan and 3,72% in the European Union Brazil's daily circulations went up, against the tend, by 22,68%

Market penetration is possibly the most sophisticated guide to how well daily newspapers are doing Penetration is the number of households reached by newspapers expressed as a percentage of overall homes, or by the number of people who read a newspaper, divided into

daily newspapers (all figures are for 1995) with a combined circulation of 6 551-million. South Africa has 17 daily newspapers with a circulation of 1 096-million Brazil's advertising revenue for daily newspapers last year was US$1 214-million, compared to South Africa's US$189-million.

South Africa's top advertising sector is retail, accounting for about 40% of our business, but in Brazil the spread is more even, with 15% for retail as the biggest sector, followed by about 12% for tourism and 10% for furniture

What does this tell us?

Well, Brazil is certainly doing better than South Africa It has more newspapers, higher penetration, makes more money from newspapers, has a more even spread of advertisers, has greater diversity of press and of ownership, and is on a growth curve, both in circulation and in the number of daily newspapers South Africa is pretty static, except it is losing circulation and derives too much revenue from advertising, The good news is in government, where both countries have gone from tough, right-of-centre regimes to more liberal ones, from ulgarity to democracy If Brazil could use this change to increase all the important factors, South Africa should be able to do the same

MOVE TO CALL IN COMPETITION BOARD

# Media ownership 'must be broadened'

(243) CT 7/10/96

**CALEDON:** The forces of foreign investment and black empowerment are not enough to dilute the concentration of control in the print media, the Communications Task Group has concluded. Political Writer **BARRY STREEK** reports.

THE concentration of ownership of newspapers and pay-television had been diluted, but ownership and control of the print media should be broadened, the Communications Task Group (Comtask) said at the weekend

It also said "anti-competitive and restrictive practices", particularly in distribution, should be addressed urgently by the Competition Board.

This proposal was supported by representatives of the two largest newspaper groups, the deputy chief executive of Independent Newspapers, Mr Ivan Fallon, and the chief executive (newspapers) of Nasionale Pers, Mr Hennie van Deventer

The director of the Independent Media Diversity Trust, Mr Clive Emdon, disclosed plans — which would entail between R10 million and R15m — to launch 30 to 40 community newspapers, 10 to 15 magazines and 40 new community radio stations, 18 of which had already been launched.

"Such media is essential for real development on the ground," Emdon said at a report-back conference here on Comtask's proposals to restructure government communications

A member of Comtask, Mr David Dison, said the group had identified five key areas that retarded the free flow of information

These were the ownership, control and distribution of the print media, the funding of the national broadcaster (the SABC), the funding of community media, the lack of professionalism and training in the media and legislation which promoted censorship

When Comtask was appointed in January 1966, the South African media was characterised by a high degree of concentration in ownership and control, but this had been diluted to some extent by foreign and black empowerment interests

There was continuing pressure for diversity of ownership. The task group was aware that several deals were in the pipeline which would continue to dilute ownership

"However, in the print media sector, there remain strong elements of the legacy of monopolistic control, particularly in the area of distribution and printing"

The newspaper or magazine proprietor had little choice but to go in with the distribution monopolies

"The pattern that emerges in ownership and control of the print media sector is ... repeated in many other sectors of the economy

"A high degree of concentration of ownership and control is beginning to be challenged by the forces of foreign investment and black empowerment

"These forces, we believe, are not strong enough to alter entrenched anti-competitive and restrictive practices in the industry.

"In our report to the Deputy President, we will make representations about referring aspects to the Competition Board and other authorities."

Fallon said he welcomed the proposal to refer restrictive practices to the Competition Board However, the reality was that Independent Newspapers did not make money out of delivering newspapers. "If we could get out of this, we would do so immediately."

Van Deventer said his company and the Newspaper Press Union would support the investigation He hoped the issue would be judged on clear criteria.

The editor of the Mail and Guardian, Mr Anton Harber, said the key issue was to encourage diversity in the media, but "where is government policy and strategy on encouraging diversity?"

# Tutu champions free press

CT 10/10/96 (243)

**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 a 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 government 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."

MG(PM) 11-17/10/96

# Comtask strikes at Sacs

(243)

**Current government communications was lambasted by Comtask, reports Anton Harber**

GOVERNMENT communications will go through a massive overhaul and fundamental restructuring if the recommendations of the task group on government communications (Comtask) are accepted

Comtask, which outlined the findings of its eight-month investigation at a conference in Caledon in the Western Cape last weekend, was scathing in its description of current government communications

The eight-person committee found that

- too few resources are applied to communications,
- the government does not give the matter sufficient priority,
- there is a lack of central co-ordination of the government's message, no co-ordination of messages between government departments and not even co-ordination of messages on one issue within a department, and
- the subject is not taken seriously at a high-enough level

"Communications remain a Cinderella and the government is substantially impoverished by its own inability to take this crucial aspect of governance seriously," they concluded

**Sol Kotane. Did nothing to transform Sacs**

The severe criticism of government media operations ran almost from top to bottom The sole exception was the president's office, which "runs an efficient communications system"

But "the Cabinet does not", and ministries are "structurally disempowered" because they have only one media liaison officer, and often these are plucked from departmental structures "regardless of their communication skills or their sympathy with, and understanding of, the policies and persuasion of the minister"

Similiar criticisms were directed at departments and provinces The committee cited lack of creativity, shortages of resources and the absence of a clear policy

The Foreign Affairs Department was singled out for special mention information flow to overseas missions was inadequate, there was no guidance on priorities, no overall strategy and co-ordination, with the result that the country was putting out a confused set of messages abroad just as the country's "honeymoon" period was ending

In one of its more biting remarks, Comtask said "The term 'new South Africa' is not a sufficient marketing strategy "

But the strongest words were aimed at the institution which is supposed to deal with all these issues — the South African Communications Services (Sacs) Lacking a "clear mandate", Sacs appeared as "a collection of undirected components", all suffering from low morale and with "no clear basis on which to restructure or reform itself"

So low was its level of interaction with government departments — which should be the core of its work — that two-thirds of ministeries, departments and provinces only had contact with them "from time-to-time" and 17% "not often"

Comtask reported a "lack of enthusiasm for Sacs across the government and in the media" and "low credibility"

There was no evidence that the man brought in by Deputy President Thabo Mbeki to transform Sacs, Sol Kotane, had done anything to change the situation In fact, he showed his contempt for the work of Comtask by packing up his bags halfway through the conference — having said nothing in the debate until then — and leaving

Apparently he had to attend a conference in Harare, but made no apology nor offered an explanation to the meeting and left behind no one to argue his case He boasts a staff complement of 500, but apparently none of them were able to participate in the rest of the conference

Comtask went on to recommend a complete restructuring of the system, including the closure of Sacs, allowing ministries command over their department's communications, giving the matter a higher financial and policy priority and outsourcing most media production

■ To PAGE B8

P. T. O.

# Comtask's scathing attack

■ From PAGE B6

The only centralised bodies in their new structure would be an office in the presidency to co-ordinate overall messages and avoid duplication, and a small body of experts to bulk-buy media space for the government in order to effect savings

There was also a host of secondary suggestions that old South African censorship laws still on the statute book be cleaned up; that Channel Africa receive funding to continue broadcasting across the continent, that a system be set in place for the long-term funding of the South African Broadcasting Corporation; and that the Open Democracy Act be passed into law to fulfill the mandate of open and accountable government

As the conference drew to a close, it was clear that Comtask had come a long way since it was set up by the deputy president last year. A major focus at that conference was the status of white-dominated media and the level of criticism aimed at the government.

Comtask, under the chairmanship of author Mandla Langa, expressed concerns about these issues, but chose to refer them to the Competitions Board. It kept its focus on the gross inadequacies of government communication, and resisted the temptation to divert attention to the media itself

But many at the conference were left asking whether these recommendations — so different from the media critique frequently offered by Mbeki — would be implemented. Certainly, the signs were not all good. when Kotane abandoned the meeting, it was left to Mbeki's representative, Thami Ntenteni, to take up the fight to keep Sacs in place and try to re-direct criticism towards the media and away from the government. And Deputy Minister Essop Pahad appealed to the meeting "to be kind to Sacs"

A Congress of South African Trade Unions representative also rushed to the defence of Sacs with a raw denunciation of what she said amounted to a "privatisation" and the loss of jobs. The irony of trade unions, a South African Communist Party chief (Pahad) and a former African National Congress propaganda artist (Ntenteni), supporting an arch-apartheid creation was not lost on the audience

Comtask will now wrap up its report by the end of the month, and send it on to the deputy president Will he, delegates were left to ponder, accept recommendations he does not particularly want to hear?

(243) ARG 16/10/96

# Top judge warns media on rights

## *State entitled to information on crime – Chaskalson*

WILLIAM-MERVIN GUMEDE
STAFF REPORTER

**Almost all countries have and enforce laws requiring journalists to disclose their sources when information they have is needed for the investigation of serious crime, says Constitutional Court president Arthur Chaskalson.**

But he added "A free press is an indispensible pillar of democracy There can be no doubt that the law should be sensitive to the need to protect it against government action that threatens such independence"

Judge Chaskalson told the Commonwealth Press Union conference in Cape Town yesterday that South African law was sufficiently flexible to develop a free speech doctrine capable of accommodating all sections of society, including the media

He questioned the view that press freedom should be separately guaranteed and not covered within the general right to freedom of expression

"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?" Judge Chaskalson asked

He said journalists in South Africa invariably refused to provide such information to the police and tended to portray the conduct of the police or the prosecuting authority to obtain such information as being an invasion of a universally recognised right

He cited newspapers objecting strenuously to attempts to subpoena television film and photographs of a People Against Crime and Drugs (Pagad) march in Cape Town which contained evidence of the murder of gangster Rashaad Staggie.

# Three delegates face prison in struggle for press freedom

ANDREW SMITH
STAFF REPORTER

**Three delegates attending the Commonwealth Press Union conference in Cape Town face possible jail sentences for practising press freedom in their countries.**

Kofi Coomson of Ghana, Pius Njawe of Cameroon and Fred M'membe of Zambia are fighting an uphill battle for press freedom in Africa

Mr Coomson, editor and publisher of the Ghanaian Chronicle, said he had a 50-50 chance of going to jail when he stood trial on November 19 for publishing a report, which had been circulating worldwide, alleging that a Ghanaian diplomat had been involved in drug trafficking

Mr Njawe, publisher of Le Message Group in Cameroon, has been sentenced to six months in prison for allegedly insulting Cameroon President Paul Biya and members of his national assembly

Also sparring with the law is Mr M'membe, a Zambian publisher and editor, who faces charges which carry penalties of up to 25 years in prison

# Jailing of newsmen under 'insult laws' slated

WILLIAM-MERVIN GUMEDE
STAFF REPORTER

**The Commonwealth Press Union has condemned Cameroon President Paul Biya for his prosecution of two journalists under the country's controversial "insult laws"**

The journalists, Pius Njawe and Eyoum Ngangue, are appealing against prison terms for allegedly insulting the president and members of his parliament

In a letter to Mr Biya, the CPU urged him to pardon the men

Union director Robin MacKichan said in the letter "The CPU, meeting in Cape Town at its biennial conference attended by approximately 300 participants from 41 countries, strongly condemns the manner in which the case against the two journalists has been carried out"

The union was supported by the International Press Institute and the South African Freedom of Expression Institute.

James Ottoway, chairman of the United States-based World Press Freedom Committee, said Mr Njawe, who edits the Cameroon magazine The Messenger, had been sentenced to six months' jail for "insulting the president" His offence was to publish a satirical piece critical of the president's plan to stack the country's new senate with his own appointees

Mr Ottoway said "insult laws" were based on the concept of the divine right of kings and that the king could do no wrong

# Media must stop abuse of power – Tutu

STAFF REPORTER

**In spite of a high crime rate, South Africa was still the "flavour of the month", Desmond Tutu told delegates at the Commonwealth Press Union conference in Cape Town.**

Archbishop Tutu said that by defeating apartheid, South Africans had defeated evil, injustice and oppression. However, he cautioned that there was no guarantee the new government would not abuse its power and the media had to ensure this did not happen

"Our leaders have not indicated they are any different, despite appearances to the contrary We need the press to ensure they stay on the straight and narrow," he said

All over the world those in power could not resist the temptation to abuse power and South Africa was no exception Archbishop Tutu said he felt sure all the checks and balances were in place to prevent the country backsliding into repression Although it was always possible South Africa could regress "to the old, horrible way", democratic institutions were now in place to counter that

To loud applause, he thanked the international media for their role in dismantling apartheid and said he "fervently believed in the freedom of the press"

# Press freedom a complex issue, says Chaskalson

(243) BD 16/10/96

CAPE TOWN — Rights were never absolute and Press freedom was no exception, Constitutional Court president Justice Arthur Chaskalson said yesterday.

"Press freedom does not entitle journalists to trample upon the dignity and privacy of others — a constraint that some journalists and newspapers are reluctant to acknowledge," he told a Commonwealth Press Union conference in Cape Town

SA law, bolstered by the fundamental rights and freedoms entrenched in the constitution, was sufficiently flexible to develop a free-speech doctrine capable of accommodating all the legitimate interests of society, including the media

Although it was too early to say exactly what route would be followed in developing this doctrine, it could be done without fashioning Press freedom as a separate and distinct right. Whether the media should be privileged by law was a complex and difficult issue. Journalists were particularly concerned about protecting their sources. Yet, Chaskalson said, what was to be done where information sought from a journalist was 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 the police or prosecuting authority attempted to obtain such information, the media tended to portray their conduct as being an invasion of a universally accepted right, he said.

"Yet the converse is true, for almost all countries have and enforce laws requiring such disclosures to be made"

This was the position in the US, Canada and Germany — all democracies in which liberty was given a high value, Chaskalson said

SA courts had adopted a fairly strict approach in the past to refusals by journalists to disclose their sources, holding that such information was not privileged, and that the media had no immunity against search warrants or subpoenas.

Although there had recently been some relaxation of this rule, these cases all concerned events which took place before the adoption of the interim constitution, he said. It was not clear what the implications of the constitution would be on the issue However, information in the hands of a journalist was not necessarily confidential, nor was confidential information necessarily privileged.

Priests, doctors and psychologists were often recipients of confidential information, but their interests were subordinated to the public interest, Chaskalson said —Sapa

# Tutu urges press to be watchdog

Star 16/10/96 (243)

**By Barry Streek**

Cape Town – The media had to ensure that the Government did not abuse its power, Archbishop Desmond Tutu said yesterday.

There was no guarantee that the new Government would not abuse its powers, he told delegates to the Commonwealth Press Union conference

The press should be a watchdog over everyone in power, anywhere in the world, as people tended to abuse power

"Despite all appearances to the contrary, our politicians are human.

"We need the press to handle them. We need the press to ensure they stay on the straight and narrow"

Tutu, who received a standing ovation, said the press should also hold up a vision and a dream of a different kind of society which was compassionate, caring and regarded human beings as more important than other things

It was always possible SA could regress "to the old, horrible way", even though democratic institutions were now in place to counter this

He also thanked the local and international media for their role in dismantling apartheid and said this victory would not have been possible without international support that resulted from the media telling "our story"

Tutu added "We have won an extraordinary victory against evil and injustice and oppression.

"Our victory would not have been totally possible without the support of the international community, and we would not have enlisted that support without the media telling our story

"As a result, you are now sitting in a free South Africa. I love this dream You go to Parliament and sit in the balcony and look down and you count all the terrorists. They are all sitting there and passing laws It is incredible."

# 'Insult laws an affront to democracy'

POLITICAL WRITER

LAWS making it a crime to insult the head of state were an insult to democracy and press freedom, the Commonwealth Press Union Conference in the city heard yesterday

In a speech prepared for the conference, American newspaper owner Mr James Ottaway noted that in South Africa insulting the head of state was not a crime.

"Insult to the president of the republic" had been made a statutory crime by the French in 1881, and similar provisions were now on the statute books of many European countries, including Austria, Germany, The Netherlands, Norway and Spain, Ottaway said.

He also noted that in parts of Africa journalists were in jail for "insulting" their presidents Three of them were in Ivory Coast.

South Africa had had such a law, but it had been dropped, showing that "such bad laws are not set in stone"

Ottaway, who is also chairperson of the World Press Freedom Committee, said "We need to see to it that these insult laws are finally recognised for what they really are — an insult to democracy, an insult to human rights and, for us, a special insult to press freedom."

CHASKALSON RAISES PROBLEMS

# Special press rights queried

(243) CT 16/10/96

**CONSTITUTIONAL COURT** President Mr Justice Arthur Chaskalson said information held by journalists was not necessarily confidential when he queried whether the press should get special rights **BARRY STREEK** reports.

THE president of the Constitutional Court, Mr Justice Arthur Chaskalson, caused a stir at the Commonwealth Press Union conference in the city yesterday when he queried whether the press should be given special rights.

"Press freedom does not entitle journalists to trample upon the dignity and privacy of others, a constraint that some journalists and newspapers are reluctant to acknowledge Rights are never absolute and press freedom is no exception to this rule," he said.

Chaskalson, part of a five-person panel that spoke on "Human Rights and Press Freedom", said it was "sometimes said that freedom of the press should be recognised by the law as a separate 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"

Although there was no discussion after the five speeches, a number of delegates, particularly those from South Africa, said afterwards Chaskalson had not cited any sources for supporting a call for a special law for press freedom and, in any event, this did not reflect the position of the bulk of the media.

One delegate said any form of special law for the press would entail some form of registration and this had greater dangers of control and manipulation than any benefits of a special law

Chaskalson said SA law, bolstered by the rights and freedoms entrenched in the constitution, was sufficiently flexible to develop "a free speech doctrine" that accommodated the legitimate interests of all sectors of society

"It is too early to say what route will be followed in developing this doctrine, it can, however, be done without fashioning press freedom as a separate and distinct right.

"Any doctrine of free speech must necessarily recognise and protect the important role of the press in a democratic society It must also protect and accommodate other legitimate interests"

**CAUSING A STIR:** Mr Justice Arthur Chaskalson

Chaskalson said journalists were particularly concerned, and rightly so, to protect their sources.

"But, what is to be done where 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"

When that happened, the media tended to portray attempts by police or prosecutorsto obtain such information as an invasion of a universally accepted right.

"Yet the converse is true, for almost all countries have and enforce laws requiring such disclosures to be made"

This was the position in the US, Canada and Germany

"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"

Information in the hands of a journalist was not necessarily confidential information.

Priests, doctors and psychologists often received confidential information, but their interests were subordinated to the principle that the public interest required the prosecution of crime and the co-operation of all persons able to give evidence needed for a successful prosecution, he said.

● **CYNTHIA VONGAI** reports that the Aga Khan arrived in the city last night. He will be a keynote speaker at tomorrow's session, in his personal capacity and as the founder and principal shareholder of National Printers and Publishers in Kenya.

# Tutu urges press to be vigilant

BARRY STREEK
POLITICAL WRITER

THE media had to ensure that the South African government did not abuse its power, Archbishop Desmond Tutu told delegates to the Commonwealth Press Union conference yesterday

The press should be a vigilant watchdog over everyone in power, anywhere in the world, because people tended to abuse power

"Despite all appearances to the contrary, our politicians are human We need the press to ensure they stay on the straight and narrow," he said.

*ARCHBISHOP Desmond Tutu said he sometimes found it difficult to handle his fame*

*"The other day I was in San Francisco when a woman rushed up to me and said. 'Hi, Archbishop Mandela!'"*

*He shared his problem with conference delegates After they had finished laughing, Tutu said: "Well, here I am"*

Tutu, who received a standing ovation, said the press should also hold up before South Africa a vision of a different kind of society, which was compassionate, caring and regarded human beings as more important than things

It was always possible that South Africa could regress "to the old, horrible way" but democratic institutions were now in place to counter this.

He also thanked the local and international media for their role in dismantling apartheid.

"Our victory would not have been totally possible without the support of the international community, and we would not have enlisted that support around the world without telling our story

"We have won an extraordinary victory against evil and injustice and oppression As a result, you are now sitting in a free South Africa."

Tutu also said "I love this dream This new South Africa. You go to Parliament and sit in the balcony and look down and you count all the terrorists They are all sitting there and passing laws. It is incredible"

# Striking a balance on SA Press freedom

(243)

BD 17/10/96

**Constitutional Court president Judge Arthur Chaskalson argues that while Press freedom is indispensible 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 extreme situations, attempts 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 activities 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

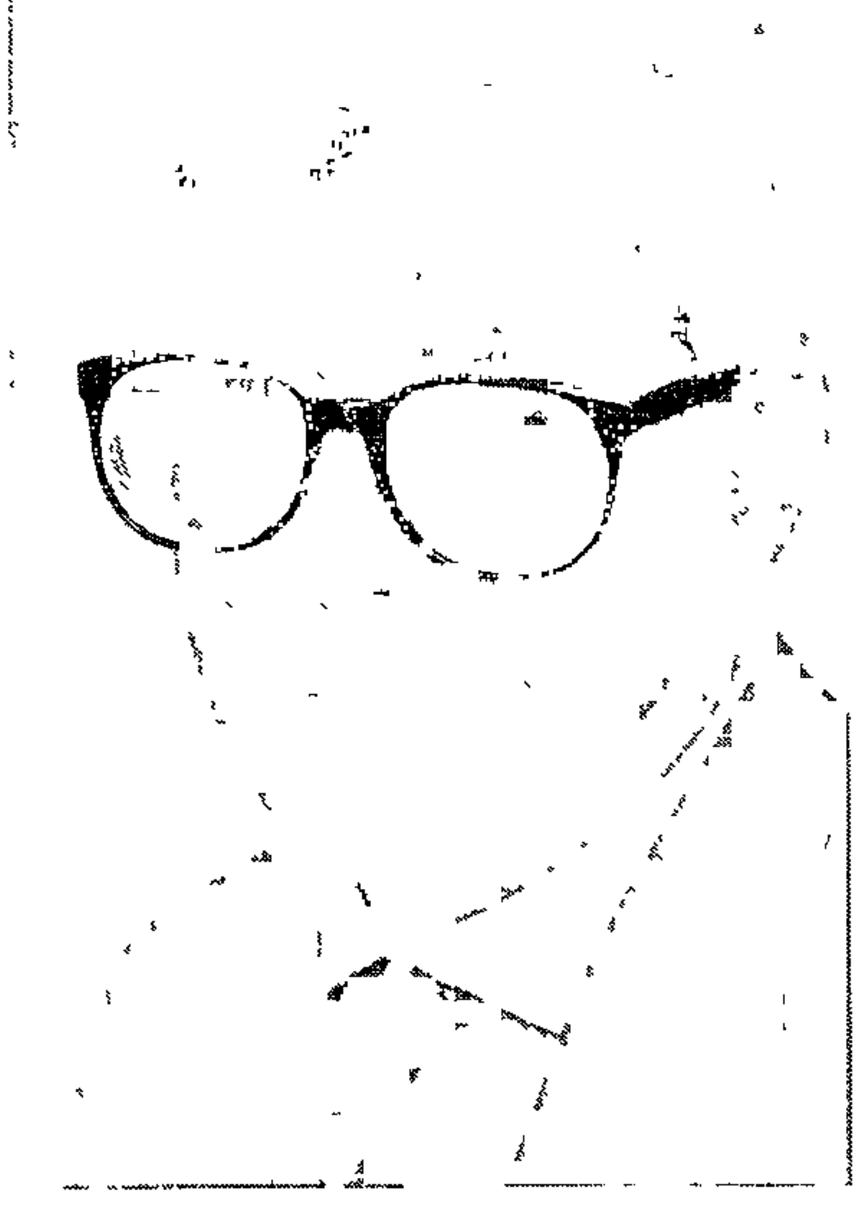
An example illustrates some of the problems Journalists are particularly concerned, and rightly so, to protect their sources

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 recounted in a report



CHASKALSON

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 cooperation of all persons able to give material evidence needed for a successful prosecution 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*

# 'Press freedom is never absolute'

(243) sowetan 17/10/96

By Themba Molefe

Flashback *World* editor the late Percy Qoboza being arrested on October 19 1977

# SA editors organise unity conference

BE ET 17/10/96

(243)

**JOHANNESBURG:** The Black Editors Forum (BEF) and the Conference of Editors have jointly organised a unity conference in Cape Town for this weekend, the two bodies said in a statement yesterday.

Up to 80 senior journalists from around the country are expected to attend

Representatives of the print and broadcasting media and media educators will be among those at the conference

The object of the meeting is to form a single body to represent editors and senior journalists

If formed, the unified body will focus on freedom of expression, affirmative action, training and media diversity, and will speak for the industry on important issues

Convener of the meeting, Cape Times Editor Mr Moegsien Williams, said he hoped the conference would outline a vision for journalism and set objectives that would serve the profession, the media and society for decades to come

Among speakers at the conference are Deputy President Mr Thabo Mbeki, BEF chairman Mr Thami Mazwai, COE chairman Mr Anton Harber, editor Mr Anthony Sampson and Williams — Sapa

STORY

# How the media should lead the way

## *Aga Khan calls for a more sensitive, better educated Press*

(243)

ARG 18/10/96

AT THE COMMONWELTH PRESS UNION CONFERENCE IN CAPE TOWN THE LEADER OF THE ISMAILI MUSLIM COMMUNITY AND ONE OF AFRICA'S LEADING NEWSPAPER OWNERS, THE **AGA KHAN**, CALLED ON THE MEDIA TO SUPPORT A 'CREATIVE ENCOUNTER' BETWEEN DIFFERENT CULTURES. THESE ARE EXCERPTS FROM HIS SPEECH

How can the Press best contribute to a spirit of Creative Encounter – here in Africa and around the world? One simple requirement towers above all others the ability to respect that which is truly different, to understand that which we do not embrace

It is not as easy as it sounds For it means much more than tolerance and forbearance The word sensitivity is one of the most overused words of out time – and one of the least honoured Why? Because sensitivity is too often seen as an emotion which can simply be willed into existence by a generous soul

In truth, cultural sensitivity is something far more rigorous, something that requires a deep intellectual commitment It requires a readiness to study and to learn across cultural barriers, an ability to see others as they see themselves

Cultural sensitivity is hard work

We live in a time when the quantity of information has exploded in incalculable ways Data flows in greater volumes, at higher speeds, over greater distances to larger audiences than ever before And yet the result has not been greater understanding or enlightenment In fact, it has often been just the reverse

One is reminded of TS Eliot's haunting question 'Where is the wisdom we have lost in knowledge? Where is the knowledge we have lost in information?"

Only as we reach beyond mere information and superficial knowledge can the spirit of Creative Encounter flourish

Again, it is ,the press which should lead the way – not just newspapers and broadcasting outlets, but also the news services and press agencies which serve them and the organisations which support them For centuries, the press has cast itself as the champion of understanding and enlightenment And yet, even as the press has become more international, it has often left a trail of misunderstanding in its wake

Confident that more information is a good thing in and of itself, the press has often focused too much on the quantity of what it can deliver, and too little on the quality of what it presents

But if the media have sometimes been part of the problem – amplifying the threatening aspects of globalisation – then the media can also be part of the solution

If a careless or superficial press can exacerbate the clash of cultures, then a more sensitive and studious press can accomplish the opposite The same media which serves to distort or discredit old cultures, can also be used to revalidate them, and to help explain them to others

In some cases, this will mean a greater effort to adapt to the world's ways – to write or speak in the English language, for example, as we tell old stories to new audiences If the mysteries of ancient Samarkand or Turfan or Kashgar are relayed predominantly in Uzbek or in Uygur, then the sharing will be incomplete – and inconsequential Global technologies imply the use of a global language – not to obliterate old traditions, but to rescue and revivify them

There was a time when a variety of authentic cultures could thrive because of their separation from one another But that day is past The only answer now is that we come to understand and appreciate one another And in that endeavour the media must play a central role

I believe there are three specific challenges which the media must meet or obstacles it must overcome if it is to foster a spirit of Creative Encounter

The first is the imperative need for expanded expertise, for a higher level of professional knowledge

It is no longer enough that a journalist be a curious layman, who writes clearly and asks good questions Good journalists in our time must be well-educated journalists. They must include in their number linguists able to understand the expressions of other cultures, anthropologists who can consider their deeper meanings, in addition to experts trained in their laws and histories, in their economics and sociology, and in a wide variety of other disciplines Our publications must have access to a wide array of professional insights – not only through their own journalists, but also through the better use of press agencies and news services and outside guest writers

***'No media problem is more evident to me than the terrible distortions which occur when the highest priority is merely to maximise profitability'***

The Commonwealth Press Union has done a great deal over the years to improve the level of journalistic education – in many parts of the world In the years ahead, such work will be more important than ever

It should not be forgotten that journalists have a broader educational role – a responsibility to provide readers and viewers with a context in which to understand individual events properly The central point is simply this no matter what group or what subculture we are covering, we must insist that our journalism is not only about what is perceived as unusual and bizarre

If the spirit of the 21st century is to be a spirit of Creative Encounter among cultures, then journalists must relay to us the deeper truths about our neighbours, giving us a better sense of how they typically

ROY WIGLEY

**Future vision:** the Aga Khan addresses the Commonwealth Press Union conference in Cape Town

feel and think They must dedicate themselves not merely to being "up-to-the minute" but also to seeing each passing minute within the larger sweep of history

But there is no way this can happen – in an ever more complex world – without a substantially higher level of journalistic education and expertise And that is the first of the three challenges I would present to you this morning

The second challenge is equally demanding It has to do with the goals we set for ourselves, and the need – as we set those goals – to rise above a domineering profit motive

That sounds like a cliche But clichés often identify important problems And no media problem is more evident to me than the terrible distortions which occur when the highest priority, from influential world media groups to Third World pamphleteering, is merely to "maximise profitability "

Invariably, what the pursuit of short term media profit means is the near term pursuit of the largest possible audience – the highest ratings, the best demographics, the most impressive circulation and advertising numbers

Inevitably, it means designing products with instant mass or sectarian appeal – focusing on what is divisive or dramatic or diverting or sensational – at the expense of what is in the interests of society or truly significant

Particularly deplorable is the growing journalistic tendency to exploit "quirks" in the human or societal psyche This is a major problem in the developing and the developed world alike

By "quirks" I mean curiosities, idiosyncrasies, anomalies, and dormant resentments or frustrations which can be developed among various segments of society

An irresponsible communicator can create an appetite for such materials by catering to one public's voyeuristic curiosity, through the invasion of privacy for instance, or by pandering to the sectarian prejudice of one group about another A market space for such offerings can be teased into existence and then prodded and nourished so that it becomes not only economically viable but commercially irresistible as well

The public, at least in many Third World societies, is not as voyeuristic as some may assume It is, however, immediately sensitive to sectarian views or news and the converse seems to hold true overall for Western societies

The key is to sort out properly what belongs in the public sphere – and what does not And the complicating factor is that different cultures will draw that line in different ways

The same news story can thus have a different impact with different audiences It is not easy to be a sensitive journalist in a multi-cultural world But the task will be far more difficult if our central concern is to attract the largest possible audience with the most easily digestible headlines The runaway profit is a culprit that must be curbed

But having said this, let me also argue that the best way to organise any publishing enterprise is as a private business entity Private capital is the backbone of an independent press – and private capital will flow only where it sees the prospect of reasonable long range earnings

Only when newspapers are healthy in the financial sense can they be healthy in the journalistic sense – attracting and developing talent, investing in technology, pursuing difficult stories, eliminating dependencies on patronage resisting the pressures of aggressive advertisers on the one hand and the lure of passing tastes on the other

The third of the media challenges I would discuss today is the need to balance concerns about press freedom with a greater emphasis on press responsibility In my view, we are sometimes too preoccupied with the rights of the press as an independent social critic – and we pay too little attention to the obligations of the press as an influential social leader

Too often, the press seems to be caught up with that obsessive individualism which seems so rampant in our world, an expectation that we must make our way in life through a sort of meritocratic free-for-all, ignoring those who are hurt in the process and those who are left behind

Too often, we join in the celebration of success for its own sake, regardless of the means by which it was achieved or its impact on society Too often the media spotlight overlooks the corrupt or manipulative methodology and dramatises the triumphant result Too often, the right of an individual or the right of a publication to unfettered self-expression is enshrined as the most sacred of all values – independent of its impact on social or moral standards

One of the most familiar of western political values is expressed in the phrase "Freedom of the Press" I believe that Press freedom, properly understood, is a universal human right But we must be careful about how we define it and that it does not isolate the press from the rest of the social order What it originally meant – and properly still means for me – is that the press should be free from the control or constraint of governments, and strong enough to resist all forms of intimidation

# No absolute freedom

While we are led to believe that the Press in the West is free, it is not. In fact, South Africa leads the way by placing guaranteed freedoms in the Constitution.

Political Correspondent **Rafiq Rohan** reports ...

IF YOU STUCK TO STEREOTYPES on Press freedom, it would be natural to believe the Press is totally free in the West, while in Third World countries, particularly in Africa, it is subject to all kinds of strange and backward controls

The fact is, there are undemocratic and extreme controls placed on the media in African countries, where even the most obscure comment on "presidents for life" and military leaders will ensure a stint behind bars

Ask Fred M'membe, editor of Zambia's largest daily newspaper, *The Post* He has had to deal with the detention of a staff member because of a comment from a woman claiming to be the mistress of president Frederick Chiluba

M'membe is currently in South Africa to attend the "Rainbow '96 Conference" of the Commonwealth Press Union, where he was given the prestigious Astor Award for brave journalism

However, it does not end there for M'membe He goes back to Lusaka with the threat of a 25-year jail sentence hanging over his head on charges that relate to the Protection of Parliamentary Privileges Act

## Insult laws

But, the conference learnt, what has been labelled "insult laws" are not uncommon to many of the so-called leading democracies in the western world

In a speech prepared by American newspaper owner and chairman of the World Press Freedom Committee Mr James Ottaway, he noted that leading European countries make it a criminal offence to insult the head of state

Ottaway pointed out "These (insult) laws are perhaps as old as the first ancient lawgivers, and spring from the divine right of kings that the king can do no wrong"

He said the classic form of this law was set in French Press law in 1881 and the crime was known as the "insult to the president of the republic"

"It remains the basic Press legislation in France today and has many imitators Similar provisions are on the books in Austria, Germany, the Netherlands, Norway and Spain"

South Africa is developing a far more liberal approach to this principle and, in fact, it would not be considered a crime to insult President Nelson Mandela It has, however, not always been like that

Ottaway said "You used to have a law in South Africa protecting the state president from being brought into disrepute But you dropped it This shows that such bad laws are not set in stone and can be eliminated if there is a will to do so"

**Chief Emeka Anyaoku ... freedom of speech is central to ensuring the growth and development of healthy democracies.**

**"Press freedom does not entitle journalists to trample upon the dignity and privacy of others ... Rights are never absolute"**

Ottaway argued that while everyone (including presidents) had the right to protect reputations, no special laws were needed "For that purpose there are general laws against libel, slander and defamation"

However, there were a few raised eyebrows in the packed Cape Sun hall when Constitutional Court president Justice Arthur Chaskalson set a cat among the pigeons

Should the Press have special rights accorded to them, he asked?

"Press freedom does not entitle journalists to trample upon the dignity and privacy of others – a constraint that some journalists and newspapers are reluctant to acknowledge Rights are never absolute and Press freedom is no exception to this rule," Chaskalson said

One of the people at the conference clearly impressed with developments in South Africa and the new freedoms of the media was Commonwealth secretary-general Chief Emeka Anyaoku For him the new dispensation has "fundamentally altered the landscape for the media"

"Freedom of expression is guaranteed in the highest law of the land For many years in South Africa the Government manipulated information in the interests of a misguided ideology The public was denied access to important truths

"Today, the newspaper and broadcasting industries are in a process of rapid change," Anyaoku said

He also praised Deputy President Thabo Mbeki's decision to set up a Task Group on Government Communications, which also looks at media law and ownership

## Read with interest

"The report, when published, will be read with interest, not only in South Africa but in the wider world," he said

He said that freedom of speech is promoted within the Commonwealth as one of the key ways of ensuring the growth and development of healthy democracies

Anyaoku was nevertheless critical of the way Africa is still being reported in the Western world

"All too often in international reporting, objectivity and fairness are sacrificed in favour of unfair ethnic, racial or religious stereotyping For example, there is an almost ingrained lexicon in the Western Press when reporting Africa

"A public disturbance in Western Europe in which five people are killed becomes, in the case of Africa, a riot in which five people are slaughtered In a similar manner, stories about people s customs and traditions are readily depicted as primitive rituals," he complained

# SAUJ to file application

243

**By Coudjoe Amankwaa**

LAWYERS representing the South African Union of Journalists in the back-pay dispute with the SABC will file an application with the Conciliation Board today

Lawyer Mr Anton Roskam yesterday said he would also lodge a statutory settlement application with the Department of Labour as a last attempt to resolve the dispute

"If the issue is not settled at the Conciliation Board today we would have no other alternative but to institute legal action in the Industrial Court," he said.

SABC spokesman Mr Enoch Sithole said the company and the SAUJ had still not resolved the issue of backdating increases to May 1

He rejected claims by SAUJ that the SABC did not respect their members and that the dispute over wage increase had not yet been resolved

SABC will pay SAUJ members 12 percent backdated to August 1

Sowetan
18/10/96

# No finding on Oosterbroek's death

ARLT 19/10/96 (243)

**TARYN LAMBERTI**
OWN CORRESPONDENT

**Alberton – Friends and family of Ken Oosterbroek, who was The Star's award-winning chief photographer, left the inquest court here yesterday morning, without the answers they wanted after Magistrate CJ van Heerden said he could not make a finding on who fired the bullet that killed him in Thokoza during political unrest on the East Rand on April 18 1994.**

Judge Van Heerden said Oosterbroek's death constituted a criminal offence and he could not rule out the possibility that a National Peacekeeping Force soldier had shot him But no definite finding could be made after an inquest that began more than two years ago into the photographer's death

A shaken Gerry Oosterbroek said outside the court-house that her son had spent his whole life trying to reveal truth through his work

"It's ironic that the truth surrounding his death could not come out," she said

Reacting, fellow photographers who were on the scene in Thokoza with Mr Oosterbroek on the day he died were adamant that the bullets had come from NPKF troops

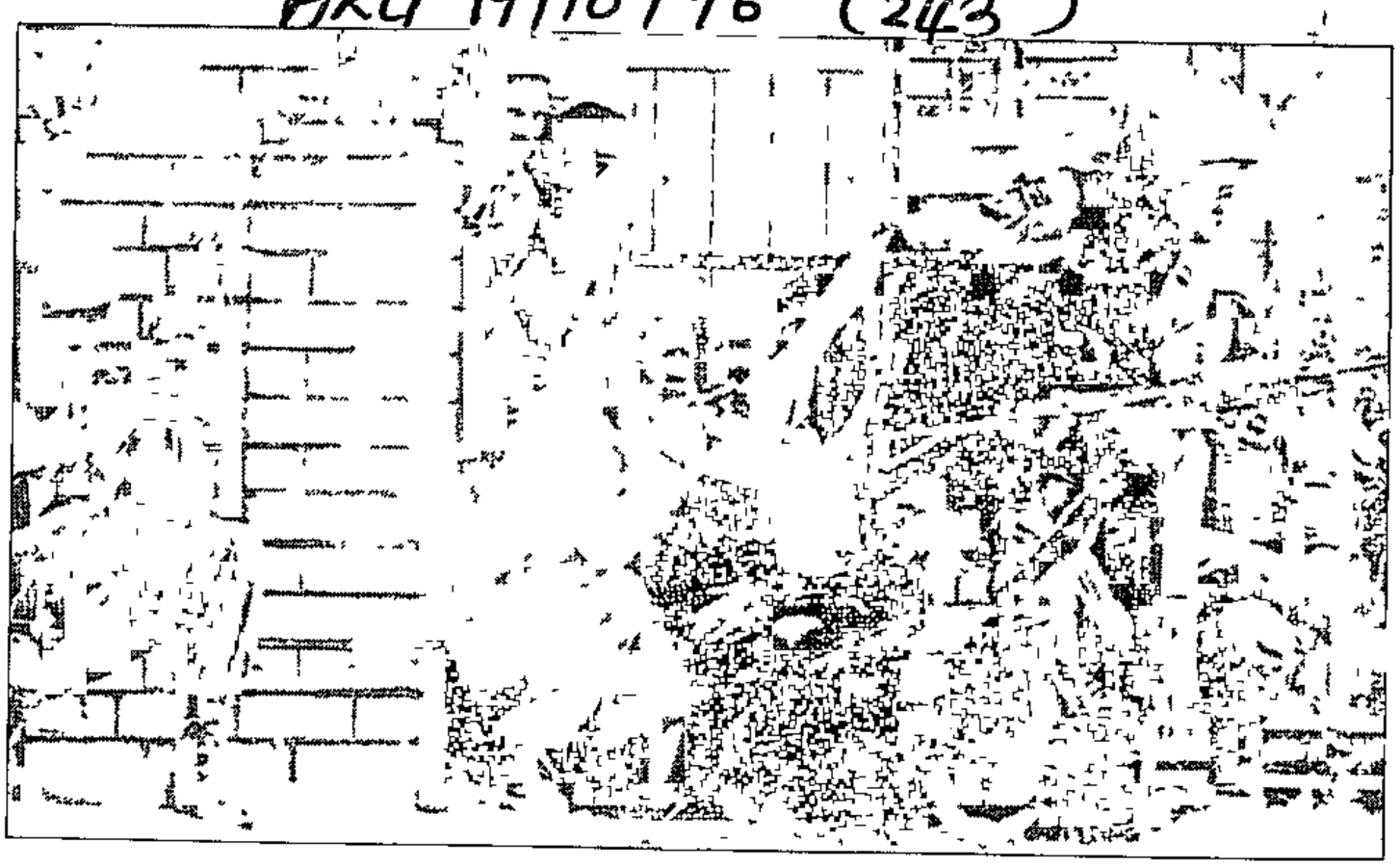
The 5 56 calibre bullets that killed Oosterbroek were compatible with the R4 rifles issued to the NPKF on the day in question, but ballistics experts could not positively link the bullets to any of their firearms, Judge Van Heerden found

He also said the court could not establish which way Mr Oosterbroek had been facing when he was shot

During testimony, photographer Joao Silva said Mr Oosterbroek had been facing the NPKF troops when he was shot because "that was where the action was coming from"

But Judge Van Heerden dismissed Mr Silva's evidence as "mere speculation" because Oosterbroek might have just turned his head towards the troops

Oosterbroek's widow Monica Hilton-Barber said she was relieved the lengthy inquest had come to an end



**Final:** the last picture taken by Ken Oosterbroek before he was killed showed NPKF troops in action

Star 19/10/96

# Commonwealth journalists demand free press in Zambia

(243)

By MXOLISI MGXASHE

The six-day Commonwealth Press Union conference (CPU) ended in Cape Town with a stern warning to the Chiluba government in Lusaka to stop harassing defiant Zambian journalist Fred M'membe or face the wrath of the Commonwealth countries' media

M'membe, editor of a Zambian independent daily, The Post, has throughout the week been a focal point and a clear example of how journalists in some countries have become endangered species The courageous journalist, who has been through all kinds of harassment and detention by President Frederick Chiluba's government for criticising it and exposing corruption among some of its officials

He is not sure what will happen to him when he returns, but is determined that nothing will stop him from defending press freedom and democracy in his country

In his closing address yesterday, CPU president David English said everything in life was timing, and the timing was right for the conference to be in South Africa, but the timing was wrong for the Zambian government to step up its campaign against M'membe

Referring to a statement by Zambian Minister of Information Amusaa Mwanamwambwa which was distributed to delegates on Thursday, English said he felt there was a real sense of outrage at the attack "We have made it clear to the Zambian government that they will persecute Fred M'membe at considerable risk to themselves We will go back to our countries and use our newspapers to keep up the pressure. We must marshal public opinion."

## Convicted

He said Zambia could not afford to persecute journalists, especially when the country was in a desperate situation to repay its huge foreign debt

"I promise that this conference, this union, will not forget, for one minute, the case of Fred M'membe We have raised money for his legal aid and we will monitor all Zambian government actions against him. We will use our full powers to guarantee his safety and freedom", the CPU president said

His condemnation of the Zambian authorities was the second in two days In a strongly worded letter faxed to Chiluba on Thursday, English said the Zambian minister's statement was a "crass" example of government intimidation that went far beyond acceptable standards of criticism

In his acceptance speech earlier in the week of the CPU Astor Award for his courage to "publish and be damned", M'membe said the Zambian people deserved his greatest gratitude because of their strengths to survive under an increasingly oppressive government He said that every day more repressive laws were being passed by the Zambian government and tribunals had been set up to intimidate the media

"If convicted," he said, "the next time you may be able to see me will be in the year 2021 "

The conference, attended by more than 200 journalists from Commonwealth countries, was the first to be held in South Africa since 1934 It provided the delegates with rare opportunities to exchange experiences and ideas on how best to safeguard democracy in their countries

# Honouring the man who published and was damned

ARG 19/10/96 (243)

MXOLISI MGXASHE
STAFF REPORTER

The six day Commonwealth Press Union Conference ended in Cape Town with a stern warning to the Chiluba government in Lusaka to stop harassing defiant Zambian journalist Fred M'membe – or face the wrath of the Commonwealth countries' media

Mr M membe, editor of the Zambian independent daily the Post, has through out the week been a focal point and an example of how journalists in some countries are endangered

The courageous journalist, who has experienced harassment and detention by President Frederick Chiluba's government for criticising it and exposing corruption among some of its officials, is determined to return to Zambia and face the consequences

He is not sure what will happen to him when he gets back, but he is determined that nothing will stop him from defending press freedom and democracy in his country

In his closing address yesterday CPU president David English said the timing was right for the conference to be held in South Africa, but the timing was wrong for the Zambian government to step up its campaign against Fred M'membe

Referring to a statement by the Zambian Minister of Information Amusaa Mwanamwambwa, which was distributed to delegates on Thursday Sir David said he felt that there was a real sense of outrage at the attack on M'membe

"We have made it clear to the Zambian government that they will persecute Fred M'membe at considerable risk to themselves

"Now we will all go back to our countries and use our newspapers to keep up the pressure

"We must marshal public opinion We must alert our MPs, and we must galvanise our governments"

Sir David said this was no time for mincing words and Zambia could not afford to persecute journalists, especially when the country was in a desperate situation to repay its huge foreign debt.

"I promise that this conference, this union, will not forget, for one minute, the case of Fred M'membe We have raised money for his legal aid and we will monitor all Zambian government actions against him We will use our full powers to guarantee his safety and freedom", the CPU president said amid cheering from the delegates

***'We must marshal public opinion, alert our MPs and galvanise our governments'***

The CPU president's condemnation of Zambian authorities was the second in two days In a strongly worded letter faxed to President Chiluba on Thursday, Sir David and the CPU founding president Derek Ingram said the Zambian Minister of Information's statement was a "crass" example of government intimidation that went far beyond acceptable standards of criticism

In his acceptance speech earlier in the week when the CPU Astor Award was awarded for his courage to "publish and be damned", M'membe had said the Zambian people deserved his greatest gratitude because of their strengths to survive under an increasingly oppressive government.

He said everyday more and more repressive laws were being passed by the Zambian government and various tribunals had been set up to intimidate the media

***'If convicted the next time you may see me will be in the year 2021'***

"If convicted," he said, "the next time you may be able to see me will be in the year 2021"

The conference, attended by more than 200 journalists from Commonwealth countries, was the first to be held in South Africa since 1934 It provided the delegates with rare opportunities to exchange experiences and ideas on how best to safeguard democracy in their countries, particularly within the Commonwealth

South Africa's fledgling democracy and its constitution, adopted by the Constitutional Assembly while most of the delegates were in the country, were applauded as a move in the right direction

The principles that strengthen this democracy were highlighted by special adviser in Deputy President Thabo Mbeki's office, Frank Chikane, who said the media had the democratic right to "take whatever side it chooses to take'

ANDREW INGRAM

**Stern warning** president of the Commonwealth Press Union Sir David English – honouring Fred M'membe

# Editors unite to chart future for journalism

(243) ST 20/10/96

THE formation of a unified media body committed to the defence of press freedom is under discussion at a unity conference between the Black Editors' Forum and the Conference of Editors this weekend.

The conference, which began in Cape Town yesterday morning, is the culmination of months of discussions between the two bodies.

Anton Harber, the chairman of the Conference of Editors' and the editor of the Mail&Guardian, told delegates the two organisations now had more in common than what had separated them in the past

The unified body would comprise editors, senior journalists and other players from both the print and broadcast media.

It would, among other things, push for the scrapping of outdated legislation restricting press freedom, and address the issues of affirmative action and the lack of skills.

Harber proposed that an interim unified structure be set up for a year, whereupon it would be reviewed.

The body also plans to formulate a response to remarks made by the president of the Constitutional Court, Justice Arthur Chaskalson, at the recent Commonwealth Press Union conference, where he hinted that the right to personal privacy needed to strengthened.

Harber said it had to be asked why the judge was so concerned about limiting press freedom, rather than expanding it.

Thami Mazwai, chairman of the Black Editors' Forum and editor. of Enterprise magazine, said the media industry needed an editorial charter. He hoped the meeting would produce such a charter, or a framework for it.

Editors also needed to urgently address the issue of media diversity

Mazwai said it was necessary to accept that people from different backgrounds had attitudes that would linger for some time.

Of major concern to black South Africans was whether the white-owned media was sincerely committed to transformation, he added. — *Sapa*

## WEATHER AND TIDES

GAUTENG· Partly cloudy and warm.

south coast with rain.
EASTERN CAPE. Partly cloudy

# Press in chains

**The advent of democracy in many African states has failed to ensure press freedom, writes BRIAN POTTINGER**

ST 20/10/96 (243)

MOST of the 300 editors and publishers who attended the Commonwealth Press Union's biennial conference in Cape Town are looking forward to a quiet return home this weekend

Not so Fred M'membe, the editor of The Post in Lusaka, Zambia He was at the conference this week when he was presented with a press release containing a scathing attack on him by his government On his return home, he may face charges of conspiring with "foreign leaders" against the interests of the Zambian state

His sin he won this year's CPU Astor Award for his contribution to press freedom, largely for his reportage of corruption in the Chiluba government.

Nana Kofi Coomson of The Chronicle in Ghana returns home to face 19 separate charges of sedition and contempt of court If convicted he is liable to 10 years imprisonment

Yet another West African editor will leave Cape Town to begin a six-month sentence in his home country for publishing articles distasteful to his country's rulers

The tales are different but the theme is the same The advent of multi-party democracy in certain African countries has brought little relief to the embattled independent publishers and editors precariously balanced between crisis and disaster.

The political leadership in many of these countries is still grappling with the notion of an independent and critical press

Coomson tells of the time he wrote something positive about those in power They were so delighted they bought advertisements in other papers and ran extracts under the headline "Thank you Kofi"

The tale reflects the misunderstanding by these governments of the role of the press They see criticism as something to be repressed or dressed up as treason Praise is a commodity to be marketed

This suspicion of a free press by governments sometimes has faint echoes in the editors of party or state papers One Tanzanian editor of a party paper, bruised by the desertion of his readers to the new independents, sighed "All this multi-partyism makes things much more difficult"

The political travails of the independent editors is compounded by the equally pressing problem of communications

It is still easier for a reporter to phone London from Lusaka than it is to phone from Lusaka to Blantyre, in neighbouring Malawi Faxes still remain the preferred means of communication with some of the small independents but E-mail is rapidly replacing it as a means of communication

Further down the line lies the Internet with all its attractive prospects for cheap and easy pooling of stories

The European Community is helping pioneer such a site through a southern African institute but, again, it is little use in a world of crackling telephone communication

The next logical step is, perhaps, satellite base stations at newspapers so that thin skeins of communication, on which to carry the vast treasures of the Internet, can be laid across the inertial spaces of the continent

Once linked to the Internet, every African editor will be in the position of being able to mediate between the modern base of knowledge, represented by the Internet, and the traditional base, represented by lore and convention

The travails of fellow editors on the continent help give us more perspective on affairs at home

Cabinet ministers may grumble about the failure of the media to "tell the story", President Nelson Mandela may occasionally lapse into charges of racism against the critical press and the president of the Constitutional Court may hint that more protection of individual privacy is needed

But all this is more an affirmation of our democracy than a sign of its being undermined Compared to the harassment of journalists elsewhere on the continent it is small beer indeed

The temptation, then, is to become complacent — to be indifferent to the plight of others on the continent

South Africa, of all the countries in Africa, has the constitutional models and institutions for a free press imperfect perhaps and not fully formed but still available to those who might find inspiration in them

Moreover, it stands at the forefront of the communications explosion Whether it is cellphones or internet users, the scale and rapidity of adoption of the new technologies has outstripped even more developed countries

Time, surely, to pay attention to north of the Limpopo

## *En Passant*

NEWS

BRENTON GEACH

**ld and new:** top, the old Conference of Editors and, bottom, members of the new Editors' Council of Sanef

# Defence of free press now in black and white

(243)

## *Editors unite in non-racial forum*

ARG 21/10/96

**DENNIS CAVERNELIS**
STAFF REPORTER

**The fight for press freedom in South Africa enters a new era now the Conference of Editors and the Black Editors Forum have united to form the SA National Editors' Forum.**

The historic unity conference and the launch of the new forum was held at the Breakwater Lodge in Cape Town at the weekend

Enterprise magazine editor Thami Mazwai was yesterday elected chairperson of the new forum's interim Editors' Council, with Sunday Times editor Brian Pottinger as his deputy and Tribute magazine editor S'bu Mngadi as secretary and treasurer.

The conference was attended by about 80 of the country's most senior print and broadcasting editors and journalism teachers

The draft preamble says "Recognising past injustices in the media, we commit ourselves to a programme of action to overcome these injustices and to defend and promote media freedom and independence"

The interim Editors' Council elected yesterday – which will precede the official inauguration of the forum – would have a one-year lifespan, Mr Mazwai said

The committee's duty would be to prepare the media industry for the forum

The conference resolved to take corrective action to "address and redress inappropriate racial and gender imbalances prevalent in journalism and news organisations and encourage corrective action and a transformation of culture within the industry"

The forum appealed to the Zambian government to stop harassing editor Fred M'membe and his staff and to do away with clamps on press freedom

It voiced concern about President Mandela's recent attack on black journalists

The forum said that by singling them out he was exposing them to intimidation

Sanef resolved to seek urgent talks with Constitutional Court President Arthur Chaskalson over his questioning of the media's right to protect sources during police investigations into serious crimes

# Editors create united forum

(243) BD 21/10/96

CAPE TOWN — SA's most senior journalists have agreed to speak with a single voice in defence of Press freedom and to address injustices of the past in the media industry

Sapa reports that members of the Black Editors' Forum and the Conference of Editors yesterday resolved to iron out differences and set up the SA National Editors' Forum during a conference in Cape Town.

Black Editors' Forum chairman Thami Mazwai was elected chairman of the new organisation and Sunday Times editor Brian Pottinger his deputy.

Tribute magazine editor S'bu Ngadi will be treasurer and secretary.

The organisation moved swiftly to adopt its first resolutions

It called on the truth commission to conduct the amnesty applications of five senior police officers in public, instead of releasing only extracts of their testimony.

It also appealed to the Zambian government to stop harassing Zambian editor Fred M'membe and his staff, and do away with clamps on Press freedom

The forum voiced its concerns about President Nelson Mandela's recent attack on black journalists. Recent remarks by Constitutional Court president Judge Arthur Chaskalson on Press freedom also caused concern.

The new organisation is an interim one which will sit for the next year, during which its constitution will be formulated.

**Deborah Fine** reports that the editors' forum executive body — called the editor's council — will be made up of 20 members. Five will be drawn from the Black Editors' Forum, five from the Conference of Editors, five will be broadcast editors and five representatives from magazines, interest groups and journalism educators.

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Union to strike | DD to challenge certification

executive chairman Carel Rahbbuss

THE STAR

# A milestone in building a nonracial media

## Thabo Mbeki welcomes unity forum of black and white editors

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Arg 21/10/96

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

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,*
*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 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 African National Editors' Forum (Sanef) to address the question of building a nonracial South Africa.

***'It is my own firm view that Press freedom in our country is not under threat'***

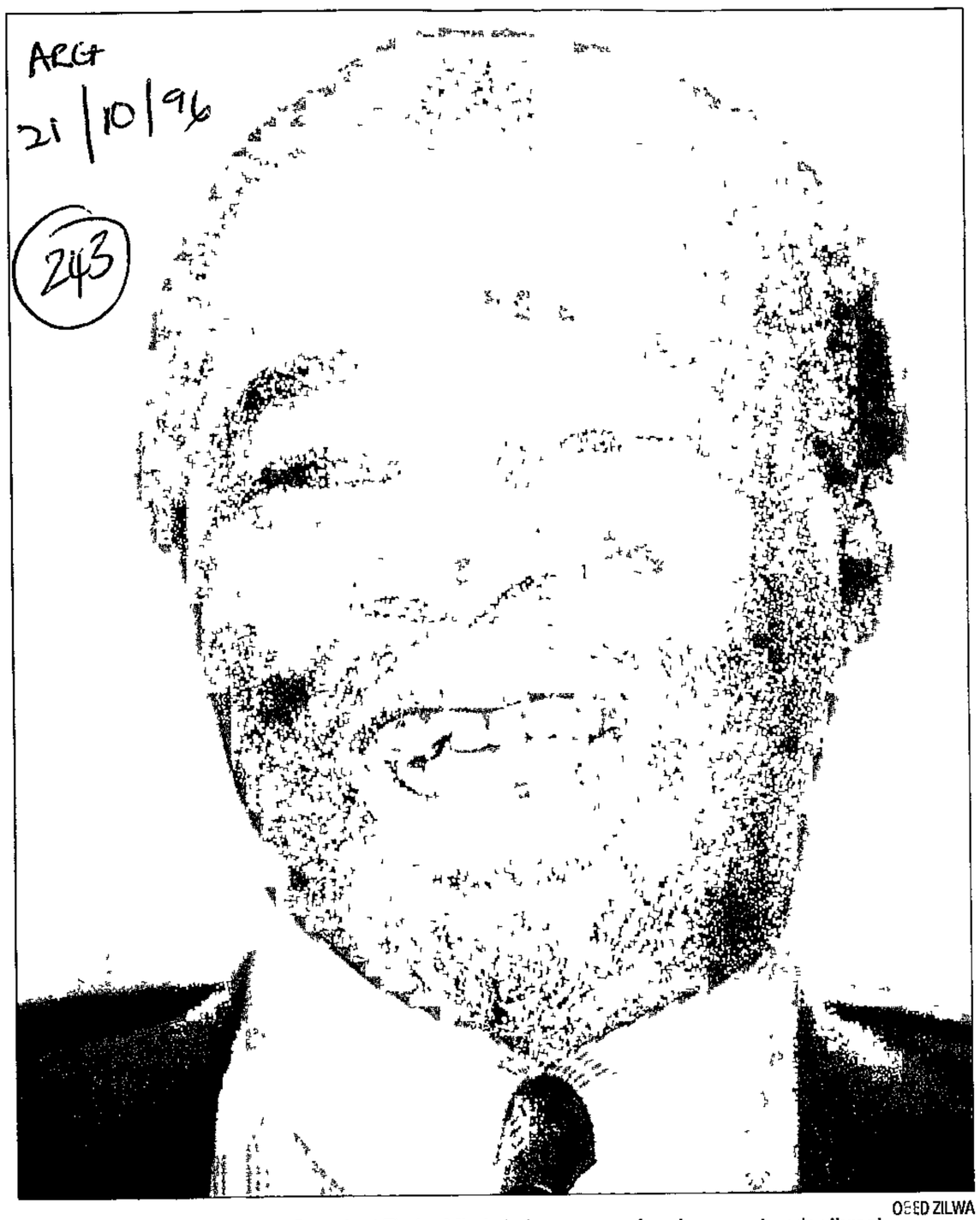
The coming of this moment might itself have been characterised by movement which could be described as a petty pace After all, if we are in search of a benchmark we are two and a half years on since the establishment of our first democratic and nonracial government

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




OEED ZILWA

**Encouraging words:** Deputy President Thabo Mbeki believes press freedom is not under threat

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 common 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

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

# Mazwai to head new editors' organisation

Sowetan 21/10/96

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SOUTH AFRICA'S most senior journalists have agreed to speak with one voice in defence of Press freedom and to jointly address injustices of the past in the media industry

Members of the Black Editors Forum and the Conference of Editors resolved at the weekend during a unity conference in Cape Town to iron out their differences and set up the South African National Editors' Forum (Sanef)

The organisation will comprise members of both the print and broadcasting media as well as media educators

BEF chairman Thami Mazwai was elected chairman of the new organisation and *Sunday Times* editor Brian Pottinger his deputy *Tribute* magazine editor S'bu Mngadi will be SANEF treasurer and secretary

It called on the Truth and Reconciliation Commission to conduct the amnesty applications of five senior police officers in public, instead of only releasing extracts of their testimony

It also appealed to the Zambian government to refrain from harassing Zambian editor Fred M'membe and his staff, and to lift clamps on Press freedom

Sanef voiced its concerns about President Nelson Mandela's recent attack on black journalists, saying that by singling them out he was opening them up to intimidation

Recent remarks by Constitutional Court president Judge Arthur Chaskalson on Press freedom also caused Sanef concern

The new organisation is an interim one which will sit for the next year, during which its constitution will be formulated and the future of the BEF and the COE decided upon

Sanef says in its draft declaration of intent it plans to address and redress "inappropriate racial and gender imbalances prevalent in journalism and news organisations, and encourage a transformation of culture within the industry"

It will also prepare an annual report on corrective action in the industry and actively lobby media employers to implement such action

An editorial charter is to be drafted, incorporating a code of journalistic ethics and conduct – *Sapa*

# 'Don't expect media, government to get on'

## Famous editor tells conference delegates that journalists should never give up on stories

**OWN CORRESPONDENT**
Cape Town

In the shifting relationship between the government and the press, the only constant was disaffection with each other, the former editor of the Washington Post, 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 dinner hosted at Vergelegen estate at 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, said the reality of democracy was that the press and the government were not ever destined to be happy with each other

Journalists should wish for owners who had courage and should never give up on stories

Bradlee also said the lesson of Watergate to governments 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, endorsed Bradlee's views and added. "A safe editor can never be a good editor"

Deputy chief executive of Independent Newspapers, Ivan Fallon, said the media in South Africa was at the most intriguing and delicate part of its entire history Although he had been in South Africa for only two years, the first thing that struck him was that 40 years of apartheid did not leave the press in a well-situated position for post-apartheid SA

Fallon said there had not been sufficient investment in journal-

**'At most delicate and changing time'**

ists, many titles had closed, many competent journalists had emigrated, and the TML and Argus publishing houses were effectively controlled by Anglo American

The once healthy alternative press had to a large extent died, despite a great deal of hope about its potential role The most striking lesson about this collapse was that it could not survive without financial viability.

The Cape Town-based newspaper South closed without a role in the new South Africa and no one willing to invest in it New Africa and Vrye Weekblad had also closed, while New Nation, with a circulation of under 21 000, had a very different role from what had been hoped The Mail and Guardian now relied on its international links to survive

"They've all gone These publications that sustained the flame of freedom have disappeared or struggled to survive"

Fallon added that the decision by Independent Newspapers to take over Argus Newspapers – a decision taken before the 1994 elections – for R400-million, was until very recently the biggest foreign investment in the new SA.

Editorial standards in Independent newspapers still had to reach the required heights but they had improved

The lesson from the collapse of the alternative press was that newspapers had to have editorial excellence and be financially fit In the old Argus company there had been more changes in two years than in the previous 20, with a R50-million investment in state-of-the-art equipment.

Only one of 15 editors remained in the same position and four black editors and four black deputy editors had been appointed Independent Newspapers would be introducing new training programmes with Rhodes University next year, he said

# Editors form a united body

(243) Star 21/10/96

OWN CORRESPONDENT

Cape Town – In an historic move yesterday, a unified body representing the country's top editors was formed, but only after the country's top black and white journalists exchanged harsh words.

During a heated debate on the draft programme of action for the South African National Editors' Forum (Sanef), Sbu Mngadi, editor of Tribute magazine, described the media industry as "racist"

"We are pussyfooting around ... it's shameful," he said after Financial Mail editor Nigel Bruce questioned the definition of "corrective action" and "transformation" in Sanef's draft declaration of intent.

Enterprise editor Thami Mazwai, who was elected Sanef's chairman, said the new body needed to "take the industry by the scruff of the neck and shake it"

"The whole question of transformation is germane to the very existence of the Black Editors' Forum (which merged with the 'white' Conference of Editors) We can't have one foot in the transformation process and the other in the old South Africa," he said.

The Star's editor Peter Sullivan said while there had been some tough talk, the creation of a new body was a welcome move towards establishing unity among journalists. "The establishment of a single body was the most important thing to achieve at the weekend – and that achievement should not be drowned in the detail of the debate."

One of Sanef's first resolutions was to lobby for the public scrutiny hearings of five Vlakplaas security policemen due to appear before the Truth and Reconciliation Commission.

▶ Don't expect agreement

HEATED DEBATE ON PLAN OF ACTION

# Editors form single forum

CT 21/10/96 (243)

**THE SOUTH AFRICAN** National Editors' Forum, consisting of 20 members of the Conference of Editors, the Black Editors' Forum, the magazine industry and the broadcast media, was formed yesterday. **CHRIS BATEMAN** reports.

IN a historic move yesterday, a unified body representing the country's top editors was formed after harsh words between black and white journalists — and a confession by a top Sunday newspaper editor

The new South African National Editors' Forum (Sanef) has 20 members, drawn from the Conference of Editors, the Black Editors' Forum, magazines and the broadcast media

Sunday Independent editor Mr John Battersby apologised to his "black brothers and sisters" for having been a part of a system in which their human rights had been "trampled on"

The harsh words came from Mr Sbu Mngadi, editor of Tribute magazine, during a sometimes-heated debate on what Cape Times editor Mr Moegsien Williams called a "watered down" draft programme of action for Sanef

Mngadi described the media industry as "racist we are pussyfooting around . it's shameful"

Their comments followed Financial Times editor Mr Nigel Bruce's questions about the definition of "corrective action" and "transformation" in Sanef's draft declaration of intent and his assertion that if he disagreed with them and they wanted him to leave, he would

Enterprise magazine editor Mr Thami Mazwai, said Sanef, of which he was elected chairman, needed to "take the industry by the scruff of the neck and shake it" into the new South Africa

"The question of transformation is germane to the existence of the Black Editors' Forum, (which merged with the 'white' Conference of Editors) — we can't have one foot in the transformation process and the other in the old South Africa," Mazwai said.

He asked if "we have to be flexible to allow the continuance of stereotypes" "Certain black journalists" were opposed to the Black Editors' Forum talking to the Conference of Editors

Battersby said the conference was historic because it was the first time journalists from all walks of life had come together.

Among Sanef's first resolutions was that the Truth and Reconciliation Commission (TRC) should open to the public its secret hearings of five top policemen's applications for amnesty for 40 murders.

It said the closed hearings and the TRC's stated intention to release only extracts of the evidence violated the principles of transparency and freedom of expression and the TRC's purposes

The TRC's deputy chairman, Dr Alex Boraine, has since expressed surprise at the resolution

"The editors have their facts wrong The amnesty hearings are open, like all others have been," he said

Sanef also expressed concern at Constitutional Court president Mr Justice Arthur Chaskalson's comments on the use of Section 205 of the Criminal Procedure Act to force journalists to disclose their sources It is to seek an urgent meeting with him to clarify his position

The group's preamble recognises the injustices of the past in the media and commits members to a programme of action to overcome these and to defend and promote media freedom

# 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 "

# Media needs positive stories — Naidoo

BD 22/10/96 (243)

**Bonile Ngqiyaza**

THE future of a free and independent media in SA would depend on the media's demonstrable willingness to be accountable — not to government, but to the community, Posts and Telecommunications Minister Jay Naidoo said yesterday.

At the Sowetan Media Freedom Day, Naidoo said: "We need a strong, independent media to be the watchdog of our democracy. But that media should be diverse and representative of the population of our country."

He said a "fiercely independent" Press committed to thorough, impartial and accurate reporting was desirable "A stricter adherence to a Press charter on the basic ethics of professional journalism will greatly strengthen the credibility of the Press". A partnership between government, communities and the media had an essential role in building up SA and the common challenge for these disparate sectors was to bring the benefits of the global information society to citizens from all walks of life.

"Let us not fool ourselves. There will also be a tension between the media and the state. This tension is healthy for democracy."

Naidoo said the challenge was to balance society's excesses with the stories of ordinary people "turning adversity to triumph The bridges of peace, the waves of generosity and achievement must not be buried under the baggage of the negative aspects of our transformation."

In an earlier address, Nigeria's The Guardian newspaper editor Eluem Emeka Izeze spoke about the demoralising gloom journalists in Africa worked under.

He sketched out the threat of government clampdowns faced by many, and said the civic requirement of patriotism was used to restrain free comment. "Government officials often admonish the Press to be 'responsible'. Responsibility to them ranges from extreme self-censorship, to blatant praise-singing of government".

National security, Izeze said, was another ready excuse used by governments to curb Press freedom

Sapa-AFP reports that French Press defence group Reporters sans Frontieres (RSF), in a report issued in Paris yesterday, said at least 10 countries deliberately violated the African human rights charter with regard to the freedom of information, notably by imprisoning journalists

Marking the 10th anniversary of the OAU charter, RSF urged the signatories to respect their pledges, saying that since the beginning of this year eight journalists had been killed in Africa, eight were missing and more than 20 were in jail

RSF singled out Nigeria, where four journalists have been imprisoned It said some journalists continued to defy the military regime, but most had given up for fear of reprisals Four journalists were jailed in Rwanda, two in Burundi and three in the Ivory Coast

RSF also criticised Gambia, Kenya, Zambia and Zimbabwe, attacked censorship in Algeria and said the Press had been "brought to heel" in Tunisia

# Mayor encourages challenges on arrears

BD 22/10/96

**Farouk Chothia**

DURBAN — Durban north central deputy mayor Trevor Bonhomme has encouraged his constituents to institute legal action against the city's metropolitan council's water department for having their water supply disconnected due to payment arrears.

Bonhomme said yesterday that he was justified in referring affected residents in his Newlands East ward to the Legal Resources Centre with a view to taking legal action because he had not become a councillor to be part of an "oppressive machinery"

Bonhomme said the department was failing to implement the north council's policy that families in arrears were entitled to the supply of 200l of water a day. Officials were difficult to get hold of to discuss the matter, and they left him infuriated, he said.

He said that during constituency work recently he had come across 15 poverty-stricken families who had no water at all.

One family was unable to wash baby napkins, while another did not have money even to buy matches to light a fire to boil stream water.

Families had been without water for a considerable time Some families owed R500. Bonhomme said water was a basic need, and the failure to provide residents violated human rights principles in the constitution

If a death occurred, he would be "roasted alive" by his constituency

Department director Roy Pinkerton said the department's lawyers were "quite happy" to go to court as they did not believe the constitution gave a right to water "for nothing" Pinkerton said the affected residents lived in privately owned homes, and the council's decision applied only to those who were living in rented accommodation

# Media industry faces new challenge

Sowetan 22/10/96

(243)

**By Mongadi Mafata**

RISING costs and government interference are some of the challenges facing the media industry, a Nigerian newspaper editor said yesterday

Mr Emeka Izeze, editor of *The Guardian* in Lagos, was speaking to more than 150 people, mostly journalists, at the *Sowetan*-sponsored Media Freedom Day at the Johannesburg Holiday Inn Garden Court

"The Press in Nigeria has gone through a lot of trials and tribulations, and freedom of expression is a mirage," said Izeze

Explaining how market forces had caused newspaper readerships to decline, Izeze said Africa had the largest refugee population because of political and economic instability

He said government interference in newspapers had resulted in a decree by the Nigerian military government two years ago to shut down his own newspaper for a year.

"Working in the Press today is like walking a tightrope Government expects journalists to be patriotic and not to criticise their actions and I believe this is a fallacy," Izeze said

Chairing a panel on media transformation, SABC television news editor-in-chief Mr Joe Thloloe asked what steps journalists had taken to be part of the media revolution taking place in the country

*Enterprise* magazine editor-in-chief and chairman of the newly-formed South African National Editors Forum, Mr Thami Mazwai, told guests who included *Mail & Guardian* editor Mr Anton Harber, that the industry needed to change its mindset to accelerate transformation

Mr Ivan Fallon, of *Independent Newspapers*, and New Africa Investment Limited (Nail) chairman Dr Nthato Motlana both stressed the need for staff development

# SA media must work with Govt

**By Mongadi Mafata**

SOUTH Africa's media industry should form a partnership with the Government in building a non-racial democracy that should be people-centred and guard against the erosion of basic human rights

Speaking during the Media Freedom Day, Broadcasting and Telecommunications Minister Jay Naidoo called on the media not to bury good stories under negative aspects of the "slow and painful" transformation

He lauded *Sowetan* and its Editor-in-Chief Mr Aggrey Klaaste on having successfully taken the challenge of nation building to transform the country into a true democracy

"There'll always be tension between the state and the media – that is healthy for democracy But we need to respond to challenges in a coherent way," Naidoo said

Three newspapers, *The World, Weekend World* and *Pro Veritate* and some political organisations were banned on October 19 1977 by the then justice minister Mr Jimmy Kruger

# Press warned to pursue truth

Sowetan 22/10/96 (243)

**By Lulama Luti**

TOP Zimbabwean editor Trevor Ncube last night warned the South African Press not to repeat the mistakes by the media in other countries in Africa, including his country Zimbabwe

Speaking at the *Sowetan-New Nation* media banquet in Johannesburg, Ncube, who is editor of the *Zimbabwe Independent*, said it was critical that the Press in South Africa did not shy away from asking the authorities all the awkward questions in pursuit of the truth

"I worry a lot when I hear Deputy President Thabo Mbeki voicing his concern about the way the government is projected in the media and blaming the journalists for this state of affairs

"I get worried when I hear senior party officials attacking the Press for uncovering corruption, pointing at policy lapses and certain ill-conceived government actions This is exactly what the Press should be doing," Ncube said

Looking at South Africa, he saw self-censorship in the name of national cohesiveness playing itself in more or less the same way as it did in Zimbabwe

"Soon after the liberation struggle in Zimbabwe, the Press looked the other side as government and the party made mistakes There was a widespread feeling that demanding good governance from our new leaders would encumber their efforts to deliver on their electoral promises Indeed the Press did not want to be seen to be rocking the boat," he said

*Sowetan-New-Nation* Editor-in-Chief Aggrey Klaaste said while the country was going through a period of transformation there were many South Africans unable to take the step without faltering

The annual award for best *Sowetan* journalist went to Labour Reporter Abdul Milazi who will spend between four and six weeks at a London newspaper

Best South African journalist award went to the SABC's Karien van der Merwe for producing and presenting a series of Afrikaans documentaries on gangsterism in the Western Cape She received R10 000 in cash

# Row over Mandela's criticism of some senior black journalists

(243) CT 22/10/96

**CHRIS BATEMAN**

The ANC yesterday sprang to the defence of President Mandela — under fire from the new South African National Editors' Forum (Sanef) for remarks he made about some senior black journalists

Sanef "wondered" in one of its first resolutions at the weekend why Mandela, in his criticism, made to a University of the North audience a fortnight ago, "indirectly cast suspicion on all senior black journalists"

Sanef said this made all senior black journalists vulnerable to abuse and victimisation

The ANC said that while it welcomed Sanef's creation, the new body's resolution "misrepresented" the nature of the concerns Mandela raised

These had to do with some of the reporting on his backing of Mr Justice Ismail Mahomed for Chief Justice, and the role of black journalists

**UNDER FIRE:** Nelson Mandela

Mandela told the Cape Times at the weekend that some senior black journalists seemed not to want to be part of the transformation

"They seem to regret that we destroyed white supremacy, and are very hostile to us — you can't expect us to keep quiet and not respond," he said

Mandela said his government was being constantly pilloried by the same black journalists, who wrote that it had failed to deliver

Mandela said that in the run up to the 1994 elections he had toured the country extensively, urging people to understand that delivery was "not an event, but a process"

Inheriting a R254-billion debt, which costs R28bn a year just to service, a negative growth rate and double-digit inflation, had made it "difficult to deliver these things overnight — but the process was under way," he said

Some senior black journalists were writing as if he had never made a dedicated attempt to temper expectations by stating the realities at the outset

"They should remember that I gave a warning that the process could take five years".

He said the enormity of providing the basics such as housing and water was seldom realised.

# 10 lands 'violate own charter'

(E) (243) Star 22/10/96

Paris – At least 10 countries deliberately violate the African human rights charter with regard to the freedom of information, notably by imprisoning journalists, the French press defence group Reporters sans Frontieres (RSF) said in a report issued here.

Marking the 10th anniversary of the Organisation of African Unity (OAU) charter, RSF urged the signatories to respect their pledges, saying that since the beginning of this year eight journalists had been killed in Africa, eight were missing and more than 20 were in jail.

RSF singled out Nigeria, where four journalists are in jail It said a handful of journalists continued to defy the military regime, but most had given up for fear of reprisals. Independent newspapers were also severely threatened in Cameroon, current chairman of the OAU.

RSF also attacked censorship in Algeria and said the press had been "brought to heel" in Tunisia. – Sapa-AFP.

# Naidoo calls for SA 'charter of the press'

(243) Star 22/10/96

The future of free and independent media in South Africa depends on the willingness of the press 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, 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."

Naidoo said although the Government acknowledged the media had a special responsibility to emphasise the positive and negative in a multicultural society, it was also crucial that this be exercised with great care

"We need a strong independent media to be the watchdog of our democracy But the media should be diverse and representative of our country"

Naidoo acknowledged there would be tension between the state and the media, stressing that such tension was healthy for South Africa's democracy.

■ The founding of a unified South African National Editors Forum (Sanef) has been welcomed by the ANC

But the ANC lashed out at a Sanef resolution which it said was based on a misrepresentation of President Nelson Mandela's unequivocal commitment to press freedom.

The resolution appeared to be based on reported concerns expressed by Mandela about media reporting of his backing of Mr Justice Ismail Mohamed, and of his views on black journalists – Political Correspondent and Sapa

# Press silence is a disservice to democracy

**A sycophantic Press in the post-liberation period spared the rod and spoilt the government of Zimbabwe, says newspaper editor Trevor Ncube**

BD 23/10/96 (243)

THE Press in SA has had a long and eventful history of struggle against an oppressive, racist regime

It was a struggle that saw many journalists harassed, imprisoned and forced into exile for being brave enough to tell their leaders the truth Many died in the line of duty We should all salute them for the events of the last few years have clearly vindicated them and shown that they were on the side of the truth

For those countries that have come out of a long and protracted struggle, such as SA and Zimbabwe there is always a temptation to give the new, incoming government a welcome and a breathing space while it settles down

Members of the incoming government have fought to liberate the majority and criticising them early on could be seen as lack of patriotism and sympathy for the cause they have sacrificed so much for

Press accommodation is also the result of a realisation of the mammoth task that lies ahead of the ruling party and government in their efforts to address anomalies caused by the polices of the previous governments

This is what happened in Zimbabwe soon after the liberation struggle The Press looked the other way as government and the party made mistakes There was a widespread feeling that demanding good governance from our leaders would inhibit their efforts to deliver their electoral promises Indeed, the Press did not want to be seen to be rocking the boat

When I look at SA, I see self-censorship in the name of national cohesiveness playing itself out in more or less the same fashion. To me, these are flashing red lights I say this with the full benefit of hindsight and the fear that SA journalists might be taking the same route we walked along not so long ago with disastrous results In Zimbabwe the Press spared the rod and spoilt the government

The first decade of Zimbabwean independence saw a mainly state-controlled press that was largely uncritical of government policies and actions Regrettably, government failed to make good use of this grossly over-extended honeymoon The nation discovered the 10-year period of supine Press had actually been a great disservice to democracy and had undermined all the things we had fought so hard to attain

The Press failed to fulfil its primary role of being a watchdog and custodian of the rights and freedoms of society Accustomed to a sycophantic Press, the government had grown all too powerful and contemptuous of the same people that voted it into office And because they were accustomed to the Press telling them how wonderful they were, they had difficulty coming to terms with criticism of whatever nature and from whatever quarter

Through a series of omissions, the Press had unwittingly created a monster

Soon a totalitarian climate emerged which was unhealthy for democracy A culture of fear and intimidation became the norm as the government used state apparatus — such as the vicious Central Intelligence Organisation — to suppress dissent A blanket of fear engulfed the society And under this blanket, nefarious activities, totally against national interests, were to take place

Civil society, that vital ingredient of any vibrant democratic society, was immobilised whenever its interests came into competition with those of powerful politicians Because these structures and institutions were perceived to be in competition or a threat to the political establishment's power base, they were weakened systematically

Social partners, an integral part of the liberation struggle, such as churches, the labour movement, students and the Press, were rendered ineffective by an intolerant and authoritarian government

Mismanagement of the economy and widespread and high-level corruption emerged The Press politely looked the other way As a result, by 1990, major distortions had crept into the economy

The majority of the Press was uncritical of the government's socialist experiment which suffocated private initiative and saw economic activity almost grind to a halt National resources and assets were pillaged for short-term political and personal gain

With the economy on its knees, government was then forced to go cap in hand to the World Bank and to the IMF

Government and public-sector appointments were not put under the spotlight with the result that appointments were determined by who you knew in the corridors of power The nation is still grappling with the consequences of mismanagement and the waste of financial resources inflicted on the fiscus by these ill-advised policies

In SA I hear many calls for the Press to conform and be more sympathetic to the ANC-led government There are many within the ANC who believe the nation owes the party eternal gratitude and that this should be extended to prominent party individuals

I worry that, as in the case of Zimbabwe, the SA Press will succumb to these demands

I worry when I hear Deputy President Thabo Mbeki voicing concern about the way government is projected in the media and blaming journalists for this state of affairs

I worry a lot when I hear senior party and government officials attacking the SA Press for uncovering corruption, pointing out policy lapses and certain ill-conceived government actions

This is exactly what the Press should be doing Those who attack the Press forget that journalists, under normal circumstances, do not manufacture news They report and analyse what they see.

This criticism is usually accompanied by claims that this is a government of the people and therefore everything it does is in the interests of the people

It is important to remember that many evils have been perpetrated under the pretext of fulfilling the common good

I take a lot of comfort, however, in the fact that the SA constitution has sufficient checks and balances and that, above all, Press freedom and the public's right to be informed are firmly enshrined in the highest law of the land

That is not the case in Zimbabwe Our constitution gives us the right to be informed with one hand and takes it away with the other through countless qualifications

It is important that journalists in SA, both black and white, realise that there is very little to be gained by blind loyalty to the government of the day Only a vigilant and free Press guided by the search for the truth will serve this young democracy well

Those that consider their brief simply to trumpet the successes of government will soon fall by the wayside as credibility suffers and market forces take control And the same is equally true for those who see nothing but evil in everything that the government does.

SA finds itself in a position similar to many African countries, namely, the dominance of politics by one political party This is likely to increase after the next general election A single powerful political party with its tentacles across all facets of life has the tendency to become a bully The SA Press must guard against this

Similarly, it must guard against turning President Nelson Mandela into a sacred cow At the end of the day, he is a human being like all of us He will always benefit from objective criticism

The media must also be careful of being divided by a government and party looking for friends

The failure of the ANC to set up its own newspaper along similar lines to Zimbabwe could actually be a blessing in disguise

Government has no business owning newspapers This is largely because government is the biggest player in society, but, more importantly, because it gets its revenues from the tax-paying public and needs to be scrutinised on how it spends these public funds Government cannot be trusted to adequately carry this out as a newspaper proprietor

I submit that it is much safer and more desirable to have one individual having a preponderance of Press control than it is to allocate this onerous task to the government of the day

Politicians the world over have a tremendous capacity to abuse power and be corrupt and it falls on the Press to ensure that this does not happen Our leaders must be aware at all times that the Press is watching them and that their shady deals and misdemeanours will be uncovered for the public good

□ *Trevor Ncube is editor of the Zimbabwe Independent newspaper of Harare This is an edited version of a speech made by him at a Sowetan Media Freedom Day dinner in Johannesburg on Monday night*

# Press must be vigilant

(243) Sowetan 23/10/96

**Trevor Ncube**, editor of the *Zimbabwe Independent*, addressed the *Sowetan* Media Freedom Day banquet on Monday night. This is an edited version of his speech ...

FOR THE MEDIA IN South Africa and Zimbabwe, countries which have come from a long and protracted struggle, there is a strong temptation to give the new Government a breathing space while it settles down

This sympathy is based on the fact that members of the incoming Government have fought against incredible odds to liberate the majority of the people Criticising them so early on could be seen as a lack of patriotism and sympathy for the cause that they have sacrificed so much for

The Zimbabwean Press, after the liberation struggle, looked the other way as government made mistakes There was a widespread feeling that demanding good governance from our new leaders would encumber their efforts to deliver on their electoral promises Indeed, the Press did not want to be seen to be rocking the boat

When I look at South Africa, I see this self censorship in the name of national cohesiveness playing itself in more or less the same fashion

To me, these are flashing red lights I say this with the full benefit of hindsight and the fear that my South African friends might be taking the same route that we walked not so long ago, with disastrous results

## Largely uncritical

In the first decade of Zimbabwean independence, the Press was largely uncritical of government policies and actions

Then the nation discovered that a supine Press had actually been a great disservice to democracy and had undermined all the things that we had fought so hard to attain – it had failed to fulfil its cardinal role of being a watchdog and a custodian of the rights and freedoms of society

Accustomed to a sycophantic Press, the government had grown too powerful and contemptuous of the people who voted it into office And because they had been accustomed to the Press telling them how wonderful they were, they had difficulties coming to terms with criticism

Fear and intimidation became the norm as the government used state apparatus like the Central Intelligence Organisation to suppress dissent

Civil society, that vital ingredient of any democracy, was vitiated whenever its interests competed with those of the powerful politicians

Churches, the labour movement, students and the Press, once an integral part of the liberation struggle, were rendered ineffective

Mismanagement of the economy and widespread and high level corruption emerged The Press politely looked the other way

As a result, by 1990, major distortions had crept into the economy The majority of the Press was uncritical of the government's Socialist experiment which suffocated private

**Trevor Ncube, editor of the *Zimbabwe Independent*.**

initiative and saw economic activity almost grind to a halt

Government and public sector appointments were determined by who you knew in the corridors of power as opposed to what skills one offered The nation is still grappling with the consequences of these ill-advised policies

There are a lot of lessons to be learnt from Zimbabwe's unfortunate experience I pray and hope that South Africa and its many cadres will avoid this cursed route, but I am disappointed by what I am seeing

I hear many calls for the Press to conform and to be more sympathetic to the African National Congress government

There are many within the ANC who believe that the nation owes the party eternal gratitude as a result of the role it played in the nationalist struggle This eternal gratitude is also expected to be extended to prominent individuals within the party And I worry that, as in Zimbabwe, the Press in South Africa will succumb to these demands

I worry a lot when I hear Deputy President Thabo Mbeki voicing his concern about the way the Government is projected in the media and blaming journalists for this state of affairs

I get worried when I hear senior party and Government officials attacking the Press in South Africa for uncovering corruption, pointing at policy lapses and certain ill-conceived Government actions

This is exactly what the Press should be doing

However, I take comfort in the fact that the (new) Constitution has sufficient checks and balances and that above all, Press freedom and the public's right to be informed are principles firmly enshrined in the highest law of the land

It is important that both black and white South African journalists realise that there is very little to be gained by blind loyalty to the Government of the day

Those who consider their brief as simply that of trumpeting the success of the Government will soon fall by the wayside as credibility suffers and market forces take control And the same is true for those who see nothing but evil in everything the Government does

I am aware of the discomfort that many among us have regarding that section of the Press that never raised a finger when apartheid excesses were being committed with impunity and who now want to be seen as paragons of virtue as far as the Government is concerned

Those who sympathise with the ANC might feel duty bound to provide a medium of balance by lending it uncritical support against attacks from those fearful of change

To do so would be most unfortunate and would give the ANC a false sense of security The only balance possible is to ensure that criticism is fair and that it is rooted in fact

## Constant reminder

Such criticism must seek to constantly remind those in power of the promises that they made to the masses who voted them into office and into a life of relative comfort

It is fascinating to an outsider that the one initiative with the potential to turn many a dream into reality, the Reconstruction and Development Programme, is no longer news

The media is now consumed by the current wave of violence But it deals with this violence in a vacuum It forgets that violence is partly driven by current economic conditions, particularly the high unemployment levels And the RDP is part of the solution to the violence

South Africa finds itself in a position similar to many African countries, namely the dominance of one political party This is likely to increase after the next general elections

A single powerful political party with its tentacles across all facets of life has a tendency to become a bully

The South African Press must guard against this Similarly, it must guard against turning President Nelson Mandela into a sacred cow, for at the end of the day he is a human being

# Law used against reporters will stay

(243) ART 24/10/96

CLIVE SAWYER
POLITICAL CORRESPONDENT

**The Government will not review the section of the Criminal Procedure Act used to subpoena journalists who have information on People Against Gangsterism and Drugs, Parliament has been told.**

"This law is not about journalists – it is about combating crime," said cabinet minister Penuell Maduna, speaking on behalf of Justice Minister Dullah Omar.

Exchanges on the controversial provision were prompted by a question by Freedom Front MP Josef Chiole about whether the Government intended reviewing Section 205 of the act.

Mr Maduna said the Constitutional Court had held the section to be constitutional The Attorneys-General were able to invoke it where they believed reporters had information needed "for the benefit of society"

# Editors form a laager

(243) M+G (BOM) 25-31/10/96

**Shared concerns have persuaded South Africa's editors to unite in one body, writes Anton Harber**

WHEN *Tribute* magazine editor S'bu Mngadi told the editors' unity conference last weekend that the media industry was still racist, it brought a moment of rare silence from the more than 80 senior journalists present

Mngadi's passionate outburst against those who wanted to water down the conference's declaration on affirmative action was a defining moment at the climax of the two-day meeting He brushed aside the polite and diplomatic talk which had characterised the discussion until then and expressed a strong sentiment which had been bubbling below the surface

The editors and senior journalists were united by their common concern for media freedom On this there was no need for debate as there was a shared worry that the historical divisions among editors could be used by a future government to compromise their freedom

Affirmative action was a much tougher issue

The proposal on the table, strongly supported by the Black Editors' Forum (BEF), was that the new South African National Editors' Forum (Sanef) publish an annual report on affirmative action progress in the industry

Some editors feared that this could bring undue interference into their newsrooms, or that a quota system would start to interfere with their right to employ the journalists of their choice And they noted that affirmative action can be complicated in a highly specialised industry, particularly one which has not done much training in recent years

*Financial Mail* editor Nigel Bruce and *Business Day's* Jim Jones feared the new organisation wanted to be a regulatory body of the sort journalists had resisted for so long

But Mngadi was making it clear that affirmative action was a non-negotiable issue for black editors If the organisation did not commit itself to tough and far-reaching action to transform the industry, BEF members would not feel at home

It is a measure of the success of the weekend gathering that an organisation was formed which included both Mngadi and Bruce

There were two other moments of note in the meeting At one, *Sunday Independent* editor John Battersby apologised to "our black brothers and sisters for the collective involvement of white journalists in the system"

Deputy President Thabo Mbeki addressed the meeting and his now-standard criticism of the media was notably absent He did, however, take a subtle dig at the editors when he pointed out what the government had achieved in the 30 months since they came to power — the time it took the editors to form a new organisation

And he said the new body would have to be "more than just a non-racial tea party" if it were to play its proper role

Sanef agreed to produce and publish an annual report on affirmative action, and promised strong action on media freedom and the promotion of diversity It will also draw up a charter of editorial independence and ask the government, political parties and media owners to endorse it

And it will investigate an involvement in media education and training

Statements were issued on four matters of immediate concern closed hearings by the Truth and Reconciliation Commission, recent remarks on the limitations of press freedom by Constitutional Court President Arthur Chaskalson, a sweeping attack by President Nelson Mandela on "black journalists", and government threats to Zambian editor Fred M'Membe

The editors formed a "government of national unity" structure for a year a council made up of representatives of each founding group, to be replaced by a more democratic structure at a later date Both the Black Editors' Forum and the Conference of Editors were asked to dissolve in favour of the new organisation

Ironically, it probably won't be unity between black and white that will be the long-term test of the new organisation but the link between broadcasting and print as Sanef also brings together, for the first time, editors from these two industries This is a most unusual step, since in most countries the differences between these two branches of the same industry are seen as so vast and complex that journalists have traditionally been organised into separate bodies

Circumstances and a range of shared concerns have brought them together in South Africa — but it will be a precedent if they can be held together in one body

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Anton Harber is chairman of the Conference of Editors and co-chaired the unity meeting

# Conferences to look at dangers faced by journalists

(243) Star 29/10/96

At least 53 journalists have been murdered "for doing their jobs" in Sub-Saharan Africa in the past 10 years, according to the Freedom Forum

The forum, an international foundation dedicated to "free press, free speech and free spirit", will begin its African initiative with media conferences in Cape Town and Johannesburg this year

Titled Journalists Under Fire, Media Under Siege, the conferences will look at the dangers faced by journalists as they report news or research stories that put them at risk

Freedom Forum president Charles Overby said the good news from Africa was that fewer journalists had been killed than on other continents, but this was misinterpreted as press freedom "Governments still wage attacks against a free press."

The Johannesburg conference, scheduled for November 11 at the Sandton Sun hotel, will begin with an overview of the media in Africa today, called Dying to Tell the Truth. Journalists and editors from across the continent – including the editor of The Post in Zambia, Fred M'membe, who has been repeatedly jailed for independent reporting in his home country – have been invited

For more information, contact Tersia Theron on (011) 384-2965 – Media Reporter.

# Call for media's restructuring

BD 31/10/96 (243)

**Amanda Vermeulen**

THE Press should be restructured at the ownership level to create full diversity of media, and should change the way it approaches political and economic transformation in future, Nail deputy executive chairman Cyril Ramaphosa said yesterday

At a Johannesburg Press Club function, Ramaphosa — who will shortly take up the chairmanship of Johnnic — said while the media should continue to play a watchdog role in SA society, it should also be more accountable to the audience it served

He said reporting, in his experience, had not always been accurate and truthful "The media should be fair, and give credit and praise where it is due It should be critical, but always balanced."

Johnnic is the controlling shareholder in media conglomerate Omni Media, the parent company of Business Day publisher Times Media Ltd.

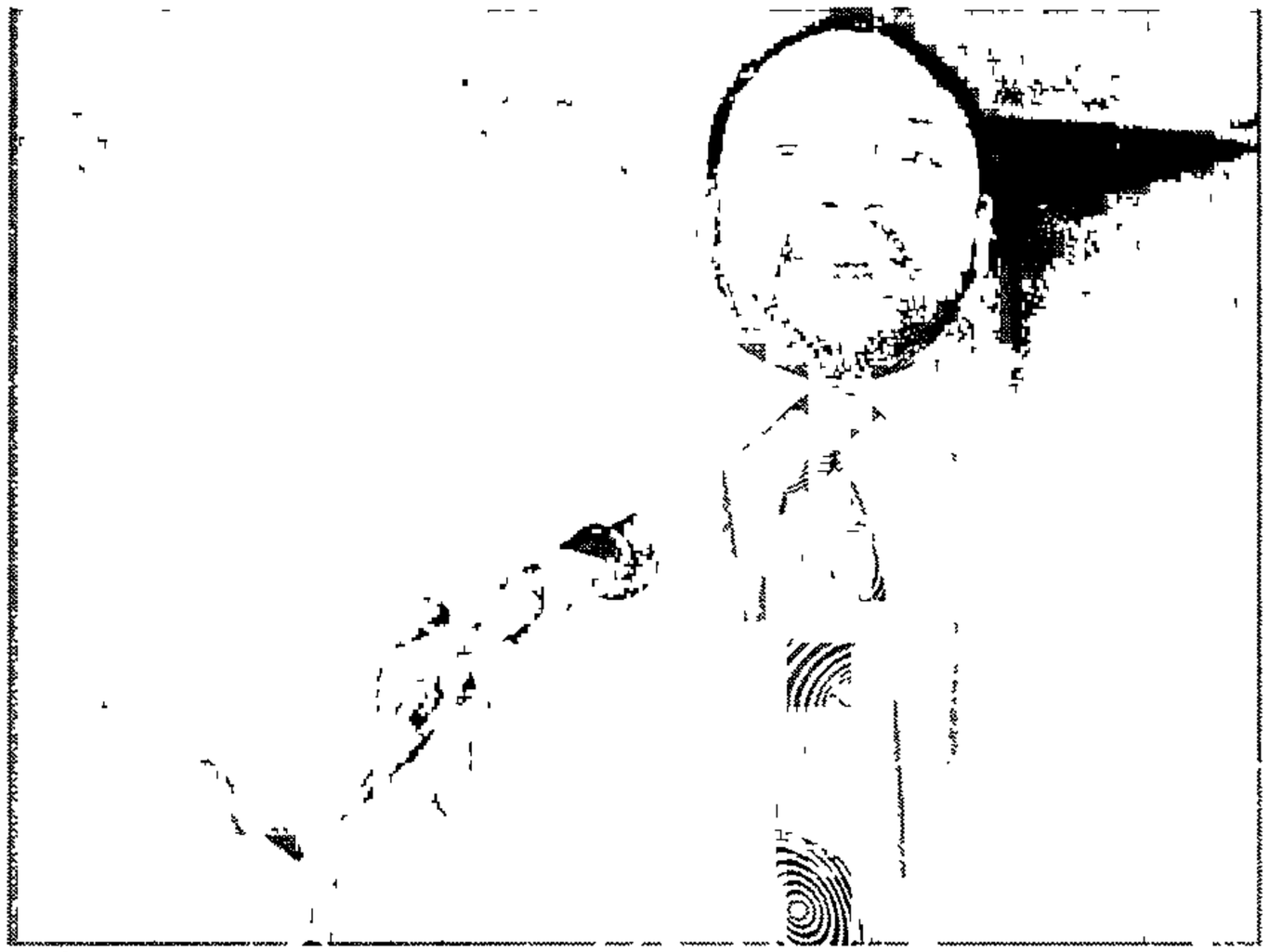
Ramaphosa said he applauded media groups which had started empowering employees from previously disadvantaged communities through training and skills development

He stressed the need to speed up the economic empowerment of blacks, saying that full credit should be given to those companies which had already embarked on this process — particularly those which had made a distinction between social responsibility and empowerment.

"But this process is not yet sufficiently widespread, nor deep, and the media must play a role in ensuring that this is accomplished, especially at grassroots levels "

It was also important that economic empowerment was not restricted to SA alone, but was spread across the country's borders to other nations on the subcontinent

"Emerging business can contribute to southern African economies, which will only survive if economic empowerment becomes a regional perspective," he said



**New Africa Investments deputy executive chairman Cyril Ramaphosa speaking at the Johannesburg Press Club yesterday** Picture ROBERT BOTHA

# Mandela praises SA media

(243)

## 'Direct, practical role played in building democracy'

Star 1/11/96

**SAPA**
Cape Town

The media was an active participant in building South Africa's young democracy and not merely a watchdog, President Nelson Mandela said yesterday

Speaking at the 21st birthday celebrations of the Cape Town Press Club, he said he wanted to underline that the media fraternity was more than just a critical observer of history in the making

"Quite often, when we speak about our achievements, we tend to forget the direct, practical role that the media has played and continues to play in the building of our democracy"

Today's dispensation on regulation of the airwaves, cross-media ownership and local content would not have seen the light of day without the direct contribution of editors and other journalists; media lawyers and related organisations The parameters of freedom of expression, open government and the instruments to achieve this had had to be defined.

"We did not see eye to eye on many issues, and some of the strongest points of view raised by the editors and others on the bounds of free speech were not taken on board

"But those contributions set the stage for the improvement of the interim constitution and the drafting of the Open Democracy Bill that is now being finalised"

While there might be misgivings about the practicality of some of the bill's propositions, the Government was determined that its content and objectives should not be compromised The Communications Task Group would soon present its report on how to improve government communications and the standard of media coverage in general

"Out of this process, we hope, South Africa will be able to rationally look at itself; that it will determine what needs to be done to ensure that citizens are afforded their right to a free flow of information and comment. If there are many weaknesses in this area, both the Government and the media are to blame And, as joint culprits, we have a joint responsibility to rectify them."

It was heartening that, at the launch of the SA National Editors' Forum, critical questions on training, affirmative action and ownership were frankly put on the table for debate, and targets on some of these issues were being considered. In this way, the editors were setting an example to the nation. The country, and certainly its democracy, would benefit from this, Mandela said.

# Black journalists: Just lapdogs?

M+G(MM) 1-7/11/96 (243)

**Ramotena Mabote** challenges black reporters to reassess their roles and not pander to the government

HENRY NXUMALO was called Mr Drum. Where are you today Henry, when we need you most? The exuberant newsroom of *Drum* with Nxumalo, Ezekiel Mphahlele, Can Themba and Nat Nakasa, among others, was the pinnacle of South African black journalism in the Fifties

The irony is that *Drum* was founded by a white man, Jim Bailey Most of the writers at *Drum* were not trained, and few had any qualifications But these men changed the scene of South African journalism The *Drum* writers and photographers carried the flag of the struggle. They exposed the forced removals and the plight of migrant workers They captured the birth of the Pan Africanist Congress, Poqo, Umkhonto weSizwe and other liberation forces

With their lenses and notebooks, they recorded the gruesome killing of PAC demonstrators on March 1960 in Sharpeville, the Rivonia Trial, and the 1976 uprisings Sadly, almost all these guys drank, and lived recklessly But their courage against the powers that be and willingness to serve the public's right to know was beyond doubt.

After the era of *Drum* came other young reporters like Percy Qoboza at the *Bantu World* (later editor of *City Press*), Aggrey Klaaste at the *World*, Jon Qwelane of *Beeld*, and later *The Star*, and Thami Mazwai at the *World*, now with (Black) *Enterprise* magazine.

This "news" crop, and many of their colleagues, followed the trend of using their pens to expose ruthless governments and to be the voice of the voiceless Imprisonment, harassment, torture and intimidation did not stop them But, more importantly, they worked endlessly to expose even those within "our ranks" who were corrupt.

However, since the new dispensation, things have changed drastically. Young black journalists have been caught on the wrong foot and the public's interest does not motivate them

When they entered the field of journalism, as cadet reporters, they continued to use their pens to further the cause of the struggle. However, where the early crop of writers was fighting to expose the ills of the government, the new crop wore colours Only a handful were indifferent, or did not take sides.

Now the chickens have come home to roost. Under the government of the ANC things have changed Black journalists suddenly realise that power corrupts, irrespective of colour, but some are still prepared to "understand" the government's shortcomings Some journalists of note are the first to come to the protection of the ANC, even before its vocal press office responds.

As if this is not enough, a group of black journalists recently formed the Forum for Black Journalists. At first, I thought this forum was to be a meeting place of hacks, where we could iron out matters of common interest It would be a press club that wouldn't compromise black journalists In fact, I was almost adamant we would use the platform to start a culture of self-criticism and introspection

I envisaged a situation where we were going to be in the forefront of professional journalism, fight corruption, avoid taking sides and have the best interest of the public at heart.

Alas, I was wrong The forum was formed to be an unofficial platform for the powers that be to cleanse their tarnished images The forum allowed itself to be used by discredited politicians and personalities bogged by controversies And worse still, at the insistence of the leaders of this forum, whatever these "guests" would say at forum meetings, would remain off the record because we should let them "open up like brothers and sisters"

Brothers and sisters my foot! In this trade we have two guiding principles the public's right to know and a duty to perform

After Mbongeni Ngema had squandered taxpayers' money through his *Sarafina II* production, he refused to give interviews When he was invited to address the forum, instead of being scrutinised ruthlessly, he was made a hero He was referred to by his clan name, Madlokovu, and told he could "open up" and not worry

Ngema, obviously aware of the protective cloak, took everyone to town and claimed to be the best thing that ever happened to South African theatre Fair enough But what about the taxpayer? How many Aids clinics, low-cost houses and schools could have been built with the R14,27-million he wasted with that *Sarafina* project?

Then the forum invited Cawe Mahlati, chief executive officer of Bop Broadcasting. Mahlati could not have been more fierce in her arrogance and pride Like Ngema at the first gathering, Mahlati waffled through about how her role and that of Bop were important, obviously forgetting to tell us about the millions lost every year at BopBC

But from there the stage was set Next came Professor Malegapuru Makgoba, Thabo Mbeki, and expelled ANC maverick Bantu Holomisa, all still speaking off the record and being black brothers Is this what black journalists fought for all these years?

What is the difference between a useless black government and a repressive white government? I thought none. I thought the government was the government and our role was that of watchdogs Yes, I agree, we should not criticise just for the sake of it. We should give credit where credit is due But like Jon Qwelane said "We should be society's watchdogs and not the government's lapdogs "

We have sold out this noble cause We have taken the route taken by all our colleagues all over the continent and the Third World, who, when the new governments took over from colonialists, threw away their false teeth and stopped barking What happened next is that the governments took control and journalists were turned into rubber stamps And today, the world, including South Africa, is filled with refugee reporters from repressive governments, because they need a voice

If we do not wake up now and realise that it is not about colour, it will be too late when we do If we do not hasten to realise that all over the world journalism is not about being on the right side of the powers that be, but being on the lookout for the wrong they will do, then we will have sold out the cause.

Ramotena Mabote is Gauteng bureau chief of Drum magazine

# TML battles for control over Sowetan

(243) BD 5/11/96

**Amanda Vermeulen**

TIMES Media Limited's (TML's) talks aimed at taking over New Africa Investments' (Nail's) controlling stake in Sowetan and New Nation may be stymied if Sowetan shareholder Independent Newspapers and TML reject a joint shareholding agreement

Although Independent Newspapers, a 42% shareholder in Sowetan, did not oppose TML absorbing the Sowetan, it would not sell its stake in the black daily, an Independent source said

But he said the group, which unbundled the Sowetan to Nail two years ago, would not be comfortable with opposition, TML, having control over Sowetan

TML sources also said the group would not be happy having Independent Newspapers as a shareholder in the Sowetan in the event of a takeover

TML could resort to buying the Nail stake in Sowetan.

If the talks between Nail and TML were successful, Nail would transfer its controlling stake in the two newspapers, held through Nail subsidiary New Africa Publications, to the TML stable

One of the major obstacles to the deal is Independent Newspaper's management contract with Sowetan, which still has about a year to run

It is understood that one of the motivating factors for the talks is Nail's concern that Sowetan and New Nation's advertising is handled by Independent

The two newspapers are said to be treated as a lower priority than Independent Newspaper's own publications in terms of their advertising revenue

A successful transaction would allow Nail, through its participation in the National Empowerment Consortium — which has acquired control of TML parent Omni Media — to consolidate its media interests within one organisation, sources said.

One of the major issues still to be discussed by negotiators is whether New Nation will make the move across to TML in the light of the serious losses being incurred by the paper

Sowetan management may consider closing the loss-making newspaper

Sources at Independent Newspapers said there had also been informal discussions with Nail deputy executive chairman Cyril Ramaphosa about restructuring media interests which could see the creation of a major new black media group

However, no details were available and Ramaphosa was not available for comment

Sowetan MD Roger Wellsted said yesterday that he would resign from the paper at the end of the year

"Nail has emerged as an important shareholder in TML and it is clear that management arrangements put in place by Argus (now Independent Newspapers) in 1994 are being superseded"

# Affirmative action for newspaper group

CT (BR) 6/11/96 (243)

GUY OLIVER
LABOUR EDITOR

Johannesburg — Independent Newspapers brokered an affirmative action deal with its six recognised unions this week that will maintain senior white male positions.

After five months of negotiations with the unions, John Featherstone, the chief executive, signed the deal on Monday

The parties agreed that positions for disadvantaged staff would be filled partly through attrition of existing staff members, and set a target date of 1999. No targets were set for A and B band, or unskilled, employees because those positions have traditionally been the preserve of blacks. The target for C band employees — artisans and junior reporters — was set at 40 percent, and that for D Band employees, such as senior reporters and circulation managers, at 30 percent

Duncan Innes, the labour consultant who facilitated the deal, said the relatively low 20 percent requirement for E band, or editor grade, was agreed on to accommodate recent appointments by Tony O'Reilly's Independent Group, and referred to Peter Bruce of Business Report, Shaun Johnson of the Cape Argus and John Battersby of the Sunday Independent who, he said, were all young "Opportunities to bring people in (to senior positions) is limited so we are setting it quite low."

Deon du Plessis, the group's Gauteng general manager and the force behind the policy document, said it grew out of this year's wage negotiations, when the parties agreed to sit down and negotiate on an equal footing.

The policy document also commits the group to training staff from previously disadvantaged groups Each region will have an affirmative action monitoring committee and appeal subcommittee with union and management representation

# Goldstone backs free press in SA

ARGUS CORRESPONDENT

**Johannesburg – A free press is essential to – and has a major role to play in – the make-up of a democratic and open society in South Africa says Mr Justice Richard Goldstone.**

Addressing the Open Society Foundation at Sandton last night, he said that this had to be the case in spite of past manipulation of the media.

Having recently arrived back in the country to take up his position as chancellor of the University of the Witwatersrand after being chief prosecutor for the United Nations War Crimes Tribunal, Judge Goldstone said the role of the press in South Africa was encouraging in the light of his experiences in dealings with the same in Rwanda and the former Yugoslavia.

He said the media was not only a watchdog of those who administrated democracy but also played an important role as a facilitator of information and ensuring the public's participation in and knowledge of how democracy affected them

"A culture of human rights can only succeed with the media's support No dictatorship can survive very long with a free and virulent press around. Indeed, the first step dictators take after seizing power is to curb the press,"he said

# Journalists refuse to be 'coppers' narks'

Forcing journalists to reveal their sources to state authorities would destroy the Press's watchdog role in society, says **Raymond Louw**

(243) BD 7/11/96

CONSTITUTIONAL Court president Judge Arthur Chaskalson has raised deep concerns among journalists over his views — expressed at a meeting in Cape Town of the Commonwealth Press Union — on press freedom and journalists' opposition to the authorities' use of the "reveal your sources" law to try to extract information from them

Journalists were startled that the head of the powerful Constitutional Court appeared to have perceptions about their attitudes to press freedom which are far removed from reality

Chaskalson began by raising the issue of journalists' opposition to the "reveal your sources" law — section 205 of the Criminal Procedure Act which states that "any person who is likely to give material or relevant information as to any alleged offence" can be summoned to appear before a magistrate to disclose that information and, if he or she refuses, be jailed for two years

In the minds of several judges, including, apparently, Chaskalson, the refusal of journalists to disclose their confidential sources or other information is tantamount to their demanding special rights and thus being granted special privileges in law

Chaskalson begins the argument by equating journalists with the ordinary man in the street and with doctors, priests, psychologists and others who are the recipients of confidential information but whose "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"

He states that "almost all countries" have and enforce laws requiring such disclosures to be made and cites as examples the US, Canada and Germany which give a high value to liberty and freedom of speech but which have invoked similar legislation against the press

Although Chaskalson is quite right to place journalists on the same footing as the man in the street, it is surprising that he did not examine the professional reasons that have given rise to the numerous cases where journalists have chosen to go to jail rather than disclose their sources or other information which they deem would conflict with their professional ethics and responsibilities

A large number of journalists — especially in SA where the previous government abused the law in attempts to denigrate and intimidate the press — chose jail rather than tell, but there have also been many in other countries who chose this route

LOUW

Why should journalists voluntarily subject themselves to such drastic punishment to avoid supplying information?

There are several reasons Take the confidential sources issue firstly, journalists are extremely serious about honouring an undertaking to maintain the confidentiality of an informant.

This ties in with the second reason — the importance of maintaining the confidentiality of sources to ensure that a newspaper is able to perform its role of a public watchdog uncovering wrongdoing, maladministration, corruption and other crimes especially in the public service

It is that promise not to disclose the identity of the source that enables informants to come forward, and a newspaper to gather the information that leads to the exposure of these evils

If newspapers revealed their sources or gave other information gathered in the course of their professional duties freely to the police they would be seen to be informers for the authorities and their credibility as independent, impartial reporters destroyed

A public perception that newspapers were agents of the police would frustrate, if not demolish, their ability to perform a watchdog role. Sources of information would dry up

This perception would also expose journalists, and more particularly photographers, to grave danger During outbreaks of violence, journalists and photographers would be seen not as impartial observers of events, but as agents of the police, and would be summarily dealt with.

Indeed, photographers who filmed the attacks of People against Gangsterism and Drugs (Pagad) vigilantes on drug dealers in Cape Town later received death threats and had to go into hiding

Finally, the perception of journalists and photographers as "coppers' narks" would destroy their ability to report and picture what was going on in the community People would not talk to them, they would be barred from meetings, events, demonstrations They would have no credibility, no one would believe them The press might as well close up shop as a respected purveyor of news

Nearly all the great scandals that have been exposed by SA newspapers in the past 20 years have come about through public-spirited "whistle-blowers" who have trusted newspapers to protect them (Incidentally, the "whistle-blower" concept is accepted and is protected in the Open Democracy Bill.)

These high public interest considerations differ substantially from the personal dilemma of doctors and priests whose concerns, though not to be taken lightly, relate to individuals and not to the wider public interest

In dealing with the subject, Chaskalson mentioned none of these serious journalistic concerns although they have been aired time and again when reporters have been brought before courts on section 205 subpoenas

It is gratifying to register that recently some jurists have come to recognise the dilemma and have sought a solution by invoking another section of the Act which lays down the legitimacy of a refusal to supply information if a person provides a "just excuse"

Some judges and attorneys-general have been persuaded that the watchdog role of the press and the press's requirement to maintain confidentiality constitutes such a "just excuse"

Chaskalson quoted practice in three democracies, but did not mention how another great democracy, Sweden, has become the first country to recognise the problem and to deal with it radically Sweden places a heavy onus on newspapers to protect their confidential sources and threatens journalists, editors and newspaper managements with jail if they disclose the identity of an informant who had wanted secrecy

Chaskalson then discussed freedom of the press in general terms "It is sometimes said 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 "

Chaskalson did not identify the source of this statement, but I doubt whether it was a journalist The press has never wanted "separate and distinct rights" Indeed, were the press to demand them for itself it would be sowing the seeds of its own destruction

The first principle of journalism is that the only rights that are aspired to are those of the individual citizen. Journalists claim their rights should not be greater and thus more privileged nor less than that of the ordinary citizen That claim is stated in press charters throughout the world and is outlined in the preamble to scores of media codes of conduct

SA's Press Council code states. "The basic principle to be upheld is that the freedom of the press is indivisible from and subject to the same rights and duties as that of the individual and rests on the public's fundamental right to be informed and freely to receive and disseminate opinions "

It is unequivocal and clear, and for good reason Freedom of expression has to apply to all in equal measure, without any section being favoured. Freedom of expression cannot exist if one section of the population has special freedoms denied to others

The media has a very clear understanding of this principle In arguing against the imposition of section 205 on journalists when the issues relate to the public interest, politics or similar matters, the media is trying to prevent its role of public watchdog from being eroded and thus actually diminishing its rights.

Journalists also have a clear idea of the dangerous situation they would face if they were to seek special rights If the media were to do so, journalists would have to be identified to ensure that they and no others had access to these "special rights" The only way that could be done would be to set up a register on which their names would be placed

That would be an open invitation to government to introduce legislation for removal of journalists from that register and so stop them from pursuing their craft One does not require a crystal ball to figure out which journalists would be the first to be singled out for such treatment.

Special rights and privileges for journalists or other classes of people have no place in a democracy They flourish in dictatorships and for good reason: they give the dictator total power over the media.

□ *Raymond Louw is chairman Freedom of Expression Institute and edits and publishes the weekly current affairs newsletter Southern Africa Report*

# No place for 'praisesinger' press in SA

(243)

**By Cheryl Hunter**
Media Reporter

Journalists from across Africa warned their South African colleagues yesterday to resist government calls for positive press coverage and continue their work as the watchdogs of society.

They were speaking at a conference on *Journalists Under Fire Media Under Siege* organised by the Freedom Forum (FF), an international organisation based in Washington DC to promote a free press

It was held in Sandton after the first session in Cape Town last week – the first time the forum has brought its initiative to Africa

The conference was attended by journalists and editors from across the continent, and all agreed on the need for a free press in Africa where "journalists face a daily obstacle course of harassment, censorship, imprisonment, physical danger and economic hardship as they report the news", according to FF reports

Iden Wetherell, deputy editor of The Independent in Zimbabwe, said they had faced a similar dilemma in the 1980s to that now being experienced in South Africa

He said the press had "indulged our government" and what resulted was "an arrogance on part of government which thinks it is infallible and an over-confidence about their capacity to deliver"

He said the calls in South Africa for an indulgent perspective from the media should meet with a strong rebuttal because of the results it causes "Government always has a large number of praisesingers, they don't need the press also"

Zambian editor-in-chief for The Post, Fred M'membe, who has endured prison terms and constant harassment for his criticism of his own government, said: "No matter how bad a government is, they will never say they are against press freedom"

The FF has established a museum in the US for the 934 journalists killed across the world in the course of their duties in the hope it would draw attention to the value of a free press.

The reality of press harassment hit home when Pius Njawe, editor of Le Messager in Cameroon, who was to attend the conference, sent a letter from his prison cell instead

Njawe was arrested 10 days ago for "insulting the president of the republic" in a report and will remain in prison for at least six months where he is unable to obtain treatment for his diabetes.

Star 12/11/96

# Mazwai aims to drag media into new era

(243) Star 12/11/96

THE THING ABOUT YOU

By Helen Grange

## The chairman of the newly formed South African National Editors Forum believes white journalists are resisting change

He loves *skiet-and-donder* movies, in which "the guy rides into the town, shoots it up and rides off with a beautiful woman" Little wonder, some would say It's a pretty accurate metaphor for Thami Mazwai himself

He's rattled the media town on more than a few occasions with some quick draws from the hip and recently rode off with the beautiful woman, his second wife, into the Roodepoort sunset

But it won't end there As the chairman of the newly formed South African National Editors' Forum, Mazwai has an augmented arsenal which will be used to shake up the media industry and drag it, kicking and screaming if necessary, into the new era

The approach – predicated on the conviction that whites in the fourth estate are clinging to the reins of power and haven't in any meaningful way bought into affirmative action, has met with indignation from certain white newsmen who feel his broadsides are an overstatement

But Mazwai's voice seems to be holding increasingly heavy sway He has tapped a groundswell of the same sentiment among ambitious black journalists who feel they have hit the proverbial glass ceiling

It's true Mazwai is not an eloquent voice – his friend Jon Qwelane once called him "inarticulate" – but there's a militancy in what he says which put into print, endows him with the image of a fearless protagonist

He's insistent that his attitudes were cast, not from his Pan-Africanist history, as some might believe, but "because I'm an African who grew up in Soweto and went through the school of hard knocks

"I was in and out of jail, keeping my job at the mercy of the security police and I would cheer if a building was bombed in the name of the struggle Like Dirk Coetzee, I grew up with a certain frame of reference I'm a product of South Africa"

Mazwai's personal style, though, is of the "sleeves rolled up, no nonsense" ilk, making him a vital component of the new Government's more contentious opinions concerning the media It's widely accepted that he's the hard face of Thabo Mbeki's charge against the white-owned mainstream press

Certainly Mazwai is quick to defend the Government's perspective "I don't think the ANC is out to destroy press freedom The complaint is about irresponsible journalism" There are certain white journalists who are using their craft to drive an agenda belonging to the past, he says

After a pause, he tempers that with "I sympathise with some of them I call it Pavlovian racism – you react because the situation is beyond your control, because you see things from a certain perspective I'm also guilty at times of seeing things in past perspective, but at least I admit it"

This considered, one could be forgiven for suspecting Mazwai might lack impartiality in applying the same litmus test to black journalists His response to Nelson Mandela's recent rebuke of City Press editor Khulu Sibiya for an editorial criticising the president's backing of Mr Justice Ismail Mahomed is illuminating

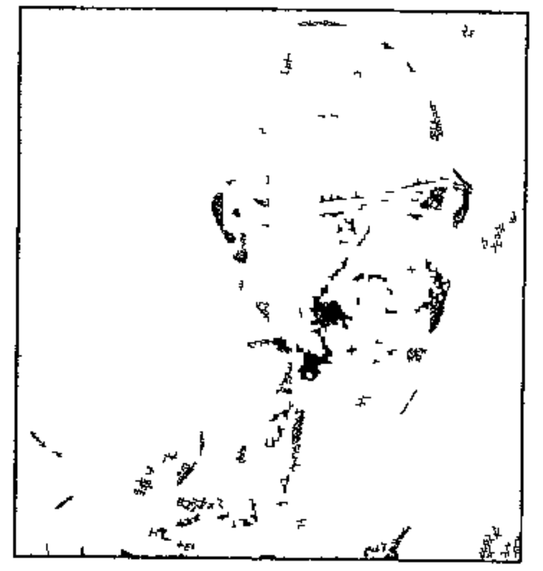
"I feel Mandela doesn't understand what black journalists are saying Some things are not manifestations of the journalist's thinking but of sentiments in the black community"

In his most recent fortnightly Business Day column, Mazwai had a go at the Animal Anti-Cruelty League, which criticised Peggy-Sue Khumalo for wanting to celebrate her Miss SA win with a traditional ceremony involving the slaughter of oxen In typical refrain, he says "I won't apologise to anybody It is the highest form of celebration in the black community I don't presume to interfere with other people's discourse with God"

Religion, of course, is close to Mazwai's heart In his youth he had a heavy dose of Sunday school and catechism classes and this background has given him a sense of values which "seems different from that of others, more so those in high places" It has given him a very acute awareness of right and wrong, he believes

But what he seems most sensitive to is paternalism towards "Africans" He has made searing accusations against the media monopolies for paying lip-service only to diversification and affirmative action, although now he cautiously recognises there has been "some progress"

Although he's pleased about the formation of the new unified body representing the country's black and white editors, "we're not kissing each other", he says He believes that as in the case of the rest of industry, the "soul is willing, but the body is reluctant In that case, you need protagonists like me" The Mazwai-style assault on the industry, moreover, is "absolutely necessary until the majority have a meaningful stake, otherwise they'll forever see the media as outside their lives That's what I want to achieve," he says



**Thami Mazwai . rattling the media cage in South Africa**

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SOWETAN Tuesday November 12 1996

# SA needs 'Press truth commission'

(243) sowetan 12/11/96

**By Rafiq Rohan**
Political Correspondent

THERE is a Truth and Reconciliation Commission sitting in South Africa for perpetrators of apartheid crimes – but is it not time that a truth commission was set up for the Press to come clean as well?

This question was posed by former *Drum* editor Anthony Sampson, who said the suggestion would surely cause panic in some ranks of the media – particularly the white Afrikaans Press – long accused of being handmaidens of apartheid

Sampson is now based in London and is a member of the Scott Trust which owns *The Guardian* and *The Observer*

He recently visited South Africa and said he was struck by the shifts in power and the appearance of normality and "business as usual"

"That appearance seemed to be magnified by many South Africans newspapers, which preferred to pretend that nothing much has changed – including themselves," he said in a report contained in the latest *Rhodes Journalist Review*

"The trouble is, the pretence evades the central fact of recent South African history, that the system of apartheid was supported or condoned by the majority of whites, including much of the media"

# Press 'uneasy' at threat to watchdog role

BD 12/11/96 (243)

**Trevor Bisseker**

THERE was "a deep sense of unease" among SA journalists about threats to their watchdog role — not only from government but also from business, Freedom of Expression Institute director Jeannette Minnie said yesterday at the Africa Media Forum in Sandton, organised by the US-based Freedom Forum

Minnie said it was this uneasiness that had led to moves for a merger of the two organisations representing black and white editors

Black journalists were under particular pressure, because they were criticised for not being more supportive of the new government

The nature of the journalists' struggle had changed in SA Whereas it had once been a fight for press freedom against an apartheid government, it was now a struggle to preserve the integrity of the media's watchdog role The debate was on what could be regarded as "justifiable limits" on freedom of expression Some people believed journalists had too much freedom, and there was continual criticism of reports being "out of context"

There were seldom compliments for the media on the way they carried out their role, and this led to a "gut feeling" that the profession could be coming under threat

Minnie was confident, nevertheless, that a free press could survive in Africa The journalists themselves were fighting back against intimidation through organisations like the Media Institute of Southern Africa Despite harassment, brave, independent media were appearing in Zimbabwe, Malawi, Namibia and Zambia

She agreed with interviewer Amma Ogan of The Sunday Independent that media freedom could not be seen in isolation, and praised judges and lawyers who fought for human rights in countries with repressive governments They, in turn, needed the help of journalists in securing an independent role

Asked what the forum could do to help the cause of press freedom in SA, Minnie said there was a great need for training, not only in journalism but in business and management skills

This would help the small, independent publications and radio stations to survive

The Sandton conference was the fourth held this year by the Freedom Forum The others were in Hong Kong, London and Buenos Aires

Forum CE Charles Overby said the aim was to promote international understanding of the importance of a free press, and at the same time reduce the perils and dangers of journalism

# Media 'must reflect and represent SA majority'

BD 12/11/96

(243)

**Shareen Singh**

PRESS freedom would not be cherished by South Africans as a democratic value unless the media reflected and represented the majority of the people, Rhodes professor Guy Berger said at a Freedom Forum conference in Cape Town at the weekend

While the media was beginning to reflect changes at ownership level, progress was slower at the level of newsrooms and audiences, Berger said Until such time that the majority of people were served in all three categories, the value of press freedom would not be appreciated as it should be.

Referring to President Nelson Mandela's recent criticism of the media, Berger said he believed most journalists agreed that "freedom of expression is not a monopoly of the press" However, he said journalists felt the president "should make it clear that he was criticising the arguments put forward, not the fact that the press has the right to freedom of expression as well".

There was validity in the president's concern that reports had to be factually accurate, Berger said "I think we would all admit, we are our own worst enemies " Journalists could not expect the public to cherish press freedom as a democratic value if they did not do a professional job

Speaking at the same conference, Archbishop Desmond Tutu said journalists were, in a sense, "midwives" of the new democracy and should now be the watchdogs in ensuring that corruption and abuse of power did not destroy the achievement

(BC) (243)

# Cape media condemns Pagad threats

STAFF REPORTER Star 13/11/96

Editors in the Western Cape and national media unions yesterday condemned threats against the media by the leadership of People Against Gangsterism and Drugs.

In a joint statement, signed by the editor of The Argus, Shaun Johnson, and the editor of The Cape Times, Moegsien Williams, among others, members of the Cape media leadership said Pagad "was undermining the ability of the media to play its vital role of informing the public".

They said a threat to boycott The Cape Times had worsened a situation already stained with unacceptable levels of intimidation and threats against journalists at the scene of Pagad gatherings

"We condemn these threats and believe that urgent discussions are required to ensure professional media coverage of Pagad's activities.

"We also seek an unequivocal assurance from Pagad's current leadership that journalists will be able to cover activities organised by Pagad freely and without intimidation," the statement said.

Several Pagad leaders launched scathing attacks on the media at a rally in Cape Town at the weekend, accusing it of misconstruing the facts.

A masked speaker attacked the media for its "selective" reporting on Pagad issues, saying the press had to stop misconstruing Pagad statements.

He also questioned whether the media had a hidden agenda.

# 'Some black newsmen' rapped for secret agenda

PRESIDENT Nelson Mandela on Monday night accused some senior black journalists of having a [illegible] lems facing SA

[illegible] SABC television programme Focus [illegible] journalists [illegible] sharp criticism [illegible] ed he was singling [illegible] nior black journalist [illegible] give any [illegible] the worked for

"What you have today is the type of senior journalist — and [illegible] destroyed white supremacy in this country [illegible] who are taking out [illegible] gamsation that has brought about [illegible] in this country (243) BD 31/11/96

"They have no conception of the problems facing the [illegible] they assume — that [illegible] battlefield and [illegible] the ilo of help [illegible] marginalise those elements [illegible] the elections by force. Some [illegible] not e [illegible] t's only a f [illegible] black [illegible]

[illegible] and a covert vote He [illegible]

[illegible] ments he said, did [illegible] journalists as black. The [illegible] there are some senior black journalists [illegible] got a secret agenda," he said. — Sapa

# Mandela directs new broadside at 'white media' (243)

**Nicola Jenvey** BD 14/11/96

DURBAN — President Nelson Mandela fired a fresh broadside at the media last night when he accused the "white-controlled conservative media" of co-opting senior black journalists to do "their dirty work"

He told an ANC-hosted business meeting that to protect their jobs and ensure their promotion opportunities, black journalists were forced to report negatively on successes achieved by the ANC government "The media can therefore not be accused of racism since it is blacks attacking their own people for the failures," he said

Earlier this week Mandela accused some black journalists of having a secret agenda, saying they were using newspapers for their own particular purposes He did not name individuals

Mandela acknowledged yesterday that government had made mistakes in dealing with crime and violence "and in changing the state machinery", but said many members of the present administration had been denied the educational opportunities to acquire the necessary skills required for leadership "Business must realise we are not yet experts in governing"

In reply to appeals by the Durban Chamber of Commerce and Industry for government action to curb crime and violence, Mandela said by June this year more than 700 policemen had been arrested for serious offences

Rural water and electrification projects would improve the quality of life for 6,4-million people in the near future In rural KwaZulu-Natal, Eastern Cape and Northern Province more than 400 000 houses had been electrified in the past year

Mandela also rejected chamber allegations that the RDP was not filtering through to disadvantaged communities He said the mechanisms — particularly for low-cost housing — were sufficiently established to improve living standards of disadvantaged communities significantly

**Comment: Page 13**

# 'Co-opted' newsmen under fire

(243)

Star 14/11/96

## Mandela again slates black journalists who do 'dirty work for a tiny minority'

**SAPA**
Durban

Senior black journalists in South Africa have been co-opted by conservative elements to attack the democratic movement, President Mandela said in Durban last night, addressing the business community at a function hosted by the ANC

Continuing his recent criticism, Mandela said "the media is still controlled by conservative elements of a tiny minority of the population"

These elements blamed the ANC for destroying white supremacy and were launching a massive attack by co-opting certain senior black jc sts to do their "dirty work' trying to undermine and des.. y the democratically elected Government

Mandela said the journalists were being used because the Government would not be able to accuse them of being racist when they objected to the Government's policies

> **Being used to destroy Government**

The president did not name the journalists involved, saying only that they were acting in their self-interest and for promotion.

Mandela recalled an incident when his deputy 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, he said

Mandela made his first attack on the unnamed senior black journalists on television earlier this week when he accused them of having a secret agenda and not understanding the country's post-apartheid problems.

Thami Mazwai, editor-in-chief of Enterprise magazine and chairman of the new, non-racial SA National Editors' Forum, said he had already drafted a letter to the president asking him to meet senior black journalists to discuss his remarks

The Star's political editor, Kaizer Nyatsumba – whose recent criticism of Mandela, in his weekly column "One in Your Eye", triggered a strong reaction from top ANC leaders – said yesterday although he accepted that the president and his colleagues had every right to respond to things written about them, he nevertheless believed that some of Mandela's statements had been "below his dignity"

Nyatsumba said he wondered if the president really believed, as he had said on Monday, that there were black journalists who regretted the destruction of apartheid and had ulterior motives when they criticised the Government or the ANC

Nyatsumba, who has also asked for an urgent meeting with Mandela, said the president and his colleagues had to accept that black journalists "loved their country no less than Mandela and the ANC do and that they, too, have its interests at heart"

Mike Siluma, editor of the Sowetan, said that while the president was entitled to his opinion, black journalists need not be hyper-sensitive to it "We ought to be open to criticism from anyone in society, including criticism by the president," he said.

Khulu Sibiya, editor of City Press, felt the president would need to be far more specific in his criticism to warrant a direct reply.

SABC political editor Phil Molefe said he believed that a response by the Editors' Forum would carry more weight and it was important that black journalists spoke in unison on the issue

# SA editors slam threats to press

CT 14/11/96

**THE SA National Editors' Forum (Sanef) strongly condemns threats made against journalists at events organised by People Against Gangsterism and Drugs.**

**Reports by journalists and editors indicate persistent intimidation and attempted coercion by calling for a boycott of the Cape Times.**

**The kind of intimidation reported at the Gatesville Mosque last week are reminiscent of the worst treatment of media under the apartheid regime. It is completely unacceptable in a democratic South Africa**

**Sanef is mindful of the poor grasp of the role and function of media among many sections of our community and considers it a legacy of our past. In this regard, it has mounted a long-term campaign to ensure that the concept of media freedom begins to take root in our society.**

Sanef's intends to engage organisations like Pagad to engender a better understanding of media and their relationship with the community. But such engagement cannot take place in the face of coercion and threats.

Sanef urges Pagad to set up proper mechanisms to deal with the media in a non-intimidatory and conducive atmosphere. It is also regrettable that Pagad has not taken up offers by Cape Town editors for a meeting to iron out problems. Sanef urged Pagad to do so as a matter of urgency. Until such time that the leadership of Pagad gives Sanef an undertaking that journalists will be free to do their work, journalists will not be sent to meetings where they are harassed.

—Issued by Thami Mazwai, Chairperson

# Pagad calls boycott of Cape Times

**CYNTHIA VONGAI**
STAFF WRITER

CT 14/11/96

MASKED Pagad speakers said last night the organisation would start a boycott of the Cape Times on Monday and warned they would enforce it

Addressing a packed Gatesville mosque, Pagad speakers said they had singled out the Cape Times because "it had deliberately tried to split Pagad" and had portrayed Pagad "as a militant Muslim organisation"

The Cape Times was also accused of "speaking to unmandated spokespersons", whom they identified as Mr Farouk Jaffer, Mr Ali Parker and Mr Nadthmie Ednes There had never been a split in Pagad and they wanted to set the record straight, speakers said

They blamed the tension they were experiencing with the police and a host of other problems on this newspaper

Pagad said that until the media "rectified what they had done" they would continue their boycott They called on members and business people in the community not to buy the Cape Times and not to advertise in the newspaper

"If there are any people who do not want to comply please let us know and we will deal with them We need to know who they are," a masked speaker said

The speakers said they wanted to clarify that they had not paraded any journalist in front of a hostile crowd "We are not hostile to the media, as soon as we started our campaign the police and newspapers tried to block us "

Pagad intends to stage a two-hour "awareness" programme at the Waterfront on Sunday

"The entire world will be watching us Everyone expects Pagad to be undisciplined " The leadership warned those "who could not control themselves" to stay at home

At a press conference held after the meeting, a masked Pagad member said "The media speak of a Qibla faction of Pagad There is no Qibla Pagad, there is only one Pagad "

A summit between Pagad and various officials from the police and justice department is scheduled to take place some time this month

# Journalists want talks with president

ARLT 14/11/96 (243)

ARGUS CORRESPONDENT

**Johannesburg – Senior black journalists have responded coolly to President Mandela's criticism of their role in the media.**

They said they would not like to get into a slanging match with Mr Mandela and would prefer to deal with the comments with him in person

On Monday the president accused certain senior black journalists of "having a secret agenda and no understanding of the problems in South Africa"

Chairman of the newly formed South African National Editors' Forum (Sanef) and editor of Enterprise magazine Thami Mazwai said he had drafted a letter to the president requesting a meeting with senior black journalists to discuss his comments

"Further than that I do not wish to make a public statement until we have had a chance to resolve the issues with the president," Mr Mazwai said

The Star's political editor Kaizer Nyatsumba, whose criticism of Mr Mandela, in his column "One in your eye", triggered wide reaction from ANC leaders, said he accepted unreservedly that they had a right to respond, but he thought some of Mr Mandela's remarks had been "below his dignity"

Mr Nyatsumba said he wondered if the president really believed, as he said on TV on Monday and on other platforms, that there were black journalists who regretted the destruction of apartheid and had ulterior motives when they criticised the Government or the African National Congress

Mr Nyatsumba said the president and his colleagues had to accept that black journalists "loved their country no less than Mandela and the ANC do and that they, too, have its interests at heart"

Editor of The Sowetan Mike Siluma agreed that while the president was entitled to his opinion, he believed black journalists need not be hyper-sensitive to it

"We ought to be open to criticism from anyone, including the president," he said

Khulu Sibiya, editor of City Press, said the president would need to be far more specific in his criticism to warrant a direct reply "I have no idea whether I was one of the senior black journalists he was referring to but my track record, I believe, would indicate otherwise," he said

The SABC's political editor Phil Molefe said he would prefer to wait until the matter had been dealt with by Sanef before responding personally He said he believed that a response by Sanef, of which he is a member, would hold far more weight

# Mandela directs new broadside at 'white media'

(243)

Nicola Jenvey

BS 14/11/96

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He told an ANC-hosted business meeting that to protect their jobs and ensure their promotion opportunities, black journalists were forced to report negatively on successes achieved by the ANC government. "The media can therefore not be accused of racism since it is blacks attacking their own people for the failures," he said.

Earlier this week Mandela accused some black journalists of having a secret agenda, saying they were using newspapers for their own particular purposes. He did not name individuals.

Mandela acknowledged yesterday that government had made mistakes in dealing with crime and violence "and in changing the state machinery", but said many members of the present administration had been denied the educational opportunities to acquire the necessary skills required for leadership. "Business must realise we are not yet experts in governing."

In reply to appeals by the Durban Chamber of Commerce and Industry for government action to curb crime and violence, Mandela said by June this year more than 700 policemen had been arrested for serious offences.

Rural water and electrification projects would improve the quality of life for 6,4-million people in the near future. In rural KwaZulu-Natal, Eastern Cape and Northern Province more than 400 000 houses had been electrified in the past year.

Mandela also rejected chamber allegations that the RDP was not filtering through to disadvantaged communities. He said the mechanisms — particularly for low-cost housing — were sufficiently established to improve living standards of disadvantaged communities significantly

Comment: Page 13

# Mandela under fire for stinging attack on press

(243) Star 15/11/96

## Sensitivity to criticism is real problem, says DP, as parties defend journalists

**By Political Staff**

Political parties across the spectrum have condemned President Mandela's outbursts against black journalists

The President alleged over the past few days senior black journalists were being used by conservative owners of white newspapers to undermine the ANC-led Government. He said severe criticism of Government was motivated by a desire for promotion.

The Democratic Party said Mandela's utterances were "regrettable in the extreme"

"This goes far beyond the apparent difference of interpretation on the role of the media that has consistently bedevilled relations between this Government and the press It confirms that sensitivity to criticism is the real problem It also confirms the impression that the ANC's call for the transformation of the media sprang not from a desire to advance blacks, but to control the media itself," said DP media spokesman Dene Smuts

NP media director Patrick Mackenzie said the President should accept a request by black editors for an urgent meeting.

"Journalists, especially black journalists, have helped immensely in liberalising the country. It is important for our democracy to survive that we have a totally free press where journalists are not fearful," said MacKenzie.

IFP secretary-general Dr Ziba Jiyane said the President's utterances were "unfortunate" and "like an intimidatory tactic"

PAC deputy president Motsoko Pheko said although it was not the media's duty to support Government, "black journalists are not controlling the newspapers There is no newspaper here owned by Africans; all the money is in foreign hands"

The recently formed Forum of Black Journalists expressed concern at the President's attacks

▶ See Comment

The ANC is taking issue with this paper's coverage of the organisation and specifically of its leader, President Nelson Mandela. We have previously carried responses from Joel Netshitenzhe, head of communications in the President's office, and Peter Mokaba, Deputy Minister of Environmental Affairs and Tourism. Today, ANC MP and ambassador-designate to The Netherlands, Carl Niehaus, and MP Tony Yengeni give their views.

# The Star accused of 'gutter journalism'

(243) Star 15/11/96

**CARL NIEHAUS, 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 Nyatsumba 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 Nyatsumba'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 Nyatsumba 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 protracted 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 Nyatsumba's sweeping assertions

What is even more disturbing is that Nyatsumba 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 Nyatsumba 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 any shred of truth?

**Financial markets reacted negatively**

The latest example is the article by Newton Kanhema, published on Monday, November 11, under the sensationalist headline *Mandela drops bombshell on Mbeki* 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 Kanhema 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 Kanhema'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 characterised 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

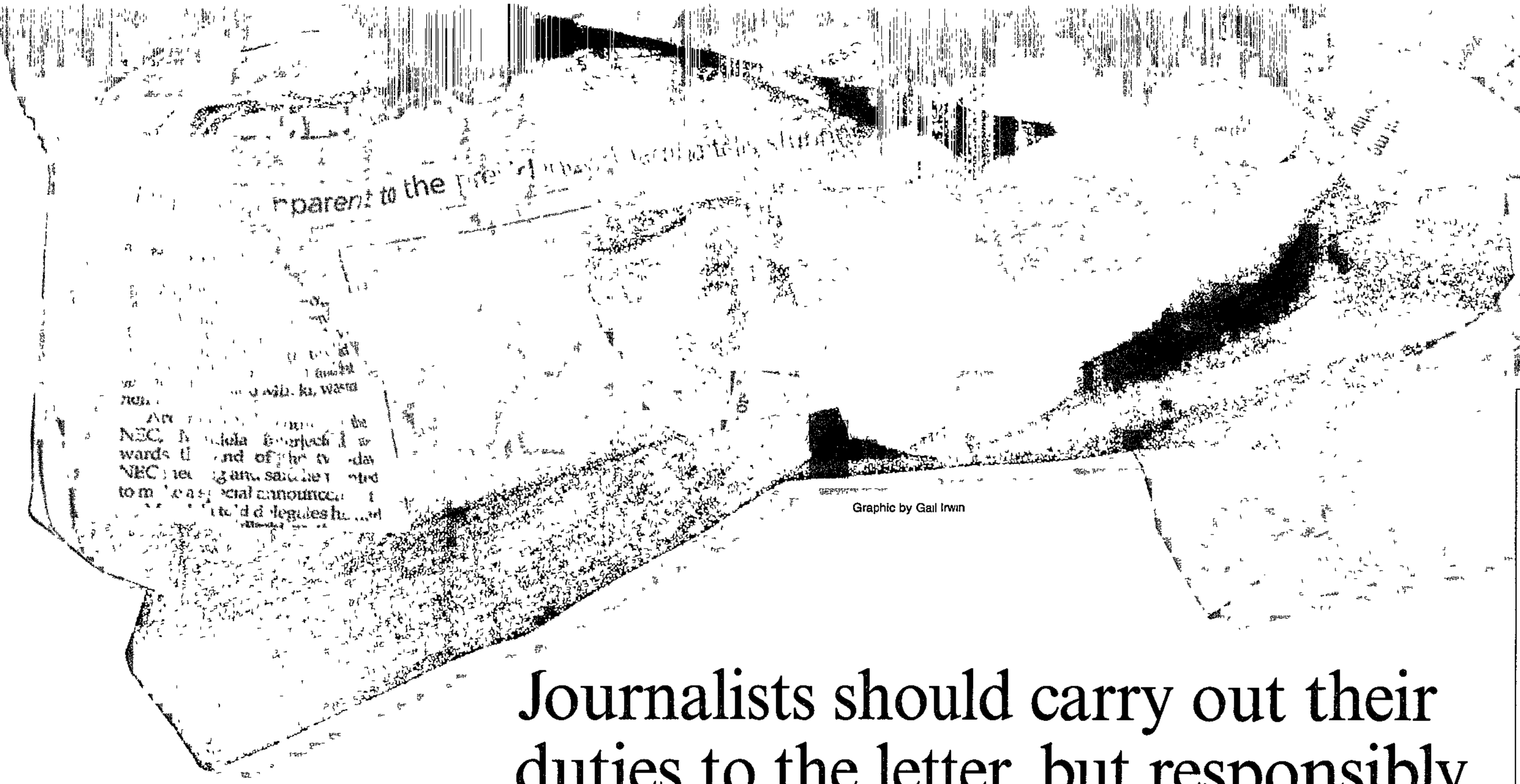
The fact that I have now reached the point that I feel it necessary to write this letter, and to make the harsh statements that I have made, will hopefully indicate to you the seriousness of the situation.

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

Carl Niehaus



Graphic by Gail Irwin

Tony Yengeni

# Journalists should carry out their duties to the letter, but responsibly

**By Tony Yengeni**

I like people, particularly journalists like Kaizer Nyatsumba, 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

Nyatsumba 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 [illegible] to be fearless but principled

However, it is my humble submission that the attack by Nyatsumba 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 Nyatsumba fails to notice and acknowled ,e this most im ortant 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,Nyatsumba himself is sensitive to certain kinds of criticism Who cannot be? I'm suggesting in his article Nyatsumba 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 fundamentall' chan ed The economic 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

**Report was insulting to integrity of Madiba**

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, Nyatsumba 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 bumbling-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 I made thus far will not be misconstrued 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 importantly 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?

# Mandela's attacks on black journalists slated

CT 15/11/96 (243)

**POLITICAL STAFF**

POLITICAL parties across the spectrum have condemned President Nelson Mandela's outbursts against black journalists

Mandela alleged over the past few days that senior black journalists were being used by conservative owners of white newspapers to undermine the ANC-led government He said severe criticisms of the government were motivated by a desire for promotion

Mandela's attack on "certain" senior black journalists was regrettable in the extreme, Democratic Party media spokesperson Ms Dene Smuts said yesterday "It confirms that sensitivity to criticism is the real problem

"It also confirms 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

"To call it 'conservative' and 'white' now that the ANC is in government is spurious and self-serving. Independence has no pigmentation," Smuts said.

National Party media director Mr Patrick Mackenzie said the President should accede to the request by black editors for an urgent meeting

"Journalists, especially black journalists, have helped immensely in liberalising the country "

IFP secretary-general Dr Ziba Jiyane said the President's utterances were "unfortunate" and seemed "like an intimidatory tactic".

The recently formed Forum of Black Journalists expressed serious concern at the President's "persistent attacks" on black journalists.

LEON MULLER

**Building bridges:** editors, from left, Willie Linstrom, Izak Minnaar, Ivan Fynn and Shaun Johnson with Aslam Toefy, second from right

# Exchange of views attempts to break the ice

(243)

JOSEPH ARANES
STAFF REPORTER

BRG 15/11/96

**Differences between Pagad and the Cape Town media were aired when they met yesterday to discuss tensions.**

But editors insisted at the meeting that Pagad's call to boycott the Cape Times was still a major stumbling block in the attempt to normalise relationships

The meeting, attended by representatives of the Cape Argus led by editor Shaun Johnson, of SABC television and radio news led by Xolani Tyilana and Ivan Fynn and of People Against Gangsterism and Drugs led by Aslam Toefy, focused on the growing concerns of editors for the safety of reporters covering Pagad activities

Pagad representatives outlined their concerns, among others, that they perceived media reports as negative

Mr Toefy read an agreed statement that the meeting had accepted it was the right of any organisation to be reflected fairly, and the right of the media to reflect all sides

Reports should be accurate, and views may be expressed in in-depth reporting The parties agreed to set up regular communication mechanisms to clear misconceptions and ensure fair and balanced coverage

Mr Toefy said the Pagad leadership would ensure the safety of journalists covering the group's activities

The call to boycott the Cape Times was raised repeatedly at the meeting and Mr Johnson said it was fundamental that the issue be resolved as part of the process of normalising the relationship between the media and Pagad "We are quite happy with the outcome as it set into motion a serious debate," he said

# ANC condemns Pagad threat to journalists

(243)
STAFF REPORTER
ARG 16/11/96

**The African National Congress in the Western Cape has condemned threats to journalists and the proposed boycott of the Cape Times by members of People Against Gangsterism and Drugs (Pagad).**

Pagad intends to start a boycott of the Cape Argus's sister newspaper on Monday, because the paper had "tried to split Pagad" and had portrayed Pagad "as a militant Muslim organisation".

At a meeting earlier this week Pagad leaders said they would continue their boycott until the paper has rectified what they had done.

A Pagad spokesman told Saturday Argus yesterday they called on people who support the aims of Pagad not to buy the paper from Monday.

He allayed fears of Muslim shop owners worried they would be targeted for selling the paper, saying it was a free country and people could sell the paper if they wished.

Some businessmen said they might be targeted by vigilantes for stocking the paper.

# UWC seizes eight stun guns

ARG 16/11/96

From page 1

device that was allegedly used two weeks ago to control students applying for admission to the university for 1997

Ms Kadali said she would complete her investigation by Tuesday and present her findings to UWC's executive.

Ms Kadali said she had established that the batch of 80 000 volt "Paralyser" stun guns had been bought by the former head of campus security before a pop concert was to be held at UWC in March

The head of security, who was a victim of depression, committed suicide after the concert, Ms Kadali said.

"He ordered and purchased the weapons without the knowledge or permission of the university's executive," she added.

She said the university had given its full co-operation in the investigation and that all relevant staff and students had been interviewed, except the female student who was allegedly shocked on Thursday two weeks ago. Ms Kadali said the university maintained a gun-free policy, which included the carrying of dangerous weapons by security personnel.

This was confirmed by the rector, Professor Abrahams, who also confirmed Ms Kadali's initial findings.

"We support all of it (the initial findings). The university has had a policy on the presence of dangerous weapons and firearms on campus for a long time, but from time to time we re-instil this policy so that everyone is aware of it."

Thomas Winslow of the Trauma Centre for Victims of Violence has asked UWC to implement a programme of human rights education for security personnel at the universityand to issue a public apology to the students and staff who may have been affected by the incident.

Earlier this year the use of electric batons by Transnet security staff was found to be a contributing factor in the Tembisa railway station stampede

# Mandela's attacks on journalists 'terrifying'

(243) Sowetan 18/11/96

**By Khangale Makhado**

RECENT attacks by President Nelson Mandela on senior black journalists were unfortunate and could not be justified, the Media Workers' Association of South Africa said yesterday

Mwasa was reacting to Mandela's claims that some journalists were co-opted by conservative elements in control of the print media to attack the African National Congress

Mandela repeated the attack – his third recently – in Kimberley at the weekend during an address to local businessmen. He said the journalists were being used to undermine the efforts of the ANC and the democratic movement

Mwasa national treasurer and vice-president for journalists' affairs Joe Mdhlela said the union, representing a large section of black journalists in the country, was concerned about the attacks.

## Diatribe

"In his diatribe, President Mandela has accused journalists of being used and went on to suggest that some black journalists had a secret agenda and lacked the understanding of the 'country's post-apartheid problems'

"However, in all these attacks, President Mandela has failed to be specific and to pinpoint in clearer terms any transgressions by these journalists," Mdhlela said

Mdhlela said that not so long ago the country had a former National Party leader and president of the country Mr PW Botha terrorising journalists who dare d to criticise the status quo

"And there lived another tyrant, BJ Vorster, who in his tenure as prime minister closed down newspapers and severely persecuted black journalists for daring to challenge through the columns of newspapers the evils of apartheid.

"While Mwasa is not suggesting that President Mandela's conduct could by any stretch of the imagination be likened to both these men, we are terrified by the constant attacks," Mdhlela said

# Mandela wants press to be free, not 'unfair'

Star 19/11/96 (243)

## The president resolves his dispute with top black editors

## and says he does not want the media to be 'lapdogs'

**By Mondli Makhanya**
Political Reporter

President Nelson Mandela has committed himself to upholding press freedom but warned yesterday that he should not be expected to "fold my arms" when he and the ANC were being subjected to unfair criticism

After a four-hour "robust" meeting with a 20-member delegation of black editors, Mandela said the ANC did not want a "lapdog press" His government needed a strong press "that is free from political manipulation".

"We have said that we need many watchdogs, especially after the elections when we won a massive majority. The temptation to abuse that majority is a big one," Mandela told a media briefing after the meeting at the ANC's Shell House headquarters

The meeting followed Mandela's harsh criticism of "some black journalists" who he said were being used by their conservative white employers to undermine the Government.

Several of the ANC top brass attended the meeting, including national chairman Jacob Zuma, deputy secretary-general Cheryl Carolus, parliamentary chief whip Arnold Stofile, Environmental Affairs and Tourism Minister Pallo Jordan, Sports Minister Steve Tshwete and Cosatu boss Sam Shilowa The editors' delegation was led by Enterprise magazine editor and South African National Editors' Forum chairman Thami Mazwai

After the meeting, the two sides said they had buried their differences and pledged to work for healthier relations

Mandela said his outbursts had been prompted by unfair criticisms by certain black journalists who had cast aspersions on the integrity of the ANC

"As long as they touch on the integrity of the ANC, I am bound to reply in the terms which I choose and not those chosen by them," he said

He added that relations between the Government and the press would not normalise until there was a change in the ownership of the media.

"As long as the press continues to be controlled by conservative whites, we will continue to have a problem of senior black journalists expressing views which are not in conflict with those of their employers"

**Friendly farewell ... President Mandela shakes hands with radio talk-show host Jon Qwelane after a robust meeting to discuss the dispute between the Government and black journalists.**

# Mandela and black editors agree to bury the hatchet

(243)

CT 19/11/96

**OWN CORRESPONDENT**

**DURBAN:** President Nelson Mandela yesterday recommitted himself to upholding press freedom, but warned he should not be expected to "fold his arms" when he and the African National Congress were subjected to unfair criticism, and the organisation's integrity was "impugned"

Emerging from a four-hour "robust" meeting with a 20-member delegation of black editors, Mandela said the ANC did not want a "lapdog press", and said his government needed a strong press "that is free from political manipulation" to keep it in check.

"We have said that we need many watchdogs, especially after the (1994) elections when we won a massive majority — the temptation to abuse that majority is a big one," said Mandela, after the meeting at the ANC's Shell House headquarters

The meeting arose out of Mandela's harsh criticism of black journalists, whom he accused of being used by their conservative white employers to undermine the ANC-led government by portraying it in a bad light.

Mandela was accompanied by several members of the ANC's top brass, including national chairman Mr Jacob Zuma, Sports Minister Mr Steve Tshwete, deputy secretary-general Ms Cheryl Carolus, Environmental Affairs and Tourism Minister Dr Pallo Jordan, parliamentary Chief Whip Mr Arnold Stofile and Cosatu boss Mr Sam Shilowa.

The editors' delegation was led by South African National Editors' Forum chairman Mr Thami Mazwai, and comprised most of South Africa's top black editors.

After yesterday's meeting, the two sides said they had buried their differences and pledged to work for healthier relations

"We have buried the case now It is something of the past I am going to forget about it," said Mandela

He said the outbursts had been prompted by unfair criticism by certain black journalists that had cast aspersions on the "integrity of the ANC"

He said that relations between the government and the press would not normalise until there was a change in the ownership of the media

"As long as the press continues to be controlled by conservative whites, we will continue to have a problem of senior black journalists expressing views which are not in conflict with those of their employers," said Mandela

# Cape Argus slams Pagad's boycott

CT 19/11/96 (243)

STAFF WRITER

THE Cape Argus, the sister newspaper of the Cape Times, yesterday slammed a People Against Gangsterism and Drugs (Pagad) decision to proceed with a boycott of the Cape Times and said the tense relationship between Pagad and the media "cannot be normalised" until the boycott threat was lifted.

In an editorial, headlined Hands Off the Cape Times, the Cape Argus said that judging from speakers at Pagad's peaceful meeting at the Waterfront on Sunday, warnings from newspaper editors about the organisation's "deteriorating relationship" with the media, as well as a meeting between the two sides, had borne fruit.

"That is good, and we hope that a new era beckons in the interaction between us," the editorial said, but added that there was also "a great big 'but'" — in that the boycott of the Cape Times was to proceed

"That is very, very bad.

"As was stated repeatedly by this newspaper in last week's discussions with Pagad, the boycott of our sister title is totally unacceptable and will bedevil relationships with all the media," the editorial said.

Meanwhile, the Islamic Unity Convention (IUC), an umbrella body comprising a wide range of Muslim organisations, issued a press release at the weekend — slating a statement last week by a number of prominent religious and political figures and groups.

The prominent figures' statement, reported in the Cape Times' front-page lead article last Friday, welcomed Pagad's public initiative to counter criminals and drug dealers, but noted growing concern at "the level of militancy that is being displayed by Pagad, its confrontational and intolerant approach in public".

The IUC release, which mostly targeted UCT academic Dr Ebrahim Moosa, one of the statement's signatories, said the IUC found the statement "highly disturbing".

It took "Dr Moosa and his supporters" — some of whom, it alleged, "live a newspaper existence" and were not representative — to task for suggesting that the current situation was "a threat to public order".

Moosa responded last night by saying it was "most mischievous" of the IUC to direct its dissatisfaction over "a statement signed by 22 prominent individuals and several important community organisations" at one person.

Moosa also proffered an unconditional apology to Bush Radio, which was erroneously listed as a signatory to the prominent figures' statement.

● The station manager of Bush Radio, Mr Zane Ibrahim, yesterday said that no approval had been sought by the individual who added Bush Radio as one of the signatories to the joint statement.

"No such approval was sought or given," said Ibrahim.

# Mandela, journalists resolve differences

dp 11/11 dp

(243)

**Kevin O'Grady**

BD 19/11/96

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."

See Page 14

# 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 trying to destroy the democratically elected government has shocked newspapermen

It is the most serious allegation yet levelled against the SA press by a political leader It imputes shameful, corrupt conduct 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 edited daily, The Sowetan, and the weekly New Nation are controlled by black-owned Nail (New African Investments Ltd) run by Mandela's former doctor Nthato Motlana, who has been joined by former African National 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 narrowed down to the English dailies and Sundays published by Independent Newspapers and TML (Times Media Limited)

Mandela said senior black journalists on the papers had been co-opted by "conservative elements of a tiny minority of the population" who blamed the ANC for destroying white supremacy.

These elements were launching "a massive attack" on government, using black journalists as their surrogates

Since some of the newspapers in Independent Newspapers Ltd have black editors 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 numbers 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 population is relatively small So only a fraction read the newspapers Mandela is accusing

That is, of course, assuming that Mandela is right and that these papers are engaged in these nefarious practices

The idea that black journalists, let alone "senior black journalists", would take instructions from their white bosses to undermine the government in the manner suggested by Mandela is not just incredible, it is bizarre

Anyone who has met black journalists on these and other SA papers would know that 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*

# Mandela in assurance on free press

(243) Star 20/11/96

Press freedom was not under threat in South Africa and would never be as long as the ANC was the majority party, President Nelson Mandela said yesterday

In a speech prepared for delivery to the Foreign Correspondents' Association of Southern Africa, Mandela said it was in the interests of the ANC itself to have a robust and critical media

"We cannot change society in a fundamental way, we cannot change the state in a fundamental way, if we do not have a questioning media that seeks to expose the weaknesses of our inherited bureaucracy, security forces, judiciary, and indeed the new politicians themselves who can easily be corrupted by power or co-opted into day-to-day practices of the past"

Freedom of speech was not the exclusive right of any sector or individual, and it was essential to have a robust exchange of views between the media and other role-players in society.

"What is critical, though, is that such debate should be within the normal bounds of decency It should not be aimed, without justification, at impugning the integrity of any of the role-players," he said.

Mandela said control of the media in SA was still largely in white hands, and this reality did impact on the mind-sets of those involved in the media industry

Turning to the economy and the media, Mandela said the "industrial revolution" taking place tended "to escape the business of information dissemination"

Earlier in his speech Mandela said foreign journalists had the ability to observe from near and judge from afar, "untainted by the passions of the actors on the stage of an unfolding democratic revolution"

Mandela said the Government at times struggled to change the perceptions others had of SA and its socio-economic conditions

■ SABC television's *Truth Commission Special Report* was last night awarded the Foreign Correspondents' Association's first annual award for excellence in journalism Executive producer and presenter, Max du Preez, received the award from Mandela at the FCA's annual dinner in Johannesburg. – Sapa

# 'Era of white media dictators over'

(243) CT 20/11/96

JOHANNESBURG: President Nelson Mandela told white media bosses yesterday that their era of supremacy was over — but assured them press freedom would always be safe.

"The time for white supremacy, for you to dictate to us, is over — it will never come back," Mandela said at a dinner for foreign correspondents

Mandela also referred to black journalists who had accused him of trying to appease whites and not doing enough to meet the expectations of the impoverished black masses

He said he felt betrayed by some black journalists who had constantly attacked his policy of reconciliation

"I have told them that as long as they impugn the integrity of my organisation, I will hammer them"

He had called in black journalists to explain his policy and had told them "reconciliation is the most powerful weapon that we have", Mandela said — yet in the days after the briefing the attacks had continued

His policy had averted the country's becoming a "Bosnia" before the 1994 all-race elections that ended apartheid

He and the African National Congress were committed to a free press

"The media should not be a lapdog — it should be a watchdog to make sure that our famous revolutionaries remain on course"

Freedom of expression was not only protected by the new constitution and Bill of Rights but was also prized by the ANC

"Media freedom is not, has not been and will never be under threat in our country," Mandela said

"It is in the selfish interest of the ANC that we should have a probing, robust and critical media

a questioning media that seeks to expose the weaknesses of our inherited bureaucracy, security forces, judiciary and, indeed, the new politicians themselves who can easily be corrupted by power"

Returning to a point he has made more than once recently, Mandela said that "in terms of distribution of wealth and power, ownership, management and senior positions the media are predominantly in white hands".

"Debate on all these issues will continue for many years . as the Fourth Estate transforms itself to become part of the new South Africa in both word and deed"

In crossing swords with the media recently, Mandela has alleged that some senior black newspaper journalists are doing the "dirty work" of their reactionary white bosses in running down his government

Some editorial writers have warned Mandela that his attacks risk spreading a perception abroad that he would like a tame press — Reuter

# Ombudsman likely to replace Press Council as key media watchdog

(243) ARG 23/11/96

**The Press Council, the longstanding arbiter of South African journalistic ethics, could soon disband.**

The council is to meet on Monday, when it is likely to disband and be replaced by a media ombudsman and appeal panel, according to Press Council chairman Professor Kobus van Rooyen

The idea of an ombudsman was first mooted in 1994, and two years of negotiations followed, including such key players as the Conference of Editors, the SA Union of Journalists, the Black Editors' Forum and the Media Workers' Association of South Africa.

They have agreed on a constitution, rules of procedure and a code of conduct for the new system

Details have yet to be finalised, but it is likely the founding organisations will form an appointment panel, said Press Council registrar Ed Linington

Mr Van Rooyen said the new structure would, to an extent, dissuade the government from imposing statutory control of the media – Sapa

# Task group calls for probe of print media ownership

CT 29/11/96 (243)

OWN CORRESPONDENT

**PRETORIA:** The concentration of ownership in the print media should be referred to the Competition Board for investigation, the Task Group on Government Communications (Comtask) recommended yesterday

In its report, presented to Deputy President Thabo Mbeki's office, Comtask also slammed South Africa's "impoverished" journalistic standards, saying that "the apartheid years have damaged the profession of journalism"

The government's R380-million-a-year communications system also came under attack for its lack of focus, professionalism and effectiveness

Comtask was set up by Mbeki earlier this year to investigate government communication strategies and the structure of the South African media. It has spent the past eight months hearing submissions from various interest groups and has visited a number of countries to study communication models

In its report Comtask recommended that

- The South African Communication Service be disbanded and replaced by a more "streamlined" Communication Service Agency (CSA)
- There be triennial government funding for the public broadcaster.
- The government encourage the setting up of multi-purpose information centres
- A government-funded Media Development Agency be established to fund independent and community media
- The Department of Foreign Affairs establish an information system which overseas missions and trade groups can use to sell South Africa's image abroad
- There be professional training for government communicators
- Remaining laws that restrict media freedom be scrapped

According to Comtask, the CSA which would promote "a common identity and image for government" would fall under a Government Communication and Information System (GCIS) managed from the Presidency It also says that each minister should have his own communications staff to report to a Presidency–based head of government communication.

# Call to probe print-media ownership

(243)

Star 29/11/96

## 'Impoverished' journalistic standards, state information system under fire

**By Mondli Makhanya**
Political Reporter

The concentration of ownership in the print media should be referred to the Competition Board for investigation, the Task Group on Government Communications (Comtask) recommended yesterday

In its report to Deputy President Thabo Mbeki, it also slammed South Africa's "impoverished" journalistic standards, saying "the apartheid years have damaged the profession" The Government's R380-million-a-year communications system was also attacked for its lack of focus, professionalism and effectiveness

Comtask was set up by Mbeki to investigate government communication strategies and the structure of the SA media It recommended in its report that:

- The SA Communication Service be disbanded and replaced by a "streamlined" communication service agency
- The Government help to set up multi-purpose information centres.
- A Government-funded media development agency be established to fund independent and community media
- The Foreign Affairs Department establish an information system for its missions and trade groups to use to sell SA's image abroad.
- There be professional training for Government communicators
- Remaining laws which restrict media freedom be scrapped

It also says that each minister get a communications staff that reports to a presidency-based head of government communication.

It suggests a task team be appointed to oversee restructuring of the state's communications services.

Comtask says the relationship between the Government and the media is unhealthy While the Government complains about media coverage as "superficial, incomplete and distorted", the media regards Government communication efforts as "incomplete, opaque and unprofessional" The concentration of media ownership "is a danger in democracy", it adds

"It raises the likelihood that opinion and information may be controlled by one sector of society to the disadvantage of others "We believe a greater diversity of media in SA would improve the quality and range of information flow and facilitate effective Government communication," says Comtask.

The media suffers from a lack of professionalism resulting from the exodus of talented journalists from the field, it says

It says newsrooms are understaffed and junior, with most reporters having less than four years' experience

"This means that important assignments are handled by inexperienced, overworked and young reporters The result is that there is an unacceptably high rate of misjudgment and error."

# Naspers net earnings rise 25% (243)

BUSINESS REPORTER

**Naspers shareholders have reason to smile over the company's interim results for the six months ended September 30.**

Income attributable to them was R60,5-million, while net earnings from Naspers' own operations rose 25 percent to R48-million

Results show a 21 percent increase in turnover from R667-million to R809-million, which yielded an income of R84-million – 33 percent more than in the corresponding period the year before

However, Naspers's long-term liabilities have increased by R60-million to R191-million since the end of the previous financial year, and fixed assets by R96-million to R363-million

Concern over the tendency by education authorities to delay orders, and decisions by large education departments not to place any orders for next year, have resulted in lowered expectations on income from this source

Naspers executive chairman Ton Vosloo said the results were satisfactory in the light of the abnormal trading pattern that had developed in the financial year until now ARG 2/12/96

Although the important Boekhandel sector had made a good start to the new year with orders from the provincial education departments running over from the previous financial year, he said the tendency to put in orders late continued, and Naspers was concerned that orders in the latter half of the financial year would be too late to be carried out before the year-end in March

"The sluggishness on the part of most provincial education departments makes matters difficult for all publishers and printers, and creates conditions conducive to unrest at schools throughout the country, as the 1997 school year is not far off"

Mr Vosloo said Naspers' three main sources of income – newspapers, magazines and books – were doing good to satisfactory business, while some of the group's associated interests, especially M-Net and M-Cell, were performing well

His expectations for the latter half of the year were not too high, "in view of the unstable trading conditions and high interest rates"

# Who will play priest for the press?

M+G 6-12/12/96

(243)

**A proposal to hold truth hearings into the media has provoked much argument, writes Jacquie Golding-Duffy**

THERE is consensus among editors that the media should be investigated for the role it played during the apartheid era, but there are differing opinions on whether the Truth and Reconciliation Commission (TRC) is the correct platform for the press to confess all

The suggestion that a special week-long truth and reconciliation hearing be held on the role of the media was proposed by journalist, Human Rights Committee member and truth commission employee, Hugh Lewin The proposal hopes to highlight the possible role the media played in creating and sustaining a climate where gross human rights violations occurred

A former political prisoner, Lewin asked the Freedom of Expression Institute (FXI) to make a recommendation on the appropriateness of the TRC holding hearings at which the role of the media would be scrutinised

However in a draft proposal the FXI says it is in favour of the commission conducting hearings and recommends that it 'specifically investigate"

- the laws which were used to control or regulate the media,
- the role of Parliament, Cabinet and the judiciary in enhancing and enforcing these laws,
- the role of states of emergencies and specific media emergency measures in controlling the media,
- the role of the South African Broadcasting Corporation as a state-controlled broadcaster, and
- the role of privately-owned media

The FXI suggests that the TRC compile a separate report relating specifically to the media, adding that the assistance of non-governmental organisations has to be requested to ensure thorough research prior to public hearings

"The consequences in terms of gross human rights violations as a result of state control and regulation of the media should be recorded to serve as a warning to present and future governments about the importance of preserving a free, diverse and independent media," said FXI executive director Jeanette Minnie

While the editor of the *Sunday Independent*, John Battersby, says it "is a sound and necessary idea", the editor of *Rapport*, Izak De Villiers, "cannot see the point"

Battersby says the media should not be exempt from telling its story, but he admits that there are differing opinions on how this process should be handled, adding that the TRC will face the same difficulties in the media as that of the security forces — an unwillingness by some perpetrators to come forward

"I think the pressure can be intensified if some people are subpoenaed Omitting the media has allowed for a gap in the TRC process," he argues

Battersby outlines three categories where an investigation into the media could take place

- An investigation into what ways the media used in criminalising legitimate opposition to apartheid The press criminalised the fight for freedom in the way it reported, selected and presented its news
- The TRC could look into ways the media assisted in government disinformation
- How the media failed to be accountable to the public — it was accountable to the government of the day and the minority of readers who were able to keep the Nationalist Party government in power

De Villiers, however, disagrees with Battersby He says he is "not enthusiastic about the TRC"

"My point of view is that if certain crimes are committed, crimes that can be proven, those people should be taken to court One is innocent until proven guilty therefore the press should use the courts of law vigorously and exploit our new Constitution if it wants to do it right now " he says

**Mike Siluma: 'We, as the press, were guilty of smearing the very people who were fighting for our freedom'** PHOTOGRAPH DANNY HOFFMAN

**'Omitting the media has allowed for a gap in the TRC process'**

De Villiers argues that the issue of exposing a network of informers operating within the press in the past is pointless

"Why expose murderers and informers of the past Will that stop crime now? There will always be informers until thy kingdom come and until the archbishop [Desmond Tutu] can convince me that the press will do its job properly and crime will be curbed by us coming to the TRC Until such time, I am not interested "

*Cape Times* editor Moegsien Williams says the press appearing before the TRC is an "intriguing idea", but argues that an appearance before the TRC has to be accompanied by a proper investigation into the role of the media during the dark apartheid years

"Coming to the TRC will be useful as it will afford the public the opportunity to take a closer look at the media and possibly understand the role they played during apartheid

"The TRC will at one level expose the collaboration of the media, and on another level it will highlight the courageous standards of journalism that existed at the time," says Williams

He adds that the TRC has its hands full at the moment and should not be expanding its brief to include the press However, an investigation into the media, under the auspices of the FXI, for example, would be useful

Williams believes that a commission into the press will bode well for the industry as it has to re-establish credibility with the general public and redefine its role

*Sowetan* editor Mike Siluma agrees He says that it is clear that the press has to re-evaluate its role, now that we have a democratic government in place, but he argues that before we can move forward the media has to clear up the past

"My personal view is that the press is no different from other social institutions and therefore the media should not have special status in the eyes of the TRC It is of utmost importance that the media confess to whatever ills it committed in the past " Siluma says the media has a "helluva lot" to account for as it could have done a lot of things differently

"We could have fought silently We need not have called the African National Congress "terrorists", we could have insisted on giving [Nelson] Mandela an honorific We, as the press were guilty of smearing the very people who were fighting for our freedom "

The deputy editor of *Beeld*, Tim du Plessis, agrees with Siluma that the media should not be treated differently "I am not saying it is a good or bad thing All I m saying is that it is necessary in some respects

"The press is an institution of civil society such as churches and banks If we can urge the churches to go before the TRC, then the press can do the same," says Du Plessis adding that this did not mean he was going to appear before the TRC

"If I go then so must all whites because you cannot just say I did not vote for the system This does not matter You may not have voted, but you benefitted from the system Everyone should admit that they maintained a system that allowed people like Eugene De Kock and Ferdi Barnard to operate They believed everything they read in the newspapers because they chose to believe it The press should have been questioned more and the TRC will grant people this opportunity "

At the Commonwealth Press Union conference held recently, TRC chair Desmond Tutu, referring to the media said it is "quite brave in its criticism of the new government', although the same press "was coy about saying boo to a goose in the old days"

Tutu says there is quite rightly resentment in government circles at the media's new zeal for criticism when the press was "somewhat less courageous in the old days I must say I share some of that resentment."

# Outrage greets plan to appoint press body to probe the media

(243)
ARG 15/12/96

By CHRIS BARRON

A ROW is brewing over a decision by the truth commission to get the Freedom of Expression Institute to investigate the role of the media during the apartheid years

The chairman of the SA National Editors' Forum, Thami Mazwai, and the head of the commission's investigative unit, Dumisa Ntsebeza, have slammed the move

Mazwai said he rejected the institute's role "in its entirety" It was inappropriate for the body, which was "nothing but a pressure group", to conduct such an investigation.

"It took six months for the President to appoint a commission and relevant officials who were found capable of doing such an investigation"

He said the chairman of the institute, former Rand Daily Mail editor Raymond Louw, was himself "tainted" by virtue of his association with the South African Associated Newspapers, which published the newspaper

He said SAAN had played "a dubious role" during the apartheid era and the Black Editors' Forum had specific charges against it and the former Argus Group

Ntsebeza said he had "a serious problem" with the institute conducting an investigation

"It is like asking the media to investigate themselves What right does the Freedom of Expression Institute have to do this?"

The deputy chairman of the truth commission's human rights violation committee, Yasmin Sooka, confirmed it had been agreed that the institute should conduct research and submit a report on the basis of which the commission would decide whether to hold a formal hearing.

But she stressed such a hearing would be conducted by the commission

Louw said the institute believed it would be inappropriate for state employees to investigate the media

Independent investigators would be employed and, where the investigation touched on the role of management, it would be conducted by foreign academics resident in the country

"Obviously I cannot have anything to do with an investigation having anything to do with SAAN," he said.

The Star Tuesday Dec

# Black editors welcome probe into media

(243)

The Black Editors' Forum yesterday welcomed an investigation by the Truth and Reconciliation Commission into the media's role in human rights violations between 1960 and 1993 but criticised the process proposed by the TRC for this investigation

The BEF said in a statement it was important that the part played by both the print and electronic media in propagating apartheid and suppressing information should be investigated In addition, the treatment of staff by media organisations and the state was equally important

"The BEF believes that it was individuals and not organisations that were responsible for the editorial and management decisions in those organisations," the statement said "The TRC should therefore invite individuals to voluntarily come forward to give evidence It also has the powers to subpoena individuals"

The BEF said that an intermediary between the TRC and the people who give evidence was unnecessary and would only "sanitise and distort the evidence"

The BEF is in the process of merging with the largely white Conference of Editors, with which it previously had an acrimonious relationship, to form the SA National Editors' Forum White editors and senior white journalists are expected to feature prominently among media representatives who appear before the TRC

–Sapa

Star 31/12/96

# Black editors welcome probe

(243) BD 31/12/96

THE Black Editors' Forum (BEF) yesterday welcomed an investigation by the truth commission into the media's role in human rights violations between 1960 and 1993 but criticised the process proposed by the commission for this investigation.

The forum said it was important that the part played by both the print and electronic media in propagating apartheid and suppressing information should be investigated.

The treatment of staff by media organisations and the state was equally important.

"The BEF believes that it was individuals and not organisations that were responsible for the editorial and management decisions in those organisations," the forum said.

"The commission should therefore invite individuals to voluntarily come forward to give evidence It also has the powers to subpoena individuals."

The forum said that an intermediary between the commission and the people who give evidence was unnecessary and would only "sanitise and distort the evidence".

"The media should not be treated differently from other organisations of society as far as evidence to the commission is concerned."

White editors and senior white journalists are expected to feature prominently among media representatives who appear before the commission. — Sapa.

PRESS —1997

# Press freedom under serious threat – report

(243) Star 6/1/97

## Dozens of journalists murdered worldwide last year

REUTERS
Vienna

Close on 40 journalists were murdered in the pursuit of their work in 1996 in a year that witnessed press freedom under graver threat than ever before, an international media body said yesterday

The Vienna-based International Press Institute (IPI) said in its 1996 World Press Freedom Review, a survey of nearly 150 countries, that reporters faced the greatest danger in Africa and the Middle East

In Europe, the IPI accused Croatia and Serbia of quashing criticism in the media and singled out Bulgaria, Romania and Slovakia for paying scant attention to the rights of the press.

The Dayton peace accord in 1995 not only halted four years of war in former Yugoslavia but also laid down a condition that press freedom should be established and respected, it said

"Such a condition has not been merely broken, but smashed to smithereens The Croatian and Serbian leaders have crushed virtually all critical voices," said the IPI, a network of editors and publishers representing media in 88 countries

At least seven journalists were assassinated in Russia in 1996, and one each in Tajikistan and Uzbekistan

Journalists worldwide were also being intimidated by drug traffickers and crime gangs, the IPI said

"The murder of Ireland's leading investigative reporter, Veronica Guerin, on June 26 was a chilling reminder that such killings occur in societies which are free," the report said

But the darkest cloud hung over Algeria, where 11 journalists were killed in 1996 More journalists had been jailed in Ethiopia than anywhere else in Africa, while many were in detention in Nigeria, it said Reporters in Rwanda, Burundi and Zaire were under enormous pressure to take sides in the Hutu-Tutsi conflict

The IPI said press freedom remained a rare commodity in the Middle East It recalled the death in Iran on November 11 of writer Ghaffar Hosseini, who according to the authorities died of a heart attack but according to his friends had no history of heart trouble

In Turkey, dozens of journalists and writers were arrested and jailed last year, the IPI said

# Ruckus over media probe

P+G 10-16/1/96 (243)

**Two key media figures are at each other's throats prior to the truth commission's probe into the press, writes Jacquie Golding-Duffy**

Raymond Louw: 'Is he [Mazwai] trying to prevent an inquiry from taking place?' PHOTOGRAPH NASIEF MANIE

Thami Mazwai. Louw's involvement smacks of a 'jobs-for-pals scenario' PHOTOGRAPH HENNER FRANKENFELD

THE Freedom of Expression Institute and its chair, Raymond Louw have come under fire for volunteering to assist the Truth and Reconciliation Commission (TRC) in its investigation of the media

The Black Editors Forum (BEF), while welcoming an investigation in to the media by the TRC, criticised the process involving the Freedom of Expression Institute

In its statement the BEF says an intermediary such as the institute is unnecessary and would only 'serve to sanitise and distort' evidence

BEF and South African National Editors Forum chair and *Enterprise* magazine editor-in-chief Thami Mazwai said this week that it was "inappropriate" for Louw or his organisation to oversee the investigation, just as it would be unfavourable for former or current black journalists and their organisations to volunteer to co-ordinate such an important process.

"Some of the people at the Freedom of Expression Institute were active in the English press during the apartheid years and at no stage did they actively oppose apartheid, which makes them accessories to the various crimes committed

"To have some of these people heading an investigation where we want other collaborators to come forward and confess their role is ludicrous

"Journalists cannot conduct preliminary investigations into themselves as this flies in the face of justice, democracy and pure logic The TRC has got the skills and the manpower to do the job without an intermediary body"

Mazwai says he finds it "ridiculous" that the institute is raising funds and claiming to be helping the TRC gather information on the media "When an investigation as important as this is given to an organisation with no finances then the TRC is certainly not taking this seriously"

The BEF in its statement also says a minor industry could be spawned if intermediary bodies are allowed to go around and ask for donations under the guise of the TRC

"This is absolute rubbish There is no industry that will be spawned from this," countered Louw

Louw challenged Mazwai, accusing him of possibly wanting to delay the probe into the media "Why is he [Mazwai] delaying it? Is he trying to prevent an inquiry from taking place?"

**Journalists cannot conduct preliminary investigations into themselves as this flies in the face of justice, democracy and pure logic'**

While Louw accused Mazwai of delaying tactics, the latter attacked Louw's involvement as "smacking of a jobs-for-pals scenario" which could discredit the attempt to scrutinise the media

Louw countered that this was "outrageous and not worthy of comment"

"Why does he [Mazwai] keep harping on the same tired old theme when we have tried to explain to him that our role is no different from being employed by the TRC to investigate the medical or judicial systems We are merely co-ordinating the investigation, and will not be directly involved

"We will be employing researchers to do most of the work with some Freedom of Expression Institute executive members involved" The board members, pointed out Louw, were a diverse group with several experienced black and white media commentators on board, including one BEF member

Louw argues that an "unfortunate impression" would have been created had the TRC,with its state employees, done its own investigation as this would have been construed as the state intervening in the media

"That is why the TRC decided it will be appropriate to have an independent body such as ours conduct a preliminary investigation"

TRC deputy chair Dr Alex Boraine says the TRC was "grateful" when the offer was made by the institute because of the huge amount of work it already has However, Boraine says the commission will be reconsidering the whole matter at the next human rights violations meeting, to be held on January 23, as a result of the BEF's official objections

"Having received objections came as a complete surprise and our main concern is that there should be no one group that prevents other voices from being heard"

The suggestion that a special week-long hearing be held on the role of the media was proposed by journalist, Human Rights Committee member and truth commission employee Hugh Lewin

The proposal hopes to highlight the possible role the media played in creating and sustaining a climate where gross human violations occurred between 1960 and 1993

A former political prisoner, Lewin approached the institute to make a recommendation on the appropriateness of the TRC holding hearings at which the role of the media would be scrutinised Following on this, the TRC suggested ways in which an investigation could be done and the areas that should be focused on

Mazwai, however, argues that the selection process for the TRC took more than six months as government wanted to ensure a selection of people which would contribute towards reconciliation while the institute's involvement did not undergo any selection process, stirring possible division

# TRC's backing of apartheid media probe under fire

(243) Star 10/1/97

By Daisy Jones

Black journalists have threatened to oppose the Truth and Reconciliation Commission if it goes ahead with its plans to back the Freedom of Expression Institute (FXI) research into the role of the media during the apartheid era.

The TRC, in response, has undertaken to review its decision.

Organisations including the Black Editors Forum (BEF), the Forum for Black Journalists (FBJ) and the Media Workers Association of South Africa (Mwasa) earlier this week reacted angrily when the TRC took the FXI up on its offer to prepare an initial research paper, to be presented at a special public hearing of the commission.

BEF representative Thami Mazwai told The Star yesterday: "If they (the TRC) insist on FXI, it is going to be a black-journalists-versus-the-TRC issue."

TRC commissioner Hugh Lewin yesterday contacted Mazwai to arrange a meeting with the BEF, FBJ and Mwasa. Representatives of the organisations are determined to meet TRC chairman Archbishop Desmond Tutu.

Mazwai told The Star yesterday that no black organisations, nor any media companies, had been consulted before the TRC decided to support FXI.

"They consulted white lawyers' organisations and other organisations," he said.

The TRC's handling of the situation was perceived as an attempt to support "a campaign to whitewash the English-language media".

In a letter to Tutu dated January 6, Mazwai wrote: "Some of the people and leaders involved in the FXI were employed by some of the media groups in question at the time ... Hence, most white journalists active during the days of apartheid have decided to submit their statements to the FXI as it will not ask embarrassing questions."

Mazwai said it should not be assumed the FXI and its officials were above reproach. He asked why the task with which the FXI is currently engaged had not been put out to tender.

As for black journalists, Mazwai said: "Like other South Africans, we assumed we would be invited to give our submissions. Instead, our former tormentors must now collate our complaints on their misdemeanours and then prepare a report for the TRC. If this were not a very serious issue, it would be downright hilarious."

"We believe that the same procedures that pertained with others – that of people being subpoenaed or coming themselves, or being investigated by the TRC itself – should prevail," he said.

# Black journalists, editors threaten to boycott media research

Star 16/1/97 (243)

**By Daisy Jones**

The controversy over the Freedom of Expression Institute (FXI) compiling research into the media during apartheid on behalf of the Truth and Reconciliation Commission is set to boil over, with two major media associations threatening strong protest action

Both the Forum of Black Journalists (FBJ) and the Black Editors Forum (BEF) have said they would not take part in investigations unless the FXI was asked to stop carrying out research

BEF chairman Thami Mazwai said yesterday his organisation would not meet with the TRC to discuss the issue, and if the TRC "insisted" on retaining the services of the FXI for its investigation, the BEF would "discourage its members from participating in this parody"

"It is unfortunate that the TRC refuses to recognise the passions that have been invoked by this decision," said Mazwai

Referring to the FXI's press conference in which answers were given to objections previously raised by him, Mazwai said "They have not addressed the issue, they scattered the issues"

The FBJ said yesterday that if the TRC did not "promptly recuse the FXI from carrying out the investigations", it would encourage its members to scorn the process

Instead, the FBJ said the TRC should appoint an independent person, such as a judge, to carry out investigations

The FXI is currently planning its research project, the results of which the TRC has requested the FXI to submit at a public hearing

"Only a jurist person has the capacity to carry out full investigations with sheer dignity and honour," the FBJ said

Its position was that "no media institution, interest group or affected parties should be tasked with such a mammoth task"

FBJ spokesman Abbey Makoe said yesterday that although his organisation respected the ability of the some of the journalists who were FXI members, "a lot of them should be seen as a subject of investigation"

Makoe said the sensible and logical step would be for FXI to "step down with dignity and honour intact rather than under public pressure"

# Editors debate probe by truth body

(243) BD 21/1/97

**Reports by Jacqueline Zaina**

MOST editors of the apartheid era agree that the media played a role in sustaining the National Party (NP) and do not dispute the need for an investigation into the dynamics which made this possible, but they differ on whether the truth commission is an appropriate vehicle for such an inquiry

Here are some of their views

**Rex Gibson**, Rand Daily Mail editor from 1982 until its closure in 1985 and then The Star's deputy editor-in-chief until 1993

"While I have no problem participating in an investigation into the media by the commission, I fail to understand its objective If one is going to look at people who supported apartheid and formed public opinion, one would have to investigate every Nationalist Party MP

"Unfortunately, there is a risk that an investigation of this nature could turn into a witch-hunt and is more likely to become a platform for dealing with newsroom grievances

"Apart from the Nationalist press, including The Citizen, I believe that newspapers like the Rand Daily Mail and The Star had a proud record of exposing the apartheid regime

"Whether it was probing prison abuses and deaths in detention or exposing the Information scandal and the invasion of Angola, newspapers played a role in uncovering government deception "

**Joe Thloloe**, Sowetan managing editor (1988-1994) and current SABC editor-in-chief television news

"I am unhappy that the commission was created because what it offers is nebulous catharsis from crying in public It has nothing to do with justice However, I feel the media should be investigated with regard to violations of human rights

"Some people and organisations in the media bolstered apartheid, suppressed information, co-operated with the so-called security forces or practised apartheid in their operations, thus violating human rights The effects were probably more devastating to the nation than bullets

"I am in agreement with the Black Editors' Forum that the commission should invite submissions directly to itself or it should subpoena witnesses After watching the commission's work, we believe submissions relating to classes of people were worthless because it was individuals who made decisions and violated human rights

"We don't think a preliminary investigation is necessary — it will only sanitise or distort the evidence Even if the commission is not paying for the study, the body that does this work will use the commission's name to raise the necessary money and the taxpayer is already funding the commission "

**Harvey Tyson**, The Star editor-in-chief (1974-1990)

"Far from being helpful, I believe the proposed investigation by the commission would trivialise the process of truth and reconciliation The mistakes, both of commission and omission, on the part of the media — Afrikaans, English and all political bents — are apparent on their pages

"In the context of other crimes being investigated by the commission, including murder and kidnapping, I feel it is an inappropriate mechanism for an inquiry into the press

"People who have personal grievances with the media are free to raise these before the commission, without necessitating a full investigation into the sector "

**Allister Sparks**, editor of the Sunday Express (1974-77) and Rand Daily Mail (1977-81)

"An investigation by the commission into the media would be valuable, not only for establishing the degree of media collaboration with government, which is what some perceive its primary objective to be, but for probing a whole range of other issues

"The inquiry could uncover the extent to which newspapers and broadcasters were used as bases for security force espionage through the planting of false stories for propaganda purposes We have already witnessed the confessions of spies who worked as intelligence agents under the guise of investigative reporters They were known to have informed on their colleagues

"I'm not saying that recent claims that even the liberal press was collaborationist are not valid and the hearings would enable people to bring concrete evidence before the commission However, there are other equally important aspects of the media that should be examined

"There are still a number of undisclosed factors behind the closure of the Rand Daily Mail I am also not satisfied the entire story of the Citizen's founding and its sale at a knock-down price to Perskor has been revealed

"The Rand Daily Mail 'prisons case', in which the paper was prosecuted for its disclosure of the maltreatment of prisoners, is one issue where there may even be grounds for prosecution This could result in people seeking amnesty before the commission

"The fact that people were imprisoned for perjury after giving information on prison conditions to the newspaper in affidavits may have constituted a violation of human rights."

comments by black journalists abou what was happening in the Englisl media at the time

"While the English press did con nive with apartheid, it was not simpl a decision on the part of individual ed itors, culpable as most were Rather, i was a result of extreme pressure brought to bare on the media — no just by the government in the form o legislation and intimidation, but b media owners and management whos commercial interests were compro mised by editorial diversions fron state ideology

"Both the business community an advertising agencies which refused t advertise were complicit in the finan cial pressure against editors

"The main sin of the English press as I see it, was on the part of manager and editors who, until very recently were totally ignorant of black aspira tions They lacked contact with blacl thinking and concentrated on white in terests This is the sin of omission tha has led the English press into its cur rent deficiencies "

□ In a book tentatively titled Killin the Messenger An Apartheid Story due to be released in the US and S later this year, Pogrund contests th notion that the Mail was closed for fi nancial reasons

**Thami Mazwai**, Sowetan senior as sistant editor (1991), publisher and ed itor-in-chief of Enterprise magazine

"I am in favour of the media bein called to account for their reportin during apartheid because public opin ion is definitely in the hands of news papers and broadcasters.

"Even when the state was imple menting its various restrictive laws there was very little opposition fron the English media These newspaper were read by ordinary whites who ha elected and re-el cted the Nationalist

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SD
21/1/97

**Benjamin Pogrund**, Rand Daily Mail deputy editor 1977-1985.

"My first reaction is that of course the media should be scrutinised, just as every other sector of SA society should be However, I am not sure the commission is the appropriate vehicle for such an investigation

"The commission's mandate to reveal 'gross abuse of human rights' would be difficult to pin on the media The press's complicity in sustaining apartheid is extremely complex and one wonders where it would be possible to draw the line.

"It is generally accepted that the Afrikaans press was an official organ of the National Party. However, I am amazed at the inaccuracy of recent to power and perceived the party to be protecting their interests

"The newspapers reflected this world view, painting the ANC as terrorists While much of the censorship was state initiated, this editorial position led to development of a "homegrown" censorship in white newspapers, in terms of which a skewed perception of reality was propagated

"Although I don't believe the prosecution of offenders would serve any purpose, the hearings would help us to cleanse ourselves of our past.

"I am opposed to the involvement of the Freedom of Expression Institute, run by white former journalists and editors, as I feel this will taint the credibility of the investigation"

# Launch of journalists' body

(243) Sowetan 23/11/97

By Coudjoe Amankwaa

THE [illegible] Johannesburg tomorrow steering committee member Mr Abbey Maloe announced yesterday.

The keynote speaker will be Deputy President Thabo Mbeki and guests will be entertained by South African opera star Sibongile Khumalo.

The FBJ set [illegible] platform on which black journalists can "claim their legitimate space on the stage of idea formation, through production, expression and management of information as opposed to being passive messengers of news collection".

He added that the overall objectives of the FBJ was to establish a forum for reflection expression and discussion [illegible] persons and experts [illegible] to deliver talks to FBJ's *imbizo*.

"The FBJ also seeks to define and articulate an agenda not only for black journalists but for society as a whole," Maloe said.

The FBJ's mission will also be to enhance and uplift the standard of black journalism.

NEWS

# Right of reply to our critics denied – institute

(243)

Cape Town – The Freedom of Expression Institute (FXI) had been robbed of an opportunity to reply first hand to criticism raised about it, FXI chairman Raymond Louw said yesterday.

He was reacting to reports of a meeting on Tuesday between the Truth and Reconciliation Commission, the Black Editors Forum and the Forum of Black Journalists. Mar 23 11 97

At the meeting, the two media organisations objected to the FXI's involvement in compiling a report on apartheid-era media on behalf of the commission. They claimed this would be tantamount to the media investigating itself.

TRC officials were due to meet the institute in Johannesburg yesterday but cancelled at the last minute, citing work pressures, said FXI executive director Jeanette Minnie.

Louw said the FXI was deeply distressed that the commission had called off the meeting.

Truth Commission deputy chairman Dr Alex Boraine has said its mandate to the FXI would be reviewed this week.

Louw repeated last week's FXI request to the commission to convene an urgent joint meeting of all relevant parties – Sapa.

Deputy President Thabo Mbeki with Abey Makoe, chairman of the Forum of Black Journalists, at its launch at the South African Broadcasting Corporation's headquarters in Johannesburg on Friday where Mbeki delivered the keynote address. PIC JOE MOLEFE

# New black journalists' body formed

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Sowetan 27/11/97

## Mbeki urges the media to act as the watchdog of the Government

**By Themba Sepotokele**

WHEN singer Sibongile Khumalo's resonant voice reverberated through the corridors of the SABC Radiopark on Friday night, as she sang *Sabela uyabizwa umuntu omnyama,* it signalled the birth of the Forum of Black Journalists

The launch of the FBJ, under the chairmanship of the steering committee's Mr Abbey Makoe, was a milestone in the evolution of the South African media, especially black journalists

In his keynote speech, Deputy President Thabo Mbeki said the media should and must act as watchdogs of the Government and not as lapdogs

### Criticise where necessary

Mbeki also called on the media to criticise the Government where necessary

However, he said journalists and editors should "define and articulate an agenda for the country and the people"

He echoed some reservations about the newspaper comments, saying they were written by one and a half percent of the African intellectuals, and the rest were written by whites

"We are being condemned for defending the sovereignty of South Africa by South Africans To address the problem, there must be a sense of common purpose," he said

### Articulate the agenda

About the FBJ, Mbeki said "The forum was correct by saying that we shall not be news-bearers but we must define where we want to go As South Africans we need to articulate the agenda for our people"

He reiterated the fact that black journalists needed efficient training in carrying out the task of informing the public, adding that the forum was faced with a mammoth task of transformation Makoe said the formation of the FBJ was a milestone and certainly not a destination

"We share the day in which we promised ourselves that someday, we black journalists would identify our needs"

ARG 29/11/97

# Crunch time for media liberals

## *Black newsmen on horns of a (243) dilemma over TRC*

**INTERNATIONAL AWARD-WINNING JOURNALIST AMEEN AKHALWAYA, FORMERLY ONE OF THE HIGHEST RANKING BLACK JOURNALISTS ON WHITE SOUTH AFRICAN NEWSPAPERS AND NOW MEDIA DIRECTOR OF THE CAPE TOWN 2004 OLYMPIC BID, TELLS OF HIS PERSONAL DILEMMA AS THE TRUTH AND RECONCILIATION COMMISSION CONSIDERS PROBING THE MEDIA UNDER APARTHEID**

During the exasperating Eighties I told a white editor that one day he'd have to explain to readers why his newspaper continued to mislead them

For years, I've supported calls for our country to have a truth commission

Suddenly, it's crunch time The Truth and Reconciliation Commission wants to probe the role of the media during the apartheid years And suddenly, like many former colleagues, I've found myself agonising over whether I should make a submission

In discussions with former media colleagues in recent weeks, one question kept recurring what's the point of making a submission to the TRC?

More questions arose Would this turn into a fight to discredit "liberal" English-language newspapers whose editorial executives claimed pre-eminence in the fight against apartheid? In the inevitable ensuing uproar, would the spotlight be turned away from the far worse excesses of the State and security police against journalists, the role of the Afrikaans press and, most of all, of the old SABC?

Personally, one of my most traumatic experiences was as part of the SABC news management team soon after the 1994 election, whose current affairs coverage I headed Could I make an honest submission without telling of the actions (or non-actions) of respected colleagues while dirty-tricksters went on a campaign to smear me through a "liberal" newspaper? At what point, then, does getting at the truth end and settling personal scores begin?

Back in the late 1980s an international publisher invited me to write a book about my experiences I turned down the offer because if I wrote the truth, I'd have had to expose racist practices of some of my white former colleagues, a couple of whom had established international reputations What purpose would my disclosures have served in the life-and-death struggle against apartheid? Apartheid propagandists would have relished any criticism of the liberals' actions while ignoring the many good things they'd done. Now, with TRC hearings looming, do the same considerations apply?

I discussed the dilemma with a white former colleague whose work I admired I pointed out that while I would defend him and some of our old colleagues for the good they'd done, I certainly would not defend them for practices that left bitter memories for a legion of black journalists I mentioned the handling of South Africa's first newspaper strike in 1980 as an example The next day the man whose nasty words had deepened that strike phoned me

Coincidence? He said he'd written a book about the media However, he added, he had forgotten about the strike and asked me to refresh his memory I did so at length

In late 1980, the black Media Workers' Association of SA (Mwasa) went on strike at newspapers in the Argus and SA Associated Newspapers (SAAN) stables The illegal strike had started at the Cape Herald over pay and working conditions Members of Mwasa, which white managements had refused to recognise, joined the strike throughout the country

I was then an executive member of Mwasa and headed the SAAN unit in Johannesburg

We negotiated with management to allow us to hold a short meeting each morning in SAAN's canteen Next day, when we arrived at the SAAN building, security guards confiscated our ID cards and prevented us from entering

Emotions seethed as we sat outside Then this executive came by I went up to him to protest that the lockout action had been a breach of faith and asked him to inform management The man raged "I don't give a f--- You, Sisulu (Zwelakhe, then Mwasa president and now chief executive of the SABC) and the Communist Party want to take over South Africa through the Rand Daily Mail You can go and get f--- ed." This outburst enraged our members We decided to continue with the strike – and it went on for another six bitter weeks

Last week, after I'd refreshed his memory, my ex-colleague asked if he had apologised to me in 1980 I said he hadn't He said he was now apologising An apology is an apology, but getting one 16 years later – and unsolicited at that – came as such a shock (or was it because I didn't want to hurt his feelings?) that I forgot to ask if he intended to go public with it, if he also would apologise to all my co-strikers, to their families who had suffered?

Later, when I told some black former colleagues about the apology, they were livid They felt the man was being opportunistic, that he was trying to protect his and other liberal journalists' "self-created" image, that liberals feared their behaviour would be exposed before the TRC, that the romanticism attached to papers such as the RDM would be sullied

Black colleagues accused me of being naive for not rejecting the apology

They reminded me of incidents I'd long ago stored away in the archives of my mind or remembered with heroic romanticism when black journalists got together After all, hadn't our struggle – against our "liberal" bosses, against the security police and against the apartheid state – ended in triumph?

I'd underestimated the depth of their pain I preferred to remember those as the golden days of my working life Just to be employed by the internationally acclaimed RDM – respected by blacks and hated by the Government because of its crusading zeal initiated by legendary editor Laurence Gandar – was an achievement

***'If I wrote the truth, I'd have had to expose the racist practices of some of my white former colleagues'***

But the apartheid monster was alive in this, South Africa's most famous and outspoken anti-apartheid institution owned by a company with liberal credentials Toilets in the SAAN building were racially segregated, we weren't allowed to sit in the canteen – we could order takeaways from a separate section, my wife, despite her qualifications, was refused a job "with much regret" because the post was for whites only though it hadn't been advertised as such, some black journalists worked long hours as poorly-paid freelancers, few were given serious assignments, black sub-editors were barred from checking their "Extra" pages in the comps' room Separate Christmas parties were held for black and white staff "It's the law," bosses claimed

There was the matter of promotions We were moved backwards, sideways or not at all as white colleagues with considerably less experience vaulted into positions above us

The bosses made excuses – bantu education meant blacks couldn't write properly (I found that some famous white names with university degrees weren't that much better), blacks couldn't work at night, there were these laws, you see

Yet, when Soweto erupted on June 16 1976, these same black journalists risked their lives to report events And white journalists who didn't go near a township sent out unrest stories to the world

When we later asked papers in Britain and the United States why they didn't hire black South Africans who reported from the frontline in the first place, the invariable reply was that they couldn't write, or they couldn't be trusted because their union required that they twist reports! And who'd told them such nonsense? The "liberals", of course If apartheid's aim was to make blacks feel inferior, media liberals sought to confirm it through falsehood or innuendo

It didn't matter – and I have proof – that white journalists were praised for colluding with sports administrators when they organised sanctions-busting rebel tours No wonder Jon Qwelane, during the Mwasa strike, accused liberal bosses of "speaking with forked tongue"

Now black journalists want these and many other issues throughout the media to be brought before the public

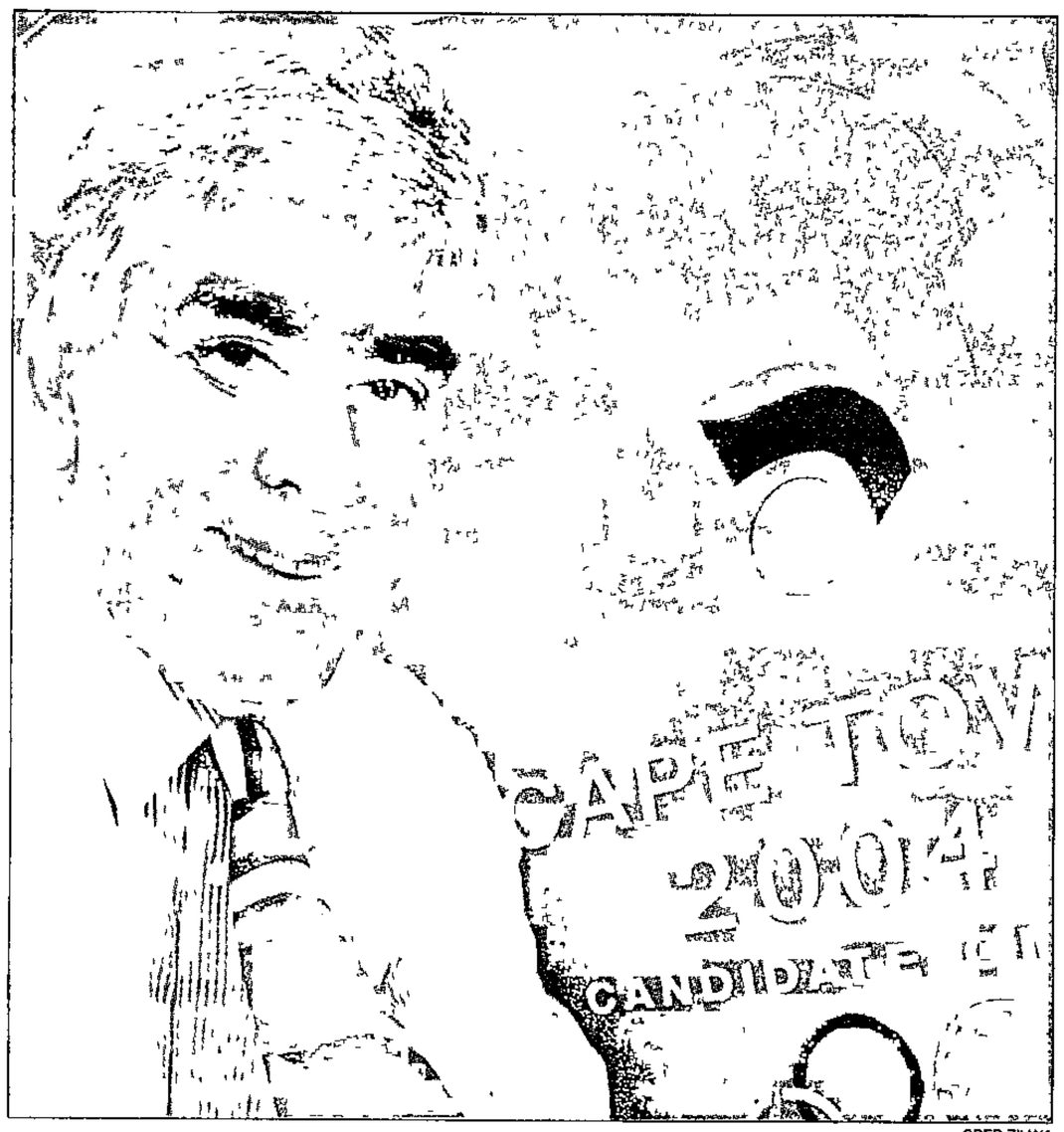
They want to be recognised for the huge sacrifices they and their families made and the humiliations they were forced to endure And they want some of the liberals, among them occupants of important public positions today, to stop being regarded as nonracial knights in white armour

But will the liberals stand up and admit their errors, if only to balance their outstanding achievements? Or will they, like so many of our compatriots, suffer from apartheid's collective amnesia? Will they, for example, explain why they were hostile to journalists whom they regarded as political activists, yet employed the likes of Gordon Winter and John Horak who were known to all as police spies?

The problem, says a senior white journalist linked to an "alternative" paper, is that many of these liberals still have no understanding of the deep wounds they inflicted on their black colleagues When he told me that a fortnight ago, I was sceptical But after I received the call from my ex-colleague who'd forgotten about our strike, he made perfect sense

Forgotten about South Africa's first newspaper strike? Forgotten that security police intimidated strikers and our families? Forgotten that four of our colleagues were banned immediately after the strike? Forgotten that some of our members had their belongings repossessed because they'd lost their pay? Forgotten that the strike had strained relations between black and white colleagues for a long time? Forgotten that the Argus-owned newspaper aimed at blacks, Post Transvaal, was shut down by the Government on a technicality because it hadn't been published in a specified period during the strike?

If such an important event in South African media history is forgotten, then black journalists will have no choice but to remind them – through the TRC if necessary We cannot reconcile our consciences without reconciling the truth




OBED ZILWA

**In a dilemma:** award-winning journalist Ameen Akhalwaya, now media director of the Olympic Bid

# SA print media faces changes

Sowetan 30/1/97 (243)

## Malaysian publishing group plans to start a daily paper this year

**By Mzimkulu Malunga**

THE FACE OF the South African print media industry could change drastically if the numerous deals that are in the pipeline come to fruition

This week a Malaysian publishing group, The New Straits Times, announced that it is planning to start a daily newspaper in South Africa later this year

The group is reported to be talking to publishing house Nasionale Pers about a possible partnership, but Naspers has denied any involvement

However, the announcement by New Straits Times managing director Mohamed Noor Mudalib that his company plans to start a newspaper in September this year is said to have angered a consortium led by Deputy President Thabo Mbeki's brother Moeletsi

Moeletsi Mbeki has been quoted in the media as saying they have warned the Malaysian company about legal action should it attempt to by-pass the consortium when getting into the South African market

Mbeki's consortium has been the Malaysians' only contact in South Africa and it is reported to have made a detailed presentation to New Straits Times about opportunities in the South African print media market

However, the consortium, which believes New Straits Times is acting on the information it supplied to the company, was taken aback when

**Moeletsi Mbeki**

Mudalib announced that it was talking to anonymous partners in South Africa about the venture

Naspers, which market sources suspect could be the anonymous partner that New Straits Times is talking to, is also involved in talks with three black consortiums for a controlling stake in *City Press*

The consortiums, Oscar Dhlomo's Dynamo Investments, News Seasons led by Enos Mabuza and a Cape Town-based group Ukhozi, are said to have been offered varying stakes by Naspers

Sources say Durban-based Dynamo Investments has been offered 20 percent in the newspaper while New Seasons has been offered only 5 percent

At the last count, the consortium was still trying to lobby Naspers for an increased stake in *City Press*

It is not clear how much has been offered to Ukhozi

In addition to the two pending media deals, there is a rumour that Independent Newspapers group is planning to open its own tabloid newspaper as soon as it sells its stake in New Africa Publications – publishers of *Sowetan* and *New Nation* – to Times Media Limited

Talks between Independent, NAP's owners New Africa Investment Limited and TML are continuing

Another deal, which will fuel changes in the print media industry, is the one clinched last year between Kagiso Trust and Persebel, the ultimate owners of *The Citizen*

Already, there is talk that a restructuring process is under way at *The Citizen* and this will include injecting new blood into the publication and appointing a black editor

Another player that could surprise many media pundits is a partnership between *Enterprise* magazine and Swedish group Dagens

*Enterprise's* publisher and editor-in-chief Thami Mazwai says the partnership is exploring other markets but they are yet to specify which areas they will venture into

NEWSPAPERS (243)

## "IN FOR A SHOCK"

FM 31/1/97

**Plans by** Malaysia's biggest newspaper group, The New Straits Times Press, to launch a daily newspaper in SA by September, could be scuppered by a jilted prospective partner in the venture

KMM Investments, a black-owned property development and general investment company formed three years ago by Moeletsi Mbeki, the brother of Deputy President Thabo Mbeki, has warned that "strong legal action" will be taken against The New Straits Times if it publishes anything in SA based on the information supplied to it by KMM last year

The letter of warning was sent to group chairman Dato Nazri bin Abdullah by KMM's law firm, Cheadle, Thompson & Haysom, early last month KMM also demands the return of all the information it gave The New Straits Times team, which it hosted over a week last May, pertaining to SA printing infrastructure, newspaper supply, advertising revenue potential, gaps in the market and so on

The New Straits Times MD, Mohamed Noor Mudalib said in Kuala Lumpur this week the group was negotiating with unnamed "potential partners" in SA "

Nasionale Pers said the group visited its Cape Town headquarters in December but denied any other connection

"I think The New Straits Times is in for a big shock," says Moeletsi Mbeki, formerly a journalist in London and Harare "This company and many foreigners seem to think SA can be taken advantage of, especially through the new black business sector "

Mbeki was consultant to the ANC Newspaper Project When that was officially terminated in 1994, he says, the ANC gave his company permission "to pursue it as a commercial venture aimed at achieving media diversification "

Mbeki says the Malaysian group initially approached KMM early in 1996 to discuss a newspaper venture

The Malaysians apparently talked of investing about R70m in the venture before returning to Kuala Lumpur from whence they'd finalise their decision

"Then one heard they had returned to SA on their own to investigate going it alone We found out, at the end of last year, that they were using the information and research we had provided to try to set up their own paper, without our knowledge," says Mbeki

Regarding government's concern at foreign investment in local media, Mbeki emphasises that neither the Malaysians nor any foreigners would have had a controlling stake Under KMM's prospective deal with The New Straits Times, he says "We would have control, with the (Malaysian) shareholding limited to no more than 25% We are not interested in foreign control or in assisting that in any way " *Amarnath Singh*

# The media under APARTHEID

ST 2/2/97 (243)

**The Truth and Reconciliation Commission will soon probe the role of the media during apartheid. CHRIS BARRON examines some of the evidence it will consider**

JUNE 14 1985 was one of South Africa's blackest days The defence force attacked houses in the Botswana capital of Gaborone and killed 14 people on the pretext that they were ANC terrorists about to launch a killing spree in South Africa

Among the dead were children, refugees with only the most tenuous links to the ANC, a young conscientious objector completing a BSc degree and a Dutch citizen who had been renting rooms in his house Among the injured was the Dutch man's pregnant wife

The government justified the raid by saying police had found a massive arms cache in the West Rand which, intelligence work indicated, was to have been used by the Gaborone "terrorists"

At his trial last year, former Vlakplaas commander Eugene de Kock disclosed that the police themselves had planted the cache

But if June 14 was a dark day for the country, the Sunday Times had a peculiar way of acknowledging it It greeted the tragedy two days later with apparent glee

"The Guns of Gaborone!", it shrieked triumphantly across the front page, thus casting this act of state-sanctioned murder as an Alistair Maclean thriller

The accompanying story echoed the government's view that this was a highly successful "pre-emptive strike to head off a series of ANC terror attacks", a version which subsequent information disproved

Says Richard McNeill, a senior assistant editor on the Sunday Times at the time "Journalists are often seduced by playing with words, and this was such an obvious and recognised pun Alistair Maclean's book was *The Guns of Navarone*"

He justifies the Sunday Times's coverage on the grounds that it fitted the newspaper's "gung-ho presentation modelled on some

those who act against the state are deeply troubled misfits, motivated not by political disaffection or conviction but by personal inadequacies

When police linked Hein Grosskopf to blasts in Johannesburg and Krugersdorp which killed three people, the Sunday Times made no effort to distinguish between fact and police allegation

In a front page headline it condemned him as "The suburban schoolboy who became a ruthless car-bomb killer" and went on to call him "a cool and deadly terrorist" and "an ANC killer"

In amnesty applications to the truth commission last year, senior police generals hinted that the police themselves had planted the Johannesburg bomb

SO outraged was Hein's father, Professor Johannes Grosskopf, a former editor of Beeld and head of journalism at Stellenbosch University that he

FACTS . . . the aftermath of the defence force's raid in Gaborone, which some newspapers lauded as a successful pre-emptive strike against the ANC

dom that it would have been loath to close them

Instead of recognising the leverage this gave them to challenge the government more vigorously, editors managers and proprietors agreed as members of the Newspaper Press Union to apply self-censorship in return for exemption from the harsh press laws

They agreed to do the government's dirty work for it

In effect, this left the alternative press to face the full weight of the law alone

"We were betrayed by our colleagues in the NPU," says Du Preez

This relationship between the union and the government is an aspect that the commission will have to consider carefully

The success of alternative papers such as Vrye Weekblad and the Weekly Mail in exposing government hit squads and third-force activities raises questions about how much more the mainstream press might have achieved if it had not been so quick to clip its own wings

BOLSTERING the argument that the role of the Sunday Times particularly in the 80s, was regarded by the government as not entirely unhelpful to its cause is Grosskopf's story of what happened when he took the newspaper to the media council

"I was approached by the security establishment to withdraw my case against the editor," he said this week "I told them to go to hell"

No look at the media would be complete without considering the SABC and the black press

Stories abound of how P W Botha and ministers such as Pik Botha phoned up during news broadcasts

A former news editor at the corporation, Jeremy Thorpe, recalls "They would pass on information they would like to see on the news

"The feeling was that what

SA 2/2/97.

a frightening thing".

Afrikaans editors such as Grosskopf argue that any attempt to ignore the Defence Act, for instance, and publish news of South Africa's invasion of Angola when it became known instead of remaining silent would have risked the same fate as befell The World, banned in 1977

A counter argument is that they were too closely entwined with the Afrikaans intellectual establishment to be seriously threatened.

Max du Preez, who left the Afrikaans mainstream press to establish an alternative weekly, Vrye Weekblad, says. "The government would have had a revolt from its own intelligentsia if it had acted against major Afrikaans newspapers"

As far as the English press was concerned, newspapers such as the Sunday Times and The Star may have undervalued their importance to the government.

It made such good use of their existence to project to the world a false image of democracy and press free-

they made suggestions, you used them"

Says Jane Bramley, a former editor of *Radio Today* "Our stories were interfered with just about all the time, although more from within the corporation than in the form of direct government intervention."

Clearly, more than any other medium, the SABC has a great deal to answer for.

As for the black media, Sowetan editor Aggrey Klaaste notes that reporters in the 70s associated themselves with the struggle to such an extent that "they saw themselves as black rather than as writers"

"The result was advocacy stuff," he says

Of course, black journalists were victims of intimidation to a far greater extent than their white colleagues

Together with advocacy journalism, this affected coverage of necklacing, the Winnie Mandela-Stompie Seipei scandal, the vicious behaviour of activists during boycotts, and other events

To what extent is something the commission will have to look at

ST 2/2/97

of the racier papers in London It was the same kind of risqué, cheeky treatment we gave to all sorts of stories

"Perhaps, with hindsight, a little more judgment could have been exercised, but there was no time to sit back and say, this is a serious story, are we trivialising it? We had to field it on the run"

THIS coverage of the Gaborone raid by what was generally regarded as the flagship of the South African liberal press is one of the reasons that the Truth and Reconciliation Commission has been called on to investigate the media's role during apartheid

When a former Sunday Times journalist, Marion Sparg, was arrested and sentenced to 25 years' imprisonment for planting bombs at police stations, the newspaper examined her deed as the act of a fat social outcast It purported to take readers "inside the tortured mind" of an "obese little girl" who "turned to terror"

The message was clear took the newspaper to the media council and won.

He called its treatment of his son "scandalous"

Without going into too much detail, it is fair to say that the performance of other English language newspapers during the apartheid era also left a lot to be desired

A former journalist on the Johannesburg daily The Star, Mike Tissong, was prevented from writing that police had been implicated in the 1985 deaths of eight students blown up by grenades which they were carrying.

The police have now admitted that they booby-trapped the grenades before handing them to the students

Kwazulu Natal violence monitor Mary de Haas blames the Durban newspapers The Daily News and The Mercury for downplaying or ignoring evidence in the 80s of collusion between police and the IFP in the violence that swept the province

She wrote at the time that it was "difficult not to conclude that news, as reported by this newspaper (The Daily News), is a means not to know", and blamed both newspapers for giving "not only a partial, but a distorted view of what is happening".

De Haas says "What I was experiencing in the townships was so different from what I was reading in the newspapers And yet the facts were available"

Former Daily News editor Michael Green agrees that "no editor could put his hand on his heart and say everything was marvellous But we went a long way to keep the public informed. We reported as fairly as we could"

Former Mercury editor James McMillan stresses that what newspapers reported and how they did so "cannot be separated from the context in which we operated then".

Prime ministers John Vorster and P W Botha summoned editors more than once and warned, in the words of Vorster "Get your house in order or I'll do it for you" It was made clear that their newspapers would be closed without compunction

It was not only the government's hot breath which editors felt down their necks.

When Cape Times editor Tony Heard published an interview with the banned ANC president Oliver Tambo in 1986 he received a formal reprimand from the then-managing director of South African Associated Newspapers, which owned the Cape Times, John King.

HE recalls that management was also "not particularly overjoyed" by his newspaper's coverage of the shooting of seven people in Guguletu near Cape Town.

The Cape Times published witness accounts blaming the police "Things were said which made it clear that management did not like the police being accused of being murderers," he says He was fired shortly afterwards

Police have now admitted to the killings.

Afrikaans editors were in a tighter hole Until the 80s, they had government ministers sitting on the boards that controlled their newspapers and, therefore, their own appointments This, together with the fact that they were ideological fellow travellers, told heavily in their coverage — not only of major stories such as the 1976 Soweto "riots", the Angolan war, the death of Steve Biko and the Information Scandal.

Smaller stories were also affected. In the 60s, an Afrikaans reporter witnessed a black child bleeding to death within 100m of a "white" hospital while waiting for a "black" ambulance to take him to a "black" hospital

He was told to drop the story because it was not newsworthy.

In spite of the Afrikaans media's failings, it must not be forgotten that newspapers such as Beeld and editors like Ton Vosloo, Wimpie de Klerk and Harald Pakendorf did start advocating the idea of talks between the government and ANC from the early 80s, before it was acceptable to the National Party, and pushed for reform in the Dutch Reformed Church

Whether and to what extent they influenced Botha's eventual talks with Nelson Mandela in the mid-80s or the expulsion of the old guard from the Dutch Reformed Church in 1986 and 1992, or whether their influence was felt in the overwhelming "yes" vote in the 1991 referendum, is open to question.

The possibility must at least be entertained.

The English press certainly scored some telling blows against apartheid, notably with the Rand Daily Mail's exposure of conditions in South African prisons, and the breaking of the Information Scandal by it and the Sunday Express

The Sunday Times built a reputation for exposing corruption in government

Heard makes the point that "the public got enough information to use their loaf about what was going on They cannot do a German job on us and say they didn't know."

But is this enough?

Indeed, papers were up against a rampantly powerful government and, as Heard says, "naked power is

# Young black journos come into their own

Star 4/2/97 (243)

## Abbey Makoe, chairman of the newly launched Forum for Black Journalists, has managed to weather the storm which has broken around the controversial organisation

Abbey Makoe knows well the frustration of trying to get ahead on will-power and little else He's not equipped with a diploma or a degree, his experience is limited and he's writing in a second language

Nevertheless, after only seven years in journalism, he has clinched the job of Gauteng editor of the relaunched Drum magazine – having demonstrated from early on in his career a creative flair in the same vein as the legendary black scribes who wrote about township life for Drum and The World in the 1950s

Perhaps because he was never a "political" reporter, but one who seemed to thrive on the diverse and innovative aspects of his vocation, it was surprising to many of his colleagues that it was Abbey who emerged recently as the chairman of the newly launched Forum for Black Journalists (FBJ)

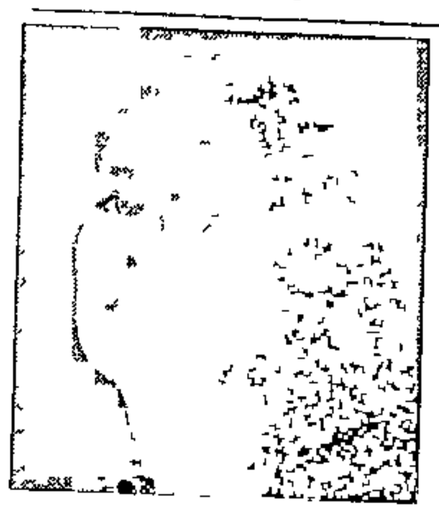
Or maybe it wasn't so surprising, because he's certainly weathered the controversy that has followed, even though he might not have been quite prepared for it

Cynicism and scepticism – the journalist's prized intellectual tools – were evident in healthy measure at the launch, a lavish affair held in the SABC's Radiopark building and attended by the who's who of black editors and journalists Among them was Thami Mazwai, chairman of the newly formed SA National Editors' Forum, Sowetan editor Aggrey Klaaste and SABC chief executive officer Zwelakhe Sisulu

The presence of deputy president Thabo Mbeki, and his somewhat foreboding speech revealing a profound discontent with the media's coverage of the new society, set off a few alarm bells in the industry, evoking suspicion about what looks to some like an alliance bordering on the sinister

To add to this, the racial exclusivity of the forum, entrenched in its constitution, has baffled those white journalists who believe that while there might have been cause a few years ago for such a move, the visible advancement – or at least presence – of blacks in the media has rendered it unnecessary

One senior white news executive had this to say of the forum "The initiative surely flies in the face of attempts to promote media



THE THING ABOUT YOU

By Helen Grange

freedom and social understanding across the racial board Are so-called white journalists now supposed to band together in some nefarious racially exclusive club for unspecified purposes?

"One wonders with the introduction of the new constitution and especially that provision which will prohibit even private groups from excluding others on racial or gender grounds whether the forum will stand the scrutiny of the Constitutional Court I doubt it"

Makoe, having himself been dubbed a "racist" by a couple of

week, stands firm "The experience of junior black journalists is that they get engulfed in a media environment under white control, and become passive carriers of news, with no identity and no say over their own destiny

"They advance at a snail's pace, but whites move much quicker We understand that whites are better qualified, and black reporters usually have only a matric, but this is because of a historical disadvantage That's why there's no need for white journalists to join the FBJ – because they already have what we're fighting for"

He's quick to add "But we don't see ourselves as antagonists of the media bosses We are not a union

"The plan is to get media companies to agree to allow juniors to go on training courses that the FBJ raises funds for, so they can empower themselves So it benefits both ways"

Still, there's the nagging doubt about a growing collaboration between the Government and a black journalist cabal. In response to the Mbeki link, Makoe says: "If Mbeki's view is that the media is in the hands of a few whites, he's in the same boat as us If his view is that black journalists are not being developed, he's in the same boat If that poses a danger to anyone, it's a case of panic disorder The FBJ is not a media front for the Government and neither will it be"

Interestingly, there's no love affair between members of the FBJ and the black editors who belonged to the former Black Editors Forum, which recently amalgamated with the former Conference of Editors to form the SA National Editors' Forum (SANEF)

Even though SANEF chairman Mazwai and other black editors were honorary guests at the launch, the sentiment among FBJ members is that they have done

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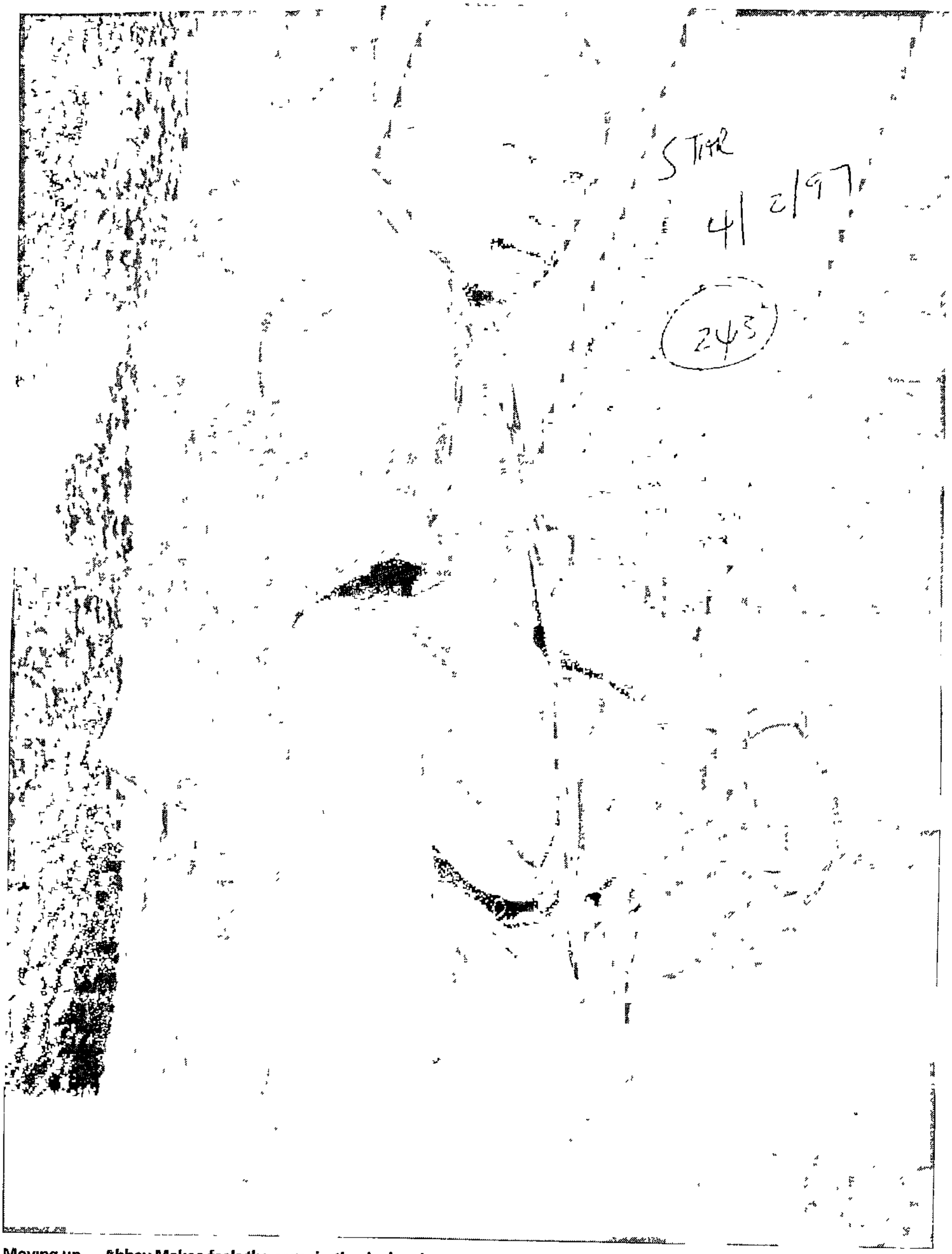


**Moving up ... Abbey Makoe feels the organisation he heads represents the footsoldiers in the industry and not the editors**

"The editors don't cater for the needs of journalists, and many of us don't want to become editors and bask in the glory of titles. Certainly there's a cross-over of membership, but black editors have to join the FBJ as journalists

"We're representing the footsoldiers in the industry," says Makoe

Perhaps for this reason, there has not been a rush by senior black journalists to join the FBJ, although it's also evident that a good few in this strata are as sceptical as their white counterparts of the motivation and objectives of the FBJ.

"Some haven't been forthcoming, but we'll be seeking meetings with them," says Makoe Most of the FBJ's membership work for the SABC, where there is a well of discontent at the sluggishness of affirmative appointments and promotions. Most of the others are based at The Sowetan, The Star and a handful of black magazines

It took months of secret, behind-the-scenes *imbizos* before the forum began to take shape, but the concept has been around since 1992, when the first failed effort at launching an organised group of black reporters was made

Only when some returned exiles injected the idea with real drive did it eventually take off

Since then meetings attended by up to 200 junior journalists have been addressed by newsmakers such as Mbeki, Bantu Holomisa, Mathews Phosa and Professor William Makgoba

"The point is this," says Makoe, "we don't want to be passive messengers of news We want to be able to critically reflect on developments in every sector – to define and articulate the agenda of the new society"

# A truth needed to set the media free

(243) CT 17/2/97

**JOURNALISTS ARE** debating the Truth Commission's focus on the media. Will journalists use the truth about their past to transform the mind-sets of the present, asks Contributing Editor **GUY BERGER.**

THINK for a moment of three words associated with the term "perpetrator" This is what a group of journalists was asked to do at a workshop in Cape Town recently "Evil Attacker Cruel," said one "Fat White Man," said another

Nervous laughter erupted at this pointed, pain-filled observation Then Antjie Krog, poet-turned-SABC journalist, spoke "I have reported on a Truth Commission hearing where a fat white man testified about the loss of his son in a land-mine blast," she said Silence

It was a warning to journalists about the pitfalls of dealing in stereotypes at the expense of individuals In the same way, there is merit in journalists looking closer to home — at the stereotype of the white men, often, but not always, fat, who have run South Africa's mass media — and in many cases still do

The debate right now is whether these white men can objectively analyse the part played by the press Can they assemble the truth about this piece of our past? Emphatically no, says the Black Editors' Forum chairperson Thami Mazwai

Hold on, says journalist Graeme Addison White men like Raymond Louw and Clive Emdon were emphatic non-racialists and fighters for freedom when they worked on the anti-apartheid Rand Daily Mail They were still part of the system, says Mazwai The pair's planned investigation under the Freedom of Expression Institute cannot be credible, he argues

Mazwai is wrong to categorise liberal white journalists as part of the system True, they benefited from the privileges of apartheid and they may have been part prisoners of a white-centred world view But they were far from being complacent fellow-travellers, let alone collaborators with apartheid They took risks — and they took repression in their opposition to the real criminals

That said, Mazwai is right to argue that white liberal journalists cannot investigate the press on behalf of all journalists They were not victims in the way that black journalists were

The white liberal voices must be heard, as should those of other white journalists This is the only way for the truth — in all its depth — to bring forth recognition and contrition for actions taken or not taken

*The white liberal voices must be heard, but it is the black journalists' voices and insights that should have pride of place in searching for the truth about the media and apartheid.*

But it is black journalists' voices and insights that should have pride of place in searching for the truth about the media and apartheid

If white journalists should not lead the process, who should? No journalists at all, says Mazwai. There's no integrity in conducting an investigation into oneself, he argues

The problem, however, is that outside of the media, the only credible body is the Truth Commission itself And it is weighed down with amnesty applications, reparation policy decisions, investigations of three decades of murder and torture, and very far from taking the lead

The result is that there is now no effective locus for a commission on the press Instead, in one corner, Louw and Emdon continue to gather testimonies under the auspices of the Freedom of Expression Institute, boycotted by supporters of the Black Editors Forum

In another corner, the forum is considering making its own representations directly to the Truth Commission

Elsewhere, print and broadcast managements and retired editors are weighing up what they should say — if anything But there is no systematic investigation taking place, and therefore a comprehensive accounting is not on the cards There will be no considered assessment as to which journalists were villains, heroes or something in between There will not be evidence proving that secret deals were — or were not — struck between the Newspaper Press Union and the government We will not hear of the mass complacency that comfortably perpetuated a white supremacist outlook, or of those correspondents who went further — who spied and lied for the security police and the military

At the end of the day, the Truth Commission may — on the basis of fragments of evidence — attempt a definitive statement on the part played by the press But far more important really is how much journalists are involved in the process of reaching any verdict

Reporters and editors need to be fully involved — to "buy in to" the process — if they are to take meaningful ownership of the outcome and apply it to their daily practice

There is a grouping that could take the initiative and unite the various parties This is the South African Editors' Forum, formed last year to find common ground between the Black Editors' Forum and the largely white Conference of Editors

Black journalists like Mazwai, who is also SANEF chairperson, could lead the organisation towards executing a public, credible and inclusive strategy to unearth the truth Or he could preside over a house that remains racially divided

The quest for truth through the Truth Commission is not an end itself Its purpose is to contribute to reconciliation The question facing journalists is how much they share this reconciliation objective as regards an investigation into the press

Real reconciliation requires white journalists, like most whites, to recognise just how deep the system of supremacy went in benefiting them and distorting their work. It requires them also to understand how the system left their black counterparts, like most black South Africans, bereft of power, dignity and rights

Black journalists can help make this happen — if they want to Twenty years back, Steve Biko liberated Daily Dispatch editor Donald Woods from the untruths of an insular white society Biko's approach was not confrontation, but careful cultivation, and an ubuntu-based compassion for a fellow human being

Today, black journalists through SANEF have liberated the Conference of Editors from being a print-based "old-boys club" to become part of a vibrant cross-media, cross-racial, cross-gender and cross-leadership level association

If transformation in the media is to mean anything, it needs to include transformation of the white journalists in it For this, there has to be a vision which believes it is important that the truth about the media's past is understood and accepted by all those in the media

The alternative is to leave behind the white men of the media, irrespective of their diverse shades of complicity or confrontation with apartheid

It is also to leave in place the current racial tensions in the media Black journalists like Mazwai, having suffered and survived against the odds, are clearly heroes of the media Their heroism could become a broader liberation by drawing in the full spectrum of South African journalists, including the stereotypes

This requires a different mind-set on all sides But it is the only mind-set that can deliver a truth to really set the media free

❑ *Professor Guy Berger is head of the Department of Journalism and Media Studies at Rhodes University*

# Press group sends report to TRC

CT 24/2/97 (243)

**WILLEM STEENKAMP**

INDEPENDENT Newspapers last week became the first media group to make a submission to the Truth and Reconciliation Commission (TRC) on its role in apartheid South Africa from 1960 to 1993

A 55-page report, compiled by former Natal Mercury editor Mr John Patten, was submitted voluntarily to the TRC on Friday

In the report Patten concludes that while the company was consistently anti-apartheid in outlook and newspapers took many risks in covering the news of the day, they failed in many other ways in exposing human rights abuses.

Heading the list of shortcomings is the admission that the company's "commercial viability" — the need to make profits, attract advertisers and "relate especially to core market readers" — inhibited it in publicising apartheid abuses

The report also states that newspapers did not try hard enough to circumvent restrictions placed on them until the instatement of the emergency restrictions in the mid-1980s

The company was also guilty of of discrimination, including allowing white perceptions to dominate news-gathering, while the reverse was true in black newspapers

There was also discrimination in reporting accidents and crime The "gradualist" anti-apartheid editorial policies caused the perception that the company colluded with apartheid, and that there was a "paternalistic" attitude toward some black editors, the report states

Other discriminatory practices included petty apartheid in the workplace The recruitment of black staff began in earnest only in the 1970s and the advancement of black staff proceeded too slowly

Contributions by black staff were not recognised and they were not timeously rewarded, and some black staff were paid less than their white colleagues

Patten notes that journalists were subjected to "naked propaganda" by the state but did not counter-balance this properly

He also identifies human rights abuses suffered by the company and its staff members

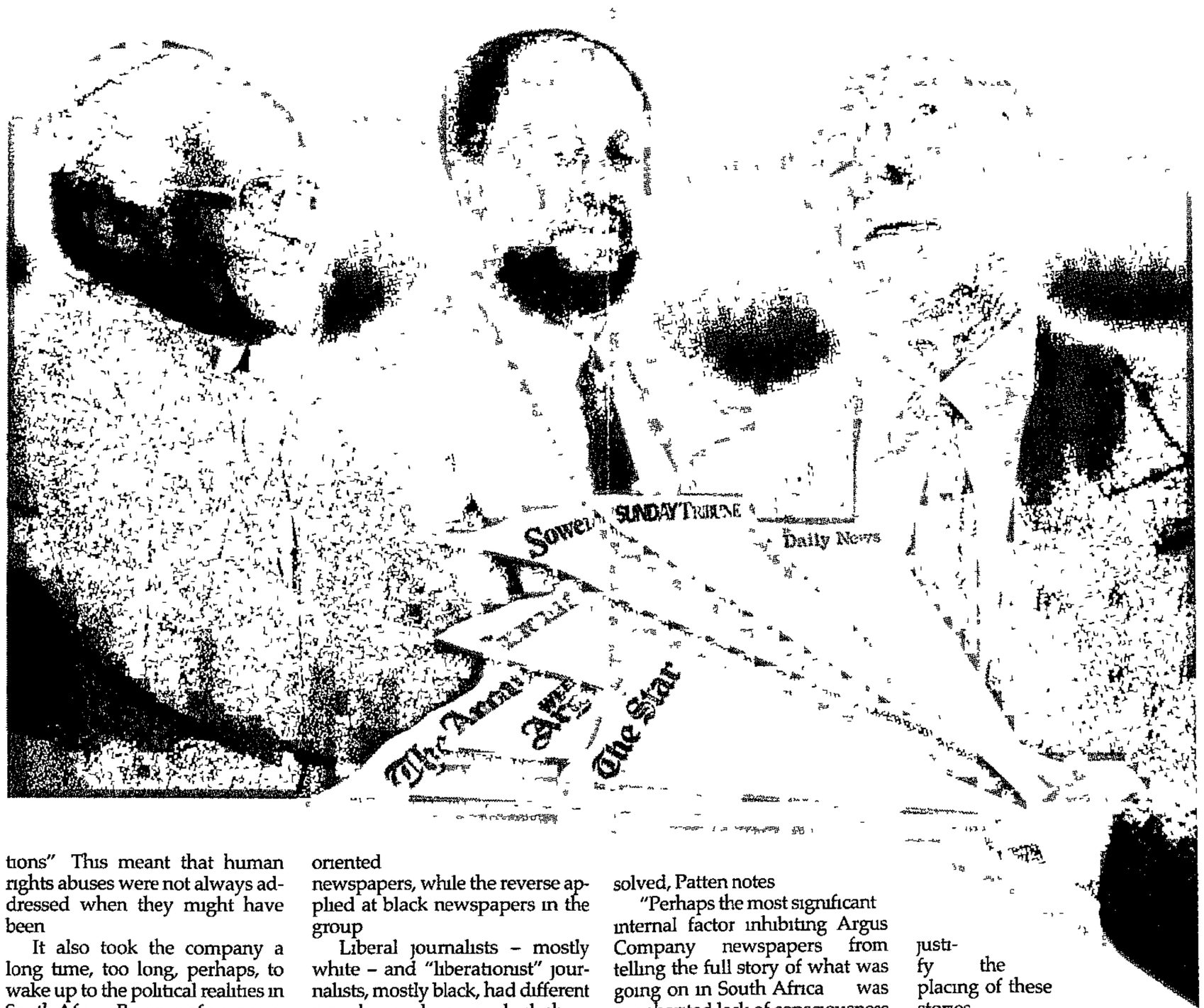
# Walk the tightrope – or the plank?

(243) Star 28/2/97

JIGNASA DIAR

TRC REPORT

## Newspapers in apartheid era had to survive to inform, says former Argus Company editor




**By Robert Brand**

Publishing newspapers during the apartheid decades meant walking a tightrope between properly informing your readers and remaining viable in the face of commercial pressures and the threat of being closed down by government

The editors and managers of newspapers published by the Argus Group (now Independent Newspapers) during the past three decades of apartheid all walked this tightrope, some more hesitantly than others, says retired editor John Patten in a report commissioned by the company for submission to the Truth and Reconciliation Commission

The report, based on interviews with serving and former editors of Independent Newspaper titles, as well as published articles and books, takes a candid look at the company's performance during those years and concludes that it could have done better It highlights the achievements, but points out in many instances that bolder action could have been taken against human rights violations by the government and discrimination within the company itself

Independent Newspapers has accepted "the broad thrust" of Patten's report, putting it forward as a basis for further investigation by the commission

The report focuses on two areas where the company failed in the human rights field, and where the company and its staff themselves fell victim to human rights abuses

Departing from the premise that the Argus Company was started by home-language English-speakers as a vehicle to represent the interests of that community, Patten contends that its readership base later grew wider and that the company's newspapers came to represent wider interests founded on "support for free enterprise and the upholding of liberal Western democratic values"

Throughout the period of apartheid, Patten says, Argus opposed the racial separation policies of the government The extent to which it could actively combat these policies, however, was limited by several factors, among them the commercial nature of the company's newspapers

**The human rights field: two areas of failure**

"Commercial considerations of what was possible economically coloured many judgments when considering tricky politically sensitive issues The question often raised in editors' minds was 'How far dare we go?', rather than simply publishing something because it was news "

This, Patten says, may have "blunted (the company's) cutting edge in exposing all the wrongs of apartheid, including some human rights violations"

While many editors pushed the limits of the law as far as they could to bring as full a story to their readers as possible, some were "less willing than others to test the limits of legal restrictions" This meant that human rights abuses were not always addressed when they might have been

It also took the company a long time, too long, perhaps, to wake up to the political realities in South Africa Because of a concentration on white political rivalries, black political aspirations and the strivings of liberation movements were for a long time insufficiently covered by the company's newspapers, Patten says

Though objectivity was the aim of the company's newspapers, white perceptions monopolised news judgment at the white-oriented newspapers, while the reverse applied at black newspapers in the group

Liberal journalists – mostly white – and "liberationist" journalists, mostly black, had different agendas and pursued clashing goals Some actions by the liberation movements – sanctions, violence, boycotts – angered many white staff members, while the company's gradualist approach to the dismantling of apartheid frustrated many blacks and led to accusations that the Argus Group kowtowed to apartheid This was a dilemma the company never resolved, Patten notes

"Perhaps the most significant internal factor inhibiting Argus Company newspapers from telling the full story of what was going on in South Africa was an inherited lack of consciousness by whites of the full plight of blacks under apartheid and a certain lack of interest on their part in finding out," he says

There was also little commercial incentive to pursue certain black interest subjects, because there was no advertising to back up the editorial space for such stories, and low black readerships to justify the placing of these stories

The demise of the Rand Daily Mail, the report notes, served as a warning to editors that a total disregard of one's readership and advertising base could lead to commercial disaster

Recruitment of black staff, the report continues, began too late and proceeded to slowly The training given to black journalists seemed to have been inadequate until fairly recently The contributions of black staff were not recognised timeously or rewarded sufficiently "Petty apartheid", such as separate toilets and canteens, reigned at some newspapers when black reporters were first recruited ("This was broken down in some cases only by black disobedience action in the face of abuse from other company employees," Patten says )

Black editors of "black" newspapers were often treated paternalistically and management "appeared not to trust (them) with full editorial responsibility for their newspapers"

For years, the salaries of black staff were lower than those of white journalists doing the same work, and facilities at black newspapers were inferior to those at their white counterparts Black journalists felt they were treated as "poor cousins"

**Black staff felt they were 'poor cousins'**

This was not only discriminatory, Patten states, but contributed to the incomplete picture presented by newspapers to their readers: the newspapers lost credibility with black readers, to some extent lost touch with the oppressed masses and lost ground to the alternative press

There were also more overt forms of discrimination in news coverage, Patten says for years, newspapers followed the practice of publishing the names only of white accident victims, while mentioning black accident victims as statistics

This lack of contact with the black community meant that government propaganda exercises such as news conferences and tours of the operation area in then South Africa could not always be counter-balanced with the other side's view

The company's handling of labour disputes, for instance the strike at the black-oriented Transvaal Post in the late 1970s, caused "much bitterness among black staff, which rankles to this day", Patten says

The report also points out the difficult circumstances in which newspapers had to function, to a large extent, newspapers and their staffs were also victims of human rights violations, Patten notes

Restrictive legislation interfered with the watchdog role of the newspapers, enforced racial separation meant black reporters often did not have the same access to news sources as their white counterparts, and black and white staff attitudes were polarised by the government's policies and the intensification of the struggle against apartheid

The report details many instances of journalists facing severe harassment by the security forces Black and white journalists suffered harassment, Patten says, but the plight of black reporters was more serious

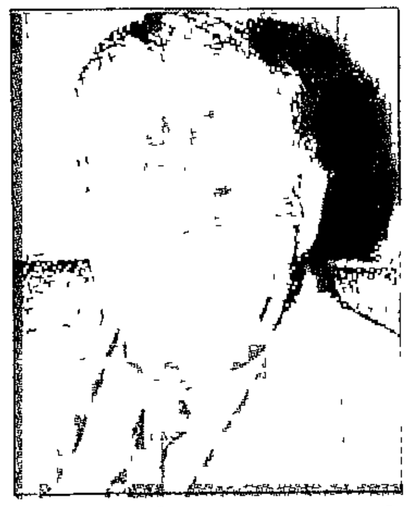
The purpose of a newspaper is to survive to inform, says one of the former newspaper editors interviewed by Patten And this view, perhaps, best summarises the central thrust of the report

# Independent apologises for Argus failure

Independent Newspapers (formerly the Argus Group) has expressed regret for its shortcomings and failures in the area of human rights during the last three decades of apartheid

In a letter accompanying the company's voluntary submission to the Truth and Reconciliation Commission, chief executive John Featherstone says Independent Newspapers welcomed the opportunity to "undertake a formal review of our company's historical shortcomings, with the express intention of confronting errors of the past in order to build a better company for the future"

The report was commissioned by senior executives at Independent Newspapers, which owns The Star, immediately after Archbishop Desmond Tutu's call for an investigation into the role of the media under apartheid



**John Featherstone ... welcomes chance to review past.**

The author of the report, retired editor John Patten, examined the performance of the company through interviews with several serving and former editors, as well as source material such as published articles and books

It highlights the difficulties faced by newspaper editors and journalists working under state censorship, police harassment, the possibility of being closed down by the state and constant commercial pressures

But it also points out where the company failed to live up to its own mission of working for a better South Africa

Patten's brief, Featherstone writes, was to "provide an independent and objective overview of Independent Newspapers (Argus) from 1960 to 1993, the period covered by the TRC's investigation into the media, with the aim of identifying areas in which the company and its staff were either victims or perpetrators of human rights abuses or, either directly or by default, played some part in allowing human rights violations to occur"

The report is not viewed by the company as a definitive document, but as a "useful and properly researched basis for further discussion", Featherstone writes

It was not intended as a whitewash, but rather as an opportunity to confront the errors of the past

"This approach will, we believe, serve the vital aims of establishing the truth, fostering reconciliation, and strengthening the basis of media freedom in our country in future"

Featherstone notes that the report, while recounting the hardships experienced by the company's editors and staff, emphasises shortcomings over achievements

"I consider this as a proper approach, given the commission's task, and take this opportunity to express our regret for these failures

"Naturally we would also like the opportunity to be able to expand on the achievements of our company in combating human rights abuses in the apartheid years, achievements of which I think we can be justifiably proud," Featherstone concludes

## TRC DIARY

**Next Week**

In Pretoria, the amnesty hearing of five former security policemen who have confessed to more than 40 murders continues on Monday and Tuesday Jack Cronje, Roelf Venter, Wouter Mentz, Jacques Hechter and Paul van Vuuren claim their crimes were committed on behalf of the National Party in a war against communism

The hearing is being held at the City Council chambers in Munitoria, Vermeulen Street

**Coming Up**

The Appeal Court decision compelling the TRC to give perpetrators reasonable notice that they are to be named at public hearings has thrown the commission's programme into disarray Two human-rights violations hearing[illegible] the next two week, one in the Northern Province and the other in the Eastern Cape, have been postponed to give officials more time to identify and notify perpetrators The commission intends calling political parties for a second hearing towards the end of March, at which they will be closely questioned on their submissions made at a public hearing in August last year

# The editors' view of what newspaper companies did, or didn't, do

"Going back to the beginning, the fault lies in history the fault lies in the fact that we were almost exclusively male WASP (white Anglo-Saxon Protestant), certainly Western-oriented

"That was our heritage, that was our system I don't think it is anything to apologise for It happens that the Western liberal press is virtually the only free press in history and on Earth" (Former company editor)

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"My impression of the Argus Company was that it was a very conservative company It paid conservatively It took to innovation conservatively It was a slow-moving company To try to class us in the category of pioneers and pacesetters is a mistake It was not the nature of the company

"That is not to say we did nothing We certainly made valiant efforts and quite successful ones I think many of the journalists you see at the top of the pile today came through, as white journalists did, through the Argus Company mill and are what they are today because the Argus Company trained them" (Jon Hobday, editor, Weekend Argus)

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"Now if the suggestion is that we were party in any way to the apartheid structures or the dictate of the National Party or sympathetic to the National Party in any way, I would refute that in the strongest terms

"Not a single title that I am aware of supported the National Party on a single issue that purported to strengthen apartheid or the violation of human rights in any shape or form

"I think we were all committed to quite the reverse In fact, none of us would have been appointed to editorial chairs had we held views that were not contrary to the views of apartheid" (Andrew Drysdale, former editor of the Cape Argus)

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"So I think that, if one examines one's own role in these things over a long period of time – over decades – we strove as human beings and as journalists and as editors to do the right thing by all the people of this country And finally the company will be judged by its record

"The record lies in the bound volumes of our newspapers I don't think an apology is needed and I would not apologise for the efforts we put in under conditions of great travail, of enormous pressures " (Drysdale)

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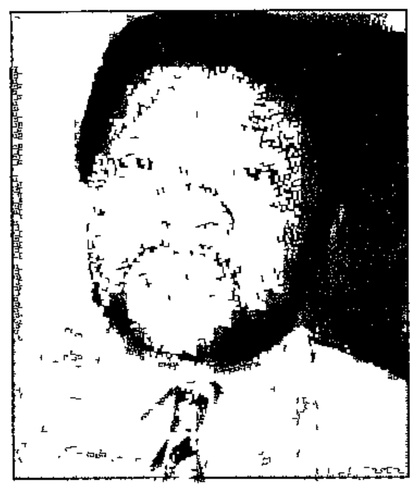
"Nobody from head office ever said 'Please be careful, you understand the risks, we've got a valuable property, etc' To be fair,



**Joe Latakgomo .. black journalists suffered.**

you knew this When you got appointed, you knew what your responsibilities were They didn't have to say to you 'Don't make the newspaper bankrupt, don't drop the circulation by half, don't get it closed down and don't get yourself in jail' " (Michael Green, former editor of the Daily News)

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"So we perceived it, I certainly did, as my duty to ignore the commercial consequences of most of the political and other kinds of reporting Some of our bigger pressures were not political They were commercial" (A former company editor)

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"The first day I joined, I got hungry and I went to the canteen They told me I couldn't be served I said I was paying for my meal, so what's the problem? I showed the guy I was a member of staff and showed my staff card and he said 'Sorry these are regulations'

"The company then divided the canteen into two, with the strategic placing of pot plants One was for whites only and the other was international, which was totally unacceptable We sat where we liked and a number of whites joined us in defying the regulations

"Those were the times We were living at a time when a lot of white people refused to associate with black people They were actually victims of propaganda" (Dennis Pather, editor of the Daily News)

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"Much of the debate has been muddied in a manner of speaking by people talking about whether the companies employed black journalists full-time, whether they had separate toilets, whether they were promoted or weren't promoted

"We must first of all accept that, in the political situation of the time, most companies were guilty of that kind of discrimination against black people So it is not as if journalists were selected for that kind of abuse" (Joe Latakgomo, former editor of Sowetan)

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"Black journalists were never given the kind of training they should have had They were considered not up to scratch for the cadet course, but at the same time no alternative programmes were arranged We were sort of poor cousins I think black journalists suffered all ways Poor training on the one side, pressures from the community on the other side, pressures from the police on the third front, so it wasn't as if they weren't trying to tell the story" (Latakgomo)

□□□

"You sat with the emergency regulations on your desk, but we learnt how to get around them The sole purpose was to give as much information to the public as possible We were fully aware of the fact there were many areas where we weren't getting sufficient information

"There were times when we knew more than we could publish

"It was a very uncomfortable feeling, but our guiding principle was to publish as much as we could without getting ourselves shut down" (Mostert van Schoor, Editor-in-Chief, Natal Newspapers)

□□□

"Yet, even towards the end, some newspapers were still relying on 'official' news, and 'official' checks on news, which had been gathered at considerable risk by other newspapers The 'unofficial' – and of necessity unsourced – news would be put to a government spokesman, who would not merely deny the report, but condemn it and produce some fiction of his own

"In following this safe and 'responsible' course, a number of journalists failed dismally to reflect reality – or at least that portion of reality which it was possible by devious means to publish" (Harvey Tyson, former editor of The Star, as quoted in the report from his book *Editors under Fire*)

□□□

"I also believe we played a pivotal role in keeping alive in the public mind concepts that the massive machinery of government repression and propaganda was trying to suppress I refer to the democratic liberal principles of freedom of speech, freedom of the press, human rights and equality before the law" (Van Schoor)

□□□

"What should be understood about Argus newspapers was that even in these extraordinary circumstances, unreal abnormal circumstances, we tried to stick to the principles of newspapering in which we were founded

"The principles were essentially summed up in the words objectivity, balance, accuracy, fair, free flow of information We were not propagandists We were reporters That was the fundamental difference It did lead to a clash And to disappointments among reporters who were trying to present propaganda" (Hobday)

□□□

"I as an editor never supported sanctions I cannot say I supported the liberation movement What we supported was reasoned negotiation And, as it turned out, it was reasoned negotiation that won the day Violence did not do it, and never would

"Throughout the years, we argued for negotiation, reason, compromise

"That is what we got I think we can look back as editors on those four decades with some justification and satisfaction in that the thing we argued for right in the beginning came to pass

"I think if we had to look back to summarise what the Argus papers were doing 'What did you do during the war, Daddy?' We did our job That's what we did, and we did it as best we could You can quibble with this and you can quibble with that, but at the end of the day we did our job And if you want the proof of the pudding, it's in the eating, where we are today

"That's what we wanted That's what we fought for and that's what we got" (Hobday)

**Michael Green ... you knew your responsibilities.**

## Keeping you informed

Every Friday The Star will produce a news feature to keep you up to date with the Truth and Reconciliation Commission.

The feature, produced by our team of specialist TRC reporters, will provide all the background, the news and the insights you need to keep you in the picture as the dramatic story of our past unfolds.

Less highs than lows Nearly all local newspapers have seen their sales drop significantly GRAPHIC STEVE RAMUSHU/SOURCE ABC

# Print on the skids ...

M+G (BM) 28/2/97 - 6/3/97 (243)

**With newspaper sales dropping even further, publications will have to become more innovative, reports Jacquie Golding-Duffy**

THE downward trend in newspaper circulation has once again been reflected in the Audit Bureau Circulation (ABC) sales figures for the last six months of 1996

The freefall seen during January to June 1996 among most mass targeted urban and weekly newspapers has been repeated in the sales figures for July to December 1996, with some print media groups faring only marginally better than others

Only four newspapers have made a significant percentage increase in sales Times Media Limited's *Evening Post* in the Eastern Cape has seen a 6,5% gain in sales, with figures shifting from 16 978 for January to June 1996 to 18 074 for July to December 1996 The group's financial daily, *Business Day*, also increased its circulation by 2,2%, moving from 38 146 for January to June 1996 to 38 989 for July to December 1996

Nasionale Pers's *Die Burger* increased by 5,2% in the last six months of 1996, shifting from 97 630 to 102 691 Sales of the *Mail & Guardian* also increased by 5,7% from 30 7445 for January to June 1996 to 32 510 in the following six months.

Some media analysts argue that niche publications — such as *Business Day* and the *Mail & Guardian* — have illustrated that fragmentation and specialist reporting are what readers really want

Deutsche Morgan Grenfell media analyst Peter Armitage says the real loss suffered among newspapers saw *The Star*, as a daily, hardest hit *The Star's* sales are down by 8% in the July to December sales figures "Overall the circulation trend has been downwards for quite a while, but there is always a base level of people that will always, no matter what, buy the newspaper Most newspapers have reached this base level," he said

Armitage also argued that newspapers have become more innovative, adding more value with their specialist financial sections or supplements inserted into the main carrier newspapers "There is more for the reader to indulge in," he said Price increases which dominated the last six months of ABC figures, he said, could also not be blamed for the fall in sales

"All in all, there is definitely space in the market for a tabloid because we have nothing like that in the South African market," said Armitage, hinting at the Independent group's plans to launch a tabloid But he was unsure of the impact of a national broadsheet entering the market as is being planned by a Malaysian newspaper group "With respect to broadsheets, I think the market is already overtraded," he said

Sales of most of the newspapers in the Independent group have fallen except for marginal, some may say insignificant, increases in *The Cape Times* (it gained 0,9% for the last six months, shifting from 50 894 to 51 334) and *The Sunday Independent*, whose average circulation for July to December 1996 was a mere 0,6% up on the previous six months

The group's flagship, *The Star*, recorded a drop in sales figures from 169 994 to 156 358 (-8,0%) in six months and the recently relaunched *The Cape Argus* also dropped by 0,3%, shifting from 82 370 to 82 142

*Rapport*, jointly owned by Naspers and Perskor, gained 0,5% (shifting from 390 052 to 392 085) for July to December 1996, while Times Media's *Sunday Times* dropped 3,8% (shifting from 477 204 to 458 964)

Perskor's *The Citizen* also dropped by 2,8%, moving from 138 071 for January to June 1996 to 134 261 for July to December 1996

When compared to the circulation figures of three years ago, most local newspapers have seen a significant drop in sales *Sunday Times* has lost almost 20% in sales over the past three years, while *The Star* is down by nearly 30% *The Citizen* is down by 0,4% and so is *Rapport*, by nearly 2%

*Die Burger*, compared to three years ago, gained nearly 22%, and *Business Day* also increased its sales by about 20%, while the *Mail & Guardian* increased its sales by close to 10%

The *Sowetan*, when comparing its sales figures to three years ago, has lost about 10%; while *New Nation's* sales dropped close to 70%

# Afrikaans broadsheets show the highest increases

## Afrikaans Newspapers

**THE latest circulation figures indicate once again an increase in the Afrikaans press — both dailies and weeklies — with *Die Burger* showing the highest increases (5,2%).**

**In light of the political divisions among Afrikaans readers, this increase in *Die Burger's* readership is particularly significant and says much about the beleaguered National Party's political status among the Afrikaans-speaking populace. *Die Burger* has become increasingly critical of the NP, especially of its leader FW de Klerk, and this has created a split between conservative readers of *Die Burger* and more liberal readers of *Beeld*.**

***Die Burger* has also revamped its layout and introduced more scratch card competitions which tend to have mass appeal. *Rapport* has shown an increase (0,5% in six months), along with *Volksblad* (0,2% in six months).**

## English Weeklies

**THE *Sunday Times* is still showing losses (-3,8 in six months); while the *Mail & Guardian* has had the highest percentage increase (5,7% in six months). *New Nation* has also suffered a loss in sales; while *The Saturday Paper* (owned by Natal Newspapers and based in Durban) is down to an all-time low and needs a re-think.**

## Black Newspapers

**THIS category as a whole has decreased slightly, but the decreases have been driven by *Ilanga's* and *Umafrika's* dramatic fall in sales. *Ilanga*, during the last six months of 1996, saw its circulation fall by more than 5%; while *Umafrika* saw a drop in sales of more than 15% in the past six months. The largest national circulating daily, *The Sowetan*, also saw a drop in sales.**

**● Newspapers are at a watershed and need to be revitalised. A heavier emphasis could be placed on subscription drives, possibly even shortening the subscription time**

**There has been an increased focus on personalising sections of newspapers, but the *Sunday Times's* attempt to strengthen its *Metro* sections has not worked as it failed to microzone closely enough — its editions for specific areas tended to be racially based.**

**Microzoning means maintaining the same masthead, but content should focus on local news and events. It is believed that the *Sunday Times* will sport a new look in coming weeks. — *Lyndall Campher and Jacquie Golding-Duffy***

# NEWSPAPER CIRCULATION FIGURES

| GROUP | PUBLICATION | JAN-JUNE 96 | JULY-DEC. 96 | %LOSS/GAIN |
|---|---|---|---|---|
| TIMES MEDIA LTD. | Business Day | 38 146 | 38 989 | +2,2% |
| | Sunday Times | 477 204 | 458 964 | –3,8% |
| | Evening Post | 16 978 | 18 074 | +6,5% |
| INDEPENDENT NEWSPAPERS | Sunday Independent | 34 497 | 34 705 | +0,6% |
| | The Star | 169 994 | 156 358 | –8,0% |
| | The Cape Times | 50 894 | 51 334 | +0,9% |
| | The Cape Argus | 82 370 | 82 142 | –0,3% |
| | The Mercury | 43 369 | 40 904 | –5,7% |
| INDEPENDENT/ NEW AFRICA INVESTMENTS | Sowetan | 211 688 | 211 178 | –0,2% |
| NEW AFRICA INVESTMENTS | New Nation | 20 280 | 18 975 | –6,4% |
| M&G MEDIA: | Mail & Guardian | 30 745 | 32 510 | +5,7% |
| NATAL WITNESS PRINTING & PUBLISHING | The Natal Witness | 27 639 | 26 732 | –3,3% |
| NASIONALE PERS | Die Burger | 97 630 | 102 691 | +5,2% |
| | Beeld | 110 220 | 110 311 | +0,1% |
| | City Press | 117 261 | 114 999 | –3,3% |
| NASPERS/ PERSKOR | Rapport | 390 052 | 392 085 | +0,5% |
| PERSKOR | The Citizen | 138 071 | 134 261 | –2,7% |

M+G (6M) 28/2/97-6/3/97
(243)

# Independent fails the test

(243) M+G (BM) 28/2-6/3/97

The submission to the truth commission by Independent Newspapers is a litany of failure, argues **Anton Harber**

INDEPENDENT NEWSPAPERS has conceded that the company has much to be embarrassed about in its history

In its report to the Truth and Reconciliation Commission, written by ex-editor John Patten, the country's largest newspaper group writes that it (formerly the Argus Group) had blunted its cutting edge in exposing all the wrongs of apartheid" and that "some human rights abuses were not addressed when they might have been"

The company admits to racial discrimination in its employment practices, and petty apartheid in its offices It regrets that black journalists did not get promotions that recognised the vital role they played in the group's papers

"Proper balance to coverage of the political events was not achieved," Patten writes, and even says the paper paternalistically did not trust black editors with full editorial responsibility, putting white editorial supervisors in to watch them

The report is a litany of failure, which journalists will read with a sense of shame and pain It is an account of how, with very few exceptions, Argus editors failed to rise to the challenges of the last four decades

The era of apartheid repression, particularly the 1985 to 1990 State of Emergency, was a formidable test for all journalists Some rose to meet the challenge, and flourished — like *Vrye Weekblad* editor Max du Preez. Others ducked for cover — and now have to explain themselves

Patten tries to do this. He cites the corporate culture "It was a very conservative company It paid conservatively It took to innovation conservatively It was a slow-moving company It was an establishment company run by establishment people And very successfully over the years It would be wrong for us to claim to have set the pace," he quotes *Saturday Argus* and *Sunday Argus* editor Jon Hobday saying

**'It was an establishment company run by establishment people. And very successfully over the years. It would be wrong for us to claim to have set the pace'**

Patten cites commercial considerations — and says alternative papers like the *New Nation* were able to be more outspoken because they did not have such concerns This seems to imply that only the poor and the weak were able to stand up to the government — those with deep pockets, huge resources and immense political clout were somehow less able to

He cites apartheid laws the harassment of journalists and white horror at the strategies of the liberation struggle He cites racial division in the newsroom, with most white reporters horrified at the violence of the anti-apartheid struggle, and most black journalists sacrificing their objectivity to contribute to it He cites the liberation movement's alliance with communists and socialists, and editors' horror at the thought

He is able to give many reasons for what happened, but this just adds to the sense that almost every Argus editor was defeated by the challenge of the times The instances he cites of defiance of the government are few and far between

More notable are the gaps in his account He does not tell of Argus editors' across-the-board support or neutrality in the crucial referendum of 1983 on the tricameral Parliament — the one that sparked the uprising of 1984/85 He does not tell of the time when the Argus managing director agreed with PW Botha that there was a total onslaught, including elements of the press, and something had to be done about it He does not look at the agreements editors entered into with police, the defence force and prisons which sanctioned limitations on coverage

And he does not conduct the real test how the newspaper covered crucial issues, such as raids into neighbouring states, township violence, sanctions and the "third force"

Instead of asking why smaller newspapers were able to publish more and be more defiant, he dismisses them off-handedly as chancers and opportunists These papers, like the *Mail & Guardian*, had criticised the Argus Group coverage "to make legitimised space for themselves in the market" Papers like *Vrye Weekblad* were able to do what they did not because they were courageous or were — like good journalists — determined to get the story out, but because they had foreign funders to please

Patten's justification for the Argus company is that it was "liberal" It believed in obeying the law, working within the system, "reasoned negotiation", balance and "doing the right thing"

"*The Star* cherished its image of grey respectability," he writes The paper was "desperately trying to be an effective agent of change" through dispassionate reporting

But it is hard to see how it was dispassionate, since he concedes that the paper was dominated by the perspective of conservative whites who opposed the liberation movements, were isolated from township politics and feared black domination

He seems to forget that there were many honourable liberals who joined the liberation struggle, or who were powerful and active independent forces for change (like the Black Sash, or the Legal Resources Centre) and some who even broke the law, with proud defiance

The cautious approach he describes at Argus newspapers may be described and explained in many different ways But it is a disservice to confuse it with liberalism

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Anton Harber is the ex-editor of the Mail & Guardian and now chief executive of a new radio broadcasting consortium

## Press group regrets its human rights failings

*Candid report on company's operations between 1960 and 1993 voluntarily submitted to truth commission*

REPORTS BY MICHAEL MORRIS

**Independent Newspapers has expressed regret for its failures and shortcomings in the sphere of human rights during the apartheid era in a letter accompanying a report it commissioned as a voluntary contribution to the Truth and Reconciliation Commission.**

**The 55-page report, compiled by retired editor John Patten, is a candid examination of the company's operations between 1960 and 1993. It highlights failings and shortcomings – as well as difficulties and achievements – within the group's newspapers and in its coverage of events in that politically and economically challenging period.**

**It was commissioned by senior executives at Independent Newspapers, which owns *The Sunday Independent*, immediately after Archbishop Desmond Tutu's call earlier this year for truth commission hearings into the media under apartheid.**

**John Featherstone, the group's chief executive, notes in a covering letter that "we resolved to give the commission our fullest co-operation" and in order to provide a considered basis for a submission asked Patten to begin work immediately on a review of the company's performance during the relevant period.**

**"We take the view that the commission's investigation is a welcome opportunity for us to undertake a formal review of our company's historical shortcomings, with the express intention of confronting errors of the past in order to build a better company for the future."**

**This approach would "serve the vital aims of establishing the truth, fostering reconciliation, and strengthening the basis of media freedom in our country in future"**

**Featherstone adds: "While recounting the hardships experienced by the company's editors and staff, the report emphasises the shortcomings over achievements.**

**"I consider this a proper approach, given the commission's task, and take this opportunity to express our regret for these failures." Naturally the company "would also like the opportunity to be able to expand on [its] achievements in combating human rights abuses in the apartheid years, achievements of which I think we can be justifiably proud"**

**Patten's brief was to "provide an independent and objective overview of Independent Newspapers (previously the Argus Company) from 1960 to 1993, the period covered by the truth commission's investigation into the media, with the aim of identifying areas in which the company and its staff were either victims or perpetrators of human rights abuses or, either directly or by default, played some part in allowing human rights violations to occur"**

**Featherstone says the report is not a "definitive document", but should be regarded as a "useful and properly researched basis for further discussion" The company "accepts the broad thrust of Mr Patten's conclusions"**

*Former editor John Patten has produced a 55-page report highlighting the company's failings, shortcomings and achievements within its newspapers*

**Not so candid: Independent Newspapers should have much to be embarrassed about**

ARGUS
Founded October 7, 1911

## *Stop this silly bickering*

**IT IS UNTENABLE THAT OUR SCHOOL PUPILS ARE BEING USED ONCE AGAIN AS A POLITICAL FOOTBALL**

IT matters less who or what was responsible for the bungled teacher rationalisation programme in the Western Cape than that the whole sorry situation be put right as speedily as possible

What began as a well-intended and necessary attempt to correct the educational imbalances of the past is having horrendous repercussions. Already six thousand teachers in the province have left their jobs for a government cash payout and, if the Western Cape Education Department is to balance its budget over the next four years, another six thousand will have to go

Yet currenctly 3 535 vacant teaching posts are being advertised locally National Minister of Education Sibusiso Bengu says these vacancies have arisen as the result of natural attrition He concedes, however, that more than half of them were caused by teachers taking severance packages.

These posts, says Dr Bengu, will have to be filled by redeploying "excess" teachers He claims redeployment is not unique to the teaching profession "as some people want to make out".

The minister now has appealed to teachers not to take "the pack-

# Why 1997 could be decisive for South Africa's media

(243) ARG 1/3/97

**SHAUN JOHNSON**

Here is a thought It is possible that this year of 1997, three years after South Africa's great democratic leap of faith and just short of three years before our planet peers querulously over the parapet into the 21st century, will come to be recorded as the decisive one for our country's media

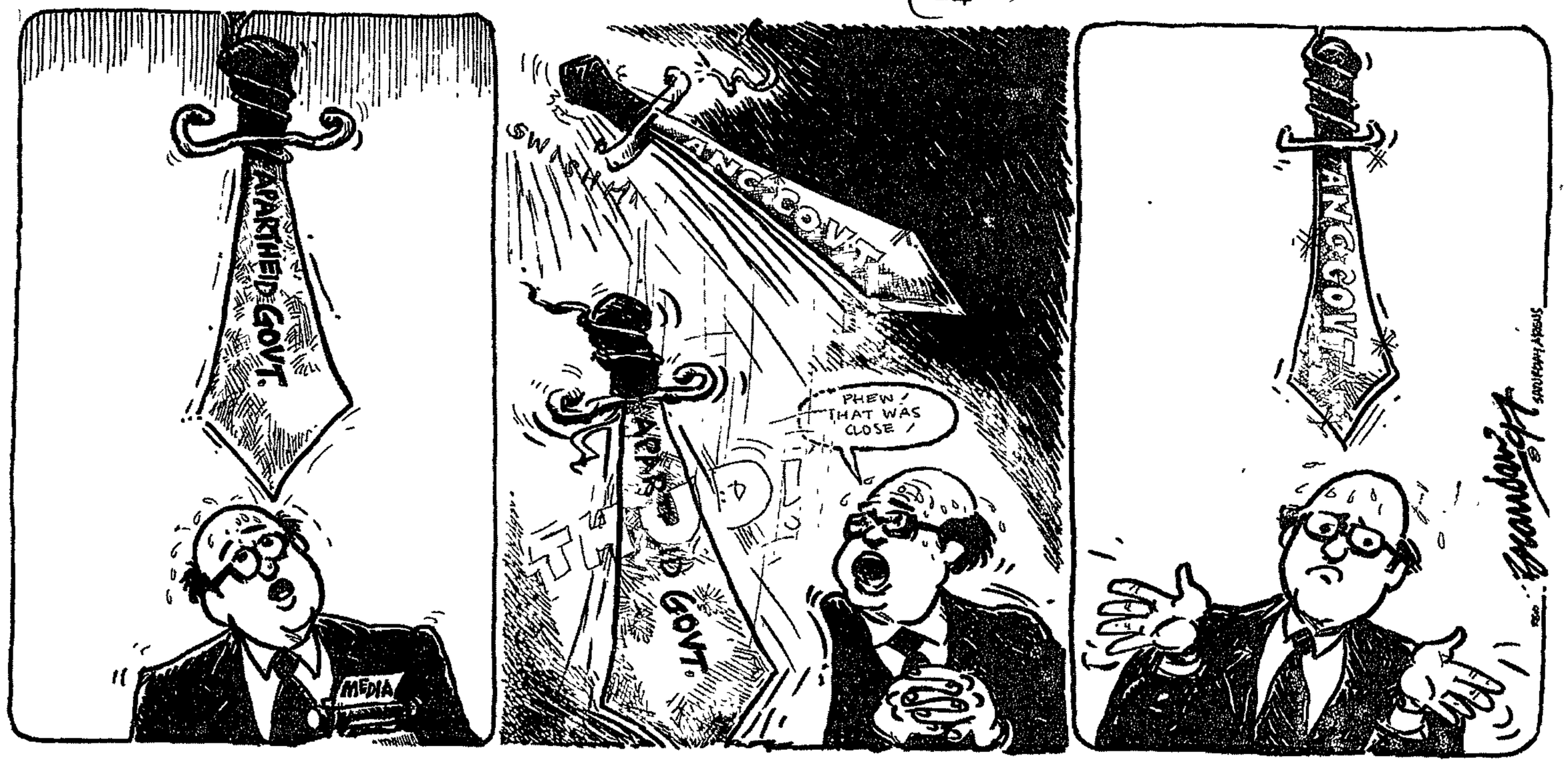
The proposition will seem something of an oddity, for in most other respects – viz President Mandela's careful consolidationist speech at the opening of Parliament earlier this month - we are not in an apocalyptic phase, but a circumspect one The great dramatic epics are behind us and the day-to-day problems and solutions are more quotidian, if no less pressing

We no longer seize trembling upon our newspapers for news of slippage toward or away from the political abyss the settlement remains so inclusive that today's issue is not whether Shenge will fight a war of resistance from the southern hills or Eugene Terreblanche from the northern koppies, but whether Tony Leon and Stanley Mogoba will slide into the leather seats of the Cabinet room The glue has set hard on the negotiated political compromise

FW de Klerk has long since withdrawn his Twenty Percenters from the unity government and the sky did not fall in (save perhaps in his party's Caucus) Trevor Manuel's banker's suit is an acceptable fit, in spite of the doomsayers, and the rand's value holds above that of the rouble

Crime remains rampant but Sydney Mufamadi is adamant it will not stay that way, the succession to the Mandela presidency is now so widely understood that its political effects have all but been felt already, unemployment grows but so do the number of houses

The necessary catharsis of the Truth and Reconciliation Commission causes the nation to stare backwards into the horror of our history and this accelerates the growing feeling of alienation among the middle classes – but the phase will pass and there will soon be a cleansed galvanism




group's anglophilic mining-interest roots and replacing them with a solid new South African foundation

A massive generational shift is under way among its editors, many of whom now bring alternative press backgrounds to the mainstream media. A far-reaching affirmative action policy has been agreed with media unions, black equity is under consideration, there is a training boom, and every old and new title in every city is too, does the group's proposed strategy for dealing with past episodes as imbongi for apartheid

The plausible independents, like the Mail & Guardian, cannot break through into mass circulation, and so look to the airwaves to provide their springboard out of the little leagues. Nowhere is there the complacency which used to infuse the industry; everywhere there is change.

Away from the offic[illegible] and somewhere in the disputed territory between them a South African media compact is likely to reside. Simplistically, one side of the coin shows a situation whereby in the corridors of fledgling State power (where portraits of apartheid's architects still hang in the less-travelled thoroughfares), many in government grow impatient with a demonstrably imperfect media – but conclude that the failings are not the

debate

- Will it be accepted that as long as private sector media remain within the law, the appropriateness of the content they choose to publish must be judged by consumers and advertisers, not government?
- Will it be accepted that criticism of government, even particularly robust criticism, does not necessarily indicate disloyalty to the new democratic society but is

in poverty-stricken rural areas and the townships which were neglected during the apartheid years

That would require an extraordinary degree of altruism on the part of teachers who might be out of jobs. A major reason why so many of them, nationally, have opted for the severance offers was for fear of being redeployed to other provinces

A high percentage of teachers are married women, whose husbands are the principal wage earner, and they would find it impossible to move their families elsewhere

Meanwhile, two things have happened this week. Despite the continuing war of words between Dr Bengu and Western Cape Education MEC Martha Olckers, agreement was reached at national level to halt the controversial rationalisation plan for a month while negotiations continue.

And on Thursday school pupils marched on Parliament to demand more teachers Most of them were prefects from schools on the Cape flats They said the rationalisation programme already was affecting the quality of education they were receiving

This month's respite has to be directed at sorting out the differences between national and provincial concepts of learning and restoring sanity to the whole debate It is untenable that schoolchildren so long denied a decent education because of apartheid should be used once again as a political football.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The seasons come and go as they ever did "Gear" becomes synonymous with the abiding hope that the political miracle can translate into economics There is, in other words, creeping, if messy, normality in South Africa Many troubled countries of the world would gladly trade places

Why then should this unexceptional year be seminal in media matters? I have elsewhere noted the inherent irony of our industry – that having been by definition at the cutting edge of change for good or ill, the media has taken longer than most to confront its own transformation In a sense, therefore, this year is our 1994 Delayed reaction we're just a little late in catching up

Here and now in the first quarter of 1997, the media (a nonsensical catch-all phrase if you think about it too much, but everyone sort of knows what is meant by the generalisation) is in an extraordinary state of fluidity Let us paint an impressionistic picture in order to capture a sense of this flux

In the world of airwaves the State-owned broadcaster still feels fumblingly toward a future which could be, but should not be and probably will not be, an inversion of the Master's Voice which went before Independent radio hopefuls busily try to work out what it is precisely that they should do with the newly-minted licenses mounted on their office walls, some will prosper, some will perish The competitive environment has intensified, the markets are changing all around us, and fashioning the right product is no easy task

In print there is unimaginable change – little-recognised, curiously – not least in terms of ownership and, therefore, everything In a world of formerly centennial certainties, the landscape is not so much changing as it is being obliterated.

So much for generalities, let us look at the press I can think of innumerable contemporary developments which represent more profound change than occurred in the preceding half-century

There is significant foreign ownership – in the form of Independent Newspapers, formerly Argus, the biggest newspaper publishing group in the country, publishers of the title you are reading now and, for obvious reasons, the group about whose doings I am best informed

The Irish-owned company is grappling as its highest priority with a programme of radical (and expensive) internal transformation aimed at severing finally the parliamentary press gallery, where a profound restructure looms New projects are under discussion at all times

The company takes it upon itself to respond voluntarily to Archbishop Tutu's call for hearings into the media under apartheid, and submits a report which details its achievements in defending human rights during the apartheid era, but is also strongly self-critical "so that it can learn from the errors of the past and build a better company for the future" It expects intensive further discussion about erstwhile human rights failings

Its International Advisory Board includes luminaries from around the world, and from within South Africa Regular, formal communication channels are mooted between the company's top decisionmakers and those of the various political parties Everywhere there is a flurry of activities some succeed, some fail, but the tide is unstoppable as the group pursues its core dual aim true independence as a patriotic publisher

***'The media has taken longer than most to confront its own transformation'***

Times Media Limited, the second-biggest English-language newspaper group, waits cagily for the effects of its new, black-dominated ownership All that is certain is that those effects will not go unfelt, both in company structure and in the publications it puts out on South African streets Training and affirmative action move ahead apace, but there is an inevitable sense of stasis attached to the holding period between the known old and the unknown new The company considers its response to the TRC request, but Waits For Cyril

That bizarre creation of our bizarre past, The Citizen, waits too, though its editor might believe he can outlast any regime. But change there will be in Perskor, only its timing is at issue Journalists who opposed apartheid speculate eagerly about whether the newspaper's sordid political provenance will be aired at the TRC hearings.

Over at Nasionale Pers, the Afrikaner print giant looks cannily at the situation and plans canny plans, but they remain for the moment privileged in boardrooms It mulls over the Tutu call as some of its titles take advantage of the increasing sullenness of an audience which has lost its privileges in national broadcasting and returns to the prints as a safe and unthreatening political haven, redolent of a lost past Whether this enlarging of the laager for the disillusioned is a viable strategy for long-term growth remains to be seen – and so, crawl laboriously through their own Codesa and fashion a negotiated settlement which creates the media's very own interim government, sunset clauses and all There is bickering in the South African National Editors' Forum as there was at the World Trade Centre, and trust is at a premium.

Sanef battles gamely to achieve unshakeable unity among the irrevocably diverse, and finds a way forward on the issue of a defined and agreed notion of media freedom vis a vis government and society The Conference of Editors, after decades of existence, quietly disbands The Black Editors' Forum baulks, seeing lobby-group usefulness in the perpetuated racial distinction

Obviously enough, then, these labyrinthine, interlinked and contradictory dynamics must lead to a much-changed

**Angry:** the harshest-ever exchanges between the president and the media have occurred only recently

industry by the time 1998 arrives the sum of the parts equals revolution But my proposition that this year will be decisive goes beyond a mere survey of surface shifts Underpinning all this frenetic activity is a philosophical question, and the effects of its resolution will be felt by generations to come

The question is this Will the government and, more importantly, the people, accept and endorse a definition of media freedom akin to that of the world's successful democracies in the late 20th century, a definition which is predicated on a delicate but vital balance between true independence and genuine responsibility?

The question is not banal, as recent exchanges between media and government have shown There remains a philosophical chasm over what precisely constitutes "acceptable criticism", and what is subversion or treason The issue has come to a head over recent months, and that is good 1997 will see the execution and resolution of the philosophical battle

Two extreme positions have developed, such an agenda) By the same token it is insulting and idiotic to equate the behaviour vis a vis the media of Nelson Mandela's legitimate ANC administration with its entrenched constitutional commitments to freedom, and PW Botha's illegitimate government with its 101 restrictive laws

I argued recently, in a debate with fellow editors and government representatives at the Independent Newspapers International Advisory Board meeting, that we should not be awed by the fact of increasing adversarialism – it is not a uniquely South African phenomenon but a predictable development once an opposition movement establishes itself in power as the governing party The question is how the debate will be managed, and to what end That is why 1997 is a vital year for the media

Accepting that there are today these crucial philosophical differences between the government's and the media's definition of what constitutes proper media freedom, we can predict that these questions among others will form the nub of the great

of institutions, but of conspiracy "to undermine the transformation", in the angry words of President Mandela (The harshest-ever exchanges between the president and the media have occurred only very recently – at an inaugural meeting with the Sanef Editors' Council at the Union Buildings at the end of last year, and in a recent conflict with senior black journalists )

For their part some in the media quickly equate signs of growing adversarialism with a return to the pre-1990 era "the ANC is behaving just like the Nats did" school of thought

The conflictual cocktail is potentially wicked, but both positions are wrong There is no widespread media conspiracy against the democratic society (though of course some individual media might be pursuing

ly expressed, even if it is wrong, has the right to be expressed?

- Will it be accepted that while the private media should and do have a role to play in nation-building, this should never be equated with blind loyalty?
- Will it be accepted that media groups are sincere about rectifying the internal skewness of the apartheid era, and are doing so voluntarily?

The list could be endless, these questions give an outline to the parameters In my own view the debate can proceed fruitfully if a greater degree of trust is achieved on both sides – trust in the sense that the integrity and bona fides of the protagonists are mutually accepted (President Mandela has made much the same point on several occasions )

And this is where a special responsibility devolves to the media to be sensitive to the fact that the wounds of the past are still raw – I call this period one of "racial tenderness" – and that one cannot simply proceed as if this were the United Kingdom or United States Knee-jerk arrogance and bombast will simply not do, either morally or in terms of practical effect

It is an historical quirk of our country (one among countless) that the urgency of the overarching struggle against apartheid caused the principled debate over the proper role of the media in a democracy to be shelved In 1997 it is being dusted off and it falls to us, the transitional generation of media leaders, to conduct it with courage, perseverance, passion, expertise – and the proper degree of humility

That humility must at the very least extend to conceding that our media as a whole could and should be a great deal better than it is – not for the pleasure of the government, but to convince the people of the country that media freedom is their vital right, not just ours

The media has a long way to go in earning that latter respect and it needs to do so this year, for the support and the protection of the populace is a far greater safeguard of freedom than any high-minded clause in a country's Bill of Rights

■ *Shaun Johnson is editor of the Cape Argus, and a founder member of the Editors' Council of the SA National Editors' Forum. He was formerly founding editor of The Sunday Independent, editor of the Saturday Star, Deputy Editor and Political Editor of The Star and Assistant Editor of the Weekly Mail, and wrote the feasibility study for the New Nation in 1981 He was elected president of the SA Student Press Union in 1979 He won the SA Council on English Education's Golden Ink Award of 1995 for his book Strange Days Indeed*

## MONDAY MEDITATIONS

***'And certainly we created man to face difficulty' (Qur'an 90:5)***
THE ADVANCEMENT OF MAN, PHYSICALLY AND SPIRITUALLY, LIES ALONG A PATH OF HARD STRUGGLE

***'G-d brings death and gives life, lowers to the pit and elevates. Hashem impoverishes and makes rich, He humbles and He exalts' (Torah 1 :Samuel 2)***
EVERYTHING IS IN GOD'S HANDS; HE CAN REVERSE FORTUNE

***'Desires are never quenched by enjoyment. It rather inflames them, as clarified butter does fire' (Swami Chinmayananda )***

***'Light is come into the world, and men loved darkness rather than light' (Bible, John 3:19)***
BECAUSE THERE IS A SLANT IN HUMAN NATURE WHICH MAKES US INCLINE TOWARDS SIN WE NEED TO BE RESCUED FROM THIS

MAIL & GUARDIAN
March 7 to 13 1997

# Press whitewashes the dirt

MG 7-13/97 (243)

The media are less than honest in their statements to the truth commission regarding their role in apartheid, argues **Guy Berger**

NEARLY nobody noticed when FW de Klerk told the truth commission last year that government disinformation "could have created a climate" allowing for gross human rights violations to occur

This surprise admission stands in contrast to the way the press is analysing its role during apartheid There has been some focus on those worst-case journalists who spied and lied on behalf of the system The dirt is coming out on how weak or pro-apartheid editors in the "liberal" press spiked and censored stories that should have been published

There has been criticism that conservatives in the "mainstream" media under PW Botha agreed to "keep their house in order", leaving it to the alternative weeklies to go it alone in exposing the worst abuses

But there has been very little assessment of how even the liberal press performed day-to-day legitimation of racial domination — even if some papers criticised the corruption and crimes that flowed so logically from this system *The Sunday Times* recently recanted some of its most brazen records, such as when it celebrated a murderous South African Defence Force raid on Botswana with the headline: "The Guns of Gaborone"

Then Independent Newspapers drew up a dossier setting out historical "shortcomings" in the way its papers — under the Argus company — had accepted press restrictions In hot response, four retired editors of Independent papers have now defended their personal records as campaigners against apartheid's gross violations of human rights

Harvey Tyson, former editor of *The Star*, declared this week he would never apologise for what he had done as a journalist

Evidently, he has forgotten the regret expressed in his book *Editors Under Fire* In it, he admits to having fallen for security police manipulation in publicising allegations that "KGB colonel" Joe Slovo had blown up his wife, Ruth First Missing in all this flurry, however, is any scrutiny of how everyday, routine reporting reflected — and contributed to — a climate where black lives were cheap and human rights went unrecognised

Unlike government supporters like the late former *Sunday Times* editor, Tertius Myburgh, Harvey Tyson was a liberal editor Yet like most whites, Tyson probably believed the Slovo story to be plausible at the time He viewed his role as a watchdog — but failed to see any difference between the legitimate property owners and the real thieves

The liberal press was, of course, not the same as the SABC which never seriously claimed to be anything other than propaganda for apartheid

But it was not as different as people like Tyson would like to think It reflected establishment assumptions where white newsmakers and white audiences counted Blacks did not Only a few brave, white English-speaking journalists saw the role of black resistance beyond their papers' liberal — and limited — opposition

Attacks by Nationalists added to the illusion harboured by many white liberal journalists that the key actors were themselves and the government Not black South Africans

It is an understandable thing for people to assume that they are a leading force for freedom when victimised by a bullying government, and enduring court cases and ever tighter legislative controls

Liberal journalists may be forgiven for evaluating their role in relation to such pressures But this logic does fail to locate them in the broader sweep of things

The liberal press operated in, and took its cues from, the prevailing white landscape A handful of white editors rose above the conventional wisdom of the day They "opened an account" and they paid a price exile for Donald Woods, loss of their jobs in the cases of Raymond Louw, Allister Sparks and Tony Heard White journalists like these, who tried to lead the white readership market, rather than follow its prejudices and its interests, also ran into falling circulations The decline was not compensated for by black readers who failed to attract advertising revenue

If it wasn't such context that constrained the role of the liberal press, it was the confined outlook of most white journalists

Many of these journalists did campaign against "petty" apartheid But macro-apartheid — especially after bantustan independence — got less critical attention Coverage sometimes pilloried the pass laws, it routinely neglected the wages paid to migrant workers The problem with the liberal press is not only that its opposition did not go far enough Nor even that its champions like Tyson did not realise that there was a lot further to go

What was worse was the day-to-day reflection of what South Africa was about Black people were invisible in most newspapers If you were Desmond Tutu, you got coverage — usually negative — in *The Star* If you were a golf caddie featured in a *Daily Dispatch* picture, you'd be lucky to have even been photographed in the rain standing next to white men enjoying the shelter of an umbrella with your name captioned as "Jackson"

The record of black journalistic advancement is similarly pitiful In 30 years, no white editor matched the record of *Drum* editor, Anthony Sampson, who empowered an historic generation of top quality black reporters, writers and investigators

To understand all this context is not to justify the role of the liberal press It is to explain it. The press today is unlikely to repeat its general complicity with the day-to-day, humdrum mechanics of racial domination But liberal journalists — of whatever colour — may continue to overlook their role in legitimating other kinds of domination This is the way that the media represents how men dominate women, adults abuse children, urban people scorn the rural, and the voices of the able drown out those of the disabled

**The liberal press operated in, and took its cues from, the prevailing white landscape**

FW de Klerk has acknowledged that the way that realities are reflected can contribute to a climate where human rights are violated Journalists need to do likewise

Guy Berger is professor of journalism and media studies, Rhodes University, and former editor of the alternative weekly, South

# Newspapers win access to Basson records

CT 7/3/97

**PRETORIA:** Several newspaper groups and organisations won a High Court application here yesterday to gain access to the record of the in camera bail application by former army scientist Dr Wouter Basson, but may not publish even the censored version of the records they will receive (243) [redacted]

Basson, the former co-ordinator of the SA Defence Force's chemical and biological warfare programme, was arrested earlier this year for alleged possession of the designer drug Ecstasy.

Pretoria magistrate Mr R de Vos ordered that part of Basson's bail hearing in February be heard in camera at the request of the attorney-general, who submitted that state security might be at risk

Times Media Ltd and two reporters then challenged the magistrate's decision in the High Court, claiming the public had a right to be informed on evidence about the chemical and biological warfare programme undertaken by the previous government

They said De Vos' ruling violated their constitutional rights relating to freedom of expression, access to information and the right to conduct a profession.

Yesterday, Mr Justice W Hartzenberg granted leave to the Freedom of Expression Institute, Nasionale Pers, Gauteng Newspapers, the Minister of Foreign Affairs and the South African Council for the Non-Proliferation of Weapons of Mass Destruction to intervene as parties in the application.

An agreement was reached between the parties that the record must be released to the advocates, lawyers and designated representatives of the various groups, but subject to a number of excisions suggested by Basson and the Non-Proliferation Council

The parties were also prohibited from disclosing the contents of the record, save for purposes of filing affidavits and presenting argument in the litigation, which was postponed indefinitely.

Basson expressed concern in court papers about his safety and that of certain agents in other countries, who had provided him with information relating to biological and chemical warfare.

SANDF surgeon-general Lieutenant-General D Knobel, who is a specialist adviser to the Non-proliferation Board, said in an affidavit it seemed Basson had made factual allegations in relation to several countries from which information and technology was secretly obtained for South Africa's chemical warfare programme under the previous government

Knobel said publication of this information would cause great embarrassment for the government, and might harm international relations

Foreign Affairs director-general Mr Rusty Evans, said in court papers that it appeared that Basson had given details regarding names, places and countries "which if published could jeopardise relations between the Republic of South Africa and various countries". — Sapa

# Newspapers secure partial release of chemical expert's testimony

BD 7/3/97 (243)

**Deborah Fine**

A HIGH Court application by sister newspapers Business Day and The Sunday Times for access to controversial in-camera evidence by former SA Defence Force chemical warfare expert Wouter Basson has resulted in the partial release of his testimony

However, "sensitive" portions of his evidence, cited in court papers as a possible threat to his and other people's lives and to SA's international relations, will remain secret until the Pretoria High Court is satisfied it would be correct to release full transcripts.

The evidence, delivered by Basson during his magistrate's court bail application after his arrest on drug-selling charges in January, contains details of his involvement in the SADF's biological and chemical warfare programme in the 1980s

He is said to have named people and foreign countries with whom he clandestinely swapped information about chemical warfare

He is currently in a National Intelligence Agency protection programme The court ordered the release of the transcript yesterday after the newspapers negotiated a deal with counsel for De Vos, Basson, the Transvaal attorney-general's office, the foreign affairs department and the SA Council for the Nonproliferation of Weapons of Mass Destruction, who were all opposed to the information's unfettered release.

In terms of the agreement full transcripts would be handed to the applicants on condition that parts deemed sensitive by Basson and surgeon-general Neil Knobel, Basson's superior in the chemical warfare programme, would not be made public.

Business Day deputy editor Alan Fine and Sunday Times editor Brian Pottinger, both designated by the court to receive unexcised copies, said they did not wish to do so as it could "compromise" the newspapers.

The deal came after judge Willie Hartzenberg said he was inclined to order the transcript's release but was concerned about the possible detrimental effects of disclosure.

## Basson

**Continued from Page 1**

BD 7/3/97 (243)

Basson testified about dealings with other foreign organisations which were "by their very nature classified top secret", he said.

Counsel for the Times Media newspapers, Adv Cedric Puckrin SC, contended, however, that the court was being asked to protect people overseas who "were cheating on their governments and stealing secrets".

The case was postponed indefinitely to allow applicants to consider the full transcript and prepare submissions for argument on why unrevealed portions should be disclosed. Their argument will be opposed by the respondents

**Tim Cohen** reports that Evans denied government was trying to suppress information by intervening in the case.

He said the foreign affairs ministry had become involved only to gain access to the trial record so that it could be sure SA's international obligations were not being breached

Evans said government had to ensure that no other government, with which SA might have had contractual arrangements, had been compromised

Once the department had seen the transcript of Basson's statements, government would make it known whether there was a danger of SA's bilateral relations being affected.

It is understood that one of the treaties that might have been affected is the UN's chemical and biological warfare treaty which SA agreed to sign about two years ago. The treaty was ratified about a year ago and SA will formally accede to it on April 29.

However, SA has handed in reports to the UN in line with treaty obligations which indicate that SA has only a defensive chemical warfare facility Deputy Defence Minister Ronnie Kasrils said recently it appeared SA might have more than a defensive capacity in chemical and biological warfare.

"My prima facie view is that the rights of the press to openness and insight should be recognised, but there must be safeguards. I'm not going to execute people," he said.

Applying yesterday to be included in the matter, foreign affairs director-general Rusty Evans said in an affidavit that he had been advised the evidence could have "a very serious effect" on relations between SA and other countries. He had been advised that

**Continued on Page 2**

# Journalists and government seek to clear the air

(243) ARLT 21/3/97

**CLIVE SAWYER**
POLITICAL CORRESPONDENT

**Johannesburg – Senior journalists have begun a series of seminars with ministers and top officials aimed at improving communication between the media and the Government.**

The seminars, convened by the South African National Editors' Forum (Sanef), will discuss mutual perceptions and misunderstandings and try to find ways to improve the mechanics of communication between the two

The one-day seminars are to be held monthly for the next year, with two government departments taking part in each session

At the first seminar yesterday were Andile Ngcaba, director-general of the Department of Communications (formerly the Posts, Telecommunications and Broadcasting Department) and Health Minister Nkosazana Zuma

Issues discussed included difficulties in accessing government information and comment, problems with poor reporting, sensationalism, and perceptions of victimisation of certain politicians by some sections of the media

# Assassination of journalists worldwide is under scrutiny

John Dludlu (243) BD 7/4/97

AT LEAST 26 journalists were killed in the line of duty in 1996 and a record 185 were imprisoned in the past year, according to the latest survey by the Committee to Protect Journalists

In its 1996 worldwide survey on attacks on journalists, the committee says that last year's documented cases of journalist assassinations is "intolerably high", but represents a stark drop from numbers in recent years. In 1995 at least 57 journalists were killed and a further six cases could not be confirmed by the committee

The survey, released last month, says "Algeria remains the most dangerous country for journalists, with seven assassinations in 1996, bringing the toll there since 1993 to 59"

The survey does not report on SA However, committee officials petitioned President Nelson Mandela and prominent leaders in SA last year after a number of Cape Town journalists were subpoenaed when they refused to submit photographs related to gangsterism in the city to police

A committee official said yesterday that, although a report was filed on SA, it was left out of the final survey purely for space reasons and "not because the situation (in SA) is wonderful"

Six newsmen were murdered in Russia during the period under review Four of them lost their lives while they were covering the war in Chechnya, the survey says.

The committee, which monitors abuses against journalists in mostly developing nations, confirms that 474 journalists were killed in the past decade Just over 50 of those were murdered in Africa, while four were assassinated in SA.

In her preface to the 1996 report, Kati Marton, chairman of the committee's board of directors, says this year's list of top 10 enemies of the press includes China, Nigeria, the Armed Islamic Group of Algeria, Turkey and Slovakia

Of those languishing in jail, the survey notes that most of the 1996 names also appeared in the 1995 list, as most of them were serving jail terms of five years or more

SOWETAN Tuesday April 15 1997

# 'Curbs on foreign media ownership will be harmful'

(243)

Sowetan 15/4/97

ANY legislative restrictions on foreign ownership of South African media groups would send a harmful signal to potential international investors, a senior newspaper executive warned the parliamentary committees on communications yesterday

However, senior politicians and a senior adviser urged the committees to keep an open mind on the issue

Mr Ivan Fallon, chief executive-designate of Independent Newspapers, and head of the Freedom of Expression Institute (FXI) Mr Raymond Louw, told a special workshop in Parliament that any attempt to restrict foreign ownership of South African media would "send terrible signals to the world" as global trend was towards free trade and investments

Fallon said in all conversations he had had since he came to South Africa he had not perceived any threat of such legislation and "it is not an issue I'm concerned with"

Louw, chairman of the FXI, said he was "horrified" that the idea of legislation to restrict foreign media ownership could even be considered

The issue was raised indirectly earlier by Mr Ike Bikitsha of the National Party when he complained about seemingly incorrect information being given to the committees on Press ownership in South Africa

They needed first-hand information if they were to consider legislation on media ownership, he said

Chairman of the National Assembly committee Mr Sam Moeti (ANC) said he had recently made it clear that such legislation was not intended He was supported by ANC MP Mr Nat Kekana, who said that while their party had not said anything about controlling print ownership, South Africa's Constitution guaranteed the right to access of information

Mr Moeletsi Mbeki, a director of a Johannesburg-based investment company and a former adviser to the ANC on media matters, said the committee should, however, keep its mind open

It should not allow itself to be intimidated into writing off the idea of future legislation

Nasionale Pers chairman Mr Ton Vosloo said while in principle he supported a limitation on the proportion of foreign shareholding, it should be borne in mind that South Africa was part of the world economy and "you can't open part of the economy only" – *Sapa*

Sunday Times Business Times
April 20 1997

# Face of SA newspaper ownership is changing colour

## Black empowerment in newspaper proprietorship is proceeding at an unequalled rate, writes ZILLA EFRAT

(243)

ST(BT) 20/4/97

BLACK ownership of South Africa's newspaper companies is gaining momentum — faster than empowerment moves in any other industry — and looks set to leave none of the major groups untouched

Last week, in a step unthinkable a few years ago, Eric Molobi's Kagiso Trust Investment Company became a joint controller of Afrikaans press group Perskor, which publishes the Citizen. The deal, which apparently has the blessing of minority shareholder Mannie Simchowitz, will result in Perskor's taking over Kagiso Publishers — a move sure to help it in the scramble for government book publishing contracts.

This week, Nasionale Pers, which includes Die Burger and Beeld among its titles, confirmed that a deal which will see it sell off a 51% share in Sunday newspaper City Press to a black consortium and other parties, "is on the verge of being finalised".

The consortium's members include former Inkatha secretary-general Oscar Dhlomo's Dynamo Investments, Cape-based investment group Ukhozi and another party whose identity is still secret

Hennie van Deventer, chief executive of Naspers's newspaper division, says some shares in a new company, formed to hold City Press, will be placed in trust for employees or warehoused for City Press's associates, especially those involved in its distribution.

Naspers's and Thebe Investment Corporation's subsidiaries, Nasionale Boekhandel and Vuna Industrial Holdings, recently created a R400-million joint venture company, also targeting educational book publishing.

Meanwhile, Independent Newspapers, which is controlled by Irish businessman Tony O'Reilly, this week confirmed its interest in attracting black equity partners, perhaps even before the year is out

Ivan Fallon, who becomes Independent Newspapers' chief executive in July, says his group has held discussions with potential partners and evaluated various schemes, but is not talking to anyone now.

He says Independent Newspapers, which publishes a host of English language daily and weekly newspapers, will not lower its stake in the group from the current level of 60%.

In addition, it will do a deal only if it adds value to both parties, in the same way as the Perskor/Kagiso tie-up does "We are not looking for capital," says Fallon

Times Media Limited, which publishes the Sunday Times, passed into black hands in October last year when the National Empowerment Consortium, a grouping of 50 black businesses and trade unions, took control of Johnnic

Johnnic also has a stake of about 40% in Caxton and its subsidiary CTP Holdings which print community newspapers

TML is in talks with both Independent Newspapers and Nthato Motlana's New Africa Investments Limited, aimed at taking over the Sowetan and its sister paper, New Nation

Nail, a major player in the NEC, owns 52 5% of the company that holds these newspapers while the Independent has a 42 5% stake A source close to the deal says one hiccup is agreement on price. Another is the likelihood that Independent Newspapers will start a rival daily tabloid aimed at the black market after the deal is done

Although Fallon has in past confirmed that a tabloid is part of his group's plans, he was noncommittal this week

It makes sense for Nail, a significant shareholder in TML, to house all its press interests under one roof and not have to deal with two rival groups The Sowetan and New Nation also have certain synergies with TML, which has tried to buy New Nation before New Nation's losses have been a drain on the Sowetan "TML will have to do something dramatic with it ," said an insider.

# Campaign to promote press freedom begins

(243)

STAFF REPORTER Star 3/5/97

An imaginative campaign is under way to promote press freedom in South Africa today, International Press Freedom Day, a joint statement by the Press Freedom Committees of the Newspaper Press Union (NPU) and the South African National Editors Forum (Sanef) declared

An independent Free Press Forum will be established to act as a watchdog for the protection of press freedom. Roadshows will also be staged in each of the nine provinces, explaining to the public the value of freedom of expression to society.

The joint statement by the chairmen of the respective committees, Hennie van Deventer (NPU) and Moegsien Williams (Sanef), follows talks aimed at joining all relevant forces in a co-ordinated initiative.

The National Association of Broadcasters has accepted an invitation to co-operate in the project

The co-operation of a wide range of international and national press bodies as well as freedom watchdog bodies will also be sought

According to the NPU and the Sanef, support for a robust and independent free press in South Africa can be substantially improved Press freedom is not generally understood as an essential requirement for a healthy society, protecting the rights and interests of each individual

## Powerful ally

The proposed Free Press Forum is regarded as a potential powerful ally in creating a culture of genuine freedom of expression in all spheres With the support of Sanef and other interested bodies, suitable people from all walks of life will be identified and invited to commit themselves to the ideals of the new structure

The proposed roadshows were thought to be a constructive way of reaching the broad public

Plans are afoot to appoint an organiser and to attract personalities with local appeal to associate themselves with the initiative as it moves around the country

The joint campaign is seen as a long-term one. Meetings with people critical of the press, training workshops and possibly an annual press freedom day will be held. There are suggestions for a youth initiative in conjunction with Print Media in Education An advertising campaign of a positive nature is being considered, based on the theme "If the press didn't tell you, who would?"

The NPU and Sanef have also decided to inform the public better about media takeovers and other developments which resulted in the diversification of media ownership in South Africa, and to compile a joint document listing remaining restrictions on press freedom, for submission to the Government

# Press still in white colonial mode

## The new SA has brought no attitude changes in establishment papers, claims Dumisani Makhaye

Star 8/5/97 (243)

There have always been two broad categories of the media in South Africa the one that championed the interests of the oppressed and exploited, and the media which underpinned the system of apartheid colonialism and fascism This latter section of the media has never forgiven black people and the democratic forces for having defeated apartheid colonialism

There is absolutely no difference in substance between the English and Afrikaans press Their common denominator was that Africans would never be equal to the white colonial masters They were not victims of apartheid. They were benefactors

The concept of freedom of the press has never been abstract From its inception it specifically referred to that media that championed the interests of the oppressed, progressive, the new, that which was still struggling to be born It never referred to oppressive and privileged groupings

In South Africa it should mean the media which fights for the interests of the new democracy, nation-building and non-racialism and not that which still wants to reverse the clock of history It should mean the media which wants to comprehensively address the all-round historical injustice against the economic minority – the black people in general, and the Africans in particular

In his farewell speech, the last Indian consulate chief in Durban noted the hostile attitude of the SA media to the new South Africa Indeed, the white establishment media behave exactly as the French media and the Portuguese media behaved towards Algeria and former African Portuguese colonies immediately after their independence

The establishment print media did not support racism passively. There was no apartheid law that forced the media to refer to freedom fighters as terrorists, nor was there a law forcing media bosses not to trust stories emanating from black journalists It is not the apartheid state that made African journalists drink tea out of enamel cups while white journalists drank from decent cups

It is more than seven years ago that the apartheid regime was forced to agree that racism was no longer practicable But we have not seen any change in the newsrooms and in the editorial boards

This phenomenon is much more pronounced in the white establishment print media of KwaZulu Natal Out of roughly 200 journalists, subeditors and editors of the Natal Newspapers there are about 10 African journalists, all of them are reporters If you enter a newsroom in South Africa, you may be forgiven if you thought it was a newsroom in France or Germany It is therefore not surprising the way the media interprets events in the country

Fortunately, the establishment print media has no great influence on the minds of our African people In a survey just before the local government elections last year, it was indicated that only 7% of Africans got news about those elections from the print media If Africans had confidence in the printed word in South Africa, the ANC, the IFP and the PAC together would not have got about 74% of the votes in the 1994 democratic elections We achieved that percentage in spite, and not because, of the colonial media

Of course, the question of the democratisation of the colonial media is more than a question of increasing the number of African journalists at all levels in the media industry

As long as the "property factor" is skewed in favour of the colonial forces, there will be no democratic transformation of the media Media organisations are run through adverts and not just through sales The advertisers can make or break a media organisation. But in order to advertise you must have something to advertise – property And property in South Africa remains firmly in white hands or in the hands of the former colonial oppressor They cannot be expected to influence the media in favour of the anti-colonial forces

Therefore the struggle for the democratic transformation of the media is directly linked with the struggle for the redistribution of the wealth. Racism and apartheid as forms of legal consciousness were not simply creations of evil men They were embedded in the economic base whose property relations favoured the colonial white forces

Racism and apartheid were never divorced from the conflict between the colonised oppressed black majority and the colonising white minority Indeed, the media is still owned by the latter Apartheid and racism have always performed an economic function in favour of colonial powers

If the captains of industry have indeed broken away from their apartheid colonial past, they will be expected to begin to influence the white establishment colonial media into real SA media The captains of industry have the power of capital and therefore advertisements They must use that power to contribute to a new South Africanism.

Unfortunately, the last apartheid regime entered into a plethora of contracts and agreements in terms of government advertisements in the colonial media In other words, the taxpayer still contributes heavily in terms of government advertisements to the colonial press It is time to revisit those agreements.

We do not want media which will be the mouthpiece of the Government, yet we also do not want media that champions the exclusive interests of the colonial powers We want media that will reflect the diverse views of our people in their magnificent variety South Africa's media needs guts, will and vision It needs a clear programme of transformation

■ *Dumisani Makhaye is the ANC's KwaZulu Natal spokesman and a member of the provincial legislature This is an edited version of his speech to the KwaZulu Natal legislature this week.*

# Black forums to wed

MTG 9-15|6|97

(243)

**Despite denials and much dissension, a merger between two black media forums appears set to get the go-ahead, reports Jacquie Golding-Duffy**

In denial: Forum of Black Journalists chair Abbey Makoe

Defensive: Sanef and Black Editors Forum chair Thami Mazwai

THE Black Editors Forum and the Forum of Black Journalists are planning to merge in a bid to preserve what they see as their common interests

However, the plan is causing dissension in the ranks of both organisations

Forum of Black Journalists chair Abbey Makoe denies a merger is in the offing "There is definitely no merger as far as I am aware and nothing has been discussed"

However, others have confirmed that meetings have been called to discuss the possible merger and some journalists are talking about the merger as if it is close to being sewn up

Certain journalists, who favour the idea of consummating a marriage between the two forums, say the move could only strengthen the position of black reporters and editors as they would speak in a unified voice to express grievances

While some reporters from the Forum of Black Journalists are keen for the merger to take place, others are concerned that the Black Editors Forum may engulf the reporters' body

These reporters caution that colour is not enough to unite the two bodies, as the problems experienced by black editors are different to those experienced by black reporters, therefore separate groups are desirable.

Some members who have departed from the Forum of Black Journalists say they are disillusioned with the group, citing it as "disorganised" and "wayward". For these reporters, talk about an impending merger between the two organisations is neither here nor there

"The Forum of Black Journalists has to sort out its priorities before thinking about joining up with the former member who refused to be named "It's a tight-knit group and either you're in or you're out If you question some of the ideas of the Forum of Black Journalists, you are sometimes viewed with suspicion which is very unnerving"

Other members of the Forum of Black Journalists argue that a "multitude of opinions" are aired at its meetings and "never is anyone intimidated not to speak"

The Forum of Black Journalists "is on track" and committed to improving the situation of all black reporters as a pressure group as well as to acting as a platform for black reporters to vocalise their frustrations, says one member

It is for this reason that some black journalists feel a merger will be advantageous — it will provide a platform for all blacks in the media profession where they will not feel the need to emulate their white colleagues

Some black editors argue that their commitment to the broad principles of African National Editors Forum (Sanef) — should take precedence over the Black Editors Forum, but are concerned that black interests will not be preserved A merger between the Black Editors Forum and the Forum for Black Journalists could, they say, maintain black goals

However, others argue that the Black Editors Forum will have to disband eventually, like the mainly white Conference of Editors, in a bid to assist Sanef in its efforts to present a united front of editors irrespective of colour

Some black editors fear the dissolution of the Black Editors Forum will not bode well for the industry as the only avenue left for black editors will be Sanef

Black Editors Forum and Sanef chair Thami Mazwai has in the past defended the existence of the Black Editors Forum, saying its actions are not out of line with Sanef, although it does have a responsibility towards its black members to tackle issues which directly affect them

The Black Editors Forum has led two delegations in the past, despite the formation of Sanef, and this has provided it with more leverage than the umbrella body

The first delegation had afternoon tea with President Nelson Mandela in a bid to iron out differences between the president, government officials and editors. The second delegation met with the Truth and Reconciliation Commission regarding the Freedom of Expression Institute's involvement in the then-planned investigation into the media

Makoe says his understanding is that the Black Editors Forum would give Sanef "one year's grace" before evaluating its own status

Sanef deputy chair and *Sunday Times* editor Brian Pottinger argues that the forum is not at all opposed to certain groups pursuing special interests However, Sanef's commitment to presenting a united front is best demonstrated by editors joining the umbrella body, he says

ANALYSIS

# New Nation's demise sounds a warning for SA newspapers

(243) BD 3/6/97

**The lesson of New Nation's closure last week is that producing a successful popular newspaper requires meeting the range of reader interests, not just political idealism, writes Richard McNeill**

THE closure of New Nation last week, sad as it always is to contemplate the narrowing of the diversity of our printed word, should set warning bells ringing in newspaper offices throughout the land

At the risk of treading on still-tender journalistic scar tissue, the weekly's demise uncomfortably echoes that of the Rand Daily Mail 12 years ago in at least one overall respect — both newspapers saw themselves in the vanguard of "struggle journalism" and both, in the end, went to the wall because they failed to reconcile the interests of their readers and the requirements of their advertisers with the idealism of their staff.

I was one of a team assigned by Times Media Limited in 1994 to explore acquisition of New Nation from its then owners Its sales had fallen from a high of more than 90 000 copies a week to fewer than 20 000 and it was losing money hand over fist, foreign funding having been withdrawn following the normalisation of SA politics

In the course of an intensive marketing investigation, I was struck by the strong feeling among readers who took part in our focus groups that the newspaper was "too political", that its political allegiance was too partisanly pro-ANC and that it failed to cater for their "other" interests

Time and again this point was made, and the more literate and upwardly mobile the person, the more insistent it was "Why can't New Nation give more coverage to entertainment, movies, social mores, home interests, women's issues, hobbies, travel? The struggle is over now There are other aspects to life we want to read about"

But if the Rand Daily Mail was a newspaper ahead of its time, as many still believe, then New Nation seemed determined to lag behind Negotiations with TML fell through, and the title was acquired by New Africa Investments.

As a stablemate of the daily Sowetan, it spruced up its image and continued to break important and courageous political stories But it still clung to its Eighties *raison d'être* as the mouthpiece of emergent politics, while all around it black people were teeming out of the woodwork, assuming political office, moving into business and generally beginning to make their way in a society which had previously alienated them

Although the paper had access to our research and suggestions, it made no serious effort to heed the conclusion — that it had to look beyond politics in order to survive

The lesson about pleasing readers is a timely one As the last Audit Bureau of Circulation's figures made starkly clear, our newspapers are in crisis With few exceptions (mainly Afrikaans titles, which are seeing a return to the laager, and focused publications like Business Day) they are losing sales Their response to the crisis has been a mixture of dollying up their typography, making widely publicised (and in most cases well deserved) promotions of black journalists to positions of authority, and applying conscious efforts to broaden their readership — to become "more representative of the majority" In the process, social issues (never the most uplifting of topics) have been given generous coverage while human interest, diversion, entertainment and fun have suffered

There is absolutely no evidence to suggest that "the majority" or even "the minority" are impressed by these self-conscious flourishes In fact, they are dumping newspapers as an increasing irrelevance in their lives Even the seemingly impregnable Sunday Times, struggling out of the straitjacket imposed on it for several years, is finding that lost readers are not that easy to tempt back And the Sowetan, the only truly black daily newspaper, should be doing far better than it is

Politicians, academics and others who take a lofty view of the press may gag at William Randolph Hearst's dictum that "no newspaper ever went broke underestimating the taste of its readers", but a successful popular newspaper is not about idealism, it is about providing an appealing package of information and diversion — commodities which people are prepared to pay for, provided they find them interesting or useful

Neither do newspapers have a "role" to play in the development of a democratic society, except incidentally as a provider of information This is not to say stringent professional and ethical standards should not be applied, but until newspapers stop floundering about, and start considering their readers' interests as paramount, the downward spiral will continue, with advertisers becoming ever more confused about the audiences they are reaching

More than anything, the death of New Nation is a setback for the understandable and justifiable demand by black South Africans for a representative press, which they have been denied for most of the century In my view this hunger is more likely to be satisfied by the establishment of new newspapers — clean sheets without political baggage, compromised ownership or uncomfortably contradictory reader profiles to juggle — rather than by the collective descent into schizophrenia which is afflicting existing titles

One or two such new publications are reportedly on the stocks It is to be hoped, with the fate of New Nation freshly in their minds, they will have a clear commercial focus and a mission to fulfil their readers' wishes, rather than ignore them If they can do so competently and professionally, they will blow the rest out of the water anyway, and perhaps New Nation will not have died in vain

□ *Richard McNeill is a freelance journalist and former Sunday Times associate editor*

COGILL, C. *Discrimination and comparable worth: implications for South Africa.* In South African industrial relations of the eighties. Ed. Johannes... [illegible] by RFNDTX

# Research finds 'media, govt colluded'

BD 3/6/97 (243) (252)

**Stephen Laufer**

FREEDOM of Expression Institute (FXI) researchers had been amazed at how closely the media owners' association — the Newspaper Press Union (NPU) — had "colluded" with the previous government in limiting press freedom, especially on matters affecting defence and the police, the author of a truth commission submission said yesterday.

The NPU's system of voluntary self-control had amounted to a "policy of appeasement", with media councils and codes of conduct imposed without reference to working journalists, one of the study's authors, Hendrik Bussiek, said He was speaking at the presentation of the study to the truth commission

Black lives had generally been stereotyped as problem-ridden, with blacks seldom portrayed as citizens able to shape their own lives according to their own aspirations. Combined with a lack of balanced reporting on the anti-apartheid struggle, this had deepened the racial divide.

"It contributed to an atmosphere in which gross human rights violations became possible," Bussiek said.

Editors had been forced during the years of National Party (NP) government to surrender part of their role — that of gatekeepers of the news — to the state, the study found. Proprietors, boards and managements of the English press had been motivated strictly by financial interests, with little or no regard for the ethics of professional journalism.

This meant that the self-perception of the mainstream English-language newspapers as the "opposition press" had been only partially correct. They had opposed the NP, but had placed themselves firmly within the parameters of the white parliamentary political spectrum.

Regarding the closure of the Rand Daily Mail in 1985, Bussiek argued that "a principled or crusading stance against apartheid was regarded as bad for business".

The paper's closure had served as a warning to all other papers and had caused a disastrous exodus of journalists from the profession.

The Afrikaans press had been open about its connections to the government, the study's authors write. Dissent from those who began to realise apartheid could not work was met with dismissals.

Government had achieved its objective of controlling and manipulating information in order to protect the SA Defence Force from public scrutiny when newspaper companies had entered into agreements accepting certain restrictions in return for the relaxation of others. Agreements with the police had allowed prepublication control of news by the authorities, and the police commissioner was given a say in choosing reporters accredited to cover unrest.

The mainstream press of all languages had failed to cover the liberation struggle or the political aspirations of SA's majority according to professional standards Liberation movements had been demonised or declared out of bounds.

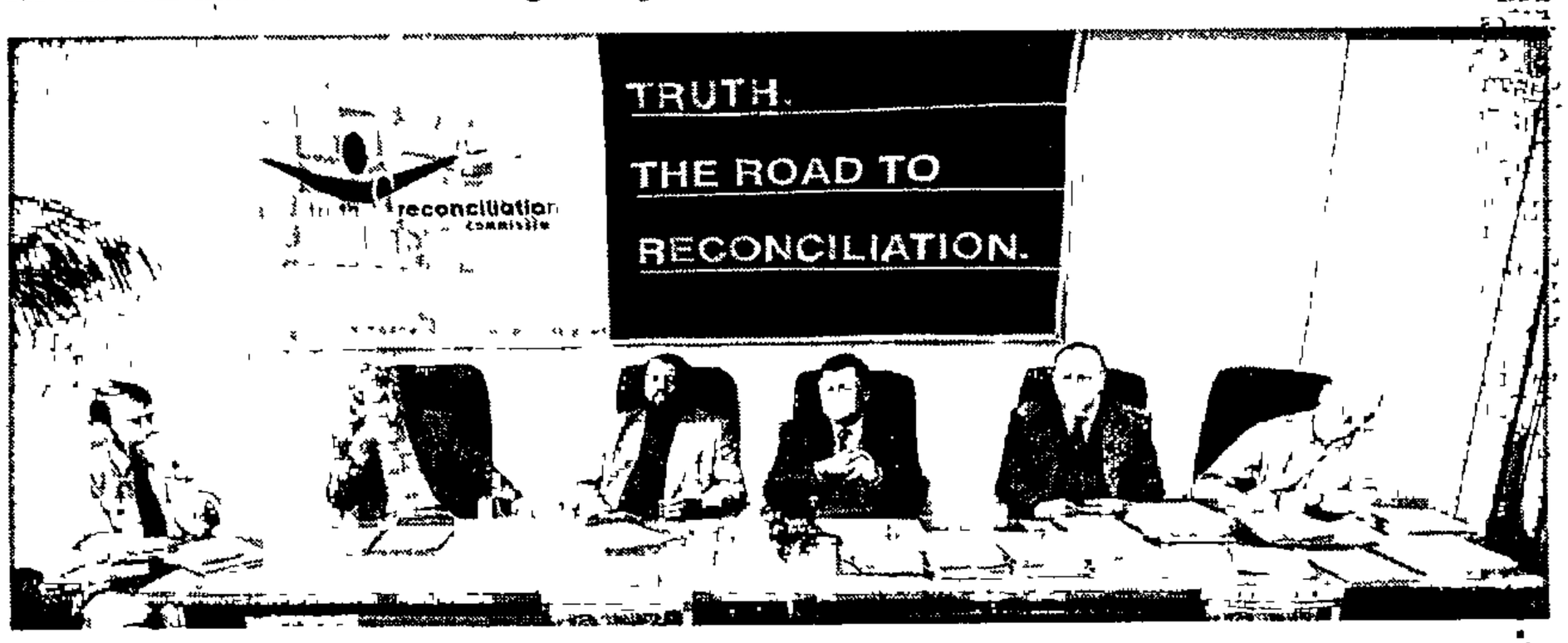
Bussiek said researching the 86-page document for the FXI had been like "working on a political thriller". As correspondents for German media he and his co-researcher Christel Bussiek had approached the task "as outsiders with no baggage" of their own

"We are neither in the revenge nor the whitewash business."

The study also reflects on the environment in which the media operated. The industry was vulnerable to disciplinary attacks from government, and wide-ranging legislation had curtailed coverage of matters deemed sensitive to the state.

Editors had generally not defied the law, but had tried to find loopholes which would allow continued reporting. Ever tightening legislative controls had led to self-censorship, and the golden rule had become "when in doubt — leave it out".

The alternative press had demonstrated from 1985 on that restrictions on press freedom were in fact less rigid than the mainstream media had come to assume.




**The Freedom of Expression Institute's submission to the truth commission in Johannesburg yesterday outlined the Newspaper Press Union's collusion with the previous government.** Picture ROBERT BOTHA

# Media bosses, 31 informers 'colluded' with apartheid

CT 3/6/97 (243)

**JOHANNESBURG:** Agreements between the Newspaper Press Union (NPU) and the police and military led to collusion between media management and the apartheid-era government, the Freedom of Expression Institute (FXI) said in its report to the Truth and Reconciliation Commission released yesterday.

Leaders of apartheid-era media should be subpoenaed to explain their role in maintaining apartheid The NPU's agreements restricted the work of journalists and editors and amounted to appeasement, FXI executive member, Mr Clive Emdon said

Media organisation managers were well aware that they were colluding, he said. The FXI received the names of 31 media workers who served as informers for the apartheid government, and passed them on to the TRC

Emdon said the FXI's report illustrated how the media was pinned down during the apartheid era to allow gross human rights violations to go unreported, and how the former NP government rendered the media useless and used it to disseminate propaganda. The Afrikaans press and the SABC were seen as an arm of government. Senior SABC managers served on the State Security Council.

The FXI said there was extensive government interference in the presentation of news on both television and radio, and the dissemination of propaganda through news programmes became second nature to the SABC, and "there is no doubt the SABC brainwashed a substantial section of the whites into believing the government's version of affairs and even into supporting its policies".

Emdon said after the 1976 uprisings black journalists were more on the receiving end of state repression than their white counterparts

TRC commissioner Mr Denzil Potgieter says they await statements from others, including SABC employees. — Sapa

# Threat to press freedom suspended in govt move

CT 11/6/97

(243)

**POLITICAL STAFF**

**PRETORIA:** In a major victory for press freedom, the government has halted the use of the controversial Section 205 of the Criminal Procedure Act which threatens journalists with imprisonment if they fail to disclose their sources.

The government has also undertaken a review of all legislation that could impinge on freedom of expression

Safety and Security Minister Mr Sydney Mufamadi told journalists after a meeting yesterday with the SA National Editors' Forum (Sanef) and President Nelson Mandela that police had been ordered to avoid using Section 205 until clarity about its future could be determined.

He said an order by Police Commissioner George Fivaz to police to exercise extreme caution when dealing with the clause followed an earlier meeting between Mandela and Sanef

Given the legitimate concerns expressed not only by journalists but generally, and given the feeling of the Constitutional Court that Section 205 was not necessarily unconstitutional — Fivaz felt it was important for him to counsel caution.

Other legislation to be referred to the legal advisers of the departments concerned for review include the Armaments Act, the Defence Act and National Key Points Act, all of which contain limitations on access to and the dissemination of information.

The president undertook to ensure that these would be looked at and there would be a response in due course, Mufamadi said.

Sanef chairman Mr Thami Mazwai said he was encouraged by the progress on Section 205

"We are quite happy with the discussion on Section 205," he said.

# Afrikaans press must 'make submissions'

(243) BD 12/6/97

**Nomavenda Mathiane**

SA UNION of Journalists (SAUJ) president Sam Sole appealed to Afrikaans journalists yesterday to make submissions to the truth commission

In a submission to the commission, Sole said it was important for journalists working for the Afrikaans press to step forward, because of the hostile attitude of the Afrikaans press towards the union.

The bulk of the submission dealt with the role of the English media, touching on its shortcomings with regard to coverage, the difficulties the unions experienced in organising membership — particularly in the Afrikaans press — and the problems faced by black journalists.

After 1960, the few members within the Afrikaans media fell away due to intimidation from the Afrikaans managements and because of the growing political polarisation between the English language press, which was anti-apartheid, and the Afrikaans media, which backed the National Party, Sole said.

Assisting Sole, former SAUJ president Pat Sidley said not only media institutions made journalists' lives difficult; even organisations on the ground added to the crisis with their lack of understanding and assistance to journalists.

Sidley said the Times Media submissions — with journalists' views not canvassed — which said the view that "liaison committees set up between editors, the defence and police securocrats were more sensible than sinister" was incorrect as it asserted that the problem would arise only when there was only one source of news, and that was the government's

Meanwhile, in an attachment to the SAUJ submission, Johannesburg journalist and SAUJ Gauteng vice-president Jimmy Beaumont asked the commission that his criminal record be expunged.

In 1980, while Beaumont worked for The Star newspaper, he attempted to make public top secret military documents which he had obtained while doing military service The documents were intercepted by the security branch of the then SA Police and Beaumont was arrested and charged in terms of the Official Secrets Act.

On Friday the Black Editors' Forum will make its submissions to the commission.

# Black journalists hit out at media

(1243)

CAS ST LEGER

ST 15/6/97

THE Forum of Black Journalists this week lashed out at the English and Afrikaans press and the SABC, accusing them of "willingly colluding" with the apartheid government.

The statements were made in a submission to the Truth and Reconciliation Commission.

The FBJ submission, handed over by acting chairman Abbey Makoe and executive members, said it would seek "to indict the South African media as a mere extension of the apartheid system".

The forum asked the TRC to subpoena key media people.

The FBJ wanted to ensure that media never again became "a slave to any government".

The South African Union of Journalists, represented by president Sam Sole, general secretary Motsomi Mokhine and former president Pat Sidley, said it believed there had been "serious shortcomings" within the mainstream English press, many of which had been the result of "institutional weaknesses".

Many journalists had pursued high ideals in the face of "an oppressive state, a hostile company culture and a conservative editorial management".

The SAUJ said the TRC should investigate the state's subversion of the media, especially the SABC.

There was also a call for the demise of the Rand Daily Mail to be investigated.

The SAUJ said "liberal" English language newspapers resisted government propaganda and challenged the authorities.

Those who had "knowingly" distorted media reports at the behest of other masters" should be dealt with as spies.

Sheet1

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CAPE ARGUS, MONDAY, JUNE 30, 1997

# Ombudsman takes over press disputes

(243)

SHARKEY ISAACS
STAFF REPORTER

ARG 30/6/97

**A new channel to handle public complaints against the contents of newspapers and magazines will be in place from tomorrow, when a national Press Ombudsman replaces the old Press Council.**

The ombudsman is Ed Linington, former editor of the South African Press Association (Sapa) and a former registrar of the SA Media Council

His office will administer an expanded press code of conduct and provide quick and inexpensive means of settling disputes between the public and the press.

It will be funded by the newspaper industry

A panel headed by legal academic Byron Ndaki will hear appeals against the ombudsman's decisions.

The members of the panel comprise representatives of the press and the public.

All the appointments have been made by a selection committee headed by Justice Yvonne Mokgoro of the Constitutional Court, from a list of candidates who responded to advertisements

The decision to abolish the Press Council and set up the ombudsman's office was made by representatives of journalists, media workers' trade unions, editors' forums and owners of newspapers,

To contact the Press Ombudsman, telephone (011) 788 4829/37, or write to PO Box 4722, Parklands 2121.

# TML submission says papers acquitted themselves honourably

BD 30/6/97

**Stephen Laufer** (243)

NEWSPAPERS belonging to Times Media Ltd (TML) and its predecessor, SA Associated Newspapers (Saan), "acquitted themselves honourably in the battle for freedom, justice and truth in SA", the publisher has told the truth commission in a submission by former Rand Daily Mail and Sunday Express editor Rex Gibson.

The positive contribution far outweighed any errors, the submission contends. Individual publications which belonged to the group at one time or another — including the Sunday Times, Business Day, the Financial Mail, Sunday Express, Rand Daily Mail, Natal Mercury, Daily Dispatch and Eastern Province Herald — had served SA well, if fallibly.

Ken Owen, the retired editor of the group's biggest newspaper, the Sunday Times, had disassociated himself from the submission, TML chairman Cyril Ramaphosa told the commission in an accompanying letter.

Most directors had been appointed since TML control changed last year, and had been unable to provide information for the submission. The same applied to many editors, but former journalists and managers had been asked to contribute what they knew.

While admitting that Saan/TML had fired more editors than any other group in the country, the submission contends they were always replaced by journalists who shared the same liberal, anti-apartheid views. This disputed the view that dismissals of editors like Raymond Louw and Tony Heard had been politically motivated.

The submission admits it is not possible to reconcile the conflicting versions of the firings. The fact that editors had staked their careers on their right to make professional decisions had generated vitality and attracted good journalists.

Journalists had sometimes faltered and sometimes been let down by their editors, the submission admits. Editors under pressure became too cautious. Reporters, emotionally involved in their stories, sought to substitute propaganda for fact and had stories spiked as a result.

Efforts had been made to push the rigid apartheid press laws to their limits. The draconian censorship laws of the 1980s had been broken as they were largely unenforceable.

The 1980s had also been a period ruled by emotion and fear, and the securocrats' lies had been seductive. From time to time, the submission admits, newspapers fell into the traps of emotion and disinformation, lapses which were not easy to defend.

TML strongly denied that newspapers may have contributed to a climate in which gross human rights violations were possible. Instead, the group's newspapers had put a brake on power, revealing to the country and the world what was really happening on a number of fronts.

Editors had reluctantly participated in government liaison committees and accepted defence ministry invitations to visit war zones in an attempt to keep channels of information open and to tackle misunderstandings.

Internally, the newspapers had been bound by the laws of the country requiring separate amenities for black and white staff, and had not regarded it as useful to tilt against windmills. Editors had sometimes been insensitive to their black staff.

Salaries had not been "as equal as managements liked to believe". Despite efforts, the company had not done enough to redress imbalances.

Many of the group's proprietors through the apartheid years — such as Syfrets on behalf of the Bailey Trust, and Anglo American — had been reluctant newspaper owners, keeping coyly in the background. This invited the conclusion that they would have preferred not to be the custodians of a newspaper empire whose parts had the capacity to be fractious, politically provocative and stubbornly individual.

See Page 13

# End of the road for Press Council as ombudsman's office opens

Star 1/7/97 (243)

**By Cheryl Hunter**
Media Reporter

The 35-year history of the National Press Council ends today when the council is abolished in favour of a new press ombudsman, Ed Linington

The South African National Press Ombudsman's office opens from tomorrow to take complaints from the public about reports published in newspapers and magazines.

The office will administer an expanded press code of conduct and provide a quick and inexpensive means of settling disputes between the public and the press It will be funded by the newspaper industry. The ombudsman can order a newspaper or magazine to print an apology for an erroneous report or decide to fine the offender. The fine would be paid to the National Press Union.

The decision to abolish the press council was made by representatives of journalists and media workers' trade unions, editors' forums and the owners of newspapers, according to Linington, a former editor of the South African Press Association

It ends a long history of press councils, starting in 1962 when the SA Press Board of Reference was formed by the Newspaper Press Union in reaction to the first Commission on the Press. This commission had been appointed by Dr D F Malan's government in an effort to curb a critical section of the press

The circumstances of this beginning made the organisation the centre of controversy among journalists

Many saw the council as thinly disguised government control of the press.

The industry decided to change the image and emphasis of its self-regulatory mechanism in line with South Africa's new constitution and transformation

The ombudsman can be telephoned on (011) 788-4837 or fax 788-4990

# 'No Press crisis in SA'

Sowetan 10/7/97 (243)

**By Shadrack Mashalaba**

INDEPENDENT Newspapers chief executive officer Mr Ivan Fallon has admitted to concerns by President Nelson Mandela about the lack of reflection of the views and aspirations of the majority of South Africans in a white-dominated media

Fallon said yesterday that while Mandela had a case, he (Mandela) also knew that the shape and balance of ownership of the media in the country was changing faster than in any other industry

Fallon was addressing the Johannesburg Press Club in Parktown, Johannesburg, and was reacting to a statement by Mandela during a visit to Zimbabwe recently

Mandela was quoted as having said "The South African media is run by embittered, conservative whites who are out of touch with black society and that media owners employ blacks only in order to avoid being accused of racism"

However, Fallon said those remarks were made off the cuff in response to a loaded question from a Zimbabwean journalist

He argued that to believe that those remarks made in Harare signalled a crisis and a serious change of heart by Mandela towards Press freedom would be a gross misinterpretation of them

"I do not wish to fall into the trap of over-reaction when what is called for is reflective reaction There is, in our view, no Government/Press crisis in South Africa Nor is one likely," said Fallon

He added that transformation was a task to which his organisation was passionately committed "And the reason I think we are going to succeed is because we truly believe in what we are doing," Fallon said

He said while the on-going dialogue between the media and Government was setting the parameters for Press freedom into the next century, the only way to persuade Mandela that the media had changed was through the transformation of media companies

What was needed in the new South Africa was "fiercely patriotic, but jealously independent publishers".

# Media bosses who played

MtG 18-24/7/97 (243)

**In investigating the press, the truth commission must discover who collaborated with the Nationalist government — and who did not, argues Ken Owen**

A GOOD place for the Truth and Reconciliation Commission to begin its quest for the truth about the media under apartheid, if I may venture a suggestion, is a small matter concerning the prisons that was brought before Judge Oscar Galgut, the formidable chairman of the Press Council, in 1983

I select this case both because I know the facts and because it captures with singular precision the moral ambiguities and the Kafkaesque atmosphere of the time It also suggests some useful lines of inquiry

The Press Council, for the benefit of those whose memories do not stretch to the bizarre details of apartheid's structures, was a quasi-court established by the publishers of the major newspapers in an attempt to avert legislation to control the press

Ostensibly, it was intended to ensure that the press adhered to proper standards laid down in a code of conduct, in fact it was a control mechanism Judge Galgut took his work seriously

The prisons case arose because the *Sunday Express*, of which I was then the editor, had published criticisms of the prisons department made by Mana Slabbert, who was both the wife of the leader of the opposition and, as a sociologist of some standing, an authority on the prisons in her own right

The prisons department complained to the Press Council that its officials had not been given a chance to comment on Slabbert's views before publication I took the view that Slabbert was entitled to say what she pleased without the interference of a lot of ill-educated and before publication, but raced to the courts and obtained from the chief justice a censorship order which, to this day, suppresses information of great public interest The chief justice observed at the time that editors, unlike judges, were incapable of distinguishing the public interest from their own interest, but as I am no longer an editor, I can say such things )

I was not surprised by the verdict handed down by Judge Galgut I never won a case before him, and I did not expect to So I adopted a policy, as I put it at the time, of forcing him to hang me, and hang me and hang me again until the hangings illuminated the shabby nature of his office He obliged in the obdurate and unimaginative fashion of those who lack self-doubt

That we should clash was surely inevitable I had not long been a newspaper editor, but I had already come to the conclusion that there was no legal path through the net of legislation and regulation which had been spun around the newspapers by the Nationalist government, and that any loophole which might be found would quickly be plugged, so I had fallen back on the best weapon I had, which was the English language

**There was no way, I thought, that the language, with its rich resources of history and law and struggle for freedom, could be chained by mere laws**

There was no way, I thought, that the language, with its rich resources of history and law and struggle for freedom in countries around the globe, could be chained by mere laws, if one were clever enough, worked hard enough and called in the help of Sir Thomas More, Thomas Jefferson and Mahatma Gandhi, the language offered the means to say, by innuendo, irony, hyper-

such truth was to be found in official comment It was a subject on which, it seemed to me, he was growing increasingly emotional, even irrational

In his determination to pin down newspapers to publishing his version of the truth, he began to expand, in the most unjudicial fashion, the meaning of the Press Code of Conduct which he was meant to enforce

The code, he wrote in one annual report, required that "a rectification should be published as prominently as the challenged article"

In fact, the code did no such thing it required rectification to be published "with a degree of prominence which is adequate and fair" I suppose that, to an authoritarian mind, such distinctions were irrelevant *verboten* was *verboten* (forbidden)

He reprimanded me for publishing a correction (of the number of motorcycle accidents) without an apology, and brushed aside my defence that the code required no apology

In the end, Joel Mervis, the greatest South African editor of my time, published an article pointing out the dangers and absurdities of the chairman's interpretation of the code but even that did not deter the judge

So the noose tightened around my neck, time and again I was reprimanded, which he seemed to think should reduce any reasonable editor to jelly, I was ordered to correct reports, and my corrections were found wanting, and I was ordered to publish his findings verbatim, which I did, complete with whereas's, wherefor's and the usual judicial illiteracies It was a war I could win only by losing every battle

At the same time, however, I pleaded with my management, then represented by Clive Kinsley, to unseat Judge Galgut

In a letter to Kinsley dated January 7 1983, I wrote "It is impossible to maintain confidence in a chairman who has failed to absorb the plain meaning of the code, or who has read it so long ago that he has forgotten what it actually says perhaps you could pursue in

struck deals with the apartheid government was regarded by most journalists with fea and loathing, and not even the editors dared to open defiance of its power

It was the union that established the work of councils and liaison agreements which the government sought to control press The editors, collectively represented weak organisation called the Conferenc Editors, were drawn into those agreement a process of "consultation" that provided tective camouflage for the newspaper m agers and the union

These consultations were conducted, surprisingly, with the most malleable of editors — it reminded me of the governme technique of extracting concessions from w tribal leaders when stronger leaders resi mass relocation But, once signed, th agreements became part of the environme control in which all newspapers and all edi had to operate

I was initially surprised, when I attended first "liaison meeting" with the milit brass, to find that officers and newspa managers tended to close ranks against editors, but I soon came to understand tha could not be otherwise both were conserva institutions Anyway, the managers were f tered to be offered military "briefings" wh they could peddle on the cocktail circuit

So, of course, my appeal to Kinsley was va and I fell back on my own resources to c with the pestilential judge I managed to jux pose some of his comments on the press w quotations from Britain and the Soviet Un to show, in the most insulting and provoca way, that Judge Galgut's views were ident to the Soviet view of the press and direc opposed to the British

The one view was totalitarian, the oth democratic, and the good judge was on wrong side

Whether Judge Galgut ever read the pie cannot say I had flung down a

demand out of hand

Judge Galgut found for the prisons department thus establishing a pernicious precedent which lingers in our society to this day The notion that important people like civil servants and rich businessmen, have a right to examine material prepared for publication and if they please, to suppress or distort it has now been incorporated in our law by the notorious Sage Group case

(In that case it may be recalled the Sage Group was given an opportunity to comment

I wrote, or tried to write, between the lines

Judge Galgut held an opposite view "It is the duty of the press,' he wrote pompously, to ensure when presenting facts and comment to avoid biased, tendentious or snide reporting to avoid juggling with words so as to convey shades of meaning which convey unwarranted suspicions "

Now that was exactly what I was trying to do, juggle words, and Judge Galgut saw through me He meant to have the truth a literal-minded lawyer's truth and he thought

for his position?"

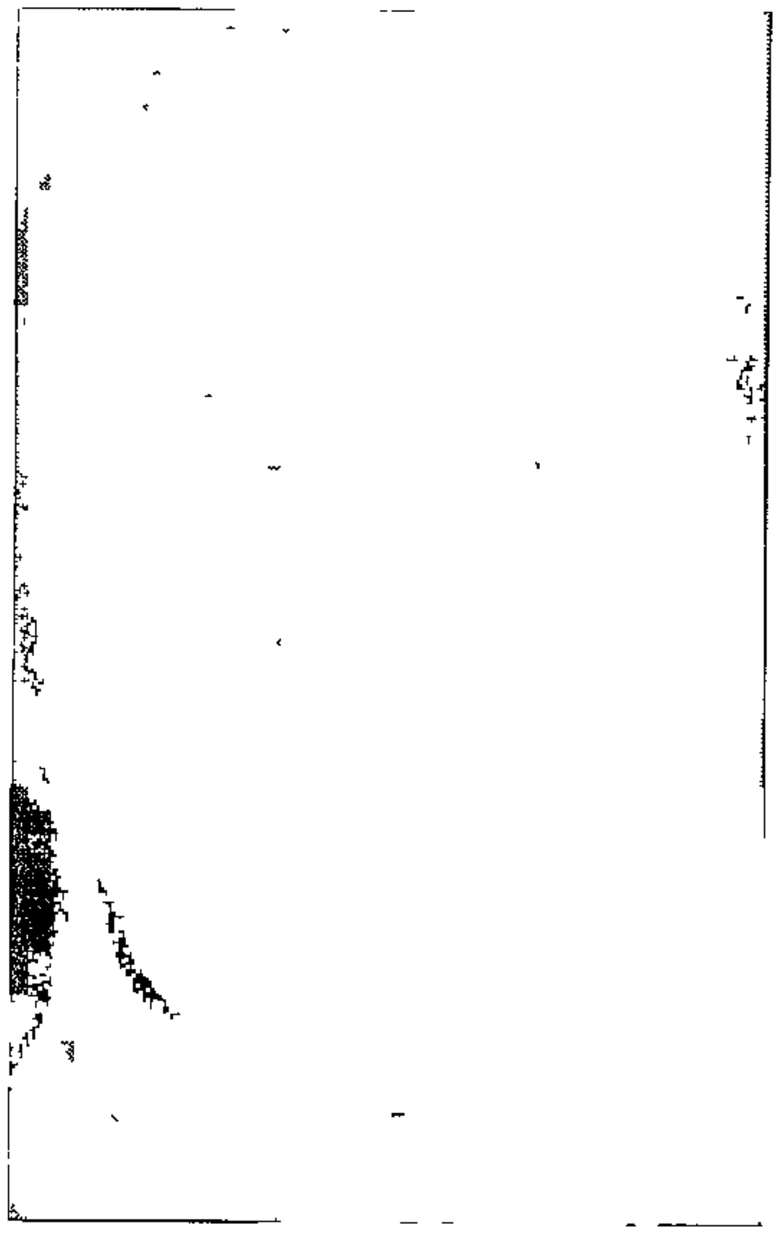
The role of the NPU — the Newspaper Press Union — in these matters deserves scrutiny The union represented the cartel of publishing companies that produced the major newspapers

Set up by editors in the last century the union was later taken over by newspaper managers and became an all-powerful instrument to control the industry It rigged the markets, crushed new competitors, fixed prices, suppressed salaries and, whenever necessary

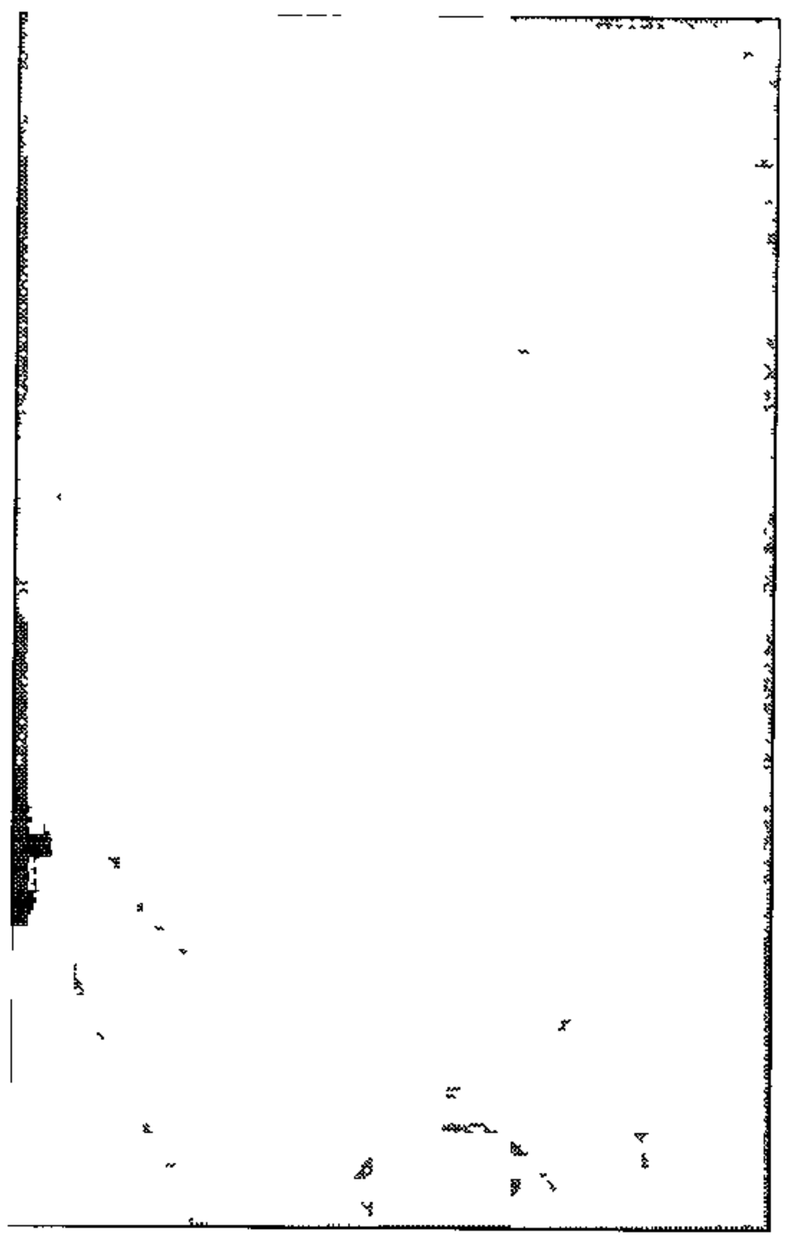
or not, I suddenly found myself free of his t ment every subsequent complaint against *Sunday Express* was dismissed on technic legal grounds I never again had to appe before the Press Council

That victory of course, did not end the wi struggle but it demonstrates quite amusin how the battle had to be fought

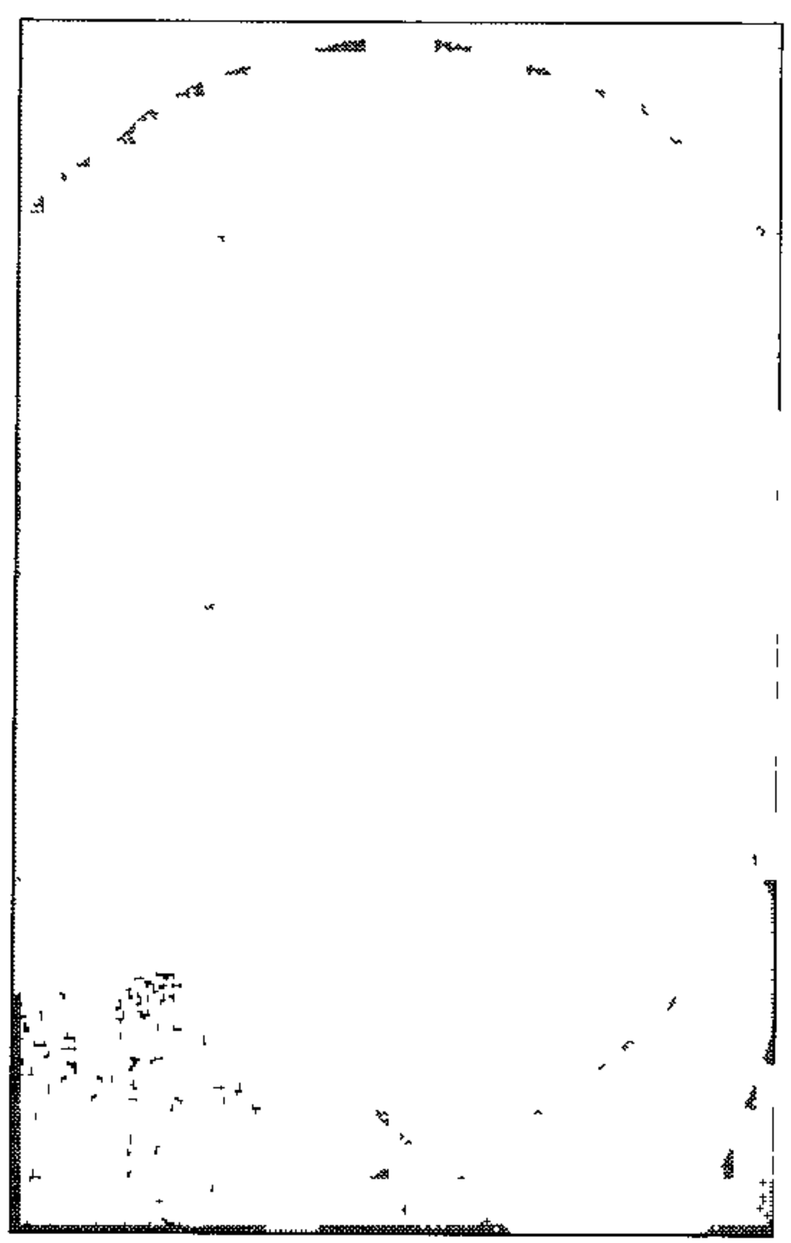
By the time I became an editor in 1982, t major newspapers were already hopeles compromised and entangled in agreemer with the government, such as the Defer



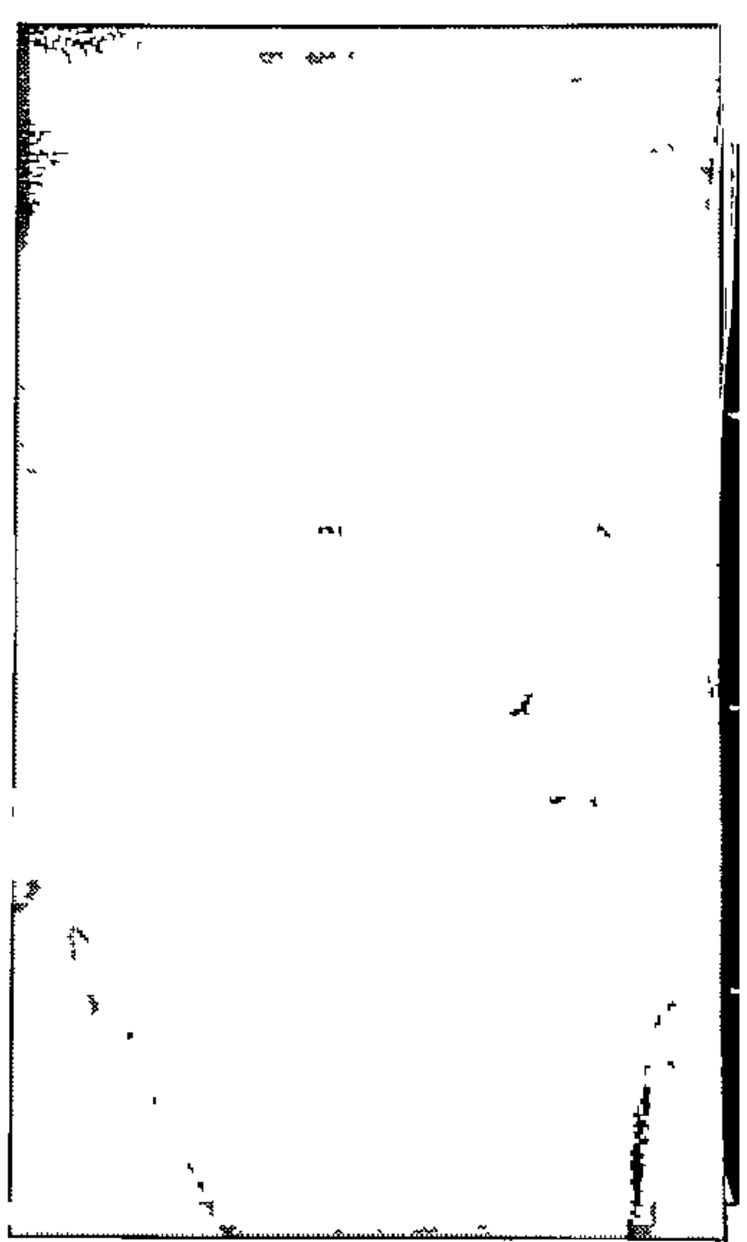
**'I set about circumventing, undermining and evading the system by methods which offended Judge Oscar Galgut'**



**'I pleaded with my management, then represented by Clive Kinsley, to unseat by the judge'**



**'When I complained of the police agreement I received from Jolyon Nuttal a blistering letter on behalf of the National Press Union'**



**'I am appalled that journalists who opposed apartheid have bee so feebly defended by Rex Gibso**

# the apartheid game

(23)

Sunday Express

JOHANNESBURG, SEPTEMBER 11, 1983 — FINAL

50c Including Sales Tax. Prices elsewhere on Back Page

## Last moments near midnight

# 'IRONMAN' VORSTER IS DEAD

OBITUARY — PAGE 4

holders of the union and the press and media councils

I point to the existence of this evidence because what is happening now is a travesty of truth and justice The generalised and unsubstantiated accusations of collaboration which have been brought against so-called "liberal" journalists (hardly any of whom, we may recall, called themselves liberals at the time) are simply defamatory

They are defamatory of, among others, early opponents of apartheid like Tony Delius, Stan Uys and Molly Reinhardt, investigators of the Broederbond like Charlie Bloomberg (who eked out his paranoiac life in terror of the security police) and Hennie Serfontein, and later Hans Strydom and Ivor Wilkens, Benjamin Pogrund who pioneered the mainstream coverage of politics in black communities, Steven Friedman and Riaan de Villiers who pioneered the reporting of labour politics, Martin Welz, Mervyn Rees and Kitt Katzin who took on, and brought low, a succession of the most powerful men of the times; and many others who wrote the first draft of the history of apartheid

**Press problems: By the time Ken Owen became the editor of Sunday Express in 1982, 'the major newspapers were already hopelessly compromised'**

Agreement of September 1980 in which the NPU had agreed to be dishonest (Clause 7 1 3 forbade them to say that the minister of defence had declined to comment even when he declined to comment )

The system of control and manipulation had grown over a long period, but the rot had begun, in my view, in the early Sixites when the best "alternative" newspapers of my time — *Contact* (liberal) and *New Age* (communist) — were driven out of existence

The union devoted its efforts not to the defence of the principles of a free press, but to the defence of its cartel, negotiating with John Vorster's government to exclude their newspapers from government restrictions in return for good behaviour The result was the first Press Code of Conduct

The climate of those times is difficult to recapture, but we should try Laurence Gandar, legendary editor of the *Rand Daily Mail*, was pilloried (and finally dismissed) for progressive policies that included using the term "African" instead of "native"

His newspaper openly supported the Progressive Party, but I have a memorandum in which he argued that it was simply not feasible to support the "radical" proposal of the Liberal Party for a universal franchise The *Rand Daily Mail* was not a radical publication "Public opinion", meaning white opinion, would not stand for that

When Brian Bunting, the communist editor of *New Age*, was banned from his work, the late Miles Brokensha and I (both of us then officials of the Cape Town branch of the South African Society of Journalists) tried in vain to garner support for him we ended up sending a protest telegram to Vorster in our own names, a futile gesture The press, owners, publishers, managers, journalists looked the other way Public opinion, you understand, was a reality

Compromise, and compromising behaviour, became the price of survival Years later I heard a Hungarian say that in the West to throw a stone was a political act, behind the Iron Curtain, it was a lamentable breakdown of self-discipline I thought I understood what he meant Those were the years when even the communist leaders fled in droves

For many years after the closure of *Contact* and *New Age*, no alternative newspaper — not even *The World* — could survive, and it fell to the mainstream newspapers to manoeuvre and negotiate and strike deals, until at last sufficient political space had been opened for a new crop of alternative papers to emerge It was in the dark years, say from the closure of *New Age* to the launching of *The Weekly Mail*, that the deadliest compromises were forged

By the time I became an editor in 1982, the network of controls was more or less in place, though I had to decide at my first meeting of the Conference of Editors (which represented the editors, as distinct from publishers, owners and managers) whether to try to veto an extension of the system

Technically, I had the power to do so (since a single vote in the conference killed any proposal), but that would have collapsed the conference and negated the many years of negotiation that had preceded the meeting It was not a realistic prospect

**The statements so far offered to the truth commission are filled with platitude and pious protestation, but they conceal more than they tell**

I voiced my doubts, but allowed myself to be guided by the senior editors, liberal and conservative, English and Afrikaans, white and (in the rotund shape of Percy Qoboza) black. I did not vote one way or the other That was my contribution to the establishment of the system

Soon afterwards, however, I was to conclude that the NPU agreements were a major obstacle to a free press, not least because they served to conceal the nature of the regime, and I set about circumventing, undermining and evading the system by methods which offended Judge Galgut

Other editors did the same, though some did not (and that distinction should be clarified), but the union was no help at all My protests against the system were brushed aside by my own management and by the union

On one occasion when I complained of the police agreement, I received from Jolyon Nuttall, brother of the famous anti-apartheid cleric, a blistering letter on behalf of the union pointing out that I was myself an alternate on one of the committees of the Conference of Editors which had acquiesced in the deal I was hoist on my own moral ambivalence, and my managers, at critical points, could abandon me with impunity They did

The battles that were fought behind the scenes were bureaucratic, pettifogging, tedious and usually vain They demanded a kind of dogged courage until, after 1990, it suddenly proved possible to demolish the control structures entirely For that demolition I can, I think, claim some credit But I do not know the full history, my records are not complete

The answers lie, if they have not been shredded, in the documents and files of the union and the head offices of Argus-Independent and the South African Association of Newspapers-Times Media Limited

Those archives may tell us something as to why editors like Gandar, Raymond Louw, Allister Sparks and Tony Heard were fired Unlike most of my colleagues, I do not believe they were fired for their politics, but because their politics (and sometimes their management of their departments) came to be seen as a threat to profitability The distinction is important

The owners and managers of the industry did not care about what was indisputably one of the great moral conflicts of the century, they did not, in the main, even understand why it was a moral issue They cared about profit

That, in my view, is why they set up and maintained the cartel, that is why (until Stephen Mulholland took over) they paid their journalists so atrociously and trained them so poorly, that is why the newspapers were perpetually understaffed and subject to destructive levels of staff turnover That is why editors were fired irrespective of their value as anti-apartheid fighters That is why the union made its compromising deals with the devil

The proof, one way or the other, lies in the records which, so far, the truth commission has not bothered to seize or examine Proof lies also in the recollections of judges like Galgut and Marius Diemont, managers like Nuttall and Roy Paulson, long-serving directors like Charl Cilliers, the various officials and officeand on I did not agree with all of them, and was sharply critical of some, but they do not deserve to be defamed and I am appalled that they have been so feebly defended by the corporate managers and by Rex Gibson, the last editor of the *Rand Daily Mail*, who should know better

The statements so far offered to the truth commission are filled with platitude and pious protestation, but they conceal more than they tell They try to stretch a blanket of journalistic respectability to cover the owners and managers, and the blanket is torn Generalised accusation, generalised defence — the result is not the truth

Collaboration with apartheid did occur, that is a matter of record The point is to discover who did, and who did not, collaborate, and how and why To say, without ado, that the "liberal media" collaborated is to lie

A proper inquiry will find the press to have been a house divided, and that, among the many obstacles in the path of the journalists, some of the greatest were placed by the owners and managers of the newspapers

The full truth may be unattainable, evidence is not The question is whether the truth commission will make the huge effort, intellectual and organisational, that will be required to get that evidence The question is whether the truth commission will examine the documents, question the witnesses, understand the struggle

If not, we must abandon the pretence of searching for the truth Pretence of truth, doubly deceptive, is worse than untruth

I was among those who supported the establishment of the truth commission, but as I watch the process that has ensued I regret that I did not insist instead on a Nuremberg process

At Nuremberg, at least, individual people had to answer for individual crimes and they were tried by a process, tested over many centuries, that is designed to find the truth The charges at Nuremberg were specific, the evidence rigorous, the search for truth disciplined by examination, cross-examination, and re examination

Nuremberg, whatever else one may say about it, was neither a lynching, nor a forum for smears, half-truth and petty vengefulness Even Judge Galgut would, I think, understand the distinction

# Botswana press-freedom fears

(243)

Star 22/7/97

## Vociferous protests lead to delay of controversial bill, writes Lekopanye Mooketse

Press freedom is under threat in Botswana and a bill scheduled to be tabled in the current session of parliament has unleashed a wave of protest from journalists.

So strong have been the protests that Ponatshego Kedikilwe, the Minister of Presidential Affairs and Public Administration, has agreed to delay the controversial Mass Media Communications Bill and hold more discussions.

The bill establishes a national broadcasting board, the licensing of decoders, registration of newspapers, establishment of a press council and also accreditation for journalists. The Media Institute of Southern Africa, a press and broadcasting monitoring group, says the bill contains "serious infringements on media freedom and diversity".

The national broadcasting board, which will oversee broadcasting activities, will be appointed by a minister. "This will impair the board's functioning and independence", says Chibuya Nstimanyana, executive secretary of the institute's Botswana branch.

All publishing companies registered locally will need at least 80% of their shares to be owned by Botswana citizens No publishing company can be controlled directly or indirectly from outside the country

Newspaper registration will be controlled by a minister, who will appoint the registrar of newspapers.

But the minister retains the power to reject the registration of a publication Conditions for registration have not been stated The media institute says it opposes any registration and licensing of the media "Registration of publications can be used against publications in bad books with the state

"It further compromises the independence of journalists when they report critically on matters of the state and its conduct." Police will be able to search offices and seize publications

A media council will be set up with five government appointed representatives and six journalists Foreign journalists will be barred from covering any event unless they have been accredited by the director of information and broadcasting.

Unaccredited local journalists will be barred from reporting on any official event unless in possession of a press card, which will be issued on "prescribed conditions".

The media institute says the conditions have not been stated and opposes the accreditation of journalists, as this could be used to stifle press freedom.

The managing editor of the weekly independent Mmegi, Titus Mbuya, says that the proposed law shows the government's aversion to the independence of the private press

"Instead of strengthening and institutionalising the freedom of the press and freedom of access to information through the bill, the government intends to use it to discipline the private press," he says

Another weekly independent newspaper, the Gazette, says in its editorial comment that "the new law combined with the old laws will have a devastating effect on the media and will inhibit the growth of this important sector at a time when it should leap forward to take us into the 21st century".

The main opposition party, the Botswana National Front has also renounced the draft law.

"It is indeed worrisome that a government claiming to be democratic could stoop as low as brewing some legislation that gives sweeping powers of control to its information minister, to undermine media freedom, with a provision for permitting direct police surveillance of the media involving office searches and seizure of property," says the party

The bill comes at a time when private radio and television stations are waiting for their licences to operate Observers say that the bill will stifle the operations of the private stations

The country's only radio station is owned by the government, which also runs the country's only daily newspaper There is no television channel.

In the past, the government has often fought with the private press, which has exposed corruption scandals in the public sector. There have been renewed calls by government officials for a clamp down on the private press. – Star Foreign Service/Africa Information Afrique.

# Denel's decision to sue newspapers is slated

(243)

Htrw 22/7/97

## Ceasefire Campaign and Freedom of Expression Institute accuse arms manufacturer of using apartheid legislation

The Ceasefire Campaign and the Freedom of Expression Institute (FXI) yesterday condemned arms manufacturer Denel's decision to lay criminal charges against three newspapers for reporting on a prospective R7-billion arms sale to an undisclosed Middle Eastern country.

Accusing Denel of resorting to apartheid-era secrecy legislation, FXI welcomed a resolution by Independent Newspaper Holdings Limited to challenge Denel's move.

"The FXI regards the move by Denel as going against the spirit and purport of the constitution, which provides for the right of access to information," it said. FXI said arms deals should be subjected to public scrutiny, adding that good foreign policy supported full disclosure because it served to dispel speculation about illegal activities.

"For Denel to argue against disclosure on the basis that the client is demanding secrecy leads to a presumption that the client may want the weapons for some secret or underhand activity," FXI said

It called on the Government to urgently pass the Open Democracy Act to ensure the media was able to keep the public informed

**Critics want an Open Democracy Act passed**

The Ceasefire Campaign commended The Sunday Independent, the Sunday Argus, the Sunday Tribune, the newspapers' editors and reporter Newton Kanhema for exposing the arms deal

In a statement it said it was appalled by Denel's decision to lay criminal charges against the newspapers for contravening the Armaments Development and Production Act of 1968.

The act, which prohibits the disclosure of any information relating to the supply, marketing and export of armaments for the benefit of Armscor, stemmed from the apartheid era and was introduced to protect secret arms deals, the statement said.

"Denel's strong reaction to this disclosure makes it obvious that the prospective arms transfer will be one which would be greatly contested in public opinion."

It called on National Conventional Arms Control Committee (NCACC) chairman Kader Asmal to abide by criteria prohibiting arms sales to conflict regions and countries which violated human rights.

Asmal's spokesman said Asmal would respond to all allegations at a media briefing in Pretoria tomorrow – Sapa.

# Independent newspapers muzzled

**STAFF REPORTER**

Parastatal arms manufacturer Denel has been granted a court order against all the newspapers in the Independent Newspapers Holdings group, preventing them from publishing the name of a Middle East country about to buy South African weapons worth R7-billion.

The order also prevents disclosure of the commercial structure of the deal.

The legal action, in the High Court in Pretoria yesterday, followed the publication by *The Sunday Independent* of details of the deal, said to be the biggest in the South African defence industry history. The paper said G6 mobile artillery pieces and anti-aircraft missiles were included in the package.

After a threatened interdict by Denel against *The Sunday Independent* last Saturday night, the paper agreed to withhold the name pending a court decision.

Denel later laid criminal charges against *The Sunday Independent* and its sister newspapers, as well as reporter Newton Kanhema, in terms of the 1968 Armaments Development and Production Act, which was promulgated to protect apartheid's sanctions-busting arms industry.

On Thursday night Denel was granted a similar interdict against the Mail & Guardian newspaper.

*The Sunday Independent's* editor, John Battersby, said he was "disappointed" at the court decision.

"We believe it is in the public interest for South Africans to be able to debate the countries to which South Africa sells its arms and to have a full debate about where the line between the public's right to know and the state's right to confidentiality should be drawn."

He added: "The deal in question has nothing to do with national security but rather with preserving the state's commercial interests."

"The wide scope of the order granted by the court could prevent *The Sunday Independent* from publishing vital information about questions raised within Denel itself about how the financial side of the deal was structured and about certain internal pricing arrangements," he said.

The SA National Editors' Forum yesterday condemned Denel's attempts "to suppress information about South Africa's arms sales".

"It is astonishing that legislation once used for suppressing information about the apartheid-era weapons industry should now be resurrected for use in a country committed to transparency," Sanef chairman Thami Mazwai said in a statement.

"The effect of the legislation in the apartheid years was to keep the South African public in the dark about the local armaments industry. Denel clearly wishes to perpetuate that ignorance."

Star 26/7/97 (243)

# Apartheid law used to silence details of Denel deal

ARG 26/7/97 (243) ~~2544~~

STAFF REPORTER

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Weekend Argus editor Chris Whitfield said he was "disappointed" at the court decision.

"We believe South Africans should have the right to know who arms are being sold to and to debate these deals," he said.

The SA National Editors' Forum condemned Denel's attempts "to suppress information about South Africa's arms sales".

"It is astonishing that legislation once used for suppressing information about the apartheid-era weapons industry should now be resurrected for use in a country committed to transparency," Sanef chairman Thami Mazwai said in a statement.

# Ex-editor slams probe on media

Sowetan 29/7/97

THE media was being charged by a lynch mob over its role in the apartheid years, former editor of the *Sunday Times* Mr Ken Owen said yesterday

Speaking at a panel discussion hosted by the Cape Town Press Club, he said that it was simply not true to say the media did nothing to challenge the system

"This is kangaroo court stuff It's being pursued in a way that makes me want to vomit"

Finding out what journalists actually did during that period would require a great deal of work and honest enquiry, which no one was willing to do What was happening instead was a fundamentally dishonest process which did no service to democracy

One good measure of how the Press had performed was the annual survey of the Institute of Race Relations, probably the most objective, complete and fair-minded chronicle of apartheid in existence

Its references were for the most part newspapers which had produced a magnificent record of apartheid and would hopefully write the record of post-1994 South Africa

"If we can do as well as the liberal Press under apartheid we will have a magnificent Press and probably a working democracy," Owen said

Referring to a proposed Truth and Reconciliation Commission hearing on the media, he said he was outraged that journalists should be called to account before a body set up to investigate gross human rights abuses The commission was turning into a lamentable farce

If the media had to answer to these charges, ahead of them should be the judges who enforced repressive laws and punished journalists, and the people who ran the whole judicial system, including advocates and lawyers "They kept the system going, and they got off scot free," he said

Earlier, Mr Thami Mazwai, chairman of the SA National Editors' Forum and managing director of Mafube Publishing, said the liberal Press had never made any genuine effort to challenge oppression as black people saw it – *Sapa*

# Denel's right to privacy upheld by High Court

(24/7) (25/7)

**PRETORIA.** Denel's right to privacy regarding details of it's negotiations with a Middle Eastern country for an arms transaction worth more than R7 billion, weighed heavier than the press right to publish those details, a Pretoria High Court judge said yesterday.

On Thursday and Saturday last week Mr Justice I W B de Villiers granted interim orders against the Sunday Independent and Mail & Guardian — both with return dates in August — interdicting them from publishing the name of the country or further particulars of the transaction. He gave reasons for his rulings yesterday.

He said it would be grossly unreasonable to publish details. "On the evidence it is clear that the deal would fall through if the said facts are made known. A transaction worth about R7 billion would be lost.

The economic results would be disastrous to the applicants and their work force. No other facts have been placed before me to indicate that it is in the public interest that confidential particulars of the instant transaction should be made public." — Sapa

CT 29/7/97

BD 29/7/97

# Publishing Denel arms details 'not reasonable'

(243) (~~254~~)

PRETORIA — Denel's right to privacy regarding details of its negotiations with a Middle Eastern country for an arms transaction worth more than R7bn weighed heavier than the press's right to publish those details, a Pretoria High Court judge said yesterday

Justice IWB de Villiers granted interim orders against the Mail & Guardian and the Sunday Independent last week on Thursday and Saturday interdicting them from publishing the name of the country or further particulars of the transaction. He gave reasons for his judgment yesterday.

On the facts before him, De Villiers was of the view that it would be grossly unreasonable to publish such details

"On the evidence it is clear that the deal would fall through if the said facts are made known. A transaction worth about R7bn would be lost

"The economic results would be disastrous to the applicants and their work force. No other facts have been placed before me to indicate that it is in the public interest that confidential particulars of the instant transaction should be made public, he said

"The general sense of justice of the community is accordingly against publication of the facts in question To my mind, the applicant has shown not only a prima facie right, but indeed a clear right that the confidential information should not be published"

Denel and Armscor approached the court for gagging orders after the Sunday Independent, Sunday Tribune and Sunday Argus published information about the transaction.

Denel argued that it had a right to commercial confidentiality and privacy —Sapa

# Nasionale Pers rejects TRC call for role in media probe

## *'Nothing to apologise for' says chairman*

(243) 31/7/97 ARGT

**JOHN YELD**
ON THE TRUTH COMMISSION

**Afrikaans publishing giant Nasionale Pers has told the Truth Commission it has nothing to apologise for, and that it will not make a submission at the commission's special media hearing next month.**

This was conveyed to the head of the commission media and communications committee, Denzil Potgieter, by Nasionale's managing chairman Ton Vosloo.

Nasionale's decision follows an exchange of letters between the two men that began in April with an invitation from Mr Potgieter for Nasionale Pers to make a submission to the planned public hearing "to examine the role the media played during the period covered by our mandate (March 1960 to May 1994)"

In an earlier statement attached to the invitation by way of explanation, Mr Potgieter said part of the commission's task was to establish the truth in relation to past events, and specifically those events involving gross human rights violations perpetrated within a political context.

"The commission has a dual responsibility here, which suggests two sorts of submissions from the media: to offer victims, particularly those journalists whose stories of abuse under apartheid have not been heard, the opportunity of telling their stories; and to provide as complete a picture as possible of the nature, causes and extent of such abuses . ."

Mr Vosloo replied in a three-page letter that his company wanted to contribute to the reconciliation process in South Africa, and was therefore willing to co-operate with the commission "in a positive spirit".

However, the impression had already been created that the media hearings would be a forum in which some sectors of the media would have to account for their culpability in human rights abuses.

This impression had been reinforced by the apparently high-profile involvement of Raymond Louw's Freedom of Expression Institute "which makes no bones about its own agenda"

"The FXI believes the press is guilty of all manner of abuses and that there must therefore be confession," Mr Vosloo said

Also, it was problematic to make a company submission because its titles, which included Die Burger, Beeld, Die Volksblad and City Press, had enjoyed editorial independence

Mr Potgieter replied in a three-page letter and told Mr Vosloo categorically it was not the commission's intention to put any party "in the dock" at the media hearing, and that it needed Nasionale's submission to help it get a balanced perspective.

The involvement of the FXI had been terminated because the commission was aware of the false impressions created.

# Survey shows continued slide in newspaper, magazine readership

BD 5/8/97 (243)

**Janet Parker**

NEWSPAPERS and magazines continued to suffer a decline in readership for the third consecutive year, according to the latest All Media and Product Survey (Amps) figures released yesterday by the SA Advertising Research Foundation (SAARF)

The survey found the main change in media usage from last year was a general drop in average issue readership in the three print categories

The drop was mainly ascribed to a decline in coloured, Indian and white readership, particularly in the English language publications, but black readership remained constant compared to last year's survey

The period measured for this year's survey was from February to June.

Daily newspapers saw a 6,4% decline in readership among coloureds, Indians and whites to 33,6%, and weekly newspapers suffered a 6,8% drop to 50,6%.

Although black readership figures of daily and weekly newspapers were low by comparison — 10,7% and 17,8% respectively — they remained stable against last year's SAARF Amps survey.

Black readership of magazines remained constant at 26% despite some titles increasing the frequency of their publications.

However, magazine consumption among whites, coloureds and Indians dropped 4,1% to 62,8%, with consumption of subscriber magazines — including Sunday papers and retailer publications — down 11% to 14,5%. Average issue readership among English language magazines dropped to 41,3% from 44%, but Afrikaans magazine readership remained stable

Radio listenership across the spectrum increased to 65,2% from 64,1%, with total television viewership, despite the advent of satellite television, remaining at 49,9%

The survey showed that although cinema audiences remained constant, the frequency of attendance had dropped 4%.

SAARF Amps socioeconomic findings for this year showed blacks to be the only population group to reflect an increase in average household income above inflation, with a growth of 10%, whereas in the previous year's survey all population groups showed income growth above inflation.

The survey reflected a "significant" increase in the percentage of the population that was unemployed

Those classified as "working full time" dropped to 31,2% from 32,9%, those "working part time" dropped to 8% from 9,3% in the previous survey, and 60,8% were classified as "not working", up from 57,8% last year

This category includes students, housewives, those who have retired and those who do not work by choice. However, the number of respondents who considered themselves unemployed increased to 24% from 22,3%

# Press freed from gagging order over Denel sale

Star 6/8/97 (243) (554)

PRETORIA CORRESPONDENT

In what has been labelled a victory for freedom of expression, Denel yesterday asked the Pretoria High Court to discharge a temporary interdict gagging the Independent Newspapers group, including The Star

The feud between Independent Newspapers, led by The Sunday Independent, and Denel was sparked when the arms manufacturer used apartheid-era legislation to obtain a gagging order against The Sunday Independent, the Sunday Tribune and the Sunday Argus after they disclosed information about a R7-billion G6 mobile artillery export deal with Saudi Arabia.

Denel laid criminal charges against the papers, their editors and a reporter under the Armaments Development and Production Act of 1968.

In terms of the interim interdict, the three papers were prohibited from publishing the name of the country buying the arms – despite the fact that the country's identity had been known overseas for some time

The High Court upheld the interdict on July 26, restraining 12 papers and expanding the terms

Besides not being allowed to identify Saudi Arabia as the arms buyer, the newspapers were prohibited from publishing any particulars of the financial and commercial structure, conditions and composition of the deal.

The interdict and a similar one brought later against the Mail & Guardian were made by Mr Justice I W B de Villiers, who said Denel's privacy weighed more heavily than the press's right to publish.

The newspapers argued it was in the public's interest to publish details of the deal but Denel argued it had a right to commercial confidentiality because the contract contained a secrecy clause which, if broken, could see the deal fall through.

The Sunday Independent published details of Saudi Arabia's purchase last weekend.

After yesterday's court proceedings John Battersby, editor of The Sunday Independent, said: "This is a victory for the freedom of expression enshrined in our constitution."

Denel reserved comment on the issue until tomorrow, when a press conference will be held.

# Beeld journalists in TRC submission

ARG 11/8/97 (243) (253)

ARGUS CORRESPONDENT

**Johannesburg – A group of journalists at the Afrikaans daily newspaper Beeld say they want to make a submission to the Truth and Reconciliation Commission on their newspaper's activities during the apartheid years.**

Beeld and its parent company, Nasionale Pers, have declined to make a submission.

The TRC is holding a hearing into the role of the media during the apartheid years later this month

Nasionale Pers chairman Ton Vosloo said the newspaper group had not committed any human rights violations and therefore had nothing to confess

But a senior journalist at Beeld, who asked not to be named, said the Afrikaans public had not been as well informed on the situation during the apartheid years as they should have been

"The Afrikaans newspapers were closely aligned to the National Party, which effectively paralysed their critical function," said the journalist

"We've been close to the beast and we should tell them (the TRC) what it was like.

"Let's acknowledge it – we often didn't report as well as we should have," he said

# Press freedom is there to serve SA

BD 15/2/97 (243)

THE row over the disclosure by some newspapers of a pending deal between Saudi Arabia and Denel is now assuming the importance it deserves, following my spitting match with John Battersby, editor of the Sunday Independent, on radio this week

However, before getting into the crux of the matter, let me assure Water Affairs Minister Kader Asmal that the SA National Editors' Forum (Sanef) will have to address the delicate balance between national interests and priorities and the public's right to know

May I also assure Defence Minister Joe Modise that people like Jon Qwelane and myself will do everything we can to ensure that our profession realises that press freedom serves the interests of SA rather than assuage the egos of some Euro-South Africans

It is small wonder their "public" in "public interest" does not include blacks

Blacks in general simply do not understand the rationale of identifying Saudi Arabia as an SA arms buyer if this has the potential of destabilising a sale which would have helped in our drive to fight unemployment.

This is what a letter to Business Day on Monday by somebody in Bloemfontein also ignored.

Is it that certain newspapers and this person do not care a hoot about those who face unemployment and even to this hour do not regret their utter irresponsibility in publicising the identity of the buyer in the face of such consequences?

That this story was published in an overseas publication is not the issue. It is SA and its interests that we are talking about When British newspapers published the story, they did it in the context of British interests.

Britain would be a front-runner in the race for this contract by international arms dealers, mostly from the west, if Denel fell by the wayside.

And British newspapers understand and are committed to Britain's interest

They backed their companies when these, to the displeasure of the US, got into joint ventures with Japanese companies

Hence, at one stage, the US said that Britain was Japan's arms carrier It meant Britain was helping Japan assault European markets which US companies regarded as theirs. Britain's companies said they were interested in creating jobs in Britain, and British newspapers backed them.

That no black editor has come out in support of the disclosure of Saudi Arabia as the destination for SA arms speaks volumes. It is not surprising that we are not caught in an identity crisis in which we must be South African, Irish, American and European all at the same time.

Furthermore, certain newspapers attack government on the crime issue

This is commendable, but when these same newspapers defy a court order and its anti-crime sister newspapers look the other way, then one wonders what their secret agenda is Qwelane is right — quite a number of our white colleagues do have a secret agenda

When President Nelson Mandela complained about black journalists being forced to place a specific slant on stories, he was telling the truth

He told us which journalists said this, and those journalists confirmed it You are not told straight out what to write or not, but the white news editors and their body language tell you what he or she likes or does not like And what they like gets into the paper This is the agenda we are talking about The agenda that says objectivity is writing only stories that are critical of government and not giving the "good" equal prominence

The agenda that says government must reduce the deficit but support public servants when they make exorbitant wage demands, or when government retrenched white officials who are not committed to the new order

Let us look at one aspect of the Denel issue. Some newspapers did not tell us that SA was competing with the US, Britain and France for the Saudi Arabian contract. Why was this fact kept out of the story? So that this country, Denel and its shareholder, the government, could be portrayed as warmongers and supporters of countries that violate human rights?

Furthermore, if Denel is in the business of manufacturing arms and employs people, why must it not sell or compete with other arms manufacturers for contracts? How must it pay the people who work for it?

If the US can sell to Saudi Arabia and retain its morality, why must it be different with SA? Should SA's people stay unemployed while those of the US and Europe have a right to jobs?

My last column on this page expressed sentiments similar to those of Qwelane. We are not doing this because we do not believe in press freedom We worship press freedom Hence we even went to jail while some of our white colleagues damned us for being activists but did not see anything wrong with themselves donning the then SA Defence Force uniform.

However, press freedom does not exist in a vacuum It must serve SA and help us achieve national objectives, not SA serve it Every freedom has limitations

□ *Mazwai is publisher of Enterprise magazine*

# Diminished press vigilance breeds corruption

Calls for a 'patriotic' SA press should be given a wide berth by all who really care about their country, says **Iden Wetherell** in Harare

(243)

BD 5/9/97

EXPERIENCE in SA's neighbouring states, particularly Zimbabwe, shows how a misguided preoccupation with patriotism in the press compounds problems of governance and development

Deputy President Thabo Mbeki has for some time been urging a more sympathetic treatment of government by the media. And he has been joined by several prominent commentators including Enterprise publisher and Business Day columnist Thami Mazwai, who has called for a patriotic media to reflect SA's national vision

Mazwai last year visited Zimbabwe where the dangers of patriotic journalism are all too evident A political leadership sheltered from criticism has bred complacency and corruption

In the years following independence in 1980 there was a natural tendency by those of us supporting the new dispensation to refrain from criticism. After all, the Zanu (PF) government not only enjoyed an unambiguous electoral mandate but had overcome an oppressive settler regime whose representatives continued to snipe away at the new order from the back benches of parliament. Criticism appeared not only carping but played into the wrong hands

However, the absence of robust journalism in a media regime preoccupied with praise-singing allowed Zimbabwe's new rulers literally to get away with murder.

On the assumption that the exposure of widespread atrocities by security forces in Matabeleland would incite national divisions, the government-owned media repeatedly denied reports of ethnic cleansing carried out to purge potential opposition to then prime minister Robert Mugabe's one-party-state project The true horror of that period has only recently come to light, but Mugabe and his followers refuse to acknowledge responsibility. A largely sympathetic press means there is little pressure on them to do so.

A compliant media also offered no serious criticism of systematic nest-feathering by the government. By the time the press found its voice with the emergence of independent publications in the 1990s, a pattern had already been firmly established whereby national resources were diverted to the upkeep of a political elite

As a consequence, Zimbabweans are immeasurably poorer than they were in the early years of independence Funds which should have boosted health care or develop rural infrastructure have been allocated to a bloated ministerial and bureaucratic class. Presidential mansions proliferate while AIDS tears at the fabric of the nation Distortions in public expenditure are the direct product of an unaccountable leadership nurtured by a media locked in spurious patriotic perspectives.

Vitriolic attacks by the self-appointed patriotic lobby in the state media represent a powerful brake on democratic discourse When the independent press publishes stories about misuse of taxpayers' money or Mugabe's extravagance, it is charged with abusing press freedom

White critics are accused of conspiring to restore the Rhodesian regime, while blacks are pilloried as Uncle Toms.

SA President Nelson Mandela unwittingly lent himself to this characterisation when he said at the end of his visit to Zimbabwe in May that "those trying to deliver basic services to their people become the target of conservative elements in the media".

The reality is different Mugabe's critics in the media would love to see him get his spending priorities right instead of using public resources to keep his party in power. Misgovernance is not the only consequence of an indulgent media. Years of sympathetic journalism have produced widespread cynicism: people no longer believe the "good news" the government media hawks.

While South Africans calling for patriotic reporting are not advocating such state prescription, they should consider the precedents elsewhere on the continent.

Fred M'Membe, battling editor of Zambian daily The Post, notes the connection between an acquiescent media and Africa's poor record of governance He says the phrases "constructive journalism" and "irresponsible journalism" were coined to reward loyalists and castigate critics.

Governments have achieved control over the flow of information, he says, "through blackmail and suppression of all criticism designed to expose the fallacies of their policies and, in some cases, the crimes of their league. Before the people realise it," M'Membe warns, "their hard-won uhuru spawns one tyrant after another, preying on the original commitment of the people"

While SA's media may feel secure, pressure is mounting for them to conform and avoid sensitive investigations which embarrass government If that were to happen, SA's most effective public watchdog would soon lose its bite. Diminished press vigilance harms, more than anybody else, disadvantaged members of society whom advocates of "sunshine" journalism claim to speak for.

□ *Wetherell is assistant editor of the Zimbabwe Independent*

# Constitution refocus needed

## Court may find itself bypassed as press takes role of parliamentary watchdog, writes Graeme Addison

STAR 9/9/97 (245)

The media have been criticised by Mr Justice Albie Sachs for its "thunderous silence" and poor reporting of the decisions of the Constitutional Court. As a journalist and a teacher of journalists for 25 years, I bristled at the accusation that news reports had reflected the "laziest form of journalism" in being banal, inaccurate and misleading

Sachs did concede that the reporting has improved but the substance of his complaint remains the media do not understand, or give enough coverage to, the Constitutional Court

Sachs is going at the problem the wrong way While he is at pains to explain he does not expect the media to act merely publicists, he implies better media coverage would align this country with Western models of democracy

Much is made of the need for the media to discuss constitutional cases, both broaden understanding of the constitution and curb excesses by the arms of government and the courts. It is notable that Sachs finds support for his views in the liberal democratic tradition

But there are marked differences between well-developed Western democracies and our own. The individualism of the West has not taken strong root in our political system, where corporatism, ethnicity and mass solidarity shape the responses to change

The basic issue here is not if the media covers the Constitutional Court well enough to inform a literate middle class who resemble the voters of the West.

The real problem is the media, courts, government and civic organisations are struggling to formulate approaches to the public culture of democracy in an emergent society where most are not middle class and are fragmented ethnically and regionally

The constitutional challenge is also a challenge to nation-building Values such as liberalism cannot be taken for granted, and indeed are under fire from many quarters There is little experience or understanding in the country as a whole as to what constitutes a democratic society and how to live in one

We have been through a wrenching history To establish a human rights culture against this background is going to take more than a debate in the media, although obviously that must form part of the process

Students doing an assignment on public perceptions of the constitution came back with disturbing news. Many middle-class South Africans (not just whites) have not read the constitution and are hazy on what it contains

An interesting finding was that the labour movement and township people generally were far better informed about their rights than the average middle-class suburbanite Middle-class people on the other hand said the constitution was so hedged about with limitations that Government may continue to censor the media and run the country just as it pleases. The dominant impression was one of "no real change"

This seems to reflect deeply engraved suspicions that the new South Africa is the product of a deal between political elites who have substituted one set of rulers for another.

Utterly untrue as this may be, there is a perception the Government still has untrammelled authority. Cabinet ministers are reportedly missing parliamentary question-time, while more and more laws give power to the executive to make policy and decree regulations behind closed doors.

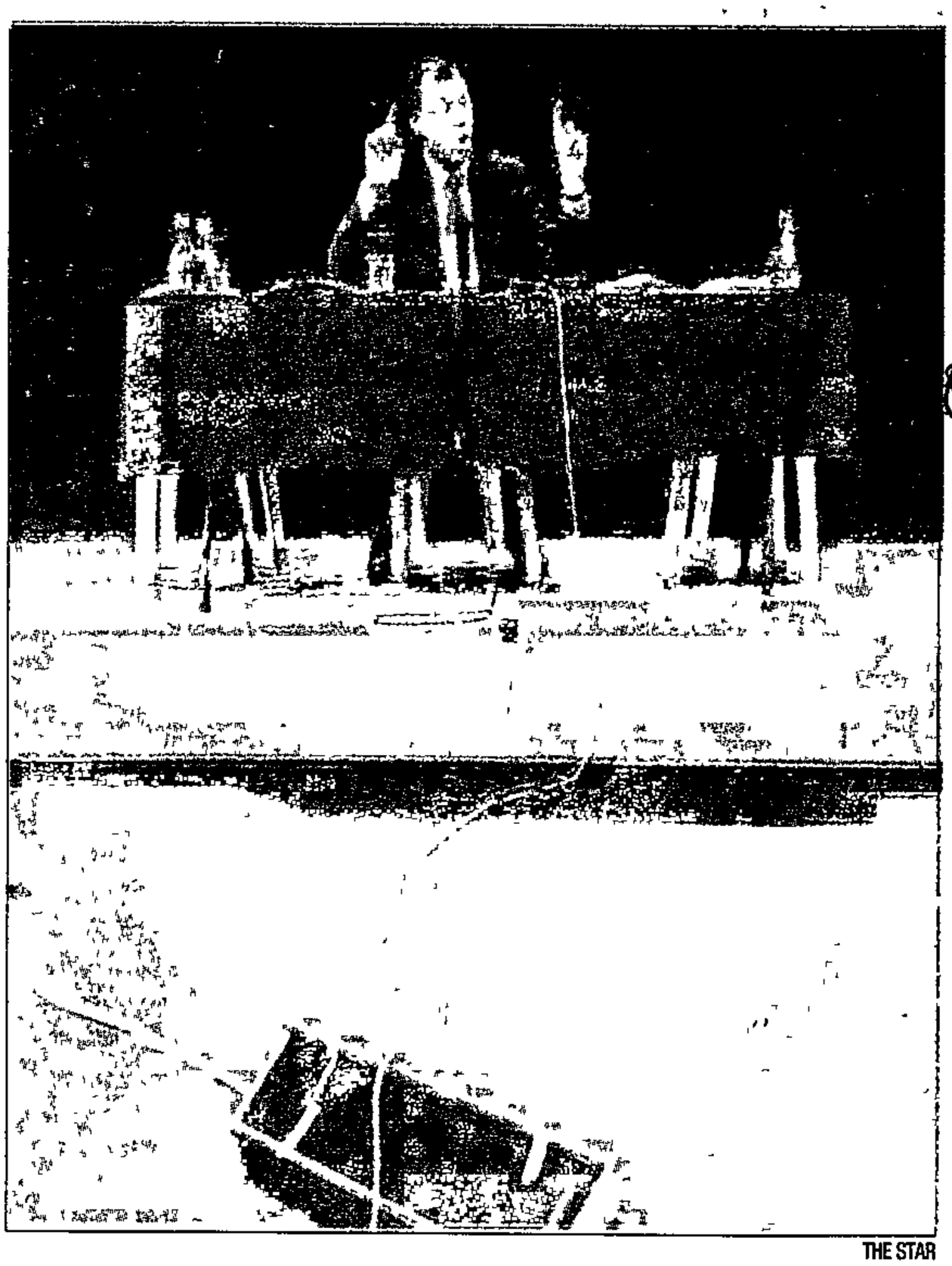
In this situation the Constitutional Court may find itself bypassed while the press continues to act as an extra-parliamentary watchdog Ideally the media should educate people to demand that government remain open and accountable. the fact is in a party-dominant system the ANC can brush off its critics

Recourse to the Constitutional Court to review laws and control the executive is an arduous process for which few citizens have the resources, even if they have the urge It can be readily admitted that most newspapers, magazines and broadcasting stations have done a poor job of covering the Constitutional Court so far. Educators like myself used to focus on how to avoid apartheid laws because there was no system of judicial review or bill of rights protecting freedom of information and expression

Today, with greater freedoms, media organisations need to provide training in constitutional law and weld a new awareness among journalists of the nature of a political system based on the separation of powers.

At the same time, the Constitutional Court has a responsibility to educate the public by means of publications, videos and workshops. The culture of rights and accountability is not something ready-made that simply springs into view with the judging of cases and coverage by the media.

■ *Professor Graeme Addison teaches journalism at Allenby Campus and was head of the Natal Technikon and University of North-West media departments*



THE STAR

**Tables turned:** SABC3 boss Louis Raubenheimer at yesterday's TRC media hearing

# Tutu upset by Afrikaans press snub

(243) ARG 16/9/97

**Johannesburg – Truth Commission chairman Desmond Tutu is "distressed" over the negative attitude of the Afrikaans press towards the commission's media hearing this week.**

But he still hoped it would testify, he said yesterday

One of the two giants of the Afrikaans media, Nasionale Pers, said it would not testify, but sent a copy of its company history.

Archbishop Tutu said allegations had been made that the Afrikaans press had been the "sycophantic lap-dog" of the National Party government and the commission would not be able to determine the truth of this allegation if the press did not testify

"It will hamper our work since an important voice will be missing ... they (the Afrikaans media) should certainly not blame the Truth Commission if we only reflect the views that were put before us"

He doubted whether the media was guilty of gross human rights violations

q Kotze told the TRC yesterday that he had sp
was a crime reporter with the newspaper

# How the security police used the media for propaganda

(243) (252) Star 17/9/97

## Joe Slovo, Allan Boesak, other activists and anti-apartheid groups were discredited and embarrassed by stories that were planted in the press by SA's intelligence agents

By Robert Brand

Former security force intelligence officers yesterday gave details before the Truth and Reconciliation Commission of "strategic communications" (Stratcom) projects to manipulate the media.

Vic McPherson, who was the head of the security police Stratcom unit in the late 1980s, said he had personally "run" six projects in various newspapers during 1989 and 1990

■ A Mozambican intelligence officer who defected to South Africa, George Da Costa, was sent to Republikeinse Pers, which published Scope magazine, with fake documents which could embarrass the Mozambican government. Scope bought the documents for R11 000 and ran a five-part series which had "quite an impact", McPherson said

■ During Operation Vula, police investigators confiscated a number of computers and cracked the code used by the Vula operators in their intelligence reports One of these reports, which revealed that Joe Slovo was involved in Operation Vula while being part of the ANC negotiating team, was leaked to "certain journalists".

"This caused great embarrassment for Mr Slovo and he came close to being withdrawn from the negotiation team," McPherson said.

■ Cliff Saunders, the SABC's London representative, was given information and photographs about "trained terrorists" visiting the ANC's London offices This was intended to embarrass the ANC and the UK government, which had refused to act against the organisation The documentary "had an impact" with the British government, McPherson said.

■ When police spy Olivia Forsyth was released from detention in the ANC's Quatro camp in Angola, The Pretoria News got hold of a copy of the statement she had made to her ANC interrogators The statement gave details of security police operations and spies

"We approached the editor of The Pretoria News and said we would give them the exclusive story, but we wanted them to publish our side of the story at the same time.

"The intention was to discredit Forsyth so that her statement could not be believed The operation was a success"

### Author was given access to Winnie's police files

■ After the election of the ANC's National Executive Committee upon the organisation's return to South Africa, information was leaked to The Citizen on the SA Communist Party affiliations of NEC members.

"The Citizen ran a story headlined: '37 Reds selected to top ANC body'. The purpose of the operation was to show that SACP members were in control of the ANC," McPherson said.

■ Before the Gaborone raid – in which 13 people, mostly women and children, were killed – police had already prepared detailed statements for the media, identifying the targets

This resulted in misinformed reporting about the raid, McPherson said: "The headline in the Sunday Times the next day was 'The Guns of Gaborone'"

■ Security police gave American author Emma Gilbey access to their files on Winnie Madikizela-Mandela for the purposes of a book she was writing on the future president's wife

Another intelligence operative, Craig Williamson, said news was manipulated to discredit leaders of the United Democratic Front.

Police leaked information about South African Council of Churches president Allan Boesak's affair with his secretary, Di Scott

"The Star eventually published the allegations," Williamson said

# Former Star reporter confesses he was a mole

Star 17/9/97 (243)

By Robert Brand

Director Craig Kotze, communications adviser to Police Commissioner George Fivaz, yesterday confessed for the first time that he was an undercover police officer while he worked as a journalist at The Star

Kotze said he had been recruited by the security police to counter the "negative" reporting on police by English liberal newspapers.

There were titters among the audience when Kotze said his job as an undercover agent for the police was not to spy on colleagues, but merely to produce "good journalism"

"My task was to report, within the normal journalistic channels and processes, on what was being done to fight crime and violence.

"It was my mission to balance what I came to perceive as a bias in the English media against the police"

Sporting a handlebar moustache and dressed in civilian clothes, Kotze said he had not joined the police out of ideological conviction, but because he felt it was the organisation best equipped to help bring about peaceful change in South Africa.

"To put it bluntly, everybody was forced to choose sides in an ever-growing conflict. I chose the SAP and SADF not to defend apartheid, not to fight the liberation of black people, but to prevent slaughter."

> **Everybody was forced to choose sides**

There was more laughter when Kotze described the police as an organisation devoted to peaceful change, in contrast to the liberation movements which killed "thousands".

Kotze joined The Star as a cadet reporter in 1984 At the time, he was not a security police member, although he was an officer in the Citizen Force.

He said he was recruited by the security police after becoming a journalist, and had managed to attain the rank of captain by the time he left in 1990

Kotze was a crime reporter and military correspondent

He said he was never favoured in his journalistic work by the "normal police structures", which did not know that he was an agent.

"I was expected to operate like any other journalist and I was, in fact, often scooped by opposition media on some big stories," Kotze told the truth commission

## Alternative press 'remained pure'

The alternative media in the Western Cape faced security branch harassment, but still managed to produce newspapers which reported on community issues, the TRC heard in Johannesburg yesterday.

Journalists were shot, banned and detained, the premises of Grassroots newspaper burnt down and editions were banned. Reporters were the victims of a constant campaign of harassment.

Grassroots editor Rashid Seria told the hearing into the media that the alternative press had refused to compromise its reporting, while the mainstream media had opted for self-censorship – Sapa

# NPU 'forced to liaise with SADF'

Star 17/9/97

The Newspaper Press Union was forced to liaise with the former Nationalist government's defence department to ensure some news was reported during the apartheid years, the Truth and Reconciliation Commission heard in Johannesburg yesterday

"The incentive was that some news was better than no news," former NPU president Jolyon Nuttall told a TRC hearing into the media

The NPU met the SA Defence Force as part of the defence liaison committee, of which Nuttall, as NPU president, was co-chairman. Nuttall was NPU president from September 1988 until September 1990

From 1981 to 1991 he was the manager of The Star, and for a while the Sowetan, during his tenure at Argus Newspapers (now the Independent Group), from which he retired in 1991.

Speaking in his own capacity, Nuttall said the NPU did not speak out enough against apartheid. It also failed to encourage diversity, especially in print, and could have done more than it did, especially in terms of training and product development

"Essentially this was because members were focused on their well-being and the survival of their own newspaper," he said

It was also because half of the NPU members belonged to the National Party.

"The *Engelse pers* was seen as as much of a danger as the *swart gevaar*," Nuttall said (243)

He said he had not enjoyed participating in the liaison committee

"It was not my practice to hob-nob with the defence force or police."

Nuttall told commissioner Hlengiwe Mkhize that the relationship between the media and the SADF deteriorated in the 1970s and 1980s, becoming "at best frigid, at worst hostile". – Sapa (252)

CT 17/9/97

# Papers deeply regret racist past

(243) 252

**JOHANNESBURG:** Newspapers of the Argus group (now Independent Newspapers, owners of the Cape Times) did not do nearly enough to fight apartheid, both nationally and in their newsrooms, executives of the company told the TRC yesterday

But the company had recognised its shortcomings, and had embarked on "vigorous" transformation to overcome them, chief executive Mr Ivan Fallon told the TRC's special hearing on the media

The company's submission was delivered by Fallon, Independent Newspapers Cape managing director Mr Rory Wilson, editorial director Mr Shaun Johnson and Cape Argus editor Mr Moegsien Williams

"While there were many achievements at the old Argus, there were too many shortcomings.

"We make no bones about that, and we regret them deeply," Fallon said

"But the company has changed dramatically. (We) are now involved in a vigorous process of transformation"

Fallon rejected a statement made earlier during the hearing by Mr Thami Mazwai, head of Mafube Publishing and a former Argus employee, that the "apartheid mindset" lived on at Independent Newspapers

"Whatever has been said about the old Argus Newspapers, Dr Tony O'Reilly and Independent Newspapers (which bought the company in 1994) have been from the outset significant friends of the new South Africa," said Fallon

Wilson detailed the company's shortcomings and said although many editors and journalists had taken a "courageous stance" in opposing apartheid, more should have been done.

"We believe the mood of the country is now rightly focused on injustices of the past, and on remedial steps," said Wilson

"Our company made insufficient efforts to overcome the obstacles of apartheid. Our staffs were generally too white, and blacks were only introduced on any major scale during the 1970s.

"We made insufficient attempts to generate news from disadvantaged communities, and this led to a distortion.

"The alternative press showed up our company for having lost touch with the oppressed masses."

Wilson said Independent's new management was doing "a great deal" to overcome historical imbalances through training, a "fast track" programme for previously disadvantaged staff, an executive development programme and a "comprehensive affirmative action programme" negotiated with all its trade unions. — Own correspondent

# Alternative press beat odds

ET 17/9/97

(252) (243)

**JOHANNESBURG:** The alternative media in the Western Cape faced security branch harassment and intimidation, but still managed to produce newspapers which reported on grassroots and community issues, the Truth and Reconciliation Commission heard here yesterday.

Journalists were shot, banned and detained, Grassroots premises were burnt down and editions were banned by the Publications Control Board Journalists were the victims of a constant campaign of harassment, including having their door locks sealed with glue, forcing them to be broken open and replaced.

Rashid Seria, one of the founders of Grassroots told the hearing into the media's role during apartheid that the alternative press refused to compromise its reportage of events in the country, while the mainstream media opted for self-censorship through the Newspaper Press Union.

Seria said the alternative media was an expression of a resurgence of activism in the late 1970s after the state's repression following the 1976 student uprising in Soweto.

Newspapers such as Grassroots Community Newspaper, Saamstaan magazine, New Era, Learning Roots and South continued to report on rural and township news.

"These publications were successful, not only in delivering news, but also in organising communities in opposition to apartheid and assisting in the establishment of community organisations," Seria read from a report prepared by various alternative press journalists

He said the alternative media filled a void left by the virtual absence of news from townships and rural areas because of a lack of reportage by the mainstream media.

It sought to counter the depiction of the struggle as a terrorist/communist-inspired insurrection, gave communities a voice and built community groups, he said. — Sapa

## 'FW WAS FULLY BRIEFED'

# Spy web in SA newsrooms

CT 17/9/97 (243)

**JOHANNESBURG:** Police spies in the newsrooms of South African newspapers and other news organisations were used to spy, manipulate the news and give positive coverage to the police and military.

THERE had been more than 40 informers working for the old intelligence services in the newsrooms of South African newspapers in the late 1980s, the Truth and Reconciliation Commission heard yesterday

Their role had been to spy, to manipulate news and to ensure "positive" coverage of the police and military

Then state president Mr F W de Klerk had been fully briefed about these clandestine "strategic communications" (Stratcom) operations, former security policeman Mr Vic McPherson told the commission's special hearing on the media

McPherson, who was in charge of the security police's Stratcom unit in 1989 and 1990, said he had personally established a network of about 40 "contacts" in the media, including undercover police officers, paid informers, well-disposed journalists and unwitting sources

The media had been a target for infiltration because the state saw them as a tool for propaganda and counter-revolutionary strategies, McPherson said

One of the undercover police officers had been Craig Kotze, a police captain who worked at The Star for six years He later became a spokesman for Law and Order Minister Adriaan Vlok, and is now communications adviser to Commissioner George Fivaz Another had been John Horak, who worked at several newspapers and the SABC for 27 years

McPherson said his own network had also included eight paid informers and about 30 other "contacts", such as unwitting sources and journalists who were well-disposed to the security forces

These agents had been based at more than a dozen news organisations the Sunday Times, The Pretoria News, The Star, Rapport, the SABC, Beeld, the Citizen, Sapa, Reuters, Huisgenoot, Insig, Republikeinse Pers, Rooi Rose and the BBC's South African office

The aim of media infiltration had been to wage "psychological warfare" against liberation movements All Stratcom projects had been approved by the minister of police and, in principle, by the president

Many of the projects had been intended to discredit leaders of the Mass Democratic Movement through the publication of prominent reports embarrassing them

The budget for media-related Stratcom projects had been R50 000, out of a total Stratcom budget of R4,5 million, McPherson said The money had been used to pay informants, for travel expenses and to entertain journalists

"Compared to other operations, it was actually quite cheap," he said

McPherson said he had personally "run" six projects in various newspapers during 1989 and 1990 These were

● A Mozambican intelligence officer who defected to South Africa was sent to Republikeinse Pers, which published Scope magazine, with fake documents to embarrass the Mozambican government Scope bought the documents for R11000 and ran a five-part series

● During Operation Vula, police investigators confiscated a number of computers and cracked the code used by the Vula operators in their intelligence reports One of these reports, which revealed that Joe Slovo was involved in Operation Vula while being part of the ANC negotiating team, was leaked to "certain journalists"

● Cliff Saunders, the SABC's London representative, was given information and photographs about "trained terrorists" visiting the ANC's London offices This was intended to embarrass the ANC and the UK government

● When police spy Olivia Forsyth got out of detention in the ANC's Quatro camp in Angola, the Pretoria News obtained a copy of the statement she had made to her ANC interrogators

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"The Citizen ran a story headlined: 37 Reds selected to top ANC body," McPherson said

● Before the Gaborone raid in which 13 people were killed, mostly women and children, police had already prepared detailed statements for the media identifying the targets, McPherson said

**UDF A TARGET:** Craig Williamson

● Security police gave American author Emma Gilbey access to their files on Winnie Madikizela-Mandela for the purposes of a book she was writing on the future president's wife

Another intelligence operative, Craig Williamson, said news was manipulated to discredit leaders of the United Democratic Front

Police had leaked information about South African Council of Churches president Dr Allan Boesak's affair with SACC staffer Ms Di Scott "The Star eventually published the allegations," Williamson said

McPherson said he had personally made a submission to De Klerk in 1989 on the media Stratcom projects De Klerk had approved the projects on condition they were "peaceful" — Own Correspondent

● See Page 5

# Media 'riddled with spies and informers'

## *Network controlled by police*

ARG 17/9/97 (243) 25

**Johannesburg – About 40 journalists, two of them serving policemen, made up a network of agents and informers controlled by the police in 1989 and 1990, the Truth Commission's media hearing was told.**

Head of the police covert strategic communications unit Vic McPherson told the hearing here yesterday his network included journalists working for some of South Africa's most influential publications and news agencies.

These included the Sunday Times, Pretoria News, Rapport, Beeld, The Citizen, The Star, BBC News, Reuter, Sapa, SABC TV and radio, Rooi Rose, Huisgenoot, Republican Press and Insig

"Some of them still occupy high positions," said Superintendent McPherson.

Only two, Craig Kotze and John Horak, were full-time police officers.

Four had been paid agents; four had been used as informants occasionally; 10 were friends or contacts and 20 were journalists who were used without their knowledge.

ON THE TRUTH COMMISSION

Superintendent McPherson, who headed the covert unit in 1989 and 1990, said the unit had since 1985 been part of the apartheid-government's National Management System which was controlled by the secretariat of the State Security Council

A presentation of secret projects was made annually to the state president for approval and confirmation of access to secret funds

While he headed the unit the presentation was to then president F W de Klerk and some members of his cabinet in December 1989

The total budget for police secret projects in the 1989-90 financial year was R4,5-million, of which less than R50 000 had been spent on the media.

Responding to questions, Superintendent McPherson said Mr De Klerk would not have known the identities of the journalists nor the details of the projects

Mr De Klerk had approved only the aims and objectives of the projects and had insisted that the main aim had to be propagating peace.

After February 1990, when Mr De Klerk made his watershed speech unbanning the liberation movements, media projects had continued but secret projects had been cut by more than half

"A lot of people who had been working for us were getting scared and some had gone to the ANC and confessed," Superintendent McPherson said

"We had to give an assurance to Mr De Klerk that these people (being paid with new secret funds) wouldn't go over as well and embarrass the government."

■ Superintendent McPherson is applying for amnesty for his role in blowing up the ANC offices in London

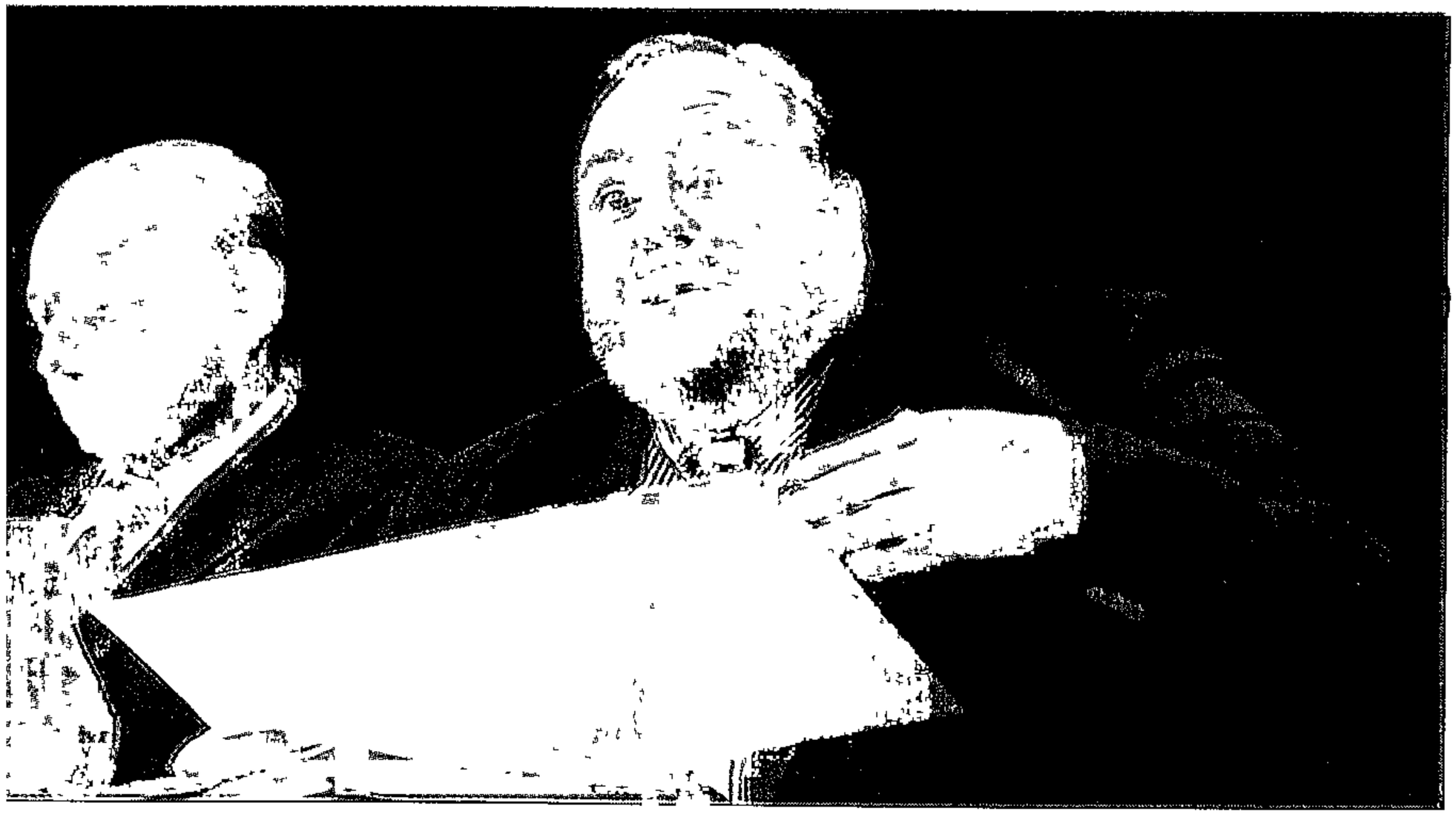
## Informers in media 'two-a-penny'

Johannesburg –Informers in the media were "two-a-penny" according to former police agent and journalist John Horak.

Some of them were motivated by professional jealousy and getting rivals out of the way in the promotional stakes, he told the Truth Commission

Mr Horak told the commission's media hearing here yesterday that he had "not been very secret"

To laughter from the audience, he said· "Today more people on newspapers are working as agents and informers than there were for the old government " He claimed the ANC government had asked him to help set up its new secret service and had offered him deputy-ambassadorship in Moscow, but he had declined because of ill-health.



**ıing the stand:** apartheid 'superspy' Craig Williamson at yesterday's media hearing

# Stratcom head tells of forged leaks

**ıannesburg – Documents rporting to come from the elimo government – implicating abinet minister in condemning 'en heroes of the Mozambique eration struggle to death – ere forged and sold to Scope gazine for R11 000".**

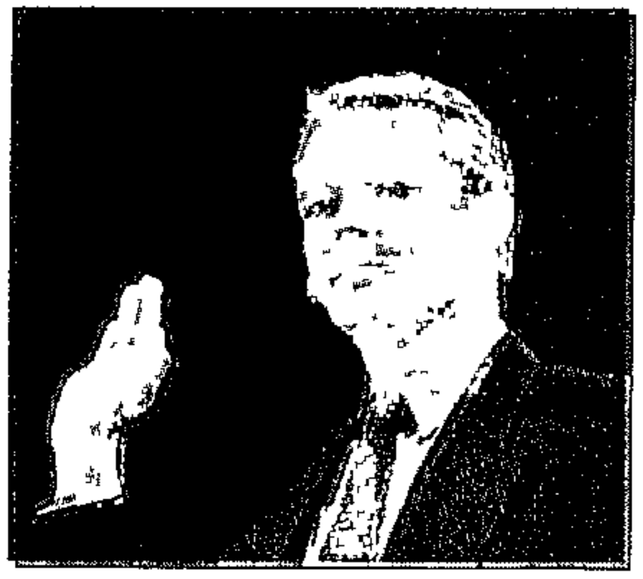
This was one of the secret projects ı by the SA Police's covert strate- communications unit, former ıt head Vic McPherson told the Truth Commission's media hearing

Superintendent McPherson said the information in the document was true and had been obtained from George de Costa, head of Mozambique's intelligence service, who defected to South Africa

But because Mr De Costa had no documentary proof, this had been forged and sold to Scope, which had published it in five issues "He (the minister) lost his job, but was later reappointed," Superintendent McPherson said

Another project was leaking information about Operation Vula, an SA Communist Party plan to establish an armed underground structure in case negotiations failed The information implicated the late Joe Slovo

"It was leaked to certain journalists and caused a great deal of trouble, and he (Mr Slovo) nearly lost his negotiating post "



**I spy:** former journalist Craig Kotze

# I was an agent – newsman

**Johannesburg – A former crime reporter of The Star, Craig Kotze, has acknowledged publicly for the first time that he was a security police agent while working for the newspaper.**

Mr Kotze joined The Star as a cadet reporter in 1984 and when he left in 1990 held the rank of captain in the police He was appointed spokesman for the Ministry of Law and Order, serving ministers Adriaan Vlok and Hernus Kriel, and is now communication adviser to police commissioner George Fivaz, with the rank of director

"I chose the SAP and SADF, not to defend apartheid, not to fight the liberation of oppressed black people per se, but simply to avert the slaughter of Ruanda, Liberia, Ethiopia, Chad, Sudan, Matabeleland, Angola and Mozambique in South Africa "

# We risked our lives to tell truth, say

**Johannesburg – Many black journalists and political activists who produced "alternative" publications during the anti-apartheid struggle were prepared to risk their lives to tell the truth of what was happening in their communities.**

This was testimony yesterday to the Truth Commission's media hearing by Rashid Seria, Moegsien Williams and Johnny Issel, representing those who were involved in producing publications such as Saamstaan, Grassroots and South.

They told the hearing media laws and restrictions had been designed by the apartheid government to allow a one-sided picture to emerge

"The mainstream newspapers opted for survival and profit and developed and perfected their own self-censorship code through the Newspaper Press Union

"The alternative media, on the other hand, refused to compromise on telling the true story and many black journalists and political activists were prepared to take risks which were greater than commercial consideration – that of placing their lives at risk"

Factors influencing formation of the alternative media included the need to "fill the void" left by the virtual absence of news from townships and rural areas in the mainstream media and to counter depiction of the liberation struggle as a "terrorist/communist-inspired insurrection"

The state's response was completely out of proportion Incidents included the shooting of two journalists, an

# editors of 'alternative' press

(243) ARG 17/9/97

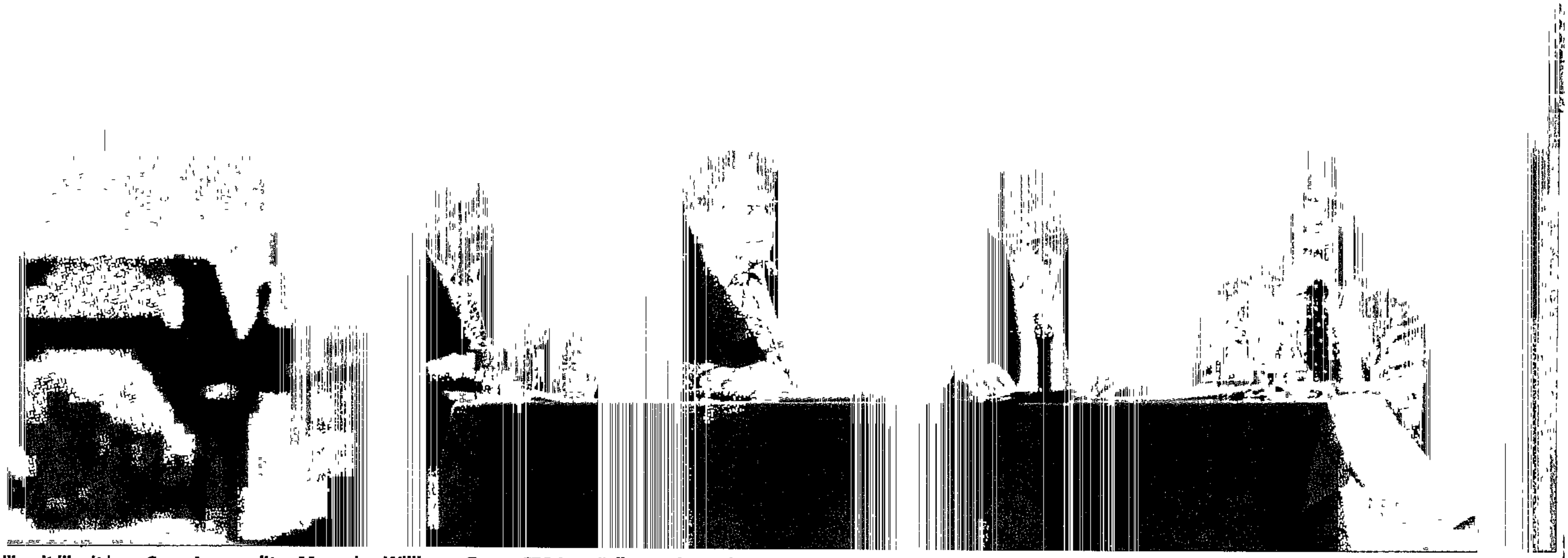
arson attack which destroyed the Grassroots premises in central Cape Town, the banning and detention of those involved in the alternative media, and the banning of "countless" editions.

The front pages of the alternative media had been devoted almost entirely to human rights abuses. "It is therefore our submission that the state's actions against our publications could be considered a human rights violation in itself"

Responding to questions by the Truth Commission panel, Mr Issel, now a Western Cape government MP, said the alternative media provided a voice for the poor and oppressed and there were "very strongly felt hopes and dreams" that the democratic government would help poor people have a media voice "And I think that view still prevails," he added

Mr Williams, editor of the Cape Argus, said it was important for Press freedom that as many alternative voices as possible were heard.

But because mainstream newspapers were now being aimed at very specific groups, it was "a bit naive" to expect them to cater for the interests of all those previously served by the alternative media



lling it like it is ... Cape Argus editor Moegsien Williams, Group CEO Ivan Fallon, Independent Newspapers Cape managing director Rory Wilson and Group Editorial Director Shaun Johnson at ,pecial media hearing of the TRC in Johannesburg yesterday.

# Independent group redressing wrongs of past

(222) (243)

## ewspapers in Argus group did not do nearly enough to fight apartheid, says chief executive Ivan Fallon

Star 18/9/97

ROBERT BRAND

Newspapers of the Argus group (now Independent Newspapers) did not nearly enough to fight artheid, both nationally and their own newsrooms, execves of the company told the uth and Reconciliation Comssion yesterday.

But the company had recoged its shortcomings and had barked on a "vigorous" pros of transformation to overne them, chief executive n Fallon told the TRC's special hearing on the media

The company's submission was delivered by Fallon, Independent Newspapers Cape managing director Rory Wilson, editorial director Shaun Johnson and Cape Argus editor Moegsien Williams

"While there were many achievements at the old Argus, there were too many shortcomings We make no bones about that, and we regret them deeply,' Fallon said

"But the company has changed dramatically (We) are now involved in a vigorous process of transformation "

Fallon rejected a statement made earlier during the hearing by Thami Mazwai, head of Mafube Publishing and a former employee of Argus Newspapers, that the "apartheid mindset" lived on at Independent Newspapers.

"Whatever has been said about the old Argus Newspapers, Dr Tony O'Reilly and Independent Newspapers (which bought the company in 1994) have been from the outset significant friends of the new South Africa "

Wilson detailed the company's shortcomings and said, although many editors and journalists had taken a "courageous stance" in opposing apartheid, more should have been done

"We believe the mood of the country is now rightly focused on injustices of the past, and on remedial steps

"Our company made insufficient efforts to overcome the obstacles of apartheid laws Our staffs were generally too white, and blacks were only introduced on any major scale during the 1970s

"We made insufficient attempts to generate news from disadvantaged communities, and this led to a distortion of the news The alternative press showed up our company for having lost touch with the oppressed masses "

Wilson said Independent Newspapers' new management was doing "a great deal" to overcome historical imbalances through training, a "fast track" programme for previously disadvantaged staff, an executive development programme and a "comprehensive affirmative action programme negotiated with all its unions

"One of the major focuses of our daily business has to do with the transformation of society," Wilson said

"But we need to say while we're on the right track, we still have a long way to go We regard our company as one of the great institutions of South Africa We have a very important role to play in the future of the country, and we want to make a contribution in all areas of the new South Africa "

The Star Wed 3 September [illegible]

# State used defamation laws to silence critics

(243) Star 18/9/97

By Robert Brand

New evidence was submitted to the Truth and Reconciliation Commission yesterday suggesting that former police forensics chief General Lothar Neethling *had* manufactured poisons to kill activists.

Neethling sued the Afrikaans weekly Vrye Weekblad in 1992 for alleging that he had supplied chemicals used by police, to drug activists who were later murdered. He won the defamation suit on appeal, burdening Vrye Weekblad with massive legal costs and leading to the closure of the newspaper.

Former Vrye Weekblad editor Max du Preez, now a television journalist, told the TRC's media hearing yesterday new proof had emerged that showed that Neethling had lied to the court during the defamation battle.

Du Preez also submitted evidence contradicting a claim by the former government that Anton Lubowski, the Swapo activist who was murdered in Namibia in 1989, had been an agent of the South African military.

Du Preez said the state, recognising the political risk to itself in closing down Vrye Weekblad, had resorted to the courts in an attempt to muzzle the newspaper.

Du Preez submitted an affidavit by a former state prosecutor, Johan van der Heever, in which Van der Heever alleges Neethling had told him about poison developed in the police forensics laboratory.

Van der Heever, who had used Neethling as an expert witness in a trial, alleges that the forensics chief had bragged to him about a poison developed in his laboratory which could induce a heart attack and could not be traced in post-mortem examinations.

"Neethling had testified under oath .. that nothing like this ever happened in his laboratory," Du Preez said. "Vrye Weekblad was closed because of (his) perjury.

"Neethling did in fact secretly prepare different kinds of poisons with the exclusive purpose of killing opponents of the apartheid government," Du Preez said.

Turning to Lubowski, Du Preez said a statement by former defence minister Magnus Malan that the Swapo activist had been an agent for the South African military was "a lie".

**"Neethling 'did make poisons to kill govt opponents'"**

He said Rich Verster, the former South African military agent now standing trial in the UK for drug smuggling, was prepared to testify that he was sent to Namibia in 1989 to recruit Lubowski.

On the night of Lubowski's assassination, Verster was ordered to return to South Africa immediately.

Du Preez said Military Intelligence later forged papers to prove their claim that Lubowski was their agent.

Lubowski was gunned down by suspected South African agents outside his Windhoek home. The SA government denied involvement.

# 'Black journalists must take up their rightful places on papers'

(243) (252) Star 18/9/97

The battle for the heart of South Africa's media industry had moved beyond the black ownership of newspaper houses to true black control in the newsrooms, the Truth and Reconciliation Commission heard yesterday.

Black journalists expressed their anger and humiliation at the treatment of news and of black journalists by white-owned newspapers during the apartheid era

Forum of Black Journalists executive members Abbey Makoe and Mondli Makhanya, who started their journalism careers in the 1990s, outlined their organisation's aim of promoting the training and advancement of black journalists.

Sowetan night editor Mike Tissong, who cut his journalism teeth in the eighties, outlined the cost of ignoring the voice of black journalists at that time He started his career as a cub reporter at The Star.

Tissong described how a young white journalist who was given the opportunity to sit on the newsdesk to check copy "acted as she felt against staff who were not white". Tissong said although his stories were used as he had written them, his byline was removed.

"And there was no recourse for the black staffer who was subjected to this offensive treatment," said Tissong.

Tissong said there was also a tendency among senior white journalists to disbelieve stories filed by black staff

He cited as an example the incident in Duduza on the East Rand when a number of young activists blew themselves up after trying to use hand-grenades that were booby-trapped.

"Rich Mkhondo (a reporter on The Star) and I received calls one morning that several youngsters in Duduza township had died in explosions· Rich set off for the township while I stayed in the office to pull the story together Our contacts were adamant that a

Mike Tissong ... accusations.

security policeman had infiltrated the group and given them grenades which were set to explode as soon as the pins were pulled He convinced the group that he was a trained Umkhonto we Sizwe (the ANC's armed wing) guerrilla who needed them to carry out a mission."

He said some of the youngsters were killed and others maimed when they tried to attack homes of councillors.

Tissong said when he filed the story he was met with disbelief at the angle he had taken, and a white reporter was asked to get the police version of what happened.

"The whole story was made into a watered down version of what happened that night," he said.

Despite this, Tissong said, police laid charges over the report.

"I went to court alone to face charges in terms of an Act in which it was an offense to tell lies about the police After several trips to court, my attorney and I were informed that the police were dropping the case"

About 10 years later Vlakplaas police operative Joe Mamasela boasted on television that he had set up the operation to have youngsters killed and maimed, Tissong said – Sapa and Staff Reporter

# The Star in firing line at special TRC media hearing

Star 18/9/97 (243) 252

The Star came under attack yesterday at the Truth and Reconciliation Commission's special hearing on the media.

Independent Newspapers (formerly Argus Newspapers) admitted its publications had not done enough to fight apartheid – but added that it was doing its best to make up for past shortcomings.

"While there were many achievements in the old Argus, there were too many shortcomings, and we regret them," said chief executive Ivan Fallon at the hearing in Johannesburg.

"But the company has changed dramatically. (We) are now involved in a vigorous process of transformation"


► **Independent redressing wrongs of past**
. . *Page 6*


In other submissions:

■ New evidence was submitted to the Truth and Reconciliation Commission yesterday suggesting that police forensics chief Lothar Neethling manufactured poisons used to kill.

Max du Preez, former editor of Vrye Weekblad, said the evidence showed Neethling had perjured himself in a defamation suit against Vrye Weekblad, which had to close down when the Appeal Court found in Neethling's favour.


► **State used defamation laws to silence critics**
.. *Page 6*


■ Poet and writer Don Mattera called for a "total catharsis" and for the media to speak for all South Africans.


► **Media responsible for 'holocaust of truth'**
. *Page 6*


■ Sowetan night editor Mike Tissong, who cut his journalism teeth in the '80s at The Star, spoke of the cost of "ignoring" the voice of black journalists.


► **Black journalists 'must take rightful places'**
. *Page 6*


■ Potchefstroom media academic Professor Arri de Beer said the "disregard" of the TRC by the Afrikaans press could be equated with the murderous attitudes of the Vlakplaas killers.


► **Academic slams Afrikaans media**
. . *Page 6*


■ The Forum of Black Journalists said mainstream newspapers "openly took the side of apartheid" by maintaining separate amenities and opposing actions taken to fight apartheid. Veteran journalist Jon Qwelane, a former employee of The Star, accused the mainstream press of "active collusion with apartheid"


► **Mainstream 'colluded with apartheid'**
.. *Page 7*


■ Cyril Ramaphosa said Times Media Limited was committed to transforming itself. He said criticisms of the way TML's newspapers had produced news were true, particularly coverage of news relating to black people. This, and people's mindsets, had to change Ramaphosa also gave the assurance that black empowerment at boardroom level would be accompanied by empowerment in the company's newsrooms.


► **TML will transform itself – Ramaphosa**
.. *Page 7*

# Mainstream press 'colluded with apartheid'

## Editors 'waxed eloquent in stinging editorials condemning the system' but failed to match words with action, and used repressive legislation against black journalists who opposed the government, says media veteran Jon Qwelane

Star 18/9/97 (243)

BY MIKE MASIPA

South Africa's mainstream newspapers colluded with apartheid to oppress blacks and spread disinformation about the system, the TRC heard yesterday.

Detailing their personal experiences in the employ of mainstream liberal newspapers, leading black journalists Jon Qwelane, who is now editor-in-chief of Mafube publishing, and Thami Mazwai, a director at the same company, said the mainstream media in the country were well placed to challenge the injustices of apartheid. Instead they chose to do otherwise.

They accused the country's main newspapers, including The Star, the Sunday Times and the now-defunct Rand Daily Mail, of using apartheid legislation against black journalists who fought the system

Qwelane lambasted the editors for concluding a pact with former state president PW Botha in agreeing that the country was in danger of a total communist onslaught in the 1980s. Shortly afterwards Botha declared a state of emergency which resulted in gross violations of human rights.

"I want to charge all the mainstream newspapers – English and Afrikaans – with collusion with apartheid and having a hand, directly or indirectly, in the subsequent murder of tens of thousands of black people by the apartheid army and police. I'm not off my rocker," Qwelane said.

He told the commission that by deciding not to publish stories that highlighted the political problem then and black people's struggle against apartheid, the mainstream newspapers denied the public a basic human right, the right to be informed.

Qwelane said the editors "often

Jon Qwelane ... all guilty.

waxed eloquent in stinging editorials, condemning the apartheid system" but failed to match their words with action

The newspapers also practised apartheid in the workplace.

"Black journalists were not given any training at all. Indeed everything that I know about journalism has been learnt by trial and error," Qwelane said.

"In very many cases the lack of training was often used as a convenient excuse to deny black journalists promotion on the newspapers on which they worked. It often depended on the goodwill of the particular editor to correct what was evidently wrong in denying blacks promotion "

Qwelane said black journalists were paid less than their white counterparts.

Both Qwelane and Mazwai cited cases in which editors hid behind the state apparatus to punish black journalists for defying apartheid

Mazwai said that while working at the Rand Daily Mail, he was once made to forfeit his leave for the two days he had spent in police detention after taking part in a march in 1978 Qwelane said The Star refused to pay him for three months after he had refused to register at the pass office, as required of black workers.

The collusion with apartheid went even further because facilities at these newspapers were also separated along racial lines, Qwelane said Blacks could not share canteens and toilets with their white colleagues. Black facilities left much to be desired, Qwelane said

"Were these not human-rights violations?" he asked

He acknowledged, however, that there were "periodic flashes of courage and brilliance (by mainstream newspapers) by exposing the gross injustices under which we lived, to the rest of the world Here one has in mind the reportage on the inhuman conditions in South African prisons, the Info scandal, the unmasking of the CCB and the exposé of Vlakplaas."

The Star Thursday September 18 1997

# Times Media will 'transform itself', says Cyril Ramaphosa

Star 18/9/97 (243)

Media group Times Media Limited was committed to transforming itself, Cyril Ramaphosa told the Truth and Reconciliation Commission yesterday

Ramaphosa, who headed TML's submission to the TRC hearing on the role of the media during apartheid, said English newspapers had played "in the main" a courageous role in unearthing the evils of apartheid, but more had to be done

He said criticisms of the way TML's newspapers had produced news were true, particularly coverage of news relating to black people. This, and people's mindsets, had to change

He gave the assurance that issues raised in the hearings had not "gone in one ear and out the other"

His editors were attending the hearings and were paying particular attention to the criticisms and were "internalising" them, he said

Ramaphosa also gave the assurance that black empowerment at boardroom level would be accompanied by empowerment in the company's newsrooms.

"It's early days yet, but major steps are going to be taken to transform institutions and fortunately we have taken it up as a strategic objective to ensure we have a fair, true representation of the country's demographics in the make-up of our company," he said.

Submission ... Cyril Ramaphosa .

## Denial that Rand Daily Mail closure was politically motivated

TML chief operating officer Lawrence Clarke denied that the 1985 closure of the Rand Daily Mail had been politically motivated.

Although he was not party to the decision, he said he had spoken to directors who were involved and they were adamant the decision was a commercial one because not enough advertising revenue was coming in

But former editor Raymond Louw later said he believed the closure was politically motivated.

He said the Mail's advertising executives had made only perfunctory attempts to get advertising – this was told to him by a senior advertising source Louw said the Mail's overdraft had increased after its closure

Clarke said TML's predecessor, South African Associated Newspapers, had been in dire financial straits in 1985 and he was convinced that the group would have collapsed if the Mail had not been closed.

He said SAAN and TML had hired and fired more editors than any other group, but they had always been replaced by editors who believed in the same ideals as their predecessors.

He was unable to explain how a person like John Horak, who was widely suspected of being a police spy, could have been promoted to a position where he was able to easily monitor, via the company's computers, the output of any journalist

He acknowledged the concept was "horrifying".

Horak told the hearing on Tuesday he had been a police spy and claimed many senior editors knew of his work but did not take any action against him during the apartheid era.

He singled out former Sunday Times editor Tertius Myburgh as one of the editors who had knowingly co-operated with him as an informer.

Louw said he had been suspicious of Horak but without evidence he could not do anything.

"I was very wary of him from there on," he said

Louw said the Mail had been concerned about bugging, especially after a 1965 exposé of inhumane treatment in South African prisons, and he had often resorted to having important conversations in passages or writing notes to his staff.

His successor Allister Sparks, who now heads the SA Broadcasting Corporation's television news department, had discovered after the Muldergate scandal that his secretary was a police spy.

Louw said he had not attempted a spy-hunt in the newsroom as it would have demoralised his staff. Instead he only discussed sensitive stories with a few trusted staff.

Ramaphosa said the group's newspapers could no longer afford to cater for the needs of only one section of readership, but rather had to articulate the views and experiences of all South Africans.

Referring to liberation poet and former journalist Don Mattera's earlier call for a fund to be set up to train journalists in a national journalism school, he said it was an issue which TML could address, even if the people emerging from it were the company's competitors – Sapa

TRUTH COMMISSION

# Press groups slated at hearings

(243) BD 18/9/97

**Kevin O'Grady**

MAJOR SA newspaper groups were yesterday accused at a truth commission hearing in Johannesburg of colluding with the apartheid government to suppress information and of subjecting their black employees to racist treatment

Several senior journalists who started their careers at newspapers owned by the former Argus Newspapers and SA Associated Newspapers (SAAN) — now Independent Newspapers and Times Media Limited (TML) — accused the groups of violating their, and the public's, human rights

Enterprise Magazine editor-in-chief Thami Mazwai, Mafube Publishing editor-in-chief John Qwelane and Sowetan night editor Mike Tissong told the commission of their poor treatment by their employers

Tissong said black reporters were denied promotions and that "the long-term effect of starting careers at newspapers like The Star was that our careers were held back"

Qwelane said black journalists were denied training and promotion and as late as 1976, canteen and toilet facilities at the SAAN building, which housed the Rand Daily Mail, the Sunday Express and The Sunday Times, were segregated

He said the Newspaper Press Union, a grouping of the major newspaper owners, signed a "pact" with then President PW Botha in the 1980s, giving him legitimacy to "unleash the (state of) emergency and a reign of unprecedented terror" on SA

"Did the media owners, by their endorsement of Botha's madness, not help to delay the day of our liberation? Can we not correctly say the blood of those who were murdered by Botha's police and soldiers is on the hands of the media owners? I say it is," Qwelane said

Tissong, also Black Editors Forum general secretary, said little had changed in the two groups "It's not enough for Johnnic to be in effective control of TML and for TML to be run the same way it was 15 years ago There should not only be capital control of the media houses, but operational control "

In a TML submission, chairman Cyril Ramaphosa, chief operating officer Lawrence Clark and deputy Neil Jacobsohn defended reporting by SAAN/TML newspapers during the apartheid era

Clark said they had "a proud record of keeping the SA public informed and of defending human rights" Although there were errors of judgment, the "contribution to change far outweighs any errors"

Ramaphosa agreed that "in the main, English newspapers played a very courageous role" He welcomed criticism of the group which "gives us the opportunity to have a much closer look at ourselves"

Referring to allegations of racism in SAAN newsrooms, Jacobsohn said TML "sincerely regrets any such indignities that were imposed" but did not believe they were the result of official company policy

In an Independent submission, CE Ivan Fallon denied allegations by Mazwai that an "apartheid mindset" still existed in the company Western Cape MD Rory Wilson said the firm acknowledged several shortcomings during apartheid, including that it was "strongly driven by commercial motives which blunted the cutting edge in exposing violations"

A long-standing dispute over the reasons for the 1985 closure of SAAN's Rand Daily Mail also resurfaced at yesterday's hearing Clark said the Mail was closed for purely commercial reasons "If (it) had remained open SAAN would have collapsed," he said

In his submission, former Mail editor Raymond Louw was adamant the newspaper was closed because of its unpopularity with government and that SAAN's overdraft "increased fourfold" as a result

CHRIS ADLAM, THE STAR

**On the line:** Cape Argus editor Moegsien Williams, Independent Newspapers chief executive officer Ivan Fallon, Independent Newspapers Cape managing director Rory Wilson and Independent Newspapers editorial director Shaun Johnson at yesterday's hearing

# Police general 'lied about poisoned beer'

ARG 18/9/97 (243)

**Johannesburg – Former head of the police forensics laboratory Lothar Neethling lied when he denied preparing poison to kill opponents of the apartheid government, journalist and television presenter Max du Preez told the Truth Commission here.**

Mr Du Preez said there was "absolute proof" from several quarters that General Neethling had indeed lied to the Supreme Court and he handed the commission a copy of an affidavit from a former Pretoria regional court magistate

He said other proof included a sworn affidavit in the possession of the Pretoria Attorney-General by Vlakplaas policeman Steve Bosch describing how he had fetched poisoned bottles of beer from General Neethling

Mr Du Preez was editor of Vrye Weekblad, an "alternative" Afrikaans newspaper which started in November 1988 and which was forced to close in February 1994 after losing an expensive defamation case to General Neethling

Appealing to the Truth Commission to help "bring this man to justice", Mr Du Preez said there was absolute proof that General Neethling had lied to the Supreme Court and that Vrye Weekblad was forced to close because of the perjury

# Journalists 'threatened'

**Johannesburg – Journalists from the Afrikaans daily newspaper Beeld who expressed an interest in testifying at the Truth Commission's media hearing were allegedly threatened with dismissal if they did so.**

Truth commissioner Dumisa Ntsebeza told the hearing that if the allegation was correct, "it is a great pity"

Beeld is published by the Nasionale Pers group, which declined a formal invitation from the commission to make a submission There were also no submissions from other sectors of the mainstream Afrikaans media

Arri de Beer, a former journalist and now media lecturer and researcher at Potchefstroom University, testified in his personal capacity

He said few things had made such a dramatic impact on his life and consciousness as testimony to the Truth Commission about atrocities at Vlakplaas, headquarters of the security police "death squads"

Professor De Beer said that in his work as a journalist he had at times kept quiet when he should have spoken out "volubly"

CAPE ARGUS, **THURSDAY**, SEPTEMBER 18, 1997

# 'No bones' made over Argus shortcomings

## *Commercial interests 'so strong'*

**Johannesburg – Many shortcomings in the activities of the former Argus company from the 1960s until the early 1990s are "deeply regretted", says Independent Newspapers chief executive officer Ivan Fallon**

Independent Newspapers acquired the Argus group in 1993.

Presenting the company's submission to the Truth Commission's media hearings here yesterday, Mr Fallon acknowledged the shortcomings of the Argus company

"We make no bones about these We regret them deeply," he said "But the company has changed dramatically, and I reject very strongly (the claim) that an apartheid mindset exists in this company today "

Rory Wilson, managing-director of Independent Newspapers Cape, said Argus had been "a rather staid, cautious and slow-moving newspaper company" It had been so strongly driven by commercial motives that it "often blunted its cutting edge in exposing the wrongs of apartheid and human rights violations"

Also, it had made insufficient effort to overcome obstacles to the free access of news, imposed by apartheid laws However, Argus had also operated in "a hostile legal and political context"

"Journalists were constantly harassed, threatened, abused and intimidated for doing their duty as they sought simultaneously to serve the interests of a largely white readership and a repressed, restless black majority "

The new leadership of Independent had devoted much time and effort to ensuring that the imbalances of the past were redressed and that the shortcomings of the old Argus company did not persist

"A great deal is being done at all levels in terms of training, education and upgrading of staff from disadvantaged backgrounds "

Responding to a question, Mr Fallon said the lack of women editors in the company was of concern to him, and the executive would be working "very hard" to rectify this

# There was collusion, say black journalists

(243)

AAG 18/9/97

**Johannesburg – The newspaper industry has come under fierce criticism from black journalists for colluding with the apartheid government and practising petty apartheid in newsrooms.**

The journalists also accused the mainstream newspaper companies of denying them the same training and promotional opportunities as their white counterparts, and some charged that discriminatory practices were continuing in spite of recent changes in newspaper ownership.

Jon Qwelane accused the former owners of mainstream newspapers of "having blood on their hands"

The journalists, all members of the Forum of Black Journalists, were testifying yesterday at the Truth Commission's media hearing

The forum is a pressure group with the main aim of enhancing training and professional advancement for black journalists

In its official submission, by Mondli Makhanya and Abbey Makoe, the forum accused the English and Afrikaans press, and the SABC, of colluding with successive National Party governments to perpetuate apartheid

"This they did by actively enforcing discriminatory laws in their own institutions, using terminology and language that was ideologically in congruence with the National Party governments, and in conflict with the forces fighting for the eradication of apartheid

"They failed to inform the populace about the evil that was going on around them and victimised those in their employ who were actively opposing apartheid"

Mr Qwelane, editor-in-chief of Mafube Publishing, told the hearing that all the mainstream newspapers – "every single one of them" – had colluded with the apartheid government.

"I want to charge them with having a hand, directly or indirectly, in the subsequent murder of tens of thousands of black people by the apartheid army and police. I'm not off my rocker".

He said major newspaper owners, members of the Newspaper Press Union, and had signed a pact with former president P W Botha

# SA was 'rotten' – newsman

**Johannesburg – South Africa under the apartheid government was like Hamlet's Denmark – rotten.**

This was the assessment of Don Mattera, a leading poet and a member of the Forum of Black Journalists

In an emotionally charged presentation to the Truth Commission's media hearing yesterday, Mr Mattera accused white South Africans of thriving under apartheid

"They lived in the state of Denmark, they shared and perpetuated that rot The state of journalism cannot be divorced from the rotten state of South Africa as it pertained."

**Scathing.** Don Mattera

Mr Mattera, who was banned and subjected to repeated raids on his home by security police, was particularly scathing about his former newsroom colleague John Horak, who testified earlier about his role as a police spy on newspapers

Accusing Mr Horak of "whispering campaigns" against several journalists, including himself, Mr Mattera said that had it not been for President Mandela and his campaign for reconciliation, "John Horak would have been dead by my hand"

There had to be a "total catharsis and purge" of South African society and the media had to be "reformed" until it represented the country's demography, he said

The Government should establish a "media diversity fund" to help finance new publications to promote a "diversity of views" among South Africans

# How media did the state's dirty work

MTG 19-25/9/97 (243) (282)

**In 1982 *The Star* newspaper published a story exposing the Reverend Allan Boesak's affair with an official of the South African Council of Churches The story was based upon information fed to it by security police To justify its decision, the newspaper claimed that it was an exposé of the security branch's dirty tricks Yet a top secret document released at the truth commission's media hearings this week paints a different picture This document, which is an intriguing insight into how the mainstream media were manipulated by the apartheid security forces, is published here, in edited form, for the first time**

This document will attempt to set out in chronological order the exposure of Dr Boesak's relationship and the role played by the security branch·

Members of the security branch, Johannesburg, supported by the intelligence unit, head office, monitored Dr Boesak's visits to Johannesburg since July 1984 At an early stage, this monitoring proved rumours of an extramarital affair between Dr Boesak and Miss Scott

The security branch in Johannesburg (as in other centres) had sympathetic sources in the hotel industry which regularly assisted them in security operations

National Intelligence (NI) was also informed about the investigation They helped by providing dates on which Boesak left Cape Town — information they had from reporter WH11 NI had started their own investigation into the Boesak/Di Scott relationship

The tape is a recording of only one encounter at the Milpark Holiday Inn Only one member of the hotel's staff knew of the operation by the security branch that evening

The following security branch members were involved in the gathering of the information Captain E van Wyngaardt, Lieutenant Le Roux, Warrant Officer RHL Raven, Sergeant N Bosch

The fact that Dr Boesak and Miss Scott were involved in a relationship was not only known to the security branch, but had already been discussed for a while by church leaders and in church circles

Some members of the public had apparently also known about this and in November 1984 an unknown person phoned numerous newspapers in Johannesburg with the information that Boesak and Scott shared a rondavel at Tiger Bay, Zimbabwe, from 22 October 1984 to 25 October 1984 Till today it is still unknown who made the calls, but newspaper inquiries led to the suspicion that the person worked for the travel agency which made the bookings at Tiger Bay

At this stage it was primarily Tony Stirling at the *Citizen* and Stephan Terblanche of the *Sunday Times* who had been informed by the security branch head office whether any confirmation could be given that there was an extramarital affair between Dr Boesak and Miss Scott

Confirmation was initially given to the *Citizen* and the *Sunday Times* that there was indeed a relationship between Dr Boesak and Miss Scott The journalists were informed that they apparently had the same information that had been given to the security branch

There had been discussion and a decision within the security branch that if the relationship was exposed in the media, there would be benefits for the state's counter-revolutionary strategy It was decided to implement the following strategy regarding the media

The security branch has no official involvement in the issue as it does not present a threat to state security Notwithstanding this, the security branch is in possession of a tape recording which proves the alleged relationship conclusively If there are any inquiries it has to appear that the security branch does not know where the tape originated from

As a result of our good understanding with certain selected journalists the information that was given to the security branch anonymously will be passed on to them

Copies of the tape recording as well as the details of the couple's meetings in hotels will be given to the newspapers and the journalists

Some journalists have passed on the information to other persons and it is not known to the security branch who has received it

Stephan Terblanche (*Sunday Times*), Tony Stirling (*Citizen*), Cyril MacAvery (*Citizen*), Ben Gertenbach (*Transvaler*), Jean Oosthuizen (*Transvaler*), Cas van Rensburg (*Beeld*), Mr Kruger (*Beeld*), Norman Chandler (SAAN), John Horak (SAAN), Cliff Saunders (SABC), Aida Parker (*AP Newsletter*)

It should also be mentioned that the information was initially only given to the *Citizen* and the SAAN group After the sources could not succeed in getting the information published, especially out of fear of the legal steps which could have been taken against the newspapers, the information was also passed on to Perskor, Nasionale Pers and the *Aida Parker Newsletter*

Before any of the abovementioned newspapers could publish the story, it appeared in *The Star* on 1/11/85 It has to be stressed that no member of the security branch contacted journalists at *The Star* in connection with the information

After Aida Parker's legal adviser deterred her from publishing the information she gave it to United Christian Action, a conservative church group, and members of Victims Against Terrorism (VAT) Parker and Mr Jonty Leontsinis of VAT used their own initiative to distribute the information in a way that made it difficult for newspapers

**Allan Boesak: Affair revealed**

The pamphlet *The Star* reported about was compiled by Leontsinis and distributed to churches and newspapers The printing was done by him on his private roneo machine The typing was done on a typewriter he bought specially and which he destroyed immediately afterwards Mr Leontsinis produced an edited version of the tape recording which he disseminated

The following security branch members liaised with the abovementioned journalists Brigadier HD Stadler, Major CM Williamson, Major AZB Gous, Major WF Wentzel, Captain JL McPherson, Lieutenant NS Bower, Lieutenant JD Pretorius

It has to be stressed that all the journalists in direct contact with the security branch were long-standing regional office/head office confidants

It is also important to note that none of the newspapers which had been in contact with the security branch supported *The Star's* allegation of an organised state/security branch operation

The fact that the press received the information both anonymously and from their "sources" in the security branch strengthens their belief that the security branch was not involved with the initial anonymous leak and was thus not involved in an organised conspiracy against Dr Boesak

The fact that the abovementioned newspapers did not indicate in their reports or commentary that the received the information about Dr Boesak from the security branch, indicated that in this case they themselves were so compromised that they would not be in a position to support *The Star's* allegation of a state conspiracy

The role of *AP Newsletter*, the United Christian Act and Mr Leontsinis of VAT must be protected at all costs because the first two are South African Army projects and the third is a joint South African Police/ South Af-

# Media's dragons failed to answer

(243)

M+G 19-25/9/97

*The people who should answer for the media's apartheid past were absent from the commission hearings, writes* **Ferial Haffajee**

Ironically, those who represented the media at this week's Truth and Reconciliation Commission probe into their past were its brightest symbols of the future

Times Media Limited's (TML) Cyril Ramaphosa, the Independent Group's Moegsien Williams and the SABC's Govin Reddy came to represent their organisations at the commission's account of the omissions and misdeeds of yesterday's press and broadcasting barons

The three were a contradiction At one level they revealed a media corps on the cusp of a much brighter future At another, their presence highlighted glaring absences — Deon du Plessis, Harvey Tyson and Andrew Drysdale from the old Argus group, Stephen Mulholland and Nigel Bruce from South African Associated Newspapers (SAAN)/TML

The commissioners, who had assembled to determine whether the media could be held responsible for gross human rights violations, looked perplexed They didn't find themselves sitting across from yesterday's dragons responsible for the massive distortions in news coverage, the closing of brave newspapers and the systematic repression of black journalists which submission after submission had testified to

Instead, the commissioners heard today's leaders lay down impressive plans and make dignified promises

**The bad old days: Jon Qwelane was one of the journalists who testified about the racial tensions in apartheid-era newsrooms**

"Such practices as happened here must never happen again," said Ramaphosa, promising a great shake-up at TML

The Independent Group's team acknowledged that the Argus Company had been a "staid, cautious, slow-moving company", while its chief executive officer Ivan Fallon added "Our company has changed dramatically We reject that an apartheid mindset still exists "

Instead, both groups promised more powerful positions for black journalists, more newspapers and the possibility of funding a media diversity fund to break down the monopoly they continue to hold over the press in South Africa

But commissioner Mary Burton was not letting them off the hook that easily There was an indictment of the media which the commission came across every day, she said "Everywhere people tell the commission 'We had no idea what was happening,'" adding that in some small towns, local newspapers would not write about the commission because advertisers didn't like that kind of copy

But here, even the new boys would not concede easily TML's chief operating officer Lawrence Clarke claimed a "proud record" opposing apartheid and "encouraging dialogue" Both groups said they had not interfered in the work of their editors but that they had always been mindful of "their fiduciary duties to their shareholders" which meant they did not risk pushing the borders of press freedom that the alternative newspapers later showed off to great effect

There were nods of remembrance when Jon Qwelane reeled off a litany of bad practice by the two newspaper houses separate canteens, separate crockery, different pay and different news values One incident stayed with him

On a Friday on the beat, he remembered, a black man had committed suicide, leaving seven children destitute On the same day, a truck with sheep had overturned on the highway The sheep made it onto the first page of the *Sunday Star* The seven children just squeezed onto the news pages of the Africa edition

The wolves in sheep's clothing also shed their disguises at this week's hearings A slew of media spies from the old security forces appeared before the commission dishing out confidential documents marked *Uiters Geheim* by the dozen

National Police Commissioner George Fivaz's communications adviser Craig Kotze chose the hearings to come clean and "reveal" one of South Africa's worst-kept secrets that he had been a security branch agent while he worked at *The Star*

From his testimony, he seemed neither an able spy nor journalist "I was expected to operate like any other journalist and I was in fact often scooped by opposition media on some big stories [like] the Winnie Mandela, Stompie Seipei and Olivia Forsyth stories among them "

# Afrikaans press say they wanted change but did they really push for it?

(243) (Star) 14/9/97

By Robert Brand

While the media came under fire before the Truth and Reconciliation Commission this week, one newspaper was singled out for special praise from one who had little good to say about the mainstream press in general.

"Beeld is today one of the most professional and respected newspapers in South Africa," said former Vrye Weekblad editor Max du Preez "It is probably one of the most progressive white newspapers in the country, certainly the most progressive and open-minded daily Afrikaans newspaper ever."

Much was said at the TRC's special hearing on the media about the record of Beeld and other Afrikaans newspapers under apartheid, but none of it by the newspapers nor their proprietors Ton Vosloo, chairman of Nasionale Pers, had snubbed the commission's invitation to make a submission

"We are obviously distressed at the attitude of the Afrikaans media," Tutu said at the start of the hearing. "We need input from all the different constituencies Could silence from that quarter be construed as an admission that it was a handmaiden of the apartheid government?"

Tutu expressed a hope that sections of the Afrikaans media would "somehow take the opportunity of letting us know their side", a hope based on reports that more than 50 staffers of Beeld had signed a petition calling on their newspaper to make a submission. Nothing came of it, and it was left to others to judge them. Du Preez, although flattering about the present-day Beeld, was far from complimentary about the newspaper's record in the past.

"The Afrikaans press claims now that they have always been in favour of a negotiated solution, and had encouraged the National Party towards this goal. Why, I want to ask them, did they then whip up extreme hysteria when a few dozen of us, mostly Afrikaans speakers, went to talk to the ANC in Dakar in July 1987?

"They called us communists and idiots, when all we wanted to do was try and break some of the ice to make negotiations more acceptable."

Du Preez, who started his career at Die Burger and worked at Beeld before moving first into the English press and then the alternative press, said Afrikaans newspapers did not do enough to prepare their constituency for change.

"Their argument is that they could not move too far away from their conservative Afrikaner constituency. I have no doubt in my mind, being an Afrikaner from a conservative rural background myself, that they could have pushed much, much harder without alienating their readers"

Another who spoke about the role of the Afrikaans press was Professor Arrie de Beer, director of the Institute for Communication Research at Potchefstroom University. De Beer, who also has a background of journalism in the mainstream Afrikaans press, said he regretted the decision by the Afrikaans media not to appear before the commission

"The TRC, notwithstanding possible shortcomings, provides an important forum to individuals and institutions to account for their actions and consciences," De Beer said.

In a written submission accompanying his oral testimony, De Beer said certain Afrikaans dailies at the height of apartheid were official mouthpieces for the NP. NP cabinet members served on the boards of directors of Afrikaans press groups; the SABC was used by the NP to its own advantage; and progressive Afrikaans writers and politicians were mercilessly criticised.

**Keeping you up-to-date**

Every Friday, The Star will produce a new feature to keep you up to date with the Truth and Reconciliation Commission

The feature produced by our team of specialist TRC reporters will provide all the background the news and the insights you need to keep you in the picture as the dramatic story of our past unfolds

and human resource management systems. ...

# Ex-editor rejects collusion charge

Nomavenda Mathiane

A FORMER editor, Harvey Tyson, rejected allegations made by Mafube Publishing editor-in-chief Jon Qwelane at the truth commission on Wednesday that editors had colluded with the SA government to supress news during apartheid.

However, Qwelane stuck to his story yesterday, saying editors knew which agreement he was talking about "The editors did not tell the whole truth at the commission," Qwelane said.

He said he had not personally seen the document allegedly signed by "newspaper bosses" in the presence of then SA State President PW Botha. However, Botha had mentioned it at a National Party rally in Nelspruit some time in 1988. That agreement made it possible for government to engage in the total onslaught, he said.

Former National Press Union (NPU) president Jolyon Nuttall said there were agreements that had been signed in the 1960s, by the NPU and the defence and law and order ministries which enabled journalists to gain access to certain defence and police stories. He said the agreement basically dealt with the accreditation of journalists.

Tyson, who was editor of The Star, said the NPU had met Botha, who had told them there was an onslaught on SA.

Tyson said he had challenged that view and as far as he could remember no editor present had signed any document.

This week The Star's former crime reporter Craig Kotze admitted for the first time that he had been a "secret agent". Tyson said he could not have fired Kotze because there was no proof he was an informer.

Although he personally suspected Kotze was a spy he kept him on the police beat because "he was a conduit for police information".

See Page 13

they provide to qualify for ...

# Racism still rife in media, say black journalists

Star 20/9/97 (243)

By GILLIAN FARQUHAR

This week's TRC hearings on the media saw black editors and journalists charge that racism within media companies is still rife despite denials and apologies from media bosses.

Members of the Forum of Black Journalists (FBJ) said that while claiming to be opposed to apartheid in principle, the major English-language media groups' overall projection of events belied a "mindset that fell far short of fundamentally challenging the status quo"

Both Times Media Limited (TML) and Independent Newspapers in their submissions admitted to shortcomings in their news coverage but denied collusion with the apartheid government.

They maintained they operated within the constraints of the law for fear of closure and continued to look for loopholes through which to expose and break down apartheid.

Mafube publishing editor-in-chief John Qwelane acknowledged that sectors of the English-language press had "performed some noteworthy tasks" in exposing the Info scandal, and the CCB and the Vlakplaas dirty-tricks networks. But he also charged that in making secret agreements with the government just prior to the implementation of the so-called "total strategy", the media bosses of the major groups colluded with the government in denying information to the public.

This effectively held back the process of change and resulted in the deaths of many more people.

"The blood of many of those murdered by the apartheid government is on the hands of the media owners," he says.

TML deputy chief operating officer Neil Jacobsohn described the press as a victim of the government and their determination to close information channels. He regretted the racism and discrimination in newsrooms which he said was not company policy but rather the result of prejudice, human weakness and insensitivity. He also said that TML trained more black journalists than any other publisher in the country.

But he could find no explanation for the appointment of spy John Horak as group managing editor of the company. Horak told the commission that many company staffers and top management knew of his intelligence activities.

## Spy hunts

Former *Rand Daily Mail* editor Raymond Louw spoke of taking "precautions" against internal spies rather than going on a spyhunt.

On the closure of the *Rand Daily Mail* in 1985, he said that while the stated reason was financial he believed it was government pressure that led to it coupled with pressures in the company to turn it into a specialist publication.

Replying to a question whether he had tested if promoting black staffers to positions of authority over whites did result in government reaction, he said he had not. But he believed that this was done by a subsequent editor.

Regarding the lack of promotion of black journalists in major media houses, former *Star* reporter Mike Tissong said his experience in the Argus group led him to believe it was self-imposed by media houses who used government censure as an "excuse to adhere to their own conservatism".

A TRC commissioner also put it to Independent Newspapers that intelligence operative Craig Kotze's stories in *The Star* were no less than "a mouthpiece of government" and questioned how it was possible for so many of them to have been used if management had not been "sympathetic to this "line".

On the banning of *The World* newspaper in 1977, Mafube Publishing director Thami Mazwai accused *The Star* of hypocrisy.

He said that while decrying the banning in one article, an editorial expressed the view that the paper had "gone beyond the bounds of responsible journalism".

This, he believed, contradicted mainstream media claims that they "pushed the limits".

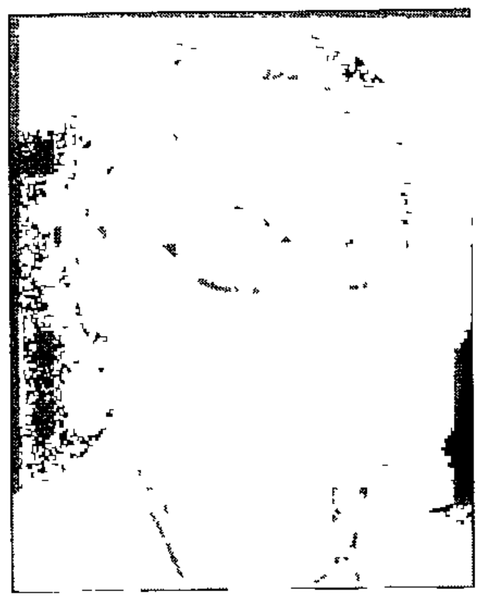
Independent Newspapers chief executive officer Ivan Fallon said the company had made big changes over the past three years and is making efforts to correct the imbalances of the past with fast-tracking programmes.

Speaking for TML, Johnnic chairman Cyril Ramaphosa said that similarly the company was determined to become truly representative "from the top to the bottom" within one year.

# Blood on your hands, white media told

## *TRC hearing turns harsh spotlight on coverage of apartheid*

ARG 20/9/97 (243) (~~252~~)

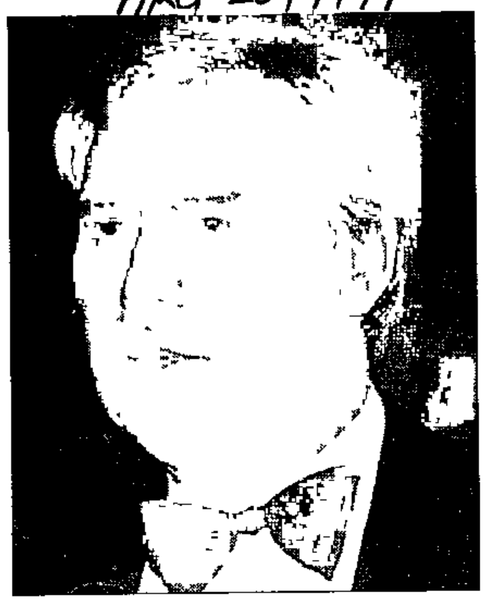


**Uncomfortable** Max du Preez

**Tension:** Thami Mazwai

**'Kaffir paper':** Aggrey Klaaste

**Complaint:** Johan Pretorius



**Subpoena:** Doug Band

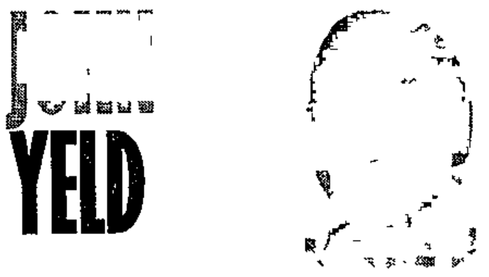
**Banned:** Percy Qoboza

**Journalist and television producer Max du Preez summed up the feelings of many of those who appeared at the Truth Commission's media hearing when he remarked from the witness chair at the start of his testimony: "I'm really not comfortable being here".**

His feelings were understandable, South Africa's media glare is usually reserved exclusively for outsiders, and many journalists and media managers have been distinctly ill-at-ease since the harsh, usually unforgiving spotlight was turned inwards

This introspective process started with the call by Truth Commission chairman Archbishop Tutu earlier this year for submissions from the media, and culminated in the three-day hearing this week at the SABC's Auckland Park headquarters

There were critics who believed the commission was wasting its time, and that its already limited and overstretched resources should have been devoted to investigating more obvi-




ON THE TRUTH COMMISSION

ous perpetrators of gross human rights abuses. But many people disagree – including several members of the Forum of Black Journalists

One of them was controversial columnist Jon Qwelane, who didn't mince words in his testimony when he accused the former owners of mainstream newspapers of "having blood on their hands"

"I want to charge all the mainstream newspapers – English and Afrikaans – with collusion with apartheid and having a hand, directly or indirectly, in the subsequent murder of tens of thousands of black people by the apartheid army and police I'm not off my rocker," he told the media hearing

According to a submission by the Forum of Black Journalists, the established media openly supported the apartheid regime

Another of the Forum's members, respected journalist Aggrey Klaaste, described his experiences on The World newspaper like this "The World was owned by the Argus company which treated the paper with contempt. We were not even a stepchild, we were a 'kaffir' paper . At the offices of the newspaper the resources given were worse than pedestrian We had few cars and some broken down desks and typewriters "

What really stung many black journalists was that they were not trusted or believed when it came to important stories And when "sanitised" versions of their stories did appear – often re-written by white colleagues to emphasise more the state's version of events – they had to return home to face an angry community demanding to know why truth was being censored

Khaba Mhize, who worked for the Natal Witness, said in his statement " it was clear no amount of credibility would deem my first-hand reports publishable, since, I believe, to my white superiors, we black journalists were not free from ANC bias Truths about police behaviour in the townships were treated as exaggerated thumbsucks 'Police can't do that' was the general dismissive censure "

For Mr Qwelane, the newspapers' act of denying their readers information violated a basic human right, and there was therefore no question of the media hearing not falling squarely within the TRC's mandate

The charges of collusion were rejected by Times Media Limited, formerly SA Associated Newspapers, which published titles like the Rand Daily Mail, Sunday Express (both closed) and the Sunday Times, although they acknowledged past failures and blemishes

"But thanks to a large body of good and honourable journalists operating in a stimulating climate, the company's publications doggedly pursued the goal of seeking the truth – which included the belief that apartheid was morally bankrupt and unworkable," TML chief operating officer Lawrence Clark told the hearing

Independent Newspapers, which acquired the Argus Group in 1993, was more circumspect in its analysis In its submission, written by former editor John Patten, the different perspectives of black and white journalists were acknowledged

"The charge (of collusion with the apartheid government) against the opposition press would seem unfair, viewed from the liberal perspective, but viewed from the perspective of black political aspirations, it is not so far-fetched Seen that way, the white mainstream press liberal press was praising apartheid with faint damns, and was conniving with apartheid for the sake of perpetuating white privilege into an indefinite future "

Rory Wilson, managing director of Independent Newspapers Cape, said the company acknowledged the courageous stand taken by many editors, journalists and other members of staff "However, we believe that the mood of the country at this point in its history and the interventions of the TRC are now rightly focused on the injustices and abuses of the past, and what remedial steps have been or should be taken," he told the hearing

There were some significant gaps in the hearing, including the entire Afrikaans mainstream print media The panel informally that journalists from Beeld had wanted to make submissions, but had been threatened with dismissal

Apart from Mr Du Preez, who testified about the demise of his "alternative" Afrikaans language weekly Vrye Weekblad, the only other submission touching the Afrikaans media was from Arri de Beer, an ex-journalist and currently media lecturer and researcher at Potchefstroom University

Testifying in his personal capacity, Professor De Beer said he was on first-name terms with some National Party cabinet ministers, and could not answer the question about how these leaders could claim they didn't know of atrocities "It boggles the mind – I cannot understand it," he replied "It was a question of a mental, psychological and religious turn-off I just cannot see how people in high places could not know, if they had just asked the question "

The Forum of Black Journalists had unsuccessfully appealed to the Truth Commission to subpoena former SABC chief executives Alwyn Schlebusch and Wynand Harmse, former Argus Group chief executive Doug Band and former SAAN and TML chief executive Stephen Mulholland, among others, to testify

Former editor-in-chief of SABC-TV news, Johan Pretorius, who testified on the first day of the hearing, also complained that the commission wouldn't be getting a full picture

But despite these shortcomings, the Truth Commission was obviously highly pleased with the hearing

TURDAY SEPTEMBER 20/21 1997

# Forum at risk as race rows hit unity

(243)

JACQUIE GOLDING-DUFFY

ARG 20/9/97

**The writing is on the wall for the South African National Editors Forum, an umbrella body established in an effort to unite black and white editors.**

While the initiative to promote closer relations between editors promised a more united media body, cracks of concern are starting to surface among Sanef members.

It is understood that Thami Mazwai, chairman of both the Black Editors Forum and the South African National Editors' Forum (Sanef), may consider relinquishing his role because he no longer edits Enterprise magazine and has, since the establishment of Mafube Publishing, played a more managerial role

Media observers said the tensions were bound to come to a head, especially with a planned conference of black media players due to take place shortly.

Recently Jon Qwelane, editor-in-chief at Mafube Publishing, argued that Sanef was "a sheer waste of time and will stay so as long as its members continue to pursue with vigour their whimsical agenda, which pretends this country is an extension of England and Europe"

But Cape Argus editor and Sanef council member Moegsien Williams said Sanef was founded on "the basic principles of non-racialism, the promotion of media freedom and addressing the gross race and gender inequalities in the media industry".

"A tender, fledgling organisation born out of the contradictions only found in South Africa, it requires careful nurturing and leadership of the highest standard," he said.

Mr Williams said the debate currently raging over coverage of arms sales by Denel was "healthy and is to be welcomed". But if "there are editors who believe Sanef and its founding principles should be sacrificed because of this debate, they should have their heads read".

Sources associated with Sanef said the unity built over the last year between white and black editors might be shattered because rifts were developing

But Sanef deputy chairman Brian Pottinger said Sanef still had "a definite role to play. It will be very sad if the objective of Sanef, which includes corrective action, defending press freedom and creating diversity in the media, is diluted by major ideological wars among its members," he said.

The Black Editors Forum, which is supposed to disband and follow the example of the mainly white Conference of Editors, now hangs in the balance as the momentum of black versus white takes over.

Former Conference of Editors chairman Khulu Sibiya said this week that he resigned as chair because the body had failed to address issues he and others regarded as pertinent

One Sanef source said there was increasing scepticism about the viability of Sanef as a uniting force when some editors were unable to constructively criticise one another without engaging in racist attacks

ARG. 20/9/97 (243)

# Mbeki cautious, editors divided on proposal for inquiry

**A proposal for a commission of inquiry into the South African media has received a guarded welcome from Deputy President Thabo Mbeki's office and a mixed response from newspaper editors**

Mr Mbeki's spokesman Thami Ntenteni said the implications of establishing a commission, as proposed by Wits academic Professor William Makgoba, had to be studied.

Mr Ntenteni said nothing had been discussed with Mr Mbeki, but concerns raised by Professor Makgoba and other black intellectuals were the same as those raised by Mr Mbeki "more than a year ago".

"It is possibly a good idea but the feasibility of a commission needs to be canvassed across all stakeholders," Mr Ntenteni said.

He said it was debatable whether media owners would take part in a state-supervised commission

JACQUIE GOLDING-DUFFY

ON THE TRUTH COMMISSION

Because the media was privately owned, it would not be obliged to appear before an inquiry

The issue of press freedom was a sensitive one and the Government did not want to be accused of muzzling the media "We would have to consult across the board with various stakeholders before a commission can be considered," he said

Professor Makgoba this week wrote an article in a Sunday newspaper urging government intervention "We can no longer trust the ability of the media to reinvent themselves using the same tainted people, some of whom were closely associated with the racial agenda within our country," he wrote

He suggested that a commission set up by the state address, among other questions, whether the "present media with their structures and organisations" were "suitable for our African country"

Professor Makgoba said the commission should also ask how the media "address issues of race within its own ranks and in its reporting of issues"

Some black editors argued that Professor Makgoba should not be taken seriously because he was an academic and not a journalist But others said his proposal was timeous

Mafube Publishing managing director and former editor-in-chief of Enterprise magazine Thami Mazwai supported the commission idea

He said there were "a number of issues which need to be thrashed out by the media concerning the media"

"Journalists work from different perspectives Does a Xhosa circumcision fill you with pride or revulsion? It is time that black South Africa reclaim its pride and we can start in the newsroom "

Pressure had to be exerted on white editors as "most newspapers operating today use white South Africa as the yardstick of what is right and what is wrong, what gets into a publication and what does not"

Sowetan editor Mike Siluma agreed that the media and relevant stakeholders should get together "to re-evaluate the role of the media" but he argued the issue of race, although crucial, should not be the premise from which the debate began

"It is the owners of media and the fact that newspapers are commercially driven that is the integral issue," he said "The debate of media accountability needs to involve all parties ranging from owners and shareholders to the public and reporters "

Mr Siluma said there needed to be "a social accord where the media has to decide on its role" but this did not mean reporters needed to indulge in "sunshine journalism"

He suggested, however, that the Government should consider financial assistance for the media "If, as journalists, we feel we are accountable to the public and owners are concerned with profits and are accountable to shareholders then we are on different roads altogether Where government can step in is, like in Sweden, to subsidise the media and in this way promote diversity "

Sunday Times editor Brian Pottinger rejected the idea of a commission of inquiry "What is the point of a national commission and what can be achieved?" he said.

"We've completed an inquiry into the media via government's Comtask (task group on government communications) and we've just completed the TRC hearings on the media."

He said the ultimate "judges" of whether or not the media was fulfilling its role were the readers

City Press editor Khulu Sibiya said the media "seriously needs to look into its operations" but warned against government intervention "Government should enjoy an observer status perhaps, but should not be allowed to play a leading role "

Finance Week editor Nigel Bruce said a prescriptive commission as advocated by Professor Makgoba would be unhealthy for the media. In all likelihood it would promote political bias and be a waste of money

# Blood on the walls of the fourth estate

*Damning details of the media's manipulation by and collusion with the apartheid state emerged before the Truth and Reconciliation Commission this week, reports CELEAN JACOBSON*

I SPIED: Intelligence agent Craig Williamson told of media operations

THOUGHT POLICE: Former reporte Craig Kotze Pictures: BRETT ELOF

VIC MCPHERSON, who looks more like a greying uncle than a sophisticated spy handler, was a familiar face in newsrooms in the 80s He regularly popped in to the Pretoria News for tea

But his visits were part of a well thought out strategy He was commander of the security police's strategic communications unit, Stratcom, which placed spies on newspapers and manipulated the media

When Olivia Forsyth, a security police agent, confessed to the ANC that she was a spy in 1988, McPherson arranged for the Pretoria News to be given an exclusive of the police's account of her allegations about security operations

McPherson's manipulation of the Pretoria News was revealed for the first time this week when he testified in Johannesburg at the Truth and Reconciliation Commission's hearings on the media

ST 21/9/97

Others testified that the media had blood on their hands

Testimony to the commission left the impression that newsrooms were littered with informers, while executives hobnobbed with generals

Mike Tissong, night editor of the Sowetan, said his byline was removed from a top story when he worked at The Star and Tseliso Ralitabo, of the Media Workers Union of South Africa, claimed that black SABC journalists were sjambokked for being "cheeky"

The state-owned broadcast media was always the easiest to manipulate The commission heard that the president appointed the SABC's board and senior staff, like Louis Raubenheimer, head of SABC3, belonged to the Broederbond and attended meetings of Stratcom, a subcommittee of the State Security Council

Senior SABC journalists like Don Briscoe told how they had to submit "sensitive" material, including pictures of black and white people shaking hands, for approval by superiors

In one example of the ludicrous extremes to which intervention went, the commission heard how a travel programme, *Durrell in Russia*, was not screened after former president P W Botha's wife, Elize, objected that it would promote communism.

With the national broadcaster in its pocket, the security forces developed a second strategy for the press.

State operatives told the commission how they infiltrated newspapers and deliberately misled the public,

Craig Williamson, an intelligence officer under McPherson, said journalists were sped on while others were used to ensure pro-government articles received prominence in their papers

McPherson revealed another Stratcom operation in June 1985, when the Sunday Times patriotically welcomed a pre-emptive strike on supposed ANC insurgents in Botswana with the headline "The Guns of Gabarone"

But McPherson admitted that a detailed press release was prepared before the raid in which 13 people, mostly women and children, were killed

The chilling successes of the security forces were made only too clear by Craig Kotze, who confessed this week for the first time to working for the police while he was a crime reporter at The Star

Now the communications adviser to Police Commissioner George Fivaz, Kotze said he had never "deliberately manipulated or suppressed news reports" But it was he who reported for The Star on the 1989 confessions about Vlakplaas made by Dirk Coetzee, the head of the police death squad

The mainstream press carried prominent police denials of the existence of such units and Kotze called his former intelligence colleague "a psychopath"

Tissong also told how he and a fellow journalist at The Star, Rich Mkondo, were not believed when they said student activists on the East Rand had been blown apart by booby-trapped hand grenades in 1985

Last year, Vlakplaas operative Joe Mamasela claimed responsibility for the killings

(243)

o register at the pass office, said black ournalists received inferior training, vere denied promotion and were forced o use separate amenities

However, many witnesses, including Qwelane, defended the media, particularly English newspapers and independent publications such as Vrye Weekblad and the Weekly Mail, which they lauded for exposing injustices and covert operations, such as the Civil Cooperation Bureau.

In their submissions, Times Media Limited and Independent Newspapers admitted they had not done enough to show the evils of apartheid and apologised for any violations of human rights they committed

However, Lawrence Clark, TML's chief operating officer, said "We have a proud history of keeping the South African public informed and of supporting the cause of human rights and ustice in South Africa "

Clark spoke of editors who were anned or were prosecuted, and of legal eams which worked hard to find oopholes in the system

McPherson has applied for amnesty or his role in the bombing of the ANC's ondon office in 1982

Jon Qwelane, editor-in-chief of Mabe Publications, charged the mainream media with colluding with apartheid "The blood of those murdered by otha's police and soldiers in the name f total onslaught is on the hands of the edia owners," he said

Qwelane, whose salary was once withheld for three months when he refused o register at the pass office, said black ournalists received inferior training, ere denied promotion and were forced

# Naspers staff say sorry for role in aiding apartheid

ARG 27/9/97 (243)

**A total of 127 journalists from Nasionale Pers newspapers and magazines yesterday made a submission to the Truth and Reconciliation Commission apologising for their role in the apartheid years.**

Commission chairman Archbishop Desmond Tutu described the document as an "extraordinarily powerful statement", and welcomed it on behalf of the commission and of victims of apartheid.

He said the submission had been endorsed by journalists, in their individual capacities, from Beeld, Die Burger, Rapport, Volksblad, Insig, Huisgenoot, Sarie, You and Fair Lady, as well as a number of former Naspers journalists. More were expected to sign

"While I understand they are not acting under threat of losing their jobs, I want to commend the journalists warmly for following their consciences in the face of very considerable opposition," Archbishop Tutu said. "Theirs is a very significant contribution to reconciliation and the process of healing our land."

The journalists said they were making the submission as individuals, and not on behalf of Naspers or any of its publications.

They said they believed reconciliation between, and the just treatment of, different groups of people in South Africa were essential to nation-building, and that disclosure of the past was an essential part of this.

They said Naspers newspapers had formed an integral part of the National Party's power structure which implemented and maintained apartheid through, for instance, supporting the NP in elections and referendums.

The efforts Naspers had made to change and oppose apartheid should be acknowledged, as should its efforts to persuade and prepare whites for change and reform.

*'I, like many others... did not properly inform readers of the injustices of apartheid'*

This, however, did not diminish or neutralise support for apartheid.

The journalists said although they had not been personally or directly involved in gross human rights abuses, they regarded themselves as morally co-responsible for what happened in the name of apartheid because they helped maintain a system in which these abuses could occur

They said they had been blind and deaf to the political aspirations, anger and suffering of their fellow South Africans.

"I, like many others .. did not properly inform readers of the injustices of apartheid," each of the 127 said in an individually signed statement "(I) did not oppose these injustices vigorously enough and, where I had knowledge of these injustices, too readily accepted the National Party government's denials and reassurances

"To all those who suffered as a result of this, I offer my sincerest apology and fully commit myself to preventing the past from being repeated" – Sapa

## Ex-Argus chief will not appear before TRC

**A caption in last Saturday's was incorrect in saying that former Argus Group Chief Executive Doug Band had been subpoenaed to appear before the Truth and Reconciliation Commission to testify on media issues.**

The appeals by the Forum of Black Journalists to the TRC to subpoena Mr Band and other former SABC and SAAN executives to testify before the commission, had not been successful Saturday Argus regrets the error

# Journalists defy Afrikaans press over TRC ban

## *Submissions go ahead*

(243)

ARG 27/9/97

JACQUIE GOLDING-DUFFY

**Senior journalists on prominent Afrikaans newspapers Beeld and Die Burger have defied their management and are making media submissions to the Truth and Reconciliation Commission.**

Reporters at Beeld and some staffers at Die Burger as well as some reporters on the company's Afrikaans magazines have sidestepped a Nasionale Pers (Naspers) directive by individually signing submissions apologising for their roles in "not properly informing readers of the injustices of apartheid"

Naspers non-executive chair Ton Vosloo has made it clear to staffers that company policy dictates that no one from Naspers should officially testify before the TRC on the media – so, no one did

The absence of Naspers from the hearings was seen as "typical behaviour" by some black journalists and as "pathetic" by other white reporters Many reporters working at Naspers publications were themselves unhappy with the situation.

Now the tension that has been rising at Naspers regarding its silence at the TRC media hearings has led to a showdown between Naspers bosses and some senior editorial staff.

Not all reporters are in favour of making a submission to the TRC, but those who are are willingly signing a statement which they are handing to the TRC, albeit late

***'It is not true that we were threatened with dismissal at any stage'***

It is understood that Beeld deputy editor Tim Du Plessis has openly challenged those in Naspers's upper echelons who are opposed to making a submission and in favour of maintaining a wall of silence

Staffers at both Beeld and Die Burger see Du Plessis as the leading force in ensuring that reporters be allowed to make submissions to the TRC He has apparently previously locked horns with Ton Vosloo on the issue and many believe he has antagonised the top structure of Naspers through his actions

Du Plessis was cautious as he spoke this week He said his posting to Die Burger in Cape Town from Gauteng was not a demotion or "punishment" but was an "operational move" as Die Burger had a vacancy following former deputy editor Chris Moolman's promotion to editor of Rapport

Some staffers alleged that they have been threatened by top Naspers editorial staffers over plans to make submissions to the TRC, but Du Plessis denies this

"It is not true that we were threatened with dismissal at any stage," says Du Plessis, refusing to comment further

Du Plessis will take up his post as deputy editor of Die Burger under Ebbe Dommisse from January next year

The statement which reporters have signed states, among other things, that the signatories believe that an admission of guilt or an apology is essential for the process of reconciliation to take place and is vital towards nation building

The submission openly admits that an "intimate relationship developed between Naspers and the National Party early in the century' and that the newspapers "became mouthpieces" for the party

In the mid eighties top editorial staffers at Die Burger made no secret that the publication was seen as the official mouthpiece of the NP

The submission does not allow signatories to distance themselves from any admission of guilt

In its sixth paragraph it states that although a journalist who is making the submission may not have been directly involved in gross human rights abuses in the period the commission covers – between 1960 and 1994 – the signatory does admit that it was morally wrong for him or her to ensure that apartheid thrived and that it was accepted in an institution such as Naspers

The submission spearheaded by Beeld staffers is in line with the newspaper's shift to the left of its sister publication, Die Burger, in recent years Editor of Die Burger Ebbe Dommisse was, according to insiders, against testifying at the commission

While Die Burger is seen by media observers as more conservative than Beeld, it is not regarded as being as far right as Rapport

Dommisse and Vosloo could not be reached for comment at the time of going to press

**Under fire:** Nasionale Pers chairman Ton Vosloo faces a revolt from staff members

# 'Disillusioned' Mazwai steps down as chairman of editors' forums

(243) BD 31/10/97

VETERAN black journalist Thami Mazwai announced his resignation yesterday as chairman of the SA National Editors' Forum (Sanef) with immediate effect

Mazwai, citing disillusionment with some white members of the forum, also announced he was stepping down as chairman of the Black Editors' Forum (BEF).

In a letter to BEF secretary Mike Tissong, Mazwai said: "I had become disillusioned with a good number of our white colleagues in Sanef They do not believe in the media as an integral part of SA and therefore, part and parcel of the country's national objectives."

He said some members of Sanef even abused and heaped contempt on the transformation process "They see the media as a law and an institution unto itself in which they tell SA what to do. In short, they must tell us blacks what democracy is and how the economy must work."

Mazwai said he still had three months left as Sanef chairman but, because of a disinformation campaign against him by some forum members in Cape Town, it was no longer worth staying on for the remainder of his term.

Mazwai said he regretted standing down as BEF chairman. "If BEF is part of Sanef and I am its chair, it would be sheer dishonesty on my part not to think I can be objective when we discuss Sanef issues."

Mazwai wished BEF well in what he said was going to be an uphill struggle "I am still committed to press freedom and believe that the media's primary responsibility is to combat and expose corruption and mismanagement whenever and wherever it rears its ugly head.

"This is non-negotiable. A free press is a fundamental of every democratic society." — Sapa

# I was expected to be a good boy – Thami

CP 5/10/97 (243)

## South African National Editors Forum remains a white forum

By JIMMY SEEPE

OUTGOING chairperson of the South African National Editors Forum, Thami Mazwai, resigned this week following a string of disagreements with his colleagues. Mazwai says his experiences as chairperson of the body have convinced him of the continued need of black journalist to maintain their separate organisation

In a wide-ranging interview after announcing his resignation from SANEF, Mazwai said it had become clear to him that various members of the forum still preferred to have complete control of thinking and public opinion, not only in their respective publications but in the forum as well

"I was expected to become a good boy," charged Mazwai, adding that various attempts have been made to try to prevent him from making public statements on a wide range of issues in the forum's meetings.

He said he had now come to the realisation that "no black journalist can survive in these non-racial organisations unless he becomes a 'coconut'

"You will continue to need your black base to give you encouragement, strength and support."

He added however that he was not opposed to black editors joining SANEF

Mazwai's resignation comes barely two months before SANEF holds its second conference, where both the Black Editors Forum and the Conference of Editors – a formerly mainly white body – will cease to exist and will merge within SANEF

Mazwai, who also announced that he was stepping down from the chairmanship of BEF, warned against the closure of BEF, in the face of the pending decision for the BEF to cease its operations

"It will be premature for BEF to consider terminating its operations when the white editors have not lived up to the spirit of Cape Town when SANEF was formed

"I'm more convinced after my experience in SANEF that the need for black journalist organisations is going to remain with us for the next 20 years"

Mazwai claims there has been a low key effort within SANEF, by various senior white editors, of trying to silence his public criticism and comment on various issues

His statement appears to have dampened the chorus of praise that followed the formation of SANEF last year

At the time, various political organisations and business establishments praised the new SANEF formation, and claimed it heralded a new path of co-operation between the formerly antagonistic BEF and COF

He accused his former colleagues at SANEF of being less than candid in their internal dealings and in their respective publications

Mazwai said white editors within SANEF had reduced the forum to a talk-shop whose debates and deliberations were not translated into their respective publications

He added that white editors still do not see the media as an integral part of South Africa, and therefore as part and parcel of the country's national objectives

"They see the media as a law and an institution unto itself, in which they tell South Africa what to do In short, they must tell us blacks what democracy is and how the economy must work."

Mazwai said he still had three months left as chairman of SANEF, but, because of a disinformation campaign against him by some SANEF members in Cape Town, it was no longer worth staying on for the remainder of his term

Asked what the breaking point had been Mazwai said "The Denel issue (when two newspapers defied a court order that prohibited them from publishing the names of Middle Eastern governments that sought to buy weapons from South Africa) was the last straw that broke the camel's back"

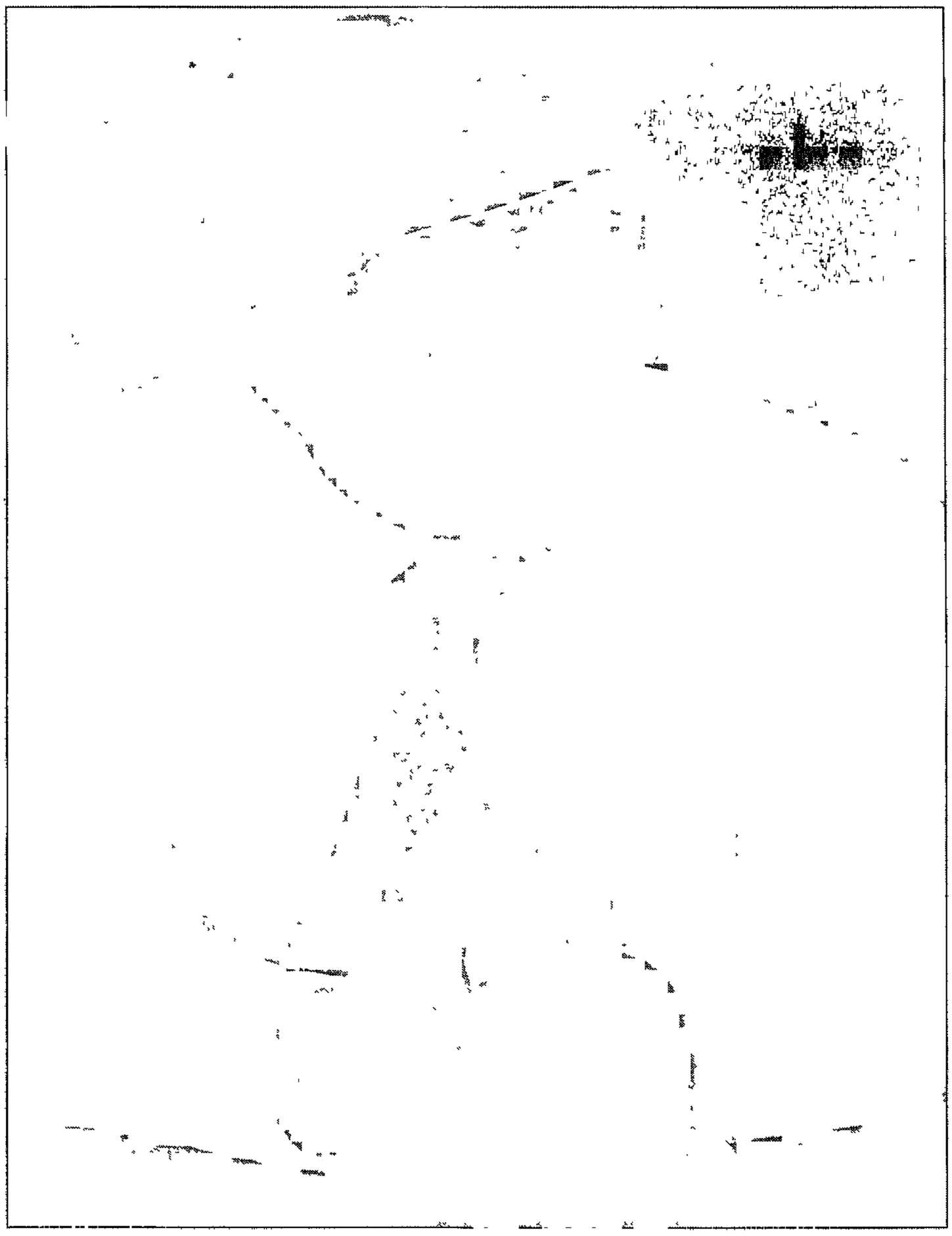
"Various white editors, who seemed to see nothing wrong with the newspapers defying a court order, tried to gag me and said I should make public comments regarding the matter in my personal capacity and not as chairperson of SANEF"

"There was a feeling that I should not criticise fellow editors for violating a court order"

"That was the last insult against a string of other matters that finally convinced me that certain members of SANEF, who want to continue having a grip on thinking in the media and in the forum, were not yet ready to embrace the new democratic government"

He said white editors have also not forgiven him for leading the campaign, together with the Forum of Black Journalists, to have the Truth and Reconciliation Commission conduct a media investigation into the role of the press during the apartheid era

At the time, both the BEF and FBJ argued that white editors who collaborated in the abuse of human rights against their fellow black colleagues, could not be allowed to investigate themselves



PROTEST RESIGNATION... Thami Mazwai accuses white editors of refusing to share decision-making and power in newsrooms

[illegible] MAKUNGELE

# SAA magazine row does not stop black empowerment group

Mar 10 | 10 | 9 (243)

## Mazwai's Mafube Publishing pushes ahead on latest issue despite high court reserving judgment in dispute

**By Priscilla Singh**

Despite the Johannesburg High Court reserving judgment on whether Mafube Publishing deserved the publishing tender awarded to it by Transnet, Mafube is busy working on the November issue of South African Airways' in-flight magazine, Sawubona.

The legal wrangle between Mafube and ABBM Printing and Publishing, who are challenging Mafube's competence and Transnet's decision, does not affect the contractual agreement of the tender and Mafube will publish its first magazine for the airline at the end of the month.

ABBM, which had been publishing the magazine formerly known as the Flying Springbok for the past 16 years, will have ended their contract with SAA last month.

Transnet's requirements in deciding who the tender should be awarded to, covered three aspects. continued quality and production of the magazine; adhering to black economic empowerment principles, and paying SAA a guaranteed high distribution fee.

ABBM argued that the tender was unfairly awarded to Mafube by Transnet in June and it should be reviewed and set aside One of its main arguments was that Mafube was not financially sound to handle the job.

Furthermore, ABBM pointed out that it had tendered a distribution fee of R5,3-million, whereas Mafube had proposed R3,2-million, which had been accepted by Transnet.

In the minutes of the Transnet Tender Board meeting, the distribution fee payable by the successful tenderer was described as "extremely important to SAA as a revenue earner".

Mafube, headed by Thami Mazwai, argued that while its bid was lower than ABBM's, the amount was only one of the factors Transnet was considering as part of its process to screen the applications received to publish Sawubona.

Counsel for Mafube said in the civil case last month, that an important consideration in awarding the tender to Mafube was Transnet's policy of black economic empowerment, for which Mafube was adequately

> **ABBM contends that tender was awarded unfairly**

qualified.

Furthermore, Mafube argued that ABBM, on the other hand, was a company in which Kagiso Trust (which would apparently have qualified ABBM as a black empowerment company) would only have acquired an interest in ABBM if they were awarded the tender.

Advocate R Levin SC, appearing for Mafube, said that it appeared that ABBM had misrepresented its status as a black empowerment group to Transnet. Kagiso had later distanced itself from ABBM's opposition to awarding the contract to Mafube.

Levin also argued that Mafube scored higher than ABBM on the test relating to publishing expertise, notwithstanding that ABBM had scored higher on the proofreading test.

Transnet found that Mafube "had an excellent profile in this sphere of work and had a track record which manifests their ability in management and technical detail . and displayed a greater creativity particularly in the context of the airline's new corporate identity".

Transnet executive director Zukile Nomvete, in recommending to SAA that the tender be awarded to Mafube, said he found Mafube most viable because of the consideration of black economic empowerment and skills transfer, and its realistic distribution fee.

ABBM said shortly after the tender was awarded to Mafube that it was not justifiable because Mafube was not financially stable and furthermore Transnet's decision was not fair, equitable, transparent, cost-effective or competitive.

ABBM's counsel argued that it had a good track record in terms of profitability and growth, had a healthy ratio of assets to liabilities, had significant cash resources, and was in a healthy financial position

Mafube said there was no merit in ABBM's claim that it was not financially sound, and that it had competent shareholders, including a Swedish company and African Life Assurance.

Moreover, Mafube traded at a profit, it was said during the trial

# New agreement between Sapa and SABC set to be struck

(243) Star 16/10/97

MEDIA REPORTER

The SABC and the South African Press Association – both suffering setbacks since a vociferous disagreement over fees led to the cancellation of their contract earlier this year – are expected to sign a new agreement today

The news provider and public broadcaster began talks about two weeks ago and a decision on a contract is expected after the SABC's executive meeting today

Sapa manager Wim van Gils said Sapa had made the SABC an offer and was now waiting for its decision.

Sapa stopped providing the SABC with news in March after the corporation rejected an increase in fees.

Sapa argued that the SABC had already been given a reasonable fee

But the two need each other. Sapa has had severe financial pressure because of the loss of the public broadcaster's revenue and faced a shortfall of more than R700 000 for the year ending March 1997.

And sources in Sapa and the SABC say the SABC's newsrooms are "struggling without the Sapa news files".

# Forum attacks paper group

**Sowetan Reporter**

THE Independent Newspapers Group had shown a lack of commitment to transformation and affirmative action, the Forum of Black Journalists (FBJ) said yesterday.

FBJ secretary Mr Oupa Ngwenya said "While trade unions in the media industry) have tried their utmost to make this process work, the company has shown a distinct lack of commitment to transformation and has been content with using the affirmative action structures as toy telephones".

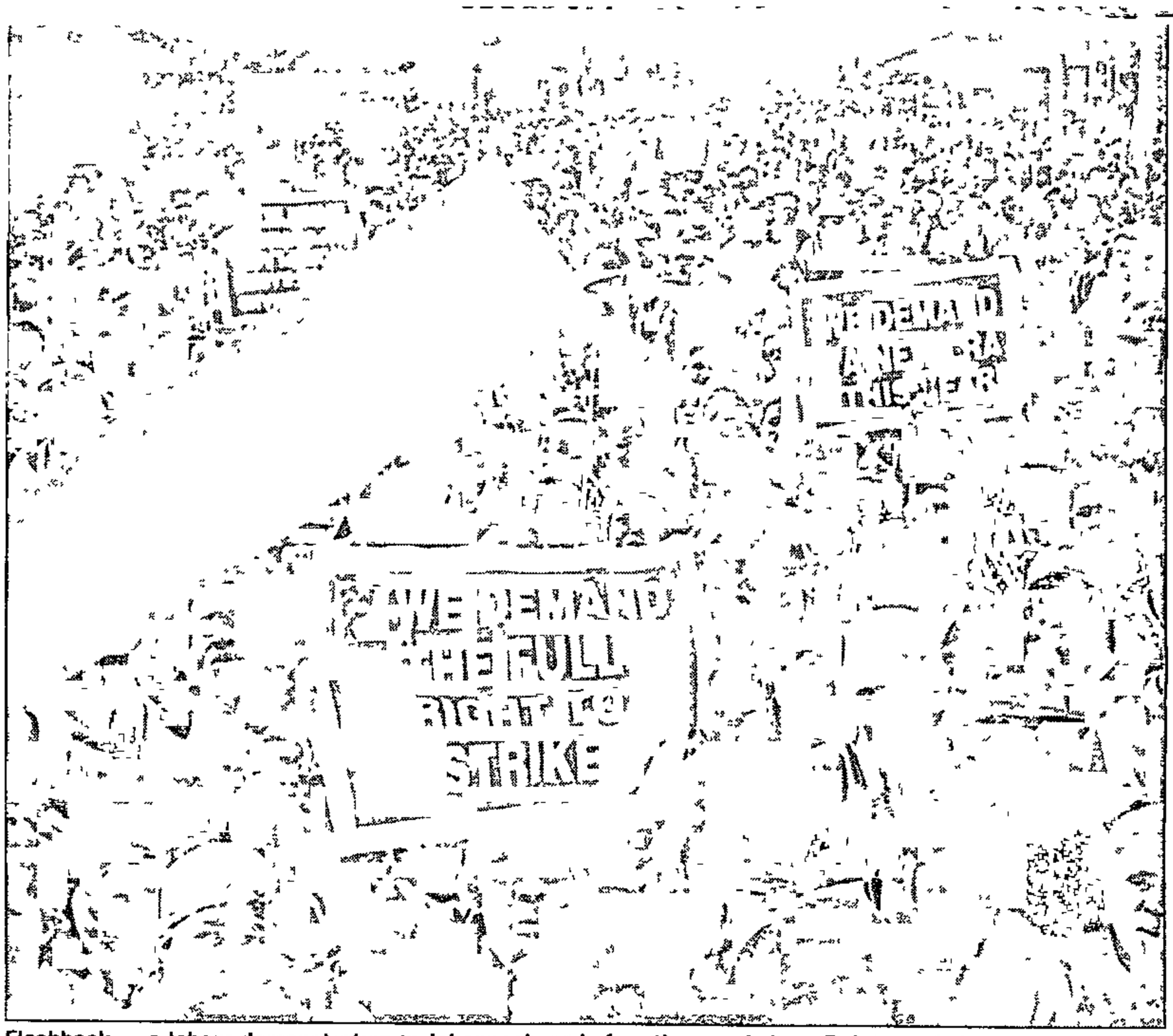
He was commenting on the withdrawal this week of three trade unions from the Independent Group Gauteng's regional affirmative action structures which were put in place so that management and employees could jointly implement the process of transformation.

The Media Workers' Association of SA, the SA Union of Journalists and the SA Typographical Union pulled out of the structures, citing as their reasons Independent Newspapers' alleged lack of commitment to transformation itself, and its continued practice of race and gender discrimination.

"This makes a mockery of the existence of the regional affirmative action monitoring committee and constitutes a glaring contradiction to the company's commitment to change as pronounced at the TRC hearings two months ago.

"The FBJ fully supports the action of these unions as it has sent clear signals to the management of South Africa's biggest newspaper group that it cannot continue saying one thing and doing the opposite.

"It is time Independent Newspapers and other newspaper houses realised that transformation is not a public relations catch phrase. They need to show commitment to effecting real change in both their editorial and operational sides," Ngwenya said




Flashback . a labour demonstration in Johannesburg before the new Labour Relations Act was passed

30/12/17

# Labour reporters 'walk a tightrope'

SCHETAN (243)

## Unions encourage crime with their unashamed championing of thieves

**By Abdul Milazi**

THE FUN of journalism comes around about this time of the year, when we take stock of the major and funniest events of the year in whatever field we cover as writers

Political writers get their chance to hit back at the politicians who forever accuse journalists of "misrepresenting facts", and we get the chance to have our say about the job market without fear of being accused of having a "secret agenda" by union leaders

Writing about labour issues is a gruelling task, yet exciting (if being insulted by trade unions every day is your idea of excitement), and this year has been no different

### Ultra-sensitive

There is something about the South African "democrazy" which has made politicians, union leaders and even hawkers and hobos ultra-sensitive about the truth

If a journalist (only a brave one) dared to write about how hawkers and hobos litter our streets and beautiful parks, thousands of them would probably march to Parliament in protest against the offending writer's "racist" article or anti-democracy sentiments

If you think "no-go areas" disappeared with the end of political violence, think again In labour reporting there are a lot of them (which only the brave few visit)

The most dangerous of these "no-go areas" is to write something negative about unions This cardinal sin is punishable by a four-page letter (it could be longer depending on the gravity of the irritated leaders' tantrums) to your editor demanding your dismissal

The offending journalist suddenly becomes "a so-called journalist" and acquires other titles such as 'pro-capitalist" (perhaps professional capitalist)

Some people (employers included) feel that the unions have gone too far, and have been given way too much power

A classic example, also one of 1997's funniest events, is when South African Commercial Catering and Allied Workers' Union members were captured (in colour) by surveillance cameras emptying the wallets of hotel guests The union has opposed these workers' dismissal because video-taping the theft was "an invasion of the workers' privacy"

The postal services are in the same predicament Surveillance cameras have captured workers opening registered letters and pocketing the contents, but they cannot dismiss them for fear of a threatened massive strike

### Illegal strike

It is also not uncommon for workers to go on an illegal strike and, when they are fired, accuse the employer of "not following procedures" or of having "apartheid tendencies"

Another tendency fast emerging among unions is that of wanting all or nothing It has become more evident in the post-apartheid era

This year was a classic example of a union movement turned raging bull When negotiations stalled at the National Economic Development and Labour Council, labour thought it more sensible to embark on demonstrations than to solve the problem through discussion

Believe it or not this has worked wonders for the labour movement since the advent of unionism in South Africa At least at that time employers usually called in white policemen who relished the idea of *donnering* a *kaffir* once in a while

This method worked well for employers too – at least until blacks got into government in 1994 No police officer would dream of beating up a black in these times of political correctness, especially now that unionism has become fashionable

Three years ago nobody would have imagined a blue-eyed, blonde and white marcher stomping his or her feet on a baking tarmac for hours shouting slogans (I guess he or she would be red-faced too after a few hours in the blazing sun.)

Today nobody even thinks twice about it, what with white union membership currently estimated at more than 400 000 The Federation of Unions of South Africa (Fedusa), the second largest union federation in the country, is white

Fedusa is reported to have more than 500 000 members (the total membership of the Congress of South African Trade Unions is estimated at around 1,8 million) This phenomenal growth is nothing but the coming together of white staff associations, which are now registered as unions

### Wide scope

This is all exciting stuff when you consider the wide scope it gives to labour reporters

Then there is the passing of new legislation The Labour Relations Act and the Mine Health and Safety Act were passed last year, and the Basic Conditions of Employment Bill Skills Development Bill and Unemployment Insurance Fund Bill are still being negotiated When new laws are passed, there is always a frenzy of excitement, expectation and sometimes irritation

But after all the laws have been promulgated and the dust has settled, journalists will go back to covering strikes, although they will be temporarily kept busy monitoring the progress of the implementation of the legislation

Yearly round-ups will then degenerate into merely grading strikes in accordance with their magnitude and impact, and covering the national congresses of the major unions