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# Racism ... or inept reporting?

Never attribute to malice what is best explained by incompetence, counsels Kanthan Pillay

When Cape High Court Judge John Foxcroft last October imposed a sentence of seven years imprisonment on a man found guilty of raping his 14-year-old daughter, most of us went ballistic. When we heard reports that the learned judge had suggested that the crime was of lesser importance because it had been perpetrated within the family, we blew our collective stacks. If there was one prejudice this confirmed in our minds, it was yet another illustration of the insensitivity of a white man to the plight of victims of power — especially when the victims happen to be black and female.

And amidst the storm came a calm voice of reason from Kevin Rorke of Mowbray in Cape Town who wrote in to my then newspaper, the *Cape Times*: "I find it rather remarkable that people can see fit to pass comment on a High Court judgment on the strength of a newspaper report... Have any of these arm-chair lawyers actually read the judgment or attended the case? I wonder. With the exception of one or two reporters, I suspect not..."

Rorke touched another nerve. If there is a crime that I would hope never to be accused of, it's that of poor journalism. So I went in search of Foxcroft's judgment and spent several hours perusing it with a fine tooth comb. And I was forced to admit that Rorke was right. For example, the *Cape Times*, reported as follows: "The judge also came under fire for his 'insensitive' remarks when he said the interests of the community played a much lesser role in determining the 54-year-old

Elsie's River man's seven-year sentence as the victim was his daughter."

I could find no place where Foxcroft said anything of the sort (and yes, as Managing Editor at the time, I share culpability for the misreporting). What he did say was: "I would also like to mention a case heard in this court where Mr Justice van Reenen gave judgement on sentencing with which I agreed. In the case, a father had raped his two young daughters over a period of seven years. That case was a much more serious rape case than the present sentencing with which I am dealing. ... In that case this court said the father's sexual deviancy was limited to his own family and there was no suggestion that the man's behaviour would surface outside the family unit. ... Because all the accused's daughters have left their parents' home the likelihood that these crimes will be repeated is almost zero. Taking this into account there seems to be no reason for the public to be protected from the accused or that a sentence be imposed which will act as a deterrent so that the accused does not commit a similar offence."

The Foxcroft example is not too dissimilar to another widely misreported story which confronted me in the following month when I left the *Cape Times* and joined e tv. On November 11, 1999, a report was published in *The Star* headlined "IBA told e.tv loses R20m every month" subheaded "Director of creditor company says Midi Television is losing money". Through the wizardry of syndication, the same report also appeared in the *Pretoria News*, the *Cape Times*, and the *Daily News*. "Midi Television, owner of e.tv, is losing about R20-million a month, and will need R300 million before it could break even in September 2001," the report said.

The facts were that Midi TV's business plan as approved by the IBA at the time of granting of our licence in March 1998 called for a capital investment of R334-million over the period October 1998-October 1999, which translates to "losses" during that period of R27 million per month. The report created the impression that the company was performing poorly when the cor-

rect deduction would be that we were in fact bettering our cash flow to the tune of some R7-million per month. Instead of praising the company management for excellent results, the writer painted a picture of yet another black-run company rapidly sinking under a torrent of financial mismanagement.

"If there is a crime that I would hope never to be accused of, it's that of poor journalism"

Conventional wisdom (for example, as presented to the Human Rights Commission's Inquiry into Racism in the Media) would have us assume that the report was influenced by racism (notwithstanding the fact that the writer was black). The argument is compelling. After all, we

are products of a society which thrived on promoting and reinforcing racial stereotypes. But compare the misreporting of the e tv story with that of the Foxcroft judgement, and another simpler explanation emerges: Never attribute to malice what may best be explained by incompetence. Bad journalism is often mistaken for racism.

Adherence to universally-acknowledged basic principles of journalism provides a good measure of fairness to the coverage of people and events. If you publish a fair report, it is difficult to see how that report can also contain elements of racism.

In the case of the Foxcroft story, it was the simple requirement of reading the judgement. With the e tv story, it was a question of reading the business plan submitted 18 months before and on file as a matter of public record with the IBA.

Yes, racial stereotyping exists. Yes, the attitudes of both black and white journalists do not always contribute to racial harmony. Yes, the media often — and without malicious intent — demonstrate racism in the manner in which whites or blacks are portrayed. But bad journalism frequently underpins these.

The way forward is to be found by insisting on excellence in journalism and in monitoring and reporting on instances or patterns of racism. Excellence in journalism is about entry-level training which incorporates essentials of economics and statistics. Excellence in journalism is about holding off on grabbing that sound-bite until you've read through to the very last word.

## CAROL STARKE b. 1971

### Lands Identity

In the battle of Grahamstown, identity and survival became inseparable from the land. Land was increasingly fragmented as a result of the conflicts between the people moving into the area and those who had already been living there.

