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DU PREEZ



Following the murder of Sowetan journalist Sam Mabe by unknown assassins, Raymond Ackerman established a scholarship at Rhodes University in his memory. What follows are extracts from the inaugural Ackerman Press Freedom Lecture by Max du Preez, editor of Vrye Weekblad

The Inaugural

ACKERMAN

PRESS FREEDOM

LECTURE

MAY I first congratulate the Department of Journalism and Media Studies of Rhodes University on their 21st anniversary. It is and has been a magnificent school. Over the last decade I have worked with several of the graduates of this department and they represent the best of our profession.

It was very appropriate for the department to have launched the *Journalism Review* in this anniversary year. It is an excellent, well-balanced publication and it fills a huge void in our professional life. After just two editions it has established itself as the flagship of the journalistic profession in South Africa. ☞

THOMAS JEFFERSON once said: "Were it left to me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter."

Perhaps, as American politicians are prone to do, Jefferson was overstating his case. However, I do believe that a country with a flawed constitution but with a vigorous, independent press is much better off than a country with a good constitution but a lame, unfree press. In our modern world, only societies with lively, independent newspapers, radio and television stations are truly democratic. When checks and balances are what one is looking for in a constitution, a free media is step one.

Judging by the widely different proposals for a new constitution for South Africa and the fundamental compromises that will therefore have to be made by all sides in our polarised society, we can accept that the first constitution of the New South Africa is likely to be a flawed one.

We have the additional disadvantage that after generations of oligarchic white rule, there is no culture of a really free media in South Africa, not in the white community and certainly also not in the black community.

The Afrikaans newspapers were founded with the purpose of supporting Afrikaner nationalism and therefore apartheid and did so very effectively. The English-language newspapers, almost exclusively owned by big capital, have always served the narrow interests of the white entrepreneurial classes. Both white newspaper groups, therefore, had a cosy relationship with their constituencies within the apartheid system. And where a newspaper violated this cosiness, as did the *Rand Daily Mail*, it was dealt with.

The black community was always hampered by large-scale illiteracy and poverty, and the early black newspapers were run by and produced for a small elite. When the community could sustain viable newspapers, it got the kind of product that had to live within the narrow parameters of the apartheid system and was owned by white capital. When these newspapers started pushing those parameters, as did *The World*, it was summarily banned by the government and the journalists detained.

It is because of these reasons that there has never really been a massive outcry by the South African public when the National Party government restricted press freedom, jailed or banned journalists or closed down newspapers.

It is also for these reasons that the white establishment reacted with considerable hostility to the advent of the frontier journalism of the so-called alternative press; and it is for these reasons that there is still so much intolerance in the black community towards black journalists who try to be independent.

Journalists themselves are the only people who can repair this damage and restore or create a mentality among the majority of South Africans where a free and independent press is not seen as a privilege, but as an absolute right.



We will only be able to achieve that if we show all our communities that, despite the political differences we may have, our main mission is to inform them fearlessly and in a fair and balanced fashion; and to be the wide-awake guardians of freedom of speech, of democracy and of human rights and dignity.

It is easier to do that now than before February 2, 1990, but there still is a list of laws as long as my arm restricting the freedoms of the media. Of course the bureaucracy and the securocrats are way behind the State President and would love to charge and prosecute as in the good old days. But the fact of the matter is that there is more freedom for the media in South Africa today than probably anywhere in Africa or perhaps anywhere in the developing world. I am just not sure that

all of us are equally prepared to exercise that freedom to the full.

It is clear that the concept freedom of the media has two legs: statutory freedom or the freedom that the state allows the media; and the freedom manifested by the media itself.

On the eve of constitutional negotiations, all the main political parties state on paper that they will guarantee a free media. But there is one lesson every journalist learns sooner or later: never, ever trust a politician, not even the one that you have voted for yourself. It is in the nature of the beast to dislike all journalists.

It is of crucial importance that we as journalists and as citizens demand an entrenchment in our new constitution of the rights of freedom of speech and opinion as firm as that of the American First Amendment.

There is an argument that the First Amendment provides too much protection and that it is therefore very difficult for an American politician to sue successfully for published defamation.

I think that is an additional reason why we should have a similar protection. During a period of 18 months, *Vrye Weekblad*, the newspaper I work for, was sued for defamation by three senior civil servants and a state president. Two cases have actually been in court, and all indications are that it is going to cost the taxpayer in the region of R2-million. The legal costs to *Vrye Weekblad* at this stage are just over R1,1 million. In every case the basis of the litigation was criticism by the newspaper of the way the public figure executed his public duties, and in every case the litigation was sponsored by the state.

The fear of a libel suit brought by a politician or a civil servant and the exorbitant costs of Supreme Court litigation have served as one of the most powerful forms of self-censorship in the newspaper world in South Africa. This form of restriction of press freedom should also be tempered.

There is another dangerous trend that has shown itself in recent months, and that is the practice of granting Supreme Court interdicts to gag newspapers. The case of Mr Vito Palazzolo versus the *Sunday Times* is the most outrageous one that has severely dented the credibility of the courts, but there

PLEASE TURN OVER

were also two others in recent months. *Vrye Weekblad* has also had one such experience, but fortunately we could have it overturned. These so-called temporary interdicts may, in fact, last many months, even years, if there is an appeal to the Appellate Division.

Allow me to quote the *Sunday Times* editor, Ken Owen, on this, because even when he talks nonsense he says it better than I can: "Newspapers are answerable at law, and the courts should not lightly usurp, even temporarily, the duty of editors to decide what may, and what may not, be lawfully published. If this trend continues, we regret to predict, newspapers will simply cease to give the subject of a report the chance, in fairness, to comment before publication. They will publish first, and argue in court later."

I believe that the present Media Council, however flawed it may be, is a system that can work. *Vrye Weekblad* recently had a fairly serious conflict with the police, and to save legal costs we both agreed to mediation by the Media Council. *Vrye Weekblad* and the SA Police are not exactly fans of each other's approaches and actions, but within two hours we reached an agreement. Both sides were satisfied, we did not waste our money or that of the taxpayer, and for a few days afterwards we actually had a workable relationship. I hope the status and standing of the Media Council will improve, because that can enhance the freedom of the media as well as its relationship with the public and individuals in public life.

Let us look now at the other leg of media freedom, the media itself.

The first thing that strikes an outside observer about our media is how monopolistic it is. Monopolies anywhere are unhealthy, but in the information business they are a serious health hazard. Diversity is absolutely essential.

Let us discard immediately any suggestion of "closing down" or "nationalising" any of these newspapers. No serious journalist or democrat will go along with that. The answer, in my view, lies not in "breaking" the monopoly publishing companies, but rather ensuring that the non-monopolistic or independent media survive and flourish. That would ensure the balance; that would prevent serious distortions and misrepresentations. Because not only does society have access to other sources of information and opinion than that of the big publishing companies, but the mere existence of other media and the material they publish will influence the bigger publishers and force them to take a wider look at society and its ills.

I am, of course, talking about what is commonly called the "alternative" press, and by "alternative" a whole lot of people, including media people, mean "fringe".

An article in the last edition of the *Rhodes Journalism Review* on the alternative press by the co-editor and co-founder of one of the pioneers in this field, the *Weekly Mail*, had done us all a lot of harm and was a very poor reflection of what is actually going on in the independent press. His article was widely reproduced elsewhere and was translated

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and published with great glee in *Die Burger* and *Beeld* as a kind of farewell to the alternative press.

The esteemed co-editor starts his article off with these words: "The alternative press will soon die." I say to him: Speak for yourself. No-one dies quicker than he who has lost the desire to live.

The co-editor also wrote: "The alternative press is running out of causes". Again I say to him: Speak for yourself because the independent press has never been more healthy and buoyant and motivated as it is now. February 2, 1990 and FW de Klerk liberated us and gave us a new lease on life.

It is true that we were born during the dark days of repression, States of Emergency and censorship – those harsh days of the PW Botha era. We believed the existing newspapers did not reflect the real issues and struggles of the South African people; we believed they were silent on a whole range of issues in our society because it was safer and cosier not to bring them up; we believed they did not fight hard enough against censorship and tyranny; we believed that they did not give a voice to large sections of our nation.

So most of us, for the sake of balance, embarked on a degree of advocacy journalism. It was a very serious business, and risky and dangerous at the same time. It also produced some of the finest, proudest moments in South Africa's media history. I want to believe it had a profound effect on public debate and, as importantly, on the mainstream media who knew that the era of comfortable and smug journalism was over.

But the advent of one Frederik de Klerk, the lifting of the State of Emergency, the release of political leaders, the unbanning of political movements and the commitment to negotiations changed the whole ballgame.

The worst forms of repression, of apartheid and of censorship were done away with. A large part of our original task was fulfilled.

But we never planned to be just a flash in the pan, or to have a short, glorious life as media 'terrorists'. We believed then, as we believe now, that we are professional journalists in the first place, and a journalist's work is never done.

The kind of journalism we felt we had to practise in those early days was exciting in the extreme, as my personal three criminal convictions and 11 court cases can testify. But February 2 relieved us of a large part of that awesome early burden.

We could afford to spend our energy and talents on those facets of journalism that are so terribly important: good writing, good culture, good sport, good fun and humour. We could start concentrating on good journalism rather than just being good watchdogs.

It is significant that, instead of withering away or being on our death-beds, every single one of the member newspapers in the Conference of Independent Newspaper Editors (CINE), that is *New Nation*, *Vrye Weekblad*, *South* and *New African*,

PLEASE TURN OVER

has seen a substantial increase in circulation as well as advertising revenue since February 2 1990. One of those newspapers whose imminent death we hear so much about, *New Nation*, has just rocketed to 410 000 readers. That must say something.

Newspapers such as *Vrye Weekblad* and *South* have changed their whole approach and format. *Vrye Weekblad*, for example, is now a news magazine. Perhaps it is because the *Weekly Mail* has not changed that they are dying.

I am not saying that everything is fine in the affairs of the independent media. All these newspapers were started by journalists, and to this day we are struggling to catch up with those years of neglect in the fields of management, marketing, distribution and advertising.

Even our editorial mix is still not always right, and some of us tend to still be too political and even predictable at times. But we are learning our lessons fast and the future is exciting rather than gloomy.

The task ahead of the independents is as important as the one we set ourselves in those early years – to spearhead the march to a new, peaceful, just and prosperous South Africa; to work for a truly open and tolerant society where every citizen will count; to build a strong, enthusiastic and united nation. With our pioneering experience and the substantial credibility we have earned in the oppressed communities, we are in an excellent position to do that.

I feel very strongly that the time has come to cut the rhetoric, to end the war of words between the independent press and the mainstream media. The cowboys, the upstarts, the print guerrillas on the one hand and the commercial press, the lackeys of the white state and of big capital on the other. These have become senseless insults caused by unnecessary conflict, professional jealousy and one-upmanship. On the other hand, we should not be over-sensitive about mutual criticism – the so-called “dog-eat-dog” doctrine – because newspapers are instruments of democracy and should always be prepared to be criticised. As my favourite philosopher, Naas Botha, used to say: Cowboys don't cry – especially not in front of horses.

But it is as important for our society as it is for the mainstream media that the independent press survive into the New South Africa. And if it is really true, as we are told by some, that the mainstream media want us to survive because it is also in their interest, the time to act together is now.

It must be abundantly clear to everyone but a few hardliners that the claim that a free enterprise or libertarian media model guarantees a free exchange of information, opinion and ideas is not true – at least not in our divided and unequal society with its sad history of apartheid, indoctrination and division.

Let me give you a crude example of our predicament. If *Vrye Weekblad* with all its human and technical resources and talents were to decide tomorrow to align itself with the white rightwing, we would sell 100 000 copies by the end of the year and make a million rand profit by the end of next year. But our choice is to stick to democracy, non-racialism and quality journalism, and that means remaining poor and small.



If the independent press is to survive in the long term and to produce even better newspapers, we will need more help than the cynical white middle-class media planners at advertising agencies are prepared to give us. They are the people who *really* count in the media.

With this in mind the Conference of Independent Newspaper Editors will soon make proposals to the Newspaper Press Union, of which we are not yet a part, for the creation of at least a temporary support system for all young and struggling newspapers that deserve a place in the media market. We are using the Swedish, Dutch and Belgian systems as models.

I do not think we should wait for a new constitution or a new government; I think we in the media industry should initiate such a support system now and present it

to the government.

The independent newspapers did not have the luxury of huge and financially strong mother companies when they started out. They all started on the savings of the individual journalists and on grants from foreign governments and institutions that have now all but dried up.

But with a little help we can overcome those drawbacks. A little help such as more favourable deals from those printing and distribution companies that are part of the same newspaper monopolies. The cost of distribution, for instance, is killing us. Putting up the cover price does not help, though, because the distribution companies – or at least the largest one – works on the very strange principle that you pay just under 50 percent of your cover price for distribution, be that 80 cents or R8.

The mainstream media itself felt the pinch of a smaller advertising cake when television took its slice, and negotiated the M-Net deal with government. If the mainstream media is serious about allowing a diversity of publications to survive, is it not a good idea to let the independent press also share in the benefit of M-Net shares?

I have concentrated mainly on the print media, but the reality is that for the greater South African population with their high illiteracy rates, radio is far more important. And apart from radio there is the extremely powerful TV1, 2 and 3 channels.

There has recently been a flurry of demands for the airwaves to be freed, for radio and TV licences to be issued freely and for the entire SABC to be privatised. I think this is dangerous. Most of the people now clamouring for radio licences would not have an idea what to do with one if they got it. My fear is that in the end the airwaves will be completely dominated by commercial stations with an overriding profit motive. That would not benefit those people who are illiterate or who live in outlying rural areas one bit.

I believe in our country the main radio and television stations will for at least some years still have to be in the hands of the state, of course with private competition.

The question in my mind is: Can we really wait until we have a new government to see the control of the SABC change into the hands of the representatives of the majority? I sincerely hope that Christo Viljoen's Task Force would

PLEASE TURN OVER

consider replacing the present control board of the SABC with its massive infrastructure with a new board representative of the major political parties in our country. And this should be addressed now, not in two years' time. This period of transition is too crucial for this decision to be postponed.

There is a lot of paranoia at the moment in white Afrikaans circles about the survival of Afrikaans as a language and of Afrikaans newspapers and magazines. Some of this makes me very depressed. Can you imagine what the reaction would be if Mangosuthu Buthelezi were to get on a public platform and announce that if Zulu is not declared an official language of South Africa, he will muster his impis and turn South Africa into a bloodbath?

Yet read this: "If Afrikaans is sidetracked or stripped of its official status or artificially kept out, then we are looking for serious trouble, no matter what government. Such a course of action will bring forth big and fierce resistance. It will be a ruinous day if white Afrikaans-speakers across the spectrum judge that they must unite to fight for the preservation of their language. Their capacity for destruction will be massive, dwarfing the resistance efforts we have come to know in Northern Ireland, Lebanon and elsewhere."

Andries Treurnicht? Eugene TerreBlanche? No, those bloodthirsty words were written in the last *Rhodes Journalism Review* by none other than the managing director of Nasionale Pers and chairman of M-Net, Mr Ton Vosloo. It makes one want to apply for political asylum in a Boerestaat.

Afrikaans is the home language of more than five million people. According to the 1980 census, more than 13 million South Africans can speak and understand Afrikaans compared

with 12,3 million people who can speak and understand English.

Afrikaans is a language of Africa. It is an indigenous South African language just as Zulu or Xhosa or Sotho is. It is a beautiful, alive and passionate language. It will never disappear.

The best thing that can happen to Afrikaans now is for it to be stripped of all its artificial official protection and its elevated status above other indigenous languages. Liberate the language of the chains of Afrikaner nationalism and white power and it will flourish and grow. It has no moral or other right to have a higher status than other languages. It is exactly this attitude that has made it the hated language of the oppressor.

Afrikaans should not be a Casspir language, Broederbond language, a policeman language, a magistrate or prison warder language. We should hijack it and give it back to the ordinary people of whatever colour. It can also be a language of Liberation and of Unity.

If somebody asked me now what the biggest threat against the media in the New South Africa was, my answer would be short and simple: Mediocrity and boredom. A big greyness that will engulf us all. May God and a new generation of hot-blooded, robust and imaginative reporters save us from that. ●

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