

AFRICA CAN DO IT AGAIN BUT THE MEDIA NEEDS FRIENDS

BY GUY BERGER

Can African media make world history again? This is the challenge being faced by media activists in September 2011, when they hope to mobilise a critical mass of voices in support of global official recognition of a “World Day of Access to Information”.

Their quest echoes and complements the efforts of an earlier generation, whose gathering in Windhoek in 1991 went on to successfully convince the UN General Assembly to endorse 3 May as World Press Freedom Day. More than 100 countries worldwide marked the occasion this year.

As with the meeting 20 years ago, Unesco is a key partner in the September 2011 meeting. The prestige of this particular international organisation carries a lot of clout around the world, and it was largely thanks to it that 3 May secured traction internationally.

There are several rationales for a focus on access to information this time around:

Only six of 54 African countries have serious freedom of information laws, with the effect that transparency is in short supply – and not least in regard to the rip-offs and ravages that characterise

deals around oil and mining rights in this resource-rich continent.

South Africa as an early adopter – the Promotion of Access to Information Act in 2000 – has been going through enormous wrangles to prevent the spirit of this law being undercut by the recent Protection of Information Bill (popularly dubbed “the secrecy bill”).

In this post-WikiLeaks era, and with cyberwarfare becoming more and more mainstream, the issues around defining and regulating exceptions to access are becoming acute.

What’s significant about the notion of access to information is that it embodies the need for citizens to have a right to information *and* it goes further to point to the need to make the right practical. In an age of internet and digital technology, the issue is how to use these assets to materialise rights in ways that make it easy to find and interpret information. That means ICT access, and info-literacy.

The issue here includes the extent to which public information becomes privatised, or remains in the public domain. And it also underpins statements like that of the US-based Sunlight Foundation which defines public information as necessarily having to be online.

In terms of international law, access to information is described as part of the wider right to freedom of expression – for instance in the UN Declaration of Universal Rights and the later elaboration in the International Covenant on Human and Political Rights. There’s a logic here, in that free speech is rendered meaningless if the public is denied access to that speech – and the speech itself becomes circumscribed by being forcibly uninformed.

Media freedom is one of the central manifestations of the right to free speech, which is why World Press Freedom Day is of relevance to everyone, and not only newspapers. In comparison, a “World Access to Information Day” is of invaluable relevance to journalists, but it also goes much wider than the media sector. Activists around pollution or the

extractive industries, companies, donors, banks, NGOs, academics, librarians, etc are also direct stakeholders in getting access.

There’s an interesting interface between news and information that illustrates the difference – and the interdependence. A classic definition of news is that it is information that someone somewhere does not want revealed. A more cynical take on this, by journalist David Beresford, is that news is what any given editor hasn’t yet heard of. (He told this to the editor of *The Times* (UK), and didn’t get the job – instead *The Guardian* secured his talents.)

The point is that the media constituency has to get its head around realising that it is just one stakeholder operating a special filter for gleaning and giving out information. Journalists should realise there’s a huge potential alliance for access to information, involving many more sectors of society and individuals who are far from the traditional business and news nets of journalism. And often it’s these other sources of information who produce light, while what passes for journalism is too often just noise.

If anything, the recent contestation around the South African “secrecy bill” showed exactly this – that media alone is far less powerful than media-among-many. The Right to Know civil society coalition, rather than media organisations like the SA National Editors’ Forum, led the successful charge to get some of the most obnoxious provisions dropped.

The same basic principle has been evident in countries like Liberia, Nigeria and Uganda. In all of these, the media has been a valuable beneficiary of getting transparency entrenched, and by extension, so too has the broader public. But in all these, if it were left up to the media to do the job alone, far less progress would have been made.

What media people can also do is to keep the public informed about these wider social campaigns around access to information. That also means educating audiences about the issues at stake. And journalists themselves need to be informed about these very matters. One example would be the debate around the extent to which public access applies to private bodies as well as to the state.

Another key issue is the definition of legitimate limits on access. Journalists should know and apply the three-way international test in assessing when secrecy can be acceptable:

- with transparency as default, the exceptions to be kept under wraps need to be tightly defined and codified in law, so as to avoid arbitrary refusals to release information;
- the rationale for keeping some information confidential must be a legitimate one, and not a ruse to hide corruption or human-rights abuses; and there must be an independent appeals system against refusals to grant access;
- penalties for violating any limits on access must be proportional to the damage caused by disclosure, and actual harm should be demonstrated by those allergic to sunlight.

Informing the public about these issues, and assessing practices against these international standards, is part of media’s important – but highly neglected – role of promoting information literacy.

It’s not enough for the public to have rights and practical access to information, they also need the capacity to understand whence it comes and what it means. They especially need to know what criteria affect the selection, structuring and credibility of news. Just like they need to know what a wiki is and how to “read” Wikipedia.

Part of the Cape Town conference agenda is precisely to promote dialogue between media and other stakeholders. Besides Unesco, other organisations involved include the African Union Commission, and the special rapporteurs for free expression of the UN and the African Commission on Human and Peoples’ Rights (an organ of the African Union). Also affiliated to the initiative are the World Association of Newspapers (WAN-IFRA) and Article 19. The convenors of the event are known as the Windhoek+20 coalition, made up of influential NGOs spread across the continent (see www.windhoekplus20.org).

It’s time for the media to descend from its pedestal and make friends with everyone else with an interest in information access. If it works, this kind of synergy will add another contribution to world from African experience.

