

# Where the HRC went wrong



**Sean Jacobs** sums up the problems and suggests a new process

The Racism in the Media Inquiry arrived at the wrong time. The mainstream media felt under siege. This was largely a perception born from its experience with any form of state, particularly that under apartheid, and given its liberal democratic origins and ethos. Consequently, many journalists perceived the inquiry as part of a grand government conspiracy to attack them. The HRC were the foot-soldiers of the state in this perceived crusade.

President Mandela had questioned the media's bona fides to properly relay the complex nature of the South African political, social and economic transformation in late 1994. At the ANC National Conference in December 1997, he had referred to the media as part of a broader 'counter-revolutionary' conspiracy against transformation in South Africa. Not surprisingly, the press conjured up visions of a government and ruling party-led crusade against them.

This fear was further exacerbated when Mandela's successor, Thabo Mbeki, reminded the media (particularly the printed press) at every opportunity of their racial character (read: an overwhelmingly white press writing from the experience of the country's white minority about the country's political, economic and social transition).

As a result, the HRC could hardly rely on any co-operation from the media. It is true that Claudia Braude (who acted as primary researcher for the HRC Report) had not consulted with the media groups or interviewed journalists and produced a report with rather flimsy analytical bases. But it is also true that the media — already when the first advertisements for the inquiry and the hearings had appeared in the media — had dismissed the process as a witch-hunt from the start.

In addition, a poorly formulated complaint by a group more interested in their advancement as a racial class (as against that of black people in general) had formed the basis of this 'assault' on 'press freedoms'. Then the ANC's lopsided submission (key message: a white editor must have written a black reporter's criticism of President Mbeki!) only worsened an already damaged climate between the media and the HRC.

What was lost as the HRC became the subject of the investigation, was the real subject: racism. Yet racism is inextricably part of the media make-

up in South Africa in how it perpetuates separate audiences, constructs markets for advertisers, portrays complex processes of political transition and organises its newsrooms.

**Much of the subsequent debate and critiques of the process focused on the HRC's process. Three things stand out from that overplayed debate:**

● One, the efficiency of the HRC's complaint and public deliberation process is under question. In this case an individual complaint (the Black Lawyers Association and that of the Black Accountants Association against the *Sunday Times* and the *Mail & Guardian*) became conflated with a broader social inquiry (racism in the media). In future when the HRC chooses to conduct a macro-level social inquiry, it needs to be careful to ensure that such an inquiry is not confused or conflated with an individual, micro-level complaint.

● Two, given the sensitivity of the subject, the HRC could have adopted a less confrontational approach. The actual process as well as the public debate that preceded the hearings was dominated by the HRC's decision to exercise its legal powers to use subpoenas in a context where the 'rules of the game' are liberal democratic (where the media is interpreted as hands-off and one of the pillars of a democratic system). The furore that ensued compromised and severely damaged the prospects for a substantive inquiry into racism in the media.

● Three, the commission's research opened itself to ridicule. Beyond the sloppy research, it lacked definitions ('What is racism?'). Such a definition should have been dealt with as a preliminary matter. A good comparative example is the work of the Truth and Reconciliation Commission. Although it was controversial, the TRC managed to smooth its process considerably by (relatively) clearly defining gross violations of human rights ahead of time. The debate around what constitutes racism should have been the specialist area of the HRC and should have been settled before the public hearings.

The discussion about racism was perhaps too removed from the real experience of racism (mired in Eurocentric and American definitions while South Africa has a rich and well-documented literature and definitions of the particular manifestation of racism here). As a result, this 'debate' took on a political function itself, assisting in the vilification of the process — an unfortunate, but inevitable consequence.

Racism in the media is a complex issue. To completely unpack it requires a careful, systematic inquiry and a longitudinal approach. Racism is not easily exposed, except where espoused by a tiny minority who have made it a religion and a way of life. A large number of people who practice racism do not own up or are not aware of it (because it has become naturalised and therefore 'normalised').

Any serious interrogation of racism in the media must, among other things, look at the work practices and journalistic routines of the media, the gate-keeping functions and practices of editors and reporters in selecting news items and news sources and, indeed, the agenda-setting roles and strategies of the media and news sources. There is a lot we can discover behind those media gates.

At a political level, there are two useful lessons that can be drawn from the HRC inquiry. First, that a wide-ranging public debate should have preceded the inquiry; and second, that we require a fresh approach and new perspectives into this problem if we are to have a worthwhile exchange about racism, race and power, and media.

Looking ahead, we need a more empirical approach to researching the political and historical role of the media in order to contribute meaningfully to the debate about racism as well as the relationship between race and power in the media. Hopefully, the findings of such research will not be selfishly questioned and obscured through filibuster and rhetoric by those who need to take them to heart.

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**MBULELO NYUMKA**  
b.1976

**Akudlozi lingay' ekhaya — No spirit fails to go home**

The warrior has been told not to fear anything because his ancestors are protecting him. In front of the man a rifle is depicted with water running out of it down into the ground. It is believed that the medicine man Makana deceived the chief and his troops when he prophesied that the bullets of the British would be turned into water.