

Peer review and the media

What South Africans really think of themselves

by Raymond Louw

South Africa is one of the first countries in Africa to undergo the African Peer Review Mechanism (APRM) process under the African Union's ambitious Nepad (New Partnership for Africa's Development) initiative.

The review process is relatively simple in concept but it is time consuming and labour intensive in its implementation. The process is about halfway through in South Africa and should reach its final stages towards the end of this year or early next year.

But readers of South African newspapers would have only a vague impression of this activity, except for those who read the *Sunday Times* and *The Star* earlier in the year. For most of the SA media, the APRM appears to have become something of a non-subject and there is no good reason why. Perhaps editors were put off by the cynical comments of President Abdoulaye Wade of Senegal at a sumptuous dinner in Sandton in October 2004, in the third year of Nepad, when he exclaimed in exasperation, "I'm disappointed... we've not had one project that has materialised. People ask me what progress has Nepad made and I can speak to them about good governance but I can't explain any more."

He was referring to a key feature of peer review, the assessment of a country's good political and democratic governance. Countries volunteer to take part in the APRM process, which is carried out under four headings, with good political and democratic governance being the most important. The remaining headings relate to the other basic structures of governance – the conduct of corporate governance, economic governance and management, and socio-economic development.

Original intention

The original intention was that the process would enable countries with favourable reports to gain greater access to European markets and donor aid, but this has now been dropped. The process is now regarded as an end in itself to

improve African governance. The APRM provides for several stages in the review process culminating in a final report to African Union heads of state who then exercise peer review of the country being examined.

The process starts with a country conducting a self-assessment, while the regional APRM secretariat conducts an independent parallel review in the form of a background document. These two reviews are presented to a Country Review Mission which makes its assessment after conducting interviews with stakeholders, the business community, provincial governments and civil society in various parts of the country. In SA's case this mission, which in late July concluded a seven-province tour, is headed by Nigerian Professor Adebayo Adedeji, a member of an eminent persons group of seven – the great and the good chosen as respected African leaders in their fields from various countries – which oversees the APRM process. The eminent persons, in turn, hand the final report to the AU heads of state for final peer review.

But Wade was being over-optimistic when he implied there had been some progress in the good governance assessment. That subject has attracted the critical attention of some journalists in South Africa, others in the SADC region and many in such international fora as the Vienna-based International Press Institute and the Washington DC-based World Press Freedom Committee.

The journalists and institutions have protested to the Nepad and APRM secretariats that the criteria for assessing good governance is seriously deficient in that it fails to take any account of the important role, indeed the essential role, of a free and independent press in a country professing to be a democracy and to practise good governance.

The criteria outlined in the Nepad manual are that a country adopts clear codes and standards of good governance at all levels; runs an accountable, efficient and effective civil service; ensures the effective functioning of parliaments and accountability institutions, including parliamentary committees and anti-corruption bodies; and ensures the inde-

pendence of the judicial system.

While these are all appropriate requirements, critical journalists say this is simply not good enough. A country cannot stand up as a democracy practising good political governance unless it provides the appropriate legislative framework for a free and independent media and ensures that the authorities do not interfere with, or restrict, the media.

It is true that Nepad deals with the promotion and protection of human rights by requiring countries to ensure "responsible free expression, inclusive of the freedom of the press". But, the International Press Institute, in its criticism of Nepad, dismissed this clause, noting that it was not specific to good governance and that the "responsible" constraint is "a term which is often used to limit media freedom".

Free media

A group of journalists from the Media Institute of Southern Africa (Misa) and the SA National Editors' Forum (Sanef) have been trying to persuade the African Union and the Nepad and APRM Secretariats, as well as Presidents Thabo Mbeki and Joaquim Chissano of Mozambique when he headed the AU, to include a requirement that countries foster a free and independent media. They have had no success.

That's not surprising when one learns that in the original drafting of the criteria there was a requirement for independent media. However, shortly before the documents were made public, a last-minute revision resulted in the reference to the media and some other issues being cut out – presumably to make the documentation more palatable to the heads of state, especially those who keep tight control over state broadcasters.

When Sanef and Misa were invited by Professor Adedeji to add questions about a media role to the questionnaire that forms the basis of self assessment, their proposals were ignored. Most of SA's editors have shown little interest in this argument, nor have they been attracted to the huge operation that the SA government assembled to conduct its self-assessment. The government set aside a R20-million budget which

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included R500 000 for a “jingle” to persuade people to give their comments. The jingle turned into a two-track CD and cassette album, with top artists including Yvonne Chaka Chaka.

The government set up a national governing council under Public Service and Administration Minister Geraldine Fraser-Moleketi. There was no consultation in advance with civil society and no elected representatives. Four cabinet ministers, three deputy ministers and an official from the presidency augmented by 19 representatives of NGOs (non-governmental organisations) were appointed by the government. Those representatives are seen to be largely government-friendly. No academics were included. The top-heavy government component did attract attention from papers.

In Ghana, the self-assessment was conducted by civil society institutions and a strong body of academics, all independent of government, but the SA government simply brushed aside suggestions that it should follow the Ghana example.

The APRM process provides for the establishment of technical service agencies to draw up the self-assessment reports under the four headings and the council did enlist the services of credible independent agencies such as the SA Institute for International Affairs (SAIIA) and Idasa (Institute for a Democratic South Africa).

The council countered the negative impression it had created by setting up an elaborate consultation mechanism through which a huge response from civil society, interested people, parliament, provincial and local government councillors and officials as well as rural institutions was attracted.

Provinces replicated Fraser-Moleketi’s governing council and held numerous meetings of their own to solicit comment. Scores of documents poured in and the technical agencies pulled them together into book-sized representations and summaries which together totalled some 2 000 pages.

Four seminars and workshops were held in Johannesburg to discuss the documents, to add material and to refine them. Later final public meetings were held at the Walter Sisulu Square in Kliptown, Soweto, where further consultations took place.

Raised voices

A serious flaw in all these elaborate arrangements and the flow of information was the fact that delegates to the discussions had first sight of the

documentation when they arrived at the seminars and consultation conferences and had little time to read, let alone absorb, their content. Nevertheless, they were expected to discuss and endorse them.

Doubts about the integrity of the process, already aroused by a heavy-handed government, were increased by this consultation sham – which looked impressive but had little impact.

Some of those who attended felt that they had raised their voices but they had not been heard. Among the more frequent criticisms were:

- ineffective public participation in policy-making and parliamentary consultative practices;
- as proportional representation made parliamentarians beholden to party lists and party leaders rather than constituencies their oversight was increasingly ineffective; and
- over-centralisation of government giving excessive powers to the president.

But the government has ignored those criticisms. A few weeks later Cosatu (Congress of SA Trade Unions) General Secretary Zwelinzima Vavi commented in similar vein by saying SA’s democracy was under threat or sliding towards dictatorship.

On 31 May the then head of the Government Communication and Information System, Joel Netshitenzhe, said the cabinet had “rejected suggestions that our democracy was under threat from such hoary tendencies as ‘marginalisation of parliament’, ‘centralisation of power in the presidency’ and ‘a slide towards dictatorship’”.

He said “false assertions of this kind are not only fulminations of the imagination, but also do not reflect the views of the majority of South Africans, as shown during the peer review process...”

This is a remarkable assertion following the many criticisms of centralised government at the APRM meetings and especially as it was made while the self-assessment report is still being written and the country is months away from a peer review finding. It is highly revealing not only of what the government thinks should be the outcome of peer review but what SA’s self-assessment will actually contain. Quite understandable, because, through the government-loaded APRM governing council, the government will have the final say on what that report will contain.

It is unlikely that the public will be able to dispute the final self-assessment report because

Fraser-Moleketi has said that there is no provision for the document to be published before it goes to the Country Review Mission; ignoring the fact that there is no rule preventing it from being published.

Netshitenzhe’s statement has added to fears that the report will be watered down. Fraser-Moleketi said the intention was to reduce the submissions to five pages under each heading and it can be imagined how much will be left out if this occurs. People close to the process, however, believe that the large volume of material sent will result in each submission being closer to 30 to 40 pages¹.

Media indifference

Media indifference to this elaborate exercise has been surprising. Apart from the *Sunday Times’* Brendan Boyle’s comprehensive reports on the discussions, most SA media gave them passing attention. Yet, despite the reservations that have arisen about the government’s usage or manipulation of the process, here was a nation baring its soul, inviting – and getting – very pertinent and unvarnished comments on its conduct of affairs from politicians, institutions, academics, observers and analysts, and the public. It was a huge public accounting largely untainted by the excesses and point scoring of electioneering or political engagement, as has never happened before in South Africa, yet, apart from isolated journalists, few in the media paid attention.

The material is still available. All the representations, the reports of the technical service agencies, the transcripts of the painstakingly-recorded, public discussions and ancillary documentation has been archived at the Department of Public Service and Administration and can be accessed.

Here’s an opportunity for the SA press to exercise its watchdog function over what finally emerges from the APRM by delving through that documentation and publishing what South Africans really think of themselves. ■

1 Watering down and omissions of important criticisms did, indeed, occur in the self assessment report before it was handed over to the Country Review Mission on July 12. Among the omissions were references to the need to neutralise Section 205 (reveal your sources) legislation to protect journalists, the moratorium on crime statistics and indeed references to the extent of crime, the Oilgate scandal, etc.

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