

THE PRESS FREEDOM COMMISSION – WHAT WAS SAID

Prof Tawana Kupe

Dean of the Humanities Faculty, Wits University

The media should ensure that the regulatory system that governs its practices prevents a situation where the public perceive the media to be part of a system of institutions that they either have deep skepticism about or have no faith in. An independent regulatory body would be constituted from among public representatives with demonstrated commitment to promoting and protecting freedom of expression; academics with knowledge, interest and commitment to freedom of expression, media freedom and media regulation which promotes freedom of expression and the media and judges with an impeccable record of supporting a democratic human rights culture.

Gwede Mantashe

Secretary general of the ANC

Regulation for the media sector is vital to ensure that the press fulfils its potential to act on behalf of citizens, rather than simply to make profit for shareholders. This is a universally accepted premise. The ANC has never proposed a state regulation of print media, instead it proposes strengthening of the existing self-regulatory system and an establishment of an independent appeals mechanism as the best possible print regulatory system suitable and that this must be in conformity with the SA Constitution.

Samantha Perry

General Secretary Professional Journalists' Association of South Africa

In ProJourn's considered view, then, the attempt by the PFC to pre-empt the imposition of a Media Appeals Tribunal must go beyond a mere assessment of our formal processes and take into account whether there has been an erosion of public trust in the media – despite the best efforts of the Press Ombudsman. We believe there has been such an erosion and that warning signs abound...

Moegsien Williams

Independent Newspapers

It is our submission that the damage to our democracy would be many times worse if the current system of self-regulation of the press is tampered with. In our view, the introduction of a statutory Media Appeals Tribunal would sound the death-knell of a free press in South Africa. The mooted MAT would make the current Press Council and Press Ombudsman's office superfluous, unable to co-exist. Ethics is integral to the work our journalists do because it is a crucial aspect of any newspaper title's credibility. It would cause harm to people when journalists do not practise ethical principles and this failure can also serve to undermine our entire industry.

Pansy Tlakula

Special Rapporteur on Freedom of Expression and Access to Information in Africa (African Commission on Human and Peoples' Rights)

Self-regulation is regarded as the best method of promoting accountability and of protecting and promoting the right to freedom of expression and the press... the regulatory framework that South Africa will ultimately adopt must be in compliance firstly with its Constitution and secondly with the international and regional human rights instruments that it has ratified.

Prof Jane Duncan

Highway Africa

Self-regulation has the advantage of agility, which allows the system to respond rapidly to changes such as technological changes. Self-regulatory systems also lend themselves to a less formal, inquisitorial approach, rather than a formal, adversarial approach which can also hasten the speed of decision-making, while making the system more accessible to ordinary people who cannot afford legal fees. Ethical principles and practices cannot be legislated or compelled; they must be driven by a deeper moral purpose, and arise primarily out of journalistic self-organisation and self-activity.

Thuli Madonsela

Public Protector

From the perspective of the Public Protector's mandate of strengthening and supporting constitutional democracy in South Africa, the need for a free and independent but accountable and responsible media, is not negotiable.

Nic Dawes

Editor-in-chief, Mail&Guardian

In my view, non-statutory self-regulation with strong elements of community participation is a very South African answer to the question of deepening an ethical culture in journalism, and providing for redress when it goes awry.

South African Council of Churches

The question is how to promote creative application of journalism and media developments while holding onto moral and professional aims of journalism. Much of the problem lies with the commercial and consumer identity of contemporary media and press. Consumerism and commerce in the media largely aim at efficiency and profitability. The problem with the consumer mentality is that the former outcome of profitability is also closely linked with entertainment and pleasure. The SACC believes that [there] should be representatives of press organisations [on a statutory media regulation body] and especially those that represent the interest of marginalised communities, civil society organisations, including representatives from the faith community. However, the SACC does not believe that government should [...] be represented on such a body.

Dr Glenda Daniels

Advocacy co-ordinator of Amabhungane

Ultimately the reason why self-regulation wins hands down is that newspapers must be accountable directly to the people and the buyers of the product, which must not be mediated, and arbitrated by "independents".

Mmusi Maimane

National spokesperson, Democratic Alliance

Self-regulation is the best of means of ensuring that the media is held to the professional standards that it sets for itself, and which mirror the values of our Constitution. It is the only system based on the principle of peer review, which recognises that journalists themselves are the best placed to judge other journalists' professional standards. [...] However, it is clear that if self-regulation is to survive in the climate of hostility that now prevails, then it must be a form of self-regulation that works *effectively*. Self-regulation must work to buttress the media from meddling by the state, and it must protect the public at large from declining professional standards of journalistic practice.

