

## **Another journalism is possible<sup>1</sup>: Critical challenges for the media in South Africa**

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### ***Introduction: going it alone?***

On October 10, 2003, the Media Workers' Association of South Africa (Mwasa) called off its threatened strike at the South African Broadcasting Corporation (SABC). The strike was to have started on that day, and concerned a dispute about wage increases between SABC management, and the two recognised unions at the Corporation, namely Mwasa and the Broadcasting, Electronic Media and Allied Workers' Union (Bemawu). Management had offered an 8.55% increase, while the unions demanded 11%. The matter went to arbitration, and after failing to agree the unions were issued with a certificate to engage in industrial action.

In objecting to the proposed increase, Mwasa and Bemawu pointed to the huge disparities in salaries at the SABC. The unions considered the settlement level of ordinary working journalists to be unacceptably low in view of the high salaries and bonuses top managers received in the last financial year, and this in spite of the fact that the SABC reported a loss of R32 million. The SABC's Chief Financial Officer Robin Nichols justified these disparities by stating the following:

'When benchmarked against executives from MTN and Johnnic, SABC executives' salaries were not in the same league. We are not overly remunerated but it suits the unions to say so because they can then justify engaging in protest action'.<sup>2</sup>

Mwasa made the decision to call off the strike at the eleventh hour, after Bemawu broke ranks with it and agreed to accept management's offer. In commenting on the reasons why Mwasa chose to call off the strike, the General Secretary Themba Hlatshwayo commented on the SABC's SAFM news broadcast that they had reservations about management's offer, but had been left with no option but to accept it. He commented further that their members felt that they could not 'go it alone' and pull off the strike without Bemawu.

This decision deserves comment. The struggle at the SABC was portrayed both by management and the unions as one around wage and benefit settlement levels, when in fact the issues were much broader. The fact that top management sees fit to benchmark itself against the private sector is cause for deep concern, and is a sign of a deeper problem in public broadcasting. The commercialisation of the SABC has reached the point where it is barely distinguishable from private broadcasters. This point was captured by an SABC listener in an FXI focus group last year:

'Is the SABC a public broadcaster? Honestly, I did not know that! For me there is no difference between the SABC and e.tv for instance. I have always thought that it is privately owned. Really, how does the management and board explain the type of content that they have? It is difficult to understand that'.<sup>3</sup>

And what type of content do they have? Another participant commented that '...the poor have no radio. Radio becomes the melting pot of ideas for the educated'.<sup>4</sup> Clearly the SABC has not been

investing sufficiently in meaningful and relevant content, which makes salary disparities all the more unjustifiable. Had the dispute inside the SABC around salaries been linked to the dispute outside the SABC around the lack of delivery to the country's most marginalised audiences, and had they both been linked to commercialisation and had these twin streams of the same struggle been given an organised form, it would not have been necessary or even possible for the union to have 'gone it alone'.

This recent event poses serious challenges for the media, in that it encapsulates the inability of organised journalists to relate the needs and interests of the very communities they claim to serve, and to build this relationship. So tied up were the unions in the complex mesh of labour relations that they did not pay attention to untapped wells of support. Public pronouncements were not made in a manner that made the links. The collapse of the SABC strike is a symptom of a larger malaise: a trade union sector made increasingly vulnerable through workplace restructuring and unemployment, which is being overtaken by community struggles.

The inability of the media, in all its unevenness and complexity, to address the interests of many South Africans, in the languages and formats of their choice, has to be addressed by the media. Otherwise this challenge will be taken out of the hands of the media and addressed by government, which is what is taking place at the moment. This may well open up a whole range of other contradictions. This paper addresses government's initiatives in relation to inequalities in media coverage in South Africa, the media's largely weak and incoherent response and the dangers for free expression inherent in these very attempts to realise the government's take on freedom of expression. It also addresses the contradictions in the government professed commitment to freedom of expression - who is in and who is out of this commitment - and suggests where a real force for change in the media could lie.

### ***Freedom of expression versus the media: the ANC and government on media transformation***

On Media Freedom Day in 2000, the Chief Executive Officer of the Government Communication and Information System, Joel Netshitenzhe, noted that there was a consensus between the media and the government on the fact that '...there is no threat to media freedom in South Africa, partly because the overwhelming majority of South Africans share a common self-interest in the freedom of expression'.<sup>5</sup> Since then, the government has clearly altered its view. Media have assumed increasing importance on the government's agenda, precipitated by debates within the ruling African National Congress (ANC) about the role of the media in South Africa generally, and in the context of its own programme of action specifically. According to an ANC discussion document on communications:

'The democratic movement as led by the ANC should proactively engage with the media issues so as to ensure as proper reflection and representation of the complex democratic transformation process in order to mobilise the masses of our people to act in unity as shapers of their own destiny'.<sup>6</sup>

Increasingly, the ANC and the government have argued that the masses are unable to shape their own destiny as the media largely do not articulate their aspirations. They have argued that the government cannot pose any possible threat to the media, given that media freedom is constitutionally guaranteed. However, there is another looming threat to freedom of expression: a threat that, ironically enough, is embedded within the media themselves.

This argument has been developed most recently by leading ANC member Pallo Jordan. Jordan argued at a recent Media Freedom Day event that commercialisation of the media is leading to the marginalisation of the interests of the poor in South African newsrooms. He then asked a series of questions about whether the country has removed everything that impedes on the free flow of information. He also noted that the state-regulated broadcasting sector has transformed and diversified far more than the self-regulated print media.<sup>7</sup>

The government and the ANC are also linking this critique of the South African media to critiques of media globalisation, in the process citing notable theorists such as Graham Murdock, Peter Golding, Robert McChesney and Waldan Bello. An example of this critique was made by President Thabo Mbeki, when he addressed the All Africa Editors' Conference in April 2003.

In this address, he posed media commercialisation as a challenge: a dimension of his speech that received scant media attention at the time. Mbeki made reference to debates about critical journalism taking place in the United States and Asia. These debates link the increasing concentration and conglomeration of media to threats to the integrity of the media. Concentration has fostered a media that is characterised by the homogenisation of views, commodification of news and views, the dumbing down of analysis the tailoring of facts to suit its own world view. President Mbeki argues that '...this threat, I would contend, is as dangerous - if not more so - than that posed by government'.<sup>8</sup> The media need to be transformed into an instrument of liberation that is critical but truthful: a media that is worthy of its freedom. In raising these points, Mbeki pleaded '...that we avoid resort of claims to "media bashing" to protect the media from legitimate criticism, refusing to address the critical matter of the social or public accountability of the media'.<sup>9</sup>

Mbeki's critique reflects a debate that has been taking place in the ANC for some time about the deficiencies of the media. Some of this thinking was captured in a discussion document, released ahead of the ANC's fifty-first National Conference, held in December 2002. In the discussion document, entitled 'Media in a Democratic South Africa', the authors noted that the global phenomenon of an expanding media without diversity was evident in the South African media as well. The commercialisation of media was reinforcing the historic disparities in the media inherited from apartheid to create a potent mix of exclusion. Given the economic inequalities in the country, it was inevitable that advertiser-driven media would exclude the poor: a problem that was becoming increasingly stark as advertising assumed ever-greater importance as the commercial media's revenue stream.

The authors argued that the ANC should respond to this global, and increasingly national, political economy of the media by a publicly funded media model. This model is necessary '...in order for the public and community media to serve as vehicles to articulate the needs of the poor, rural people, women, labour and other marginalised constituencies'.<sup>10</sup> Furthermore, this model '...should accept the limitations of the advertising and commercially driven media', implying that the commercial media should be left to flourish largely untouched, although they should be targeted for black empowerment interventions.<sup>11</sup> However, the prevailing discourse is that the limitations of commercial media should be accepted, and the government should rather focus its attention on building a parallel, but publicly funded and non-commercial, media system.

To this end, the ANC resolved that the government must move towards establishing a public funded model for the SABC, characterised by cross-subsidisation. Public funding was necessary in order to reduce the SABC's reliance on adspend, and to ensure proper delivery on its language mandate.

The SABC should be encouraged to establish alliances with other broadcasters on the African continent in furtherance of the goals of the New Partnership for Africa's Development (Nepad). The SABC's programming also needs to be sensitive to gender, culture and the well-being of children. In addition, direct communication between the government and the public should be enhanced through the establishment of a dedicated Parliamentary channel and Multi-Purpose Community Centres.

The ANC set itself particular objectives, including the realisation of a publicly funded model by the year 2012. Within three years, the SABC must have close captioning and subtitling for the deaf, the Parliamentary channel must be established within two years, and within five years the SABC must ensure that its programming should be mainly local content and sensitive to gender, culture and the well-being of children. Also, in the next budget, funds should be allocated to establish regional television stations in line with the Medium Term Expenditure Framework.<sup>12</sup>

These objectives come in the wake of the realisation of earlier media transformation objectives, such as the establishment of a statutory Media Development and Diversity Agency to subsidise community and independent small commercial media enterprises. Funding has also been made available for community radio infrastructure and programming.

These initiatives have been concentrated mainly in the broadcasting and Information and Communications Technologies (ICT) sectors, given the fact that they are regulated by the state through the Independent Communications Authority of South Africa (Icasa); therefore these sectors are more open to influence through government policy. The print media, on the other hand, is seen by the ANC and the government to be resistant to transformation because it is self-regulated. This critique reflects a broader frustration with those aspects of South African society that is not within immediate reach, in spite of the fact that it is a strong, democratically elected government.

These frustrations are captured in a discussion document towards a ten year review of Constitutional democracy, released by the Policy Co-ordination and Advisory Services (PCAS) in the Presidency in October 2003. In this document, it notes that '...the government's successes occur more often in areas where it has significant control and its lack of immediate success occurs more often in those areas where it may only have indirect influence'. It terms this the 'dichotomy between power and influence',<sup>13</sup> and sees this dichotomy as being at its most profound in its interaction with the civil service and civil society; hence these sectors are 'much slower to show improvement'. In conclusion, the PCAS notes that '...[much] of the problem of defining progress does not lie with the HRC [South African Human Rights Commission] or the courts, but with the government itself, and ultimately with the public'.<sup>14</sup>

In the process of addressing practically the media's deficiencies, the government has also problematised a theoretical lodestar of the media, namely the public interest. In 2002, the former Chairperson of the Parliamentary Portfolio Committee on Communications, Nkenke Kekana has argued against the efficacy of the term public interest. He argued that journalists use the term 'public interest' to defend their own subjective editorial decisions in spite of the fact that the public interest is not defined. In a democratic society, where the state is the repository of the will of the people, "surely national interest should supersede public interest?"<sup>15</sup>

This criticism was made by Joel Netshitenzhe as well in 2002. At a seminar on Media Freedom Day, he argued:

'National interest as a concept is meant to define the aggregate of things that guarantee the

survival and flourishing of a nation-state and nation. Usually national interest is counter-posed to that of other states, as a basis for foreign policy. Critical though is that it is not meant to be subsumed under the fleeting passions of public mood swings. For it is not impossible for the public mood at some moments to declare (as Dante once said): "Death to our life and life to our death", thus precipitating self-destruction.

Further, national interest cannot be decreed in statutes; it's a sixth sense and it evolves with a nation's history, with national experience; and it's often asserted by the ultimate formal authority, the state'.<sup>16</sup>

According to Netshitenzhe, public interest on the other hand '...can be viewed as being in the interest of a section of a polity or nation-state, usually civil society or the aggregate of individuals who make up society as distinct from state institutions'.<sup>17</sup> Public interest in its most extreme form defines itself against the state, and as a challenge to it. National interest, as a state-led concept has legitimacy as it is defined by a government whose representivity has been tested at the polls; furthermore, '...governments do not exist for themselves, but to serve society',<sup>18</sup> and therefore they have a duty to lead.

However, in spite of these conceptual differences, Netshitenzhe argues that certain basic principles should be shared by the government and media alike: principles which should form the basis of a national consensus. Once consensus is reached on these principles, the ground has been laid for agreement on how to define the national interest in a manner that both parties would feel comfortable with. He has also argued that the South African media should serve both the national and the public interest, as the state exists to serve society: hence there can be no Chinese wall between the state and the public. In Netshitenzhe's words, '...under popular democracy, national interest and public interest can and do coincide; they should in fact be complimentary'.<sup>19</sup>

The government's approach has been couched in what it terms a development communications paradigm. This paradigm assumes, in the words of a Brazilian journalist and incoming president of RadioBras (the official news agency of the Brazilian government) at the 2002 World Social Forum:

'At this particular historical moment in Brazil, there happens to be an unprecedented convergence between what the people have a right to know and the information that it is in the government's interest to disseminate'.<sup>20</sup>

### ***Media responses to the government and the ANC's critique***

And how have the media responded to the ANC and the government's critique? One must approach this question with caution, as the media industry is diverse and there is no one single industry representative body. Hence it is not possible to cite any single response as the media's response in the same way that one can cite official positions of government. Having said that, it is possible to make general observations based on responses to the above mentioned observations, made on various media freedom platforms. It seems fair to say that there has yet to be a thorough and engaging critique of government's position on the media emerging from the media themselves or media freedom bodies.

Two competing but still underdeveloped analyses seem to be evident in media circles, especially within the context of the South African National Editors' Forum (Sanef), which tends to waver between the two. The first treats government's incursions into the media with extreme suspicion, as

an attempt to reign the watchdog role of the media in, reduce its independence, and deligitimise it in order to pave the way for statutory regulation, and ultimately control of content. Enhanced self-regulation is projected as the bulwark against these threats. For instance, the Press Ombudsman - as a child of the self-regulatory system - has been cited as an deterrent for the State not to interfere with freedom of the press. Editors and journalists have been urged to support it and keep on reminding the readers that it is where they can complain.<sup>21</sup> This reminder is made against the background of trends for governments in the region and beyond to introduce statutory regulation. The public interest is merely re-asserted as an unproblematic counter to the national interest.

For example, in their submission to the Parliamentary Portfolio Committee on Communications on the Broadcasting Amendment Bill, the Media Institute of Southern Africa (Misa) referred to the public interest as 'the driving principle of all independent journalists',<sup>22</sup> and went on to argue the following:

'It is our contention that the use of the term 'national interest' in relation to news gathering and dissemination is too restrictive and can have a narrow political connotation. Journalists work in the public interest which is much wider. Politicians of a ruling party may decide that there should be secrecy over an issue "in the national interest" – where the meaning of "national interest" is defined by the politicians. Journalists work in the "public interest", a sounder, much wider base which might override "national interest". Chapter Two of the constitution protects the "public interest".<sup>23</sup>

Another stream of the media appears to be open to investing the national interest with a new respectability. According to Xolela Mangcu, national interest should be based on the founding values of the constitution: if this happens, then there is sufficient room for consensus-building around this concept.<sup>24</sup> This argument was further developed by the Head of Education, Regulatory and Corporate Affairs of the SABC, Dr. Ihron Rensburg. According to Rensburg, South Africa can be grouped together with other post-colonial countries, in that they all share common challenges. These challenges relate to the need to build an united, inclusive nation around common values; if these common values are identified, then it becomes possible to rescue the concept of 'national interest' from the dustbin of reactionary politics by investing it with a progressive content.<sup>25</sup>

These tensions have been acknowledged by the then-Chairperson of the South African National Editors' Forum (Sanef), Mathatha Tsedu, in a speech on whether the media should serve the national or the public interest. Tsedu noted that there are essentially two publics that can be identified: one well organised, which understands its own interests and knows how to push it, and the other consisting of 'the silent ones' and whose interests are therefore marginalised by virtue of their silence. He asks '...In our service of this public interest [as the media], which of these two do we find that we are serving?'.<sup>26</sup> He noted the difficulty that the media face in representing the interests of the second public, given the reality that the need to attract advertising revenue often skews the media towards prioritising the first public. He argued that the media have to create a balance between representing the interests of the first public and the second, although he did not provide practical solutions as to how this balance could be struck.<sup>27</sup>

Tsedu's views on the deficiencies of the media have found favour with Jordan, who quoted him stating two years ago that like banks and leading financial houses, the media have 'red-lined' the poor.<sup>28</sup> However, these commentators fail to leap beyond their analysis to propose what can be

done to remove this supposedly last hurdle to the true achievement of freedom of expression. These areas of agreement on this critical challenge is also leading to a situation where Sanef is playing an increasingly facilitative role in smoothing out the bumps in media-government relations.

Some defining moments in this respect include the conclusion of a Record of Understanding with the Minister of Justice, the Minister of Safety and Security and Sanef in February 1999 and a cabinet-editors meeting that resulted in the establishment of a Presidential Press Corps. The Record of Understanding deserved particular comment. In accepting the 'need to balance the interests and maintenance of law and order and the administration of justice on the one hand with the right to freedom of expression on the other',<sup>29</sup> it provides for a mechanism for Sanef members to negotiate with the Director of Public Prosecutions. This provision is worrisome. How does one negotiate an ethical obligation? It is necessary to maintain a firm position on the protection of sources at all times, otherwise gaps in this commitment will be exploited to the hilt in the grounds that testifying is a duty under a democratic government. The Record opens the door to this possibility. What happens if the respective editor bows to pressure and insists that a journalist should testify or reveal his or her sources to the state? What if the journalist refused on ethical grounds? The matter can become a disciplinary issue. Such are the implications of the Record of Understanding. Hopefully one will not need to elaborate on the debacle surrounding the mechanisms for security clearance for journalists joining the Presidential Press Corps. These sorts of events lead to an unfortunate impression that Sanef has become simply too close to government for comfort.

The critique of the government's position needs to move beyond the narrow concerns with independence and the potential for propaganda. Alternatively it needs to move beyond the media playing a facilitative role in relation to government communications agenda on the grounds of it being implemented by a progressive government serving the needs of the poor. Progressive aspects of the ANC and government's media policy that bring meaningful reforms must be supported and those that do not must be rejected. Making such assessments requires critical distance, not blind allegiance. Also, it requires us to engage with the government critique of the media on its own terrain, that is the terrain of globalisation media theory: a complex and difficult task. Thus far, there has been scant evidence of commentators within the media having done so effectively. If this task is not undertaken, the government's understanding of media accountability cannot be contested. This understanding appears to be veering increasingly towards accountability to the state: the debacle around the Broadcasting Amendment Bill, and their continual lancing at the weaknesses of voluntary self-regulation are examples of this trend in thinking. Unless the question of how media accountability is understood is contested, government will invest the term with its own politically loaded meanings.

Accountability is becoming a particularly hot issue at the moment, given the performance of sections of the media. The conduct of certain journalists has cast a pall over the media. Recently there has been a rash of well-publicised plagiarism incidents. The unfolding saga of the Hefer Commission of Enquiry into spy allegations against Director of Public Prosecutions Bulelani Ngcuka is also placing the profession under great strain. Former Sunday Times journalist Ranjeny Munusamy has been subpoenaed to testify amid confusion over whether she herself was acting as a journalist or a source in leaking the story to the City Press newspaper. Her own newspaper refused to publish the story on the grounds that it was too thin on facts and too reliant on untested allegations. Munusamy is now facing a subpoena to testify at the Hefer Commission. Whatever the merits of the story she facilitated - and the merits are getting shakier as the days go by - forcing her to testify will not rescue an already ailing media situation: it will exacerbate it. On the level of

protection of sources, what happens to her affects all journalists, which is why it is necessary to support her application to the High Court to review Judge Hefer's decision on her testifying.

The 'celebrated' decline in the practice of the profession cannot be understood outside the context of the material conditions in the industry, especially as experienced by journalists. In May 2003, it was reported that settlement levels in the media were far below the-then inflation level of 11.6 percent. Workers in various sectors achieved below inflation settlement levels of between eight and 11 percent. According to Mwasa, media institutions granted increases of between eight and nine percent. As mentioned earlier, the SABC's settlement level was 8.55 percent. The South African Union of Journalists (SAUJ) achieved settlement levels of around eight percent in newspaper companies. On the whole, settlement levels in other industries have been higher. For instance, the banking sector received ten percent, security officers nine percent, municipal workers eleven percent, bus drivers and the marine and aviation sectors nine percent, with the railway sector trailing behind at 8.5 percent.<sup>30</sup> At the same time that there is a cash squeeze on the pockets of journalism, there is a cash squeeze on training programmes as well. Stress levels arising from intensifying profit extraction have also been reported, and are of increasing concern. Clearly the weakness of organisations representing working journalists - as opposed to owners or editors - has a role to play in these conditions. If 'dumbing down' in the media is to be reversed, then the material conditions of those who are on the coalface of journalism have to be addressed in an organised fashion.

These developments should not be surprising to those who are familiar with the current political economy of labour. Statistics released by Statistics South Africa reveal that class inequalities had deepened far more than race or gender inequalities and in real terms labour costs have dropped sharply, with the return on capital increasing markedly.<sup>31</sup> In response to these statistics, *Business Day* reporter Ann Crotty noted that '...for those who had any doubts, the figures provide unassailable proof that ANC policies have been much more supportive of capital than labour'<sup>32</sup>

There has also been scant examination of what is actually taking place in those areas of media championed by government, namely public broadcasting and community radio sectors. What progress is there in creating a publicly funded broadcasting system? It is necessary to examine what has already taken place, as these actions set the template for what will take place in the next nine years. One instructive exercise is to look at how the funding arrangements for the MDDA are working out. The government calculated that R500m would be required over 5 years. However this amount was immediately revised. Government recommended that the MDDA should seek to meet only 60% of the total needs. This amounted to R300m over 3 years, or R60m per year. It was understood that Government, donors and industry would contribute in equal parts. The Position Paper then reduced the amount further. It was agreed that the Agency would only cover half the identified needs R256m.<sup>33</sup>

Government stated that in the absence of donor funding in the short term, they would raise in the region of two-thirds of the funding needs. "Government's contribution to the MDDA will, therefore, amount to R30m to R35m on average for 5 years".<sup>34</sup> Finally, now in the press statement released with the Regulations<sup>35</sup> GCIS has committed R3m to the MDDA for 2002/2003 and R7m for 2003/2004. The statement says, "The MDDA will also be drawing support from programmes of the Department of Communications". There is no indication of what this amount is. Further the press statement announces that, "Pledges from media owners amount to some R10m per year at least for 5 years." This is a shadow of the amount of money originally discussed. In light of the needs that exist the MDDA is going to struggle.<sup>36</sup>

One of the main reasons why this is the case is the fact that the legislators took a decision not to impose a statutory levy on media groups, and to rather leave it up to the GCIS to secure voluntary contributions. While the threat of a levy seems to have persuaded the media groups to revise their initial position of not giving any money at all, clearly more money would have been forthcoming through a statutory arrangement. The politics of the funding for MDDA is an indication of the weakness of the ANC and government's position on the media, namely to attempt to set up a publicly funded system in a manner that does not ruffle the feathers of the big media groups. The fact is that it is not possible to ringfence the two media systems in this manner, as their fate is interlocked. These MDDA contributions should be matched to the real needs in the community media sector.

When it comes to the diversification of the airwaves, much hope has been pinned on the community radio sector, which has developed remarkably over the past ten years. The Community Media Policy Research Unit, a joint initiative of the FXI and the National Community Radio Forum, is in the process of conducting an audit of the state, shape and size of the community radio sector. The purpose of this study is to inform the next round of licencing of the sector, once licencing is opened by again by Icasa. Preliminary findings of the research project point to a corporatisation of community radio stations, although this development is highly uneven. For example, the Unit sampled fifteen community radio initiatives in the Limpopo province. From this sample, it emerged that governance is clearly a problem, with most stations not having held Annual General Meetings for some time. This is worrisome given the fact that the AGM is the main mechanism through which to ensure community ownership and control. One of the main hurdles that stations face in organising AGM's is the fact that they are required to provide audited statements, which many stations simply cannot afford. The findings point to stations that are built around individuals, often a highly powerful Chief Executive Officer, with yawning gaps existing between management and workers and volunteers on the one hand, and management and the community on the other. Consultation with the community is more pronounced in relation to more rural-based stations, though, with campus-based stations being the least responsive to community needs. In a comment reminding one of the SABC's notion of listener participation, some stations are of the view that open-air broadcasts and phone-in programmes are sufficient to ensure community involvement. On the whole, while there is a nominal understanding of what it means to be a community radio station, the community in community radio has not really been put into practice and the structures of community involvement are not clear.<sup>37</sup>

Another disturbing trend is in relation to programming. Newsgathering is to a large extent a foreign concept, as stations do not have the equipment necessary to gather news is generally. Rather community news is brought to the station, which makes stations vulnerable to manipulation by parties with vested interests. One station has even been accused of 'reporting lies' given its tendency to report events unchecked and on the basis of one source. News also tends to be based on the most easily accessible official sources, especially police reports for those stations that are based near police stations.<sup>38</sup>

On-air stations included in this sample favour overwhelmingly a music format, which is cheap relative to other programme formats. Most presenters are youths, who tend to fashion their presenting styles in a celebrity mould. These stations have attracted complaints about their relevance and have been accused of forgetting about the rural areas. The prevalence of English is also an ongoing bugbear of listeners. In turn stations expressed a feeling of isolation from the rest of the country, with no access to the internet or news wire services.<sup>39</sup>

While the community radio sector is still very young, and it is therefore difficult and possibly even unfair to generalise, it would appear that even community radio is not breaking the mould when it comes to changing the means of production of the media. In fact, they risk becoming platforms for the empowerment of a few individuals, and have yet to succeed in developing a new, participatory pro-poor media vocabulary. The development of the sector needs to be understood and watched very carefully, as these frustrations may well lead to pirate radio stations springing up around the country, where communities defy Icasa and go on air anyway.

Therein lies another flaw of the ANC and government media model. In the process of leaving the fundamental media structures intact, they risk creating islands of public service programming in a sea of commercialisation. The islands will probably become submerged by the sea, as commercial services tend to crowd out public services in a mixed funding situation, for a variety of reasons, including competition policy and 'free trade' pressures. It is for good reason that public services researcher David McDonald has noted that public subsidies are not necessarily incompatible with neo-liberalism: on the contrary. Public service top-ups give an acceptable face to an exploitative and unethical system, and inevitably they are too small to really meet the needs. The needs are growing for all basic public services, including media, yet the public service top up cannot meet these needs. From media to water to housing to land to electricity: the trend is the same. As with other public services, media will receive a grossly insufficient public service top up, with commercial services then kicking in as the main fare.

Government's critique is trapped by the boundaries of its own makers, which is essentially a neo-liberal framework with a welfarist top-up. It is unable to make the conceptual leap to be able to say what do we do about the state of the media, and to develop the conceptual tools to begin to change the media. Clearly the media need to reinvent themselves, but where should the impetus come from? One untapped source of energy does not even lie in the media themselves, but it is nevertheless a far more radical pressure for change in the freedom of expression field. The emerging social movements have the conceptual tools to critique government's development communications paradigm, although this potential has not yet been properly developed. They understand and feel very keenly the mismatch between freedom of expression and media freedom. Perhaps the media could learn something from those sections of South African society that are on the coalface of the public service versus commercial service contradiction, and who are fighting to tilt the balance of forces on favour of affordable public services. However, it is this force for change that is most under threat, subject to censorship and even repression. These developments are under-reported in the media, and even in many instances unreported.

### ***Social movements and freedom of expression***

At the risk of making a generalisation, the media have not even started to realise just how under threat freedom of expression is. In fact, freedom of expression seems to become an issue only when their own domain is threatened, and then they begin to reflect as an industry. The most serious and significant threats to freedom of expression are taking place outside the media, and generally do not even involve the media: another testimony to the current crisis of the media. Incidents may be reported, but they are recognised as precisely that: incidents. The dots are not connected. In fact, it has become grossly deceptive to measure the state of freedom of expression in the country by measuring the extent of media freedom.

A cursory glance at the political economy of South Africa should tell us why freedom of expression

is being eroded. In fact, this development should have been anticipated. With an 'unofficial' unemployment rate at approximately 42 percent, with class inequalities widening and capital's profits soaring relative to the wages of workers, it is to be expected that conflicts will emerge over the state of delivery in South Africa. In the process, the freedom of expression comes under attack as those in positions of public and private authority as the right is used to articulate these conflicts and to fight them out. What has become evident is that more popular and unmediated forms of expression are under attack especially, including assemblies and demonstrations, the right to advocate freely within organisations to change organisational policy, picketing and pamphleteering. More and more institutions are coming under strain, especially those that have become part of the post-1994 co-determinist machinery. Political parties, trade unions, civics, non-governmental organisations are all being wracked by divisions.

Incidents of censorship have picked up markedly since 1999. Workers and worker organisations began to show signs of strain as the government's Growth Employment and Redistribution Plan (Gear) fuelled workplace restructuring to foster international competitiveness of strategic industries. Not surprisingly, censorship surfaced in the auto industry, which is notoriously sensitive to competitiveness pressures. A strike at the Uitenhuige plant of Volkswagen revealed contradictions not only between workers and management, but between workers and their union as well, namely the National Metalworkers' Union of South Africa (Numsa). The strike precipitated a series of struggles about how worker discontent was being dealt with in the union, leading accusations of widening gaps between officials and workers, and eventually resulting in the dismissal of shopstewards. In the words of one shopsteward, 'Over the past seven years, there has been a growing tendency to suppress the voice of the workers. This has gone hand in hand with practices that attack the rights and living standards of workers'.<sup>40</sup> For instance, in 2000, a shopsteward at Volkswagen, Siyolo Williams, was dismissed for ensuring that the striking workers had some measure of access to media coverage during the strike.

The ANC/ SACP/ Cosatu alliance has taken particular strain, with notable individuals such as Trevor Ngwane and Dale McKinley being expelled from the ANC and SACP respectively for advocating policies that were contrary to organisational policy, such as on privatisation and the necessity (or otherwise) of the alliance. Others who still remain within the alliance, such as SACP Deputy Secretary General Jeremy Cronin, was publicly and verbally whipped into line after accusing the ANC of exhibiting tendencies towards 'Zanu-fication'. All of these purges took place on the basis that organisational integrity had to be protected, and if the offended (and offending) individuals had problems with organisational policy, they should simply go and join another organisation. This argument should not be accepted at face value, as it the re-surfacing of a deeper intolerance that in more instances is leading to the suppression of attempts to change policy through internal debate.

For instance, recently there has been a struggle between certain regional and national structures of the Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (Ceppwawu) regarding how the union should relate to the ANC-SACP-COSATU Alliance. Conflicts emerged over a call made within the Witwatersrand region (as it is still called) for a workers' referendum on the Alliance. This call followed a dismal turnout at the Cosatu strike against privatisation; workers in the region argued that it was untenable for the Federation to continue in an alliance with the very political party (the ANC) that was implementing privatisation. The region further noted an increasing centralisation of decision-making within Cosatu, making it difficult for workers to participate and undermining worker representatives.

From the 12<sup>th</sup> to the 15<sup>th</sup> of November 2002, Ceppwawu held its last National Executive Committee (NEC) meeting of the year. At the meeting, a resolution was adopted stating the following: "Comrades in leadership positions of the union are prohibited from using other public platforms to articulate positions that are contrary to Ceppwawu policies and resolutions". The NEC also instituted an investigation into the call for a referendum, refusing to meet with the Regional Shopstewards' Council - which was mandated by workers to reject the investigation - and insisting instead on going to plant level. The NEC also outlawed any distribution of literature advocating for a change in the union's policy on the alliance.

This resolution appeared to be targetted specifically to stop Ceppawawu members from participating actively in the Anti-Privatisation Forum (APF), which had consistently opposed the stance taken by Ceppwawu around privatisation of public entities and services. The Wits regional shopstewards council found itself in an untenable situation: bound by the mandate of workers to a call for a referendum, but threatened with disciplinary action for continuing to make this call. In May 2003, the National Executive Committee of Ceppwawu suspended the entire Wits Regional Office bearers of the Union. In July, the entire Wits region broke away from the union and joined an independent union, the General Industries Workers' Union of South Africa (Giwusa).

However, this was not before the matter had escalated to physical violence. On the 26 July, the chairperson of the APF and former Head of the Ceppwawu Wits Region, John Appolis, was assaulted by members of the police union POPCRU while he was distributing pamphlets outside a regional Cosatu congress at the Johannesburg City Hall. After it was announced from the podium inside the hall that 'there are reactionaries outside', Appolis was hit on the head with a bottle, his pamphlets were torn up, and he was physically ejected from the vicinity.<sup>41</sup>

Possibly the starkest example of the turn for the worse in relation to freedom of expression were the events surrounding the World Summit on Sustainable Development (WSSD). According to the government's preliminary ten year review, hosting the the WSSD and its predecessor, the United Nation's World Conference Against Racism (WCAR) are indicators of what government has called 'diplomatic normalisation', where South Africa has 'successfully normalised its relations with the world'.<sup>42</sup>

This display of 'normalisation' to the outside world came at a high cost for freedom of expression. Apart from the ongoing conflicts around the use of the Regulations of Gatherings Act as a censorship device, rather than a device to enable gatherings, the state also brushed the dust of a favourite apartheid-era tactic: the pre-emptive arrest. Gung-ho arrests, followed by the dropping of charges, was to become a familiar pattern over the WSSD period, leading to accusations that the state was using wrongful arrests to get key activists off the streets to prevent them from causing 'trouble' over the WSSD period.

The media helped to create a climate where repressive measures could be seen as necessary. Ironically enough, none other than Ranjeny Munusamy played a key role in normalising these repressive measures by whipping up a climate of fear. In the Sunday Times of 25 August 2002, she reported on the measures being taken by the National Intelligence Agency (NIA) to prevent measures to 'shut down' the Summit. She quoted the director-general of the NIA, Vusi Mavimbela, as saying that they had picked up on plans to disrupt the Summit, which involved people 'who had caused violent disruptions at other international gatherings around the world, or had links to those organisations'.<sup>43</sup> Palestinian and Israeli lobbyists would also be present. According to Mavimbela, 'Some of these elements are active around the world. It was never the intention of government to

stop them from coming. But we can't be blind to the reality that they may be involved in other things...The situation could easily boil over as they will be mingling at the venues'.<sup>44</sup> Munusamy caricatured the protestors as a pot-pourri of opportunistic tin-pot 'radicals', referring to them as 'war veterans from Zimbabwe, ultra-leftists, disgruntled former soldiers, right-wingers, international anarchists, Palestinian and Israeli campaigners and hackers', who were coming to Johannesburg '...hoping to grab the international spotlight during the WSSD'.<sup>45</sup> None of the protestors were quoted directly in the article.

The one organisation that bore the brunt of security measures was the Landless Peoples' Movement (LPM). The crackdowns on the LPM started taking place some time before the WSSD. During the LPM's 'Week of the Landless' preceding the WSSD, the entire leadership of the LPM were systematically harassed by the National Intelligence Agency (NIA). Two successive LPM meetings were so inundated with complaints about NIA harassment that they were forced to make this an agenda item. Activists were warned against participating in the week's activities, and that their movements were being tracked, some received visits from the NIA, whose operatives also attended LPM meetings to monitor discussions.

On 21 August 2002, the LPM held its largest ever march to the office of the Gauteng Premier. After some to-ing and fro-ing the march proceeded with the agreement of the police, and was then told to disperse when the time period expired, which they did. The police pursued the dispersing marchers and arrested 77 people, targeting the leadership of the LPM and the NLC. When NLC Director Zakes Hlatshwayo, who was not present at the march, arrived and attempted to intervene, he too was arrested. Arrests continued throughout the night, with the police even going to the extent to stopping pedestrians in the street to check under their clothing for the LPM's red 'Land! Food! Jobs!' t-shirt. When the 77 activists appeared in court after the WSSD, the charges were dropped even before they walked into the courtroom.

In another related incident, NLC media officer Ann Eveleth was arrested at the police station while organising legal representation for the 77. She was arrested for contravening the Aliens Control Act, and was told that she would be deported. Her arrest was prompted by a letter from the Crime Intelligence Unit of the police to the Director General of the Department of Home Affairs requesting them to urgently determine Eveleth's residency status, as her actions had come to the attention of the police as someone who 'may pose a potential threat to the security of the WSSD'.<sup>46</sup> She was kept in solitary confinement for seven days awaiting a court ruling which led to her release. Subsequently, she has won two court judgements against the Department of Home Affairs for these actions against her.

In total, of the one hundred and ninety six people who were arrested in the run up to, and during the WSSD, and all of them have had charges dropped against them. If their actions posed such an imminent threat to the security of the WSSD, why was this the case? Needless to say, there was no real evidence of media analysis of these facts after the event, and their implications for freedom of expression. Munusamy and other journalists who - through their biased reporting - had made the case implicitly for state crackdowns, fell silent on the state's criminalisation of mere statements of intention to voice protest. *The Star* newspaper did not revise its editorial published during the WSSD period, which claimed that the aim of the march from Alexander to Sandton held by the LPM and the Social Movement Indaba was 'thuggery, disorder and damage to property'.<sup>47</sup> To add insult to injury, Sanef issued a statement congratulating the government on the successful hosting of the event. In this statement, Sanef noted the following:

'The relatively smooth organisation of the Summit, probably the largest gathering of its kind in the world, stands as an achievement of which all South Africans could rightfully be proud. Our country has contributed in a meaningful way to the shaping of the world's future and the setting of the global agenda for sustainable development and the closing of the gaps between mankind's rich and poor....From a media perspective the South African government, the UN and the NGO sector are also to be commended on the co-operative and transparent manner in which most of the Summit's business was conducted. Granted, there are always room for improvement, but generally the world's media was enabled to report comprehensively and informatively on the process and the decisions taken.'<sup>48</sup>

The WSSD communicated to activists that outright repression is possible in South Africa, in spite of its fancy Bill of Rights. However, other repressive tactics are more subtle and hence less visible. The police have developed great skill in misinterpreting the provision in the Regulation of Gatherings Act that requires parties to notify the authorities about their intentions as a requirement to 'seek permission'. This permission-seeking process has been manipulated in various ways, especially during the meeting with the police and any other relevant person to discuss the march in the event that problems may arise. One of the problems with the Act is that the police can easily use the above mentioned meetings to intimidate prospective demonstrators, who have complained about the intimidating atmosphere. One experienced activist has complained that whole process of seeking 'permission' is organised in a manner that discourages dissent and rather than a neutral process to facilitate peoples' right to assembly, demonstration and pickets. He commented: 'You are the enemy, as if the protest is aimed at the police'.<sup>49</sup>

For example, during the period leading up to demonstrations against the visit of United States President George Bush, the Anti War Coalition was told by the police that only one march would be allowed to take place in Pretoria. Even the United States Embassy and the NIA were present at the meeting. This decision resulted in the AWC being lumped together with all sorts of organisations for the same march, including Zanu PF. Yet at the last minute, the South African Communist Party (SACP) and Cosatu were then granted 'permission' for a separate march.

But heaven help you if you fall foul of the law. In their struggles for basic services, various social movements have engaged in illegal acts, such as electricity reconnections and the burning of pre-payment meters for water and electricity. In these struggles, the state has become extremely adept at seizing on actions it considers to be illegal, and then using the law to suspend civil rights. One device amounts to what the APF has termed the new form of detention without trial. The police have 48 hours in which to investigate a matter once a person is arrested. The tendency is for the police to use the entire 48 hours, and then they charge the person after that. Often this period may fall over a weekend, in which case it is possible to hold someone for up to 96 hours. When the matter arrives at court, bail is invariably denied. This means that a formal bail application must be made, which usually takes on week, but it may take longer. In the case of APF members from Phiri who were arrested for damaging Johannesburg Water's new water reticulation and pre-payment system which is being rolled out there (called Operation Gcin'amanzi), the application took two weeks.

If bail is granted, then conditions are becoming increasingly restrictive and even unconstitutional. For example, Max Ntonyana who heads the Khayelitsha Anti-Eviction Campaign (AEC) in Cape Town, has been engaged in a long struggle with the State on the issue of eviction of home-owners unable to pay their bonds. He was arrested in 2002 and held in prison for a long time facing several charges relating to protest activities against the evictions and privatisation. He and other AEC

members were granted bail in November but the court imposed extremely harsh conditions against them. They were ordered to refrain from involving themselves in any public gathering or relating to evictions, or communicating with any person who has been evicted. In Phiri, four people were arrested for malicious damage to property and two others for *crimen injuria*. In total, thirteen people have been arrested, and have been subjected to highly restrictive bail conditions, including a ban on attending/ participating in, any meeting or gathering dealing with Operation Gcin'amanzi.

If all this does not work, then there is always the tried and tested method of physical force. Troublesome people can always be bounced out of meetings or beaten up. For instance, October 2, APF members went to the Hillbrow recreation Centre to hear the Mayoral Reportback, which had been advertised for several weeks before throughout the City. A member of the APF and the South African Municipal Workers' Union Rob Rees was reportedly accused by Mayor Amos Masondo in the meeting of being there to disrupt the meeting, describing him as 'the one with the beard'. Rees reacted by standing up and saying "Don't intimidate me." In response, the Mayor then called for the police and told them that they should take him outside. Rees was grabbed by my trousers and taken outside. About forty APF members then left the meeting in solidarity with Rees. The group was then told to disperse as they constituted an illegal gathering. Two female APF members were kicked repeatedly by a group of about seven policemen. As Rees commented afterwards: 'It would seem that for Masondo "disrupt" means asking difficult questions and not necessarily agreeing with his policies and practice'.<sup>50</sup>

What is further aggravating this increasingly worrying picture is that excessive force can now be effected by private security firms, in the name of public order. Increasingly, the police are enlisting the use of private security firms to assist them, such as Wozani Security (the so-called 'Red Ants'). Police batons have now been replaced by crowbars. There has been scant, if any attention in the media, of the implications of this development, which amounts to the privatisation of policing. The Constitution charges the police service alone with the role of investigating crime, maintaining order and upholding the law. The privatisation of policing removes political responsibility to the Minister. Those who are subjected to private policing will have great difficulty in claiming their rights, such as the right to privacy, as this right applies vertically (between state and citizen) and not horizontally (between citizen and citizen or private agency). In addition there is no national law and policy to allow a group of private citizens to perform a private policing function.

Then there are the longer term implications of this development, where the wealthy will employ private police forces, leading to gated communities within which all manner of unchecked human rights abuses could take place. If the police are overstretched, then this problem should then be addressed as a matter of national policy which affects the rich and poor alike. Otherwise the country will descend into a form of state-sanctioned vigilantism of the rich and powerful against the poor.

South Africa is sitting an anomolous situation of a democracy with one of the best constitutions in the world, cheek by jowl with some of the worst inequalities. These inequalities are growing. People react to this and struggle for the basic necessities. Sometimes the law gets broken. The government responds and says that the realities of globalisation means that it cannot deliver any faster. The stage is set for the normalisation of repression, and the way in which it is done is through the criminalisation of unlawful and then lawful dissent. Guilt is no longer personal: it is borne by the organisation. The whole organisation is criminal, and must be suppressed. It is a short walk from this point to the point of banning organisations. If media coverage of the events

surrounding the WSSD are anything to go by, editors and some journalists may well cheer this development along as an appropriate response to threats to national security.

***Critical challenges: the fourth tier of the fourth estate and the rise of the fifth estate***

The mis-match between the media and social movements is an international phenomenon, which shows that they have yet to find common cause around freedom of expression in spite of the fact that both sectors are under threat in different ways. However, the ground is being created for common cause to be found. Internationally there is a resistance developing to the increasing concentration of media, especially the war in Iraq. The argument that globalisation of ownership does not necessarily translate into editorial control has been dealt a body blow by the behaviour of media owners such as Rupert Murdoch, and not transform the media successfully by failing to address the fundamental structures of ownership and control. One of the founding organisations of Global Media Watch noted the following at the 2002 World Social Forum:

'Communications media have been subject to abuse by the other political and economic powers, even in democratic nations. The fourth estate is no longer able to discharge its functions as a counterpower. In a global economy that has shifted radically from industrial capitalism to financial capitalism, a capitalism of financial speculation, the economic structure of the media has been transformed. There's an ever increasing lack of differentiation between journalism, publicity, marketing and propaganda'.<sup>51</sup>

This sort of analysis led the conference on Media and Globalisation at the World Social Forum to conclude that social movements need to build autonomous, self-sustaining alternative media networks. However the mainstream media should not be left alone, as they will inevitably crowd out these developments. Delegates called the establishment of a 'fifth estate', whose purpose would be '...to hold journalists at profit-driven media outlets accountable to the traditional democratic responsibilities of the "fourth estate"'.<sup>52</sup> In making these recommendations, they recognised the fact that by harnessing the creative energies released by the 'new' social movements, the anti-globalisation and the anti-capitalist movements, the media can be reinvented.

Far from the more traditional media being left behind in the convergence race, they are being claimed back. Micro-power or low-power sound broadcasting is a new phenomenon made possible by advances in technology which made cheap broadcasting possible: in the United States such broadcasting has escalated into what has been called a 'national movement of electronic disobedience'.<sup>53</sup> Micro-radio has been used to claim back what has become an increasingly commercialised, and even privatised commodity, namely the frequency spectrum; it has established itself as a 'direct challenge to a broadcasting system based on wealth' and promotes freedom of expression on a non-commercial basis.<sup>54</sup>

The movement linked up with more progressive and more well established community radio stations. Calling itself the Electronic Mosquito Fleet, it began buzzing at door of the regulator, the Federal Communications Commission (FCC) to allow micro-radio. Many of these stations engaged in acts of civil disobedience to make their point to the FCC, which is notorious for having been captured by commercial media. After exhausting legal avenues, which had become clogged up by corporate lawyers, they started broadcasting illegally, evading the frequency police by moving from backyard garage to backyard garage or even broadcasting from the backs of trucks. Enterprising activists have even found ways of powering stations from car radios while driving around, and these portable stations to great effect in demonstrations. The movement also organised hands-on

transmitter and antenna building workshops.

The FCC conceded their right to broadcast to a limited extent, but these efforts brought them into headlong conflict with the National Association of Broadcasters, the industry representative body, who objected to non-commercial radio muscling to their territory. The NAB lobbied congress intensely to pass legislation severely curtailing the sector, and won. In response, the micro-radio movement linked up with the labour movement and community radio to picket the NAB's annual radio conference (in Seattle of all places). The movement was protesting not only against their opposition to micro-radio, but to protest against the NAB's lobbying of Congress for media consolidation, and destruction of media diversity and the dumbing down of media. They also demonstrated against the use of media to prop up politicians through biased reporting and subsidisation of their election campaigns.<sup>55</sup>

Actions held included a counterconference and teach-ins on the role of the media in democracy. They also organised a Mosquito fleet of microradios from around the country co-ordinated a mass occupation of Seattle's FM radio dial, as a form of direct action against the commercial media that the NAB represented. In the process, they debunked the myths propagated by the NAB that micro-radio would crowd the radio dial and lead to frequency bleeding during ordinary day-to-day broadcasting, popularised micro-radio more broadly and, in their words 'gave the radio industry heartburn'. One participant in the NAB protests noted that the battle to take back the airwaves was no longer a fringe issue and that '...people **are** starting to recognise the price they're paying for hyper-commercial speech, and - more importantly - they're starting to raise their voices in dismay'.<sup>56</sup>

Increasingly, non-commercial media are on the agenda of social movements internationally. Free speech radio and television stations are being established as spaces for non-commercial journalism, and a new layer of emerging grassroots media is springing up. For instance, the Independent Media Centre was established by various alternative media organisations in 1999 during the Seattle protests, and acted as a clearing house for alternative news on the WTO. Indymedia has since expanded into a network of collectively run media outlets for 'the creation of radical, accurate, and passionate tellings of the truth'.<sup>57</sup> Indymedia promotes the concept of 'open publishing', which allows independent journalists and publications to publish instantaneously on a globally accessible website. According to Indymedia they rely on people who post information to ensure that information is presented in a thorough, accurate and honest manner. South Africa also has an Indymedia Centre, that was established to provide alternative coverage of the World Conference Against Racism in Durban in 2001.

International movements have also developed to confront the commodification of knowledge, by promoting open sharing of knowledge rather proprietorial control. Open publishing involves the creation of news in a manner that is transparent to the readers. People who contribute stories can see them appear instantly in a pool of publicly available material. Open internet publishing is generally undertaken using open source software, where users enjoy rights to use software freely and even to access to programming codes to adapt the software to their own needs.

A related concept is that of open content, which allows people to reproduce freely publications as long as the creator is credited. This concept is in contrast to proprietary content, which is governed by copyright rules preventing the reproduction of publications without permission from the publishers (which may involve a cost).

South African social movements are also starting to produce their own media. Newspapers and newsletter are starting to spring up in different parts of the country, especially in the environmental and anti-privatisation movements. Movements are also starting to develop a layer of spokespeople to ensure that their stories find their way into what spaces exist in the mainstream media: and there are spaces. There are spaces to operate within the regulatory framework of Icasa, and social movements should be pushing for an enabling framework for micro-radio. Icasa must be responsive, or it will create the climate for the proliferation of pirate radio. This fourth tier of the fourth estate is developing organically and without much support. These groups need to be networked, and they could also have a strong impact on reorientating the community radio sector, as has been the case to an extent in the United States.

In conclusion there is no doubt that journalism is in crisis and must be reinvented: this is possibly the biggest critical challenge facing the media today. It must be reinvented to promote the free speech rights of all South Africans; but under the current conditions it will take a revolution to achieve this, not the nip-and-tuck programme of action of the ANC. In the long run it will not work and in many respects will take us backwards.

Journalists unions need to become stronger and also reinvent themselves. They are a largely untapped force for change in the media. But as became evident in the saga around the threatened SABC strike, they will effect change only if they start to link up with communities and find common cause with them. When they have their backs against the wall, they should not have to 'go it alone' on matters that touch the lives of all South Africans. In short they need to start practicing social movement unionism.

The state of media organizations, specifically a strong organised presence amongst journalists, is a serious stumbling block for media freedom work. Journalists should be speaking now in an organized voice around what conditions they need to ensure their safety and to protect their sources, and this should be codified into law, through an elaboration of the 'just excuse' argument. The courts cannot continue to rely on foreign legislation in this respect, as the conditions under which journalists operate here are different. Strong organisations should also help to radicalise the profession, and turn out outward to confront the new threats to freedom of expression; threats which are all too often underreported, even unreported, and sometimes even mis-reported. Journalists should not be allowed to cry freedom only when it suits them, while contributing to the state suppression of the freedoms of others. They should heed the warning made by the Chairperson of the South African Human Rights Commission, Jody Kollapen, during the WSSD that the media should not take sides in a way that '..state violence is given legitimacy because it is carried out in the name of the state - and our [communities'] response to that is criminalised'.<sup>58</sup>

But also, the energy unleashed by the battle of Seattle and other defining moments in the global balance of forces should be drawn on to reinvent journalism. The anti-globalisation movement is developing a whole new set of tools to confront and change media, and the social movements in South Africa are starting to do something similar. But this movement is nascent and should be nurtured. In the process, the good journalists will be weeded out from the bad, journalists will exert peer pressure on one another and watchdog and monitoring groups will point out the flaws and make noise about them. Journalists should also become more rooted in the mainstream of struggles for freedom of expression, nationally and internationally, rather than relying on official sources and their version of events. In short, another journalism is possible.

### **Endnotes**

<sup>1</sup> I am indebted to the Ciranda Internacional da Informacao Independente for their reiventon of the World Social Forum's motto.

<sup>2</sup> Ngobese, Z. 'Salaries storm is brewing at SABC', *Business Report*, 17/09/2003

<sup>3</sup> Tleane, C and Duncan, J. 2003. *Public Broadcasting in the Era of Cost Recovery: A Critique of the South African Broadcasting Corporation's Crisis of Accountability*. Freedom of Expression Institute: Johannesburg. 158.

<sup>4</sup> Ibid, 138.

<sup>5</sup> Netshitenzhe, J. Speech: Media Freedom Day Seminar, 19/10/2000.

<sup>6</sup> Ibid

<sup>7</sup> 'Pallo Jordan's Media Freedom Day speech'. [www.journalism.co.za](http://www.journalism.co.za).

<sup>8</sup> Address by the President of South Africa, Thabo Mbeki, at the Sanef conference on the media, the AU, Nepad and democracy: Johannesburg, 12 April, 2003.

<sup>9</sup> Ibid.

<sup>10</sup> Media in a Democractic South Africa, African National Congress, 2002.

<sup>11</sup> Ibid

<sup>12</sup> African National Congress, Resolution on Communications, 51<sup>st</sup> National Congress, Stellenbosch, December 2002.

<sup>13</sup> 'Towards a Ten Year Review: Synthesis Report on Implementation of Government Programmes', Policy Co-ordination and Advisory Services, The Presidency, October 2003.

<sup>14</sup> Ibid.

<sup>15</sup> Paton, C. 'Outside control of SABC is a certainty', *Sunday Times*, 22/09/2002.

<sup>16</sup> Netshitenzhe, J. 'Should media serve the national interest or the public interest?', Presentation: Media Freedom Day, 10/10/2002.

<sup>17</sup> Ibid

<sup>18</sup> Ibid

<sup>19</sup> Ibid.

<sup>20</sup> Bucci quoted in Brayton, C. 'Information scarcity and pollution: capital markets and media democracy', *Circanda*, 27/01/2003.

<sup>21</sup> Press Ombudsman's Report, Fourth Quarterly Complaints review, October 2003

<sup>22</sup> Media Institute for Southern Africa, submission on the Broadcasting Amendment Bill, 17/09/2002.

<sup>23</sup> Ibid.

<sup>24</sup> Summary notes from the debate of 27 July 2002: 'The role of the media in building the national interest', Goedgedacht Forum for Social Reflection.

<sup>25</sup> Rensburg, I, transcript of speech made at Media Freedom Day, Wits Graduate School for the Humanities, October 19, 2003

<sup>26</sup> Tsedu, M, transcript of speech made at Media Freedom Day, Wits Graduate School for the Humanities, October 19, 2003

<sup>27</sup> Ibid.

<sup>28</sup> 'Pallo Jordan's Media Freedom Day speech'. [www.journalism.co.za](http://www.journalism.co.za).

<sup>29</sup> Record of Understanding between the Ministers of Justice and Safety and Security, and the South African National Editors' Forum, 1999, 1.

<sup>30</sup> Hlangani, M. 'Below-inflation pay rises mean less to spend', *Daily News*, 7/05/2003.

<sup>31</sup> Statistics South Africa, Earnings and spending in South Africa: selected findings and comparisons from the income and expenditure surveys of October 1995 and October 2000, cited in Nzimande, B. 'Red alert: On what accumulation path are we currently located? Socio-economic transformation: progress or regression', *Umsebenzi Online*, Vol. 1, No.4, 4 December 2002.

<sup>32</sup> Ann Crotty in *ibid*.

<sup>33</sup> Government Communication and Information System, Media Development and Diversity Agency Position Paper, November 2001.

<sup>34</sup> *Ibid*, 48.

<sup>35</sup> MDDA Draft Regulations, 30/07/2003.

<sup>36</sup> I am grateful to FXI Deputy Chairperson Kate Skinner for putting this information together.

<sup>37</sup> Stations canvassed...

<sup>38</sup> Ibid

<sup>39</sup> Ibid

<sup>40</sup> Rachleff, P. 'The current crisis of the South African labour movement', October 2000.

<sup>41</sup> APF press statement, 28 July 2003.

<sup>42</sup> Policy Co-ordination and Advisory Services, Towards a Ten Year Review: Discussion Document, October 2003, 61

<sup>43</sup> Munusamy, R. 'The summit of all fears', *Sunday Times*, 25/08/2002.

<sup>44</sup> Ibid

<sup>45</sup> Ibid

<sup>46</sup> 'Request for assistance: determination of resident status: AF Eveleth', Letter from the senior superintendent, Crime Information Management Centre, to the Director General, South African Police Services, 14/08/2002.

<sup>47</sup> Quoted in Black Dragon, 'SA's "free" press sows fear and confusion', 27/08/2002, [southafrica.indymedia.org](http://southafrica.indymedia.org).

<sup>48</sup> Sanef press statement on WSSD, 9/09/2002.

<sup>49</sup> Discussion with Salim Vally.

<sup>50</sup> Personal communication with Rob Rees.

<sup>51</sup> Brayton, C. 'Information scarcity and pollution: capital markets and media democracy', Circanda, 27.01/2003.

<sup>52</sup> Ibid.

<sup>53</sup> Sieze the airwaves, October 17, [www.indymedia.org](http://www.indymedia.org)

<sup>54</sup> Free Radio Berkely: International Radio Action Training Education.

<sup>55</sup> Mosquito Fleet Stings NAB: Operational Analysis, DIYmedia.net.

<sup>56</sup> Feature: NAB Meets Media Democracy, Memories and Momentum, [www.diymedia.net](http://www.diymedia.net).

<sup>57</sup> About Indymedia, [www.indymedia.org](http://www.indymedia.org).

<sup>58</sup> Jody Kollapen quoted by Black Dragon in 'SA "free press" sows fear and confusion', [southafrica.indymedia.org](http://southafrica.indymedia.org).