

# Introduction

This collection of investigative reporting should sharpen debate over South Africa's journalism and the role it is playing in this new democracy.

Our journalism has been lambasted from all sides since the country was liberated from apartheid in 1994. Critics from the left and the right, and journalists themselves, have lamented a lack of accuracy, balance, diversity, independence and ethics in our news media, and more generally a failure to deliver on the promise of media freedom enshrined in our Constitution.

In February this year, two of the country's most respected editors spoke at a colloquium on the State of Our Journalism, hosted by Wits Journalism. Ferial Haffajee, until recently editor of the *Mail & Guardian* and now at *City Press*, said:

“I think in South Africa we confuse [journalism and public relations], which is why journalists can be a PR one day and a journalist the next, and we flip-flop so easily between these two worlds. I think all of travelling, motoring, lifestyle and entertainment journalism today is very seriously embedded. Those kinds of journalism take up many more column inches than do political journalism and developmental journalism.

“I have many friends in public relations who measure how many times we use their releases, lock, stock and barrel, to use their words. That is, in turn, how they are measured, how they are paid and how they get their bonuses.

“And you’ll understand that we have basically become slaves to the PR machine because their effectiveness rate is extremely high and all you need to do is ask PRISA, the PR association, about just how effective it is.

“So every week in my paper I am used to scribbling ‘this is PR bullshit’ across many pages that describe cars costing well over one million rand as ‘affordable sedans’ – this in a country where most people earn about R850 a month.

“The seductive world of free trips, of expensive hotels, of champagne and bling has enticed an entire generation of young journalists who have become mere appendages of PR ...

“Read the social columns and the lifestyle pages – on the whole our journalists write without the cynicism, without a tongue-in-cheek quality, without the recognition that these are worlds so far removed from the daily reality to be quite ridiculous. It’s all ‘gosh, gosh, gosh’ embeddedness.”<sup>i</sup>

And Tim du Plessis, who moved recently from the editorship of *Rapport*, the country’s biggest Afrikaans voice, to *Beeld*, the prestigious daily, told this story:

“I don’t know if many of you remember the famous reference: ‘a generally corrupt relationship existed between Schabir Shaik and Mr Jacob Zuma’? For a full 18 months, that was never checked. It was reported in editorials, in various articles. They said it was found in Schabir Shaik’s corruption trial that a ‘generally corrupt relationship’ existed between him and Jacob Zuma.

“And then after 18 months of this story doing the rounds, and even being mentioned in the Appeal Court, the judge wrote a letter to *Business Day* and said: ‘I noticed that you used the phrase “a generally corrupt relationship existed between Shaik and Zuma”. I just wish to point out’ – and I’m paraphrasing – ‘just wish to point out that I never said those words, they are not in the judgment.’

“Then someone went through the judgment – a very long judgment – and they found it wasn’t there. Nobody had bothered to check.

“Now that has nothing to do with media bosses squeezing newsrooms and forcing editors to lay off people. That’s simply an example of lazy journalism.”<sup>ii</sup>

The criticism of our media has taken various forms. Some argue there has not been enough transformation from the pre-1994 racial structures inherited from apartheid, while others say the pressure for fast change has

come at a great cost in skills and experience. Few would take issue with the problem set out by the soon-to-be president, Nelson Mandela, in 1994:

“The tragic absence of diversity in the South African media has been a matter of grave concern to us over a number of years . . . South African media are still largely dominated by persons drawn almost exclusively from one racial group. With the exception of the *Sometan*, the senior editorial staffs of all South Africa’s daily newspapers are cast from the same racial mould. They are white, they are male, they are from a middle-class background, they tend to share a very similar life experience. The same holds true for the upper echelons of the electronic media, again with a very few recent exceptions.”<sup>iii</sup>

In its “Ready to Govern” document of 1992, a time when it was positioning itself for the first democratic elections, the ANC declared its media policy in entirely positive tones: South Africa had to move from a closed to an open society based on a culture of debate; democracy demanded citizens had access to the media and to government information; media diversity had to be encouraged; and public media had to be independent.

On coming to power, the ANC made it clear that it viewed media transformation as a priority, given that the media needed to reflect the new order and also had a key role to play in driving change in the rest of society. In the 15 years since then, there have undoubtedly been significant shifts in the racial and age representivity of media owners and senior staff<sup>iv</sup> – though less in the gender make-up – and the ANC acknowledged this:

“The considerable progress made and some significant milestones achieved within the communications industry particularly with regard to ownership patterns, the licensing of new media at commercial and community levels, the increase of black and women journalists, editors and managers, as well as the repositioning of the SABC to play a role of being a public broadcaster, driven by a public mandate as opposed to a party political role, has to an extent introduced a measure of diversity in ownership, with black empowerment groups and union funds controlling some of the assets.”<sup>v</sup>

But the ANC has taken up two further lines of argument. The first is to suggest that the change has been cosmetic. Black individuals in editorial seats have failed to change the old “white liberal” culture of many of these newsrooms, and have taken on the same middle-class, middle-of-the-road values. The media is still serving narrow financial and political interests

which make it preternaturally hostile to the ANC and its transformation project. Journalists, the argument goes, are stuck in a neo-liberal posture of hostility to government and fail to grasp the kind of journalism required to contribute to a democratic and developmental state. In 2007, an ANC policy document said:

“The behaviour of media during the apartheid years left a legacy that has not been eradicated nor properly discussed ... most of the decision makers during these repressive years have continued doing what they were doing then. It is therefore not surprising that sections of the media continue to act in a manner that resists meaningful transformation of our country. Opponents of transformation regard state structures over which they do not have any influence as a threat to the maintenance of the status quo.”<sup>vi</sup>

This crosses the line from criticism of the faults of the media to the serious accusation that journalists actively resist transformation and are therefore ideological and strategic foes of the government.

Just recently, ANC secretary-general Gwede Mantashe responded to a black journalist in a media conference who asked about the singing of the liberation song with the lines “Kill the Boer”, by saying: “I call that a coconut approach, where you have a black face, but your interest is white.”<sup>vii</sup> This contempt for the media began to show itself in much of the ruling party’s relations with the media. It became routine to picture the media as only interested in making money and driven by greed – a difficult thing for most underpaid, underappreciated and often risk-taking journalists to accept.

Ten years into democracy, at a time of national stock-taking, leading ANC policy-maker and thinker Joel Netshitenzhe made an important speech to editors in which he said our media were good at being critics, but less able to define a wider social role. Our newspapers still did not reflect the voices of many South Africans: “In its multiplicity of roles as court-jester, actor, trouble-stirrer, the nosy and noisy irritant and bearer of bad and (sometimes) good news, the South African media has acquitted itself well. As to whether the balance among these roles is appropriate; as to the demographics of the social actors whose pride and prejudice find voice in our news media, the jury is still out.”<sup>viii</sup>

This leads us to the second line of argument: ownership is too concentrated, access to the media is limited, and commercialism dominates and distorts

the media's social role. This is a substantive critique of the structure of the media in a society in which it has traditionally served narrow political and financial interests and the power of advertisers is increasingly subsuming any wider social and political roles for journalism.

“The ability of the media to collectively represent the broad range of views and interests present in society is limited by, among other things, the pressure of the market. While all South Africans have the right to freedom of expression, the capacity of the vast majority to exercise that right through the media is extremely limited ... Driven by a need to gain market share in those sections of society to whom advertisers are more readily drawn, newspapers are under pressure to shape their content to meet a particular commercial goal. While editors may profess their independence – from both owners and advertisers – and their commitment first and foremost to comprehensive, accurate and fair coverage, there is significant pressure on newspapers to deliver a product that sells, and sells to the right portion of the market.”<sup>ix</sup>

This situation has a number of effects. It tends to make the media lean towards those with wealth, and shuts out those without it, thus exacerbating the deep social inequalities which lie at the heart of the country's challenges. It is a view, though, which needs to take account of the rise of the tabloids, which – at least to some extent – give voice and coverage to working-class South Africans. In the *Daily Sun*, now by far the country's biggest newspaper (at least three times the size of the next-biggest daily), for example, one sees images and hears voices that were previously absent from most of our media: that of working-class township dwellers battling with the daily challenges of inefficient bureaucracy, cruel criminals and troublesome tokoloshes. This, however, is not the working-class voice envisaged by those in power.

It is also a view – a crude political economy of the media – which gives no agency to journalists within profit-making enterprises to act honourably or independently, portraying the media as a monolithic, single-minded institution. There may arguably be a lack of diversity in the media, and a predominance of establishment views, but the crude picture that was presented was at odds with reality.

The ANC's policy response to the inequalities in media access has been to call for greater funding for the national public broadcaster, the SABC, as well as support for community media through a statutory funder, the Media Development and Diversity Agency (MDDA). The SABC had led the way during the 1990s in a difficult transformation from an overwhelmingly white-

managed propaganda voice to a diverse public broadcaster pursuing a wide-ranging social and cultural mandate. But it was dependent on advertising for over 80% of its revenue, which limited its capacity to fulfil its public mandate and left it permanently schizophrenic, uncertain which master to serve: the advertiser or the audience.

The SABC was also – quite naturally, given the fact that it so dominated the broadcasting industry<sup>x</sup> – the subject of constant political pressure and repeated threats to its independence. This culminated in the appointment of a former government spokesman, Snuki Zikalala, as head of news and the “deployment” of an unqualified cadre, Dali Mpofo, as group chief executive. In recent years, the SABC’s news had deteriorated to a procession of boring ministers making dull, everyday speeches and the organisation had gone from healthy profit to major deficit and deep disfunctionality. This was a tragic decline for such an important institution. It hobbled what was by a long way the biggest and best-resourced news operation on the continent and the one best placed to pursue public service journalism free of commercial pressures. Government pressure on the rest of the media might have been lessened if the public broadcaster was better able to fill its social and political role.

The MDDA was set up to give support to community media, both print and broadcasting, with money from the state and the private sector, but its budget has never been big enough for it to make a major impact. The ANC government decried the commercial nature of the news media, promised alternatives, but failed to back them adequately. Both the MDDA and the SABC highlighted a government tendency to “talk left and walk right”, as commentator Jane Duncan put it: they decry the impact of the market on the media, yet leave it to the market to sort out.

On the other side of the political spectrum, it is commonly argued that the drive for transformation, together with financial pressures, has led to shrinking newsrooms, poor working conditions for journalists, a loss of skills and experience, and a “juniorisation” of newsroom management. Certainly, many of the most experienced and skilled members of news and subs rooms fell foul of the push to end the dominance of middle-aged white men, and many have retired, emigrated or gone into public relations jobs. Young black journalists were sometimes hastily propelled into senior positions, with some sinking and some rising to the challenge. Newsrooms as well as editorial management became more representative, but age and experience

levels dropped.

A second wave of departure from newsrooms came with the recruitment by government communication departments of some of the best journalism talent. In a bid to improve its shaky communications, government was able to use a combination of money (they paid relatively well), position (a director of communication enjoys perks not available to the average newsroom hack) and moral persuasion (“Come help us make this democracy work”) to raid the ranks of the profession for many of its best and brightest. The SA National Editors’ Forum (Sanef) was one of many bodies to bemoan the impact of the revolving door between journalism and government communicators on the depletion of newsroom personnel.

This view of deteriorating standards, though, tends to romanticise journalism under apartheid and suggest that universally high standards were set and maintained in that time. That would, of course, depend on one’s view of what constitutes high standards. Spelling and grammar may have been better, but it is debatable whether coverage was more accurate or substantial. The media – even the most liberal media – were shaped and compromised by the experience of apartheid.

While there has been a tense relationship between government and media since 1994, no direct action was taken against the media, and indeed tough stories were uncovered and many journalists (and cartoonists in particular) were sharply outspoken without any fear of arrest, closure or other form of the kind of state action which had been common under apartheid. Debate was robust. The questions being asked by journalists of government were by no means unique to this country, but they came against the torrid background of a tense transition to democracy, a media in which many had been tainted by apartheid history, the fragility of an uncertain social compact, and a new government struggling to make progress under difficult circumstances.

A series of news stories that went awry and some controversial ethical conduct in the period 2006–8 fuelled the debate. One of the most common lines of attack was against the indiscriminate use of unnamed sources, particularly when this related to internal conflicts in the ruling party and among its allies. This criticism came from editors and journalists, as much as politicians and other subjects of discomfiting media attention. It was acknowledged as a problem by Sanef, which published a pocket guide to sourcing and attribution.

There were hot-spots of controversy. When the *Sunday Times* accused

the minister of health, Manto Tshabalala-Msimang, of being a kleptomaniac and drunkard while recovering from a liver transplant, there were calls from the presidency for government to cease advertising in what is one of the country's biggest newspapers, and the SABC – the country's biggest media institution – withdrew from the NEF. Prolific and relentlessly critical cartoonist Zapiro (Jonathan Shapiro), whose work appears in a number of newspapers, drew considerable ire, particularly for a series that accused then-aspirant president Jacob Zuma not just of raping women, but also of raping justice. Zapiro's relentless depiction of Zuma with a shower always hovering above his head, reminding everyone of his witness-box faux pas when he said he showered after sex to avoid HIV, has led to considerable pressure on both him and the newspaper to scrap the shower.

The media faced a torrent of abuse during the pre-presidential courtroom battles of Zuma, when he was accused in separate cases of rape and corruption. Journalists were charged with subjecting him to trial by media, and the incident, quoted above, in which newspapers for months quoted a judge wrongly on the case, was frequently cited as an example of bias and prejudice overshadowing journalistic judgment. Certainly, much of the media was hostile to Zuma, reflecting a middle-class angst around the traditionalism and populism he represented, and editors were slow in realising how much mass support he commanded.

Things were not helped by some serious factual and ethical lapses by the media. *Business Day* ran a front-page story about the president's controversial role in an ANC meeting, though it turned out he had never been present. An extraordinary top-of-front-page apology ensued. *Sunday Times* reporter Ranjeni Munusamy could not accept when the editor declined to run a story saying that the prosecutor pursuing Zuma and his friends for corruption had been suspected of being an apartheid-era spy. She gave the story to a rival newspaper, was fired, and went on to join Zuma's presidential campaign. (The spying allegations were subjected to a formal state inquiry and could not be sustained.) Another editor, Vusi Mona, breached the rules of an off-the-record briefing because he felt it was being abused by the authorities to tarnish Zuma. Mona was later fired for a conflict of interest over a public relations firm he was running on the side, while editing the paper. He too went on to work for Zuma's government.

And in 2008, the *Sunday Times* ran a series of sensational stories of dubious provenance. These ranged from the claim that President Mbeki had

himself taken some arms deal bribery money (it turned out the source for the information was dead and there was nothing else to back it up) to a report that the giant state transport company, Transnet, had “sold our sea”, giving rights to a large part of Cape Town’s most valuable asset to a foreign investor. The story was vastly exaggerated and included a front-page map which was shocking, particularly for Capetonians fond of their coastline, but had little resemblance to reality.

The situation was complicated by the new government’s poor handling of communications and a keen sensitivity to criticism. The ANC, for many years the darling of the global anti-apartheid campaign, was taken aback at being in government and facing a media that was sharply critical, and even hostile. “We brought liberation, and we brought a constitution which protected media freedom and promoted access to information, and now you turn on us and treat us like the previous government,” was what they said in private. Of course, those in the media, particularly those who had been in the anti-apartheid media, saw it differently. Liberation and media freedom were not something the ANC had “delivered”; they had come through hard-fought battles, including from sections of the media and some brave journalists. These individuals were not about to give up their hard-fought independence or right to criticise.

Poor communications from the new government led to constant frustration on its part that its message was not getting through to the public. The government felt that its voice was being drowned out by a constituency with access to the media who were nervous, suspicious of the new government and often outright cynical. As a result, it felt its successes were not being recognised and progress not sufficiently welcomed. Some of this was justified, but much of it was the result of poor handling of the media, and an unrealistic expectation of what the media might achieve.

In fact, by 2007 much of what the media had been saying about government’s failure to deliver was being used as the reason to oust Mbeki from the presidency. What the media had been criticised for – its scepticism about government’s effectiveness in dealing with social services – was now coming from within the ruling alliance itself. The ruling party ran its election campaign in 2008 based on the acceptance that it had fallen short of delivering on its promises,<sup>xi</sup> conveniently forgetting that it had lambasted the media for saying this for some years.

Nevertheless, dissatisfaction with coverage led to calls in the ruling party

for the establishment of a statutory Media Appeals Tribunal. The ANC's Polokwane conference, seen as a landmark gathering for the ruling party and one where Zuma was anointed leader and future president, called for the investigation of such a measure, arguing that the existing self-regulatory bodies, such as the Press Council and Ombudsman, were inadequate to deal with the problem.

The conference resolution charged that "some fractions of the media continue to adopt an anti-transformation, anti-ANC stance". This was much more than a critique of media inadequacy or faults, as it identified what was seen as a hostile ideological onslaught by the ANC's enemies:

"The ANC is faced with a major ideological offensive, largely driven by the opposition and fractions in the mainstream media, whose key objective is the promotion of market fundamentalism, control of the media and the images it creates of a new democratic dispensation in order to retain old apartheid economic and social relations.

"This offensive against our movement, in its content and form, is part of a global offensive against progressive values and ideas."<sup>xii</sup>

A constant charge against the media was that journalists were using their rights to trample on the rights of others, notably the right to privacy and dignity. "The ANC notes", read the Polokwane resolution, "that in many instances the media in pursuit of the application of this freedom of expression principle, conducts itself to the detriment of the constitutional rights of others."

The call was for the media to play a more positive role in the developmental economy: "The ANC is of the view that the media needs to contribute towards the building of a new society and be accountable for its actions."

The print media responded by strengthening self-regulation.<sup>xiii</sup> The office of the Ombudsman was beefed up with the appointment of a senior and respected journalist, Joe Thloloe, and the Press Council was resuscitated. Strong calls were made for a new sense of ethics in the profession.

For some two years, the ANC did not take any action to implement the resolution and the organisation's communication staff privately gave assurances that the tribunal would never happen. That changed in 2010. First there was an increase in anti-media rhetoric. There followed a wave of proposed new legislation which sought to chip away at the free flow of information and threatened the independence of public and community

media. A pornography Bill required newspapers to go through pre-publication vetting for material involving minors and sex. It was only after much lobbying, that it was agreed that publications accepting the authority of the Press Council would be exempt. But those that did not are still subject to this form of prior censorship.

A draft new Public Broadcasting Bill gave the minister direct powers of intervention in the SABC and proposed to tie local community stations to municipal authorities; a Bill on the broadcasting regulator likewise gave the minister direct powers to force them to act on his will; a Protection of Information Bill massively widened the capacity of all sorts of government and parastatal officials to classify documents as secret even if they “may” threaten the national interest – a scope so wide that it begged abuse.

Most significantly, there was a new push for the Media Appeals Tribunal. A policy document was tabled on this matter and leaders of the ruling alliance – notably from the SA Communist Party – suddenly spoke out in its favour. A host of motivations were given – such as the shoddiness of the media, its reluctance to correct errors and the weakness of the existing self-regulatory Ombudsman system – but it was no coincidence that those calling for it were almost all the subject of recent embarrassing exposés in the press. For example, SACP general secretary and minister of higher education and training, Blade Nzimande, was shown to have spent lavish amounts of taxpayers’ money in a stay at Cape Town’s ultra-posh Mount Nelson Hotel because his official home was not ready for him. A week after this was splashed in the papers, he called for the Media Appeals Tribunal. ANC Youth League leader, Julius Malema, who had been tied in media reports to a string of dubious state tenders, backed the tribunal, saying that “These people [journalists] ... think [they] are untouchable and they can write about anything they like and about anybody anyhow”. Those who engage in unethical activities, “must be locked up,” he said.<sup>xiv</sup> Both Nzimande and Malema made clear their view that the media was an ideological enemy. Nzimande described the press as “bourgeois” and “our only opposition” and Malema said the press was “dangerous to the revolution”.

Also repeatedly cited was an admission by former journalist Ashley Smith that the then-premier of the Western Cape, the ANC’s Ebrahim Rasool, had paid him to help him fight political rivals. The ANC condemned this “brown envelope journalism” and said it strengthened the call for a statutory tribunal. It was a strange case to pick as the case had been exposed by the

newspaper itself after a lengthy investigation, seemingly strengthening the argument for self-regulation, while the ANC had appointed Rasool to the prestigious position of Ambassador to Washington.

The ANC's discussion document on Media Diversity and Ownership<sup>xv</sup>, which sets out the case for a tribunal, reflects an ideologically conflicted ANC. While it argues that journalists cannot be neutral, it complains that they are not. While it argues that journalists must be free and independent, it says they must be accountable to state structures. While it supports freedom of expression, it proscribes that "in our National Democratic Revolution, the media should contribute to the transformation of our country, [including] building social cohesion and promoting values of a caring society".

It describes the ANC's values as the "developmental state, collective rights, values of caring and sharing community, solidarity, ubuntu, non-sexism, [and] working together" and the mainstream media's as "neo-liberalism, a weak and passive state, and overemphasis on individual rights, market fundamentalism, etc". These descriptions of both parties are caricatures which bear little relationship to reality, but they do set up the ANC and the media as ideological foes on either side of the nation's political battlefield.

When journalists met to discuss how to oppose the tribunal in August 2010, police raided offices in the same building and arrested a journalist, Mzilikazi wa Afrika. While they said the arrest had nothing to do with his journalism, it was hard to ignore the fact that the journalist's name had been on a story that very week alleging massive wasteful expenditure by the Police Commissioner. Police presented no warrant, took all his computers and notebooks, held him without bail for two days, including waking him at 2am for interrogation, before charging him in court with fraud.

Temperatures rose considerably.

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The future of journalism and particularly of costly in-depth investigations is being debated around the world as newspapers decline in the Western world. As Charles Lewis put it in 2006:

"In recent years nearly all of our media corporations have been actually reducing their commitment to journalism, reducing their editorial budgets, early 'retiring' thousands of reporters and editors from their newsrooms, in order to keep their annual profit margins high and their investors happy,

harvesting their investments from a ‘mature’ industry. The net result of this hollowing out process: There are fewer people today to report, write and edit original news stories about our infinitely more complex, dynamic world.”<sup>xvi</sup> It was clear that the old model of advertising-driven media that paid for reporting was in collapse, and it is unclear what new model for funding the business of journalism will emerge within new media. In Europe, governments in Italy and France were keeping newspapers afloat at considerable cost;<sup>xvii</sup> in the US and the UK charitable foundations were trying to step into the breach to support the cost of good reporting.<sup>xviii</sup>

South Africa, like other developing countries, still had a growing newspaper environment, but the impact of new media was on the horizon, kept at bay only by the slowness of the government in introducing cheap broadband. And the growth was uneven: the older, traditional newspapers were at best stagnant, and it was the new tabloids that accounted for what growth there was.

The 2008–9 economic recession added to the burden. The downturn in advertising – as much as 25 per cent – had brought editorial cutbacks, a shrinking of the news space in papers, and the consolidation of newsrooms within the large groups. Media24 brought all the newsrooms of its five Afrikaans papers under centralised organisation, retrenching a number of older, and more senior, journalists. This, they said, was because the younger ones were more at ease with the transition to new media, but it was no coincidence that it was the more experienced and more expensive individuals who went. They also said it would allow them, for example, to hire a central team of investigative reporters to service the whole group, rather than the smaller and isolated initiatives which had come from some of the newsrooms. Indeed, they hired one of the country’s most respected newshounds, Jacques Pauw, and they gave him a large budget to run investigations for their various publications.

Independent News and Media, which had already pared its staffing down well below what had been considered the minimum, created one national production room to replace all the localised subs rooms across the country. Specialised staff were increasingly shared across the group. Again, they initiated for the first time a group-wide investigations unit, led by controversial former police investigator Ivor Powell.

Avusa, a third large newspaper publisher, began to talk in 2010 of “centres of excellence”, a polite way of introducing centralisation and consolidation.

But a new investigative team was being re-formed at the *Sunday Times*. At the *Mail & Guardian*, their long-standing team of hot-shot investigators, led by Stefaans Brummer and Sam Sole, was hived off into a stand-alone unit with outside funding.

Paradoxically, newsrooms may have been shrinking but investment in investigations was increasing, at least in our newspapers. This may have been because editors saw the need to continue investing in unique content to hold on to readers. It was contrary to international patterns, where investigations were usually the first to suffer cutbacks.

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It was against this background that the judges sat down to consider entries for the 2009 Taco Kuiper Award for Investigative Journalism in early 2010. And we were very surprised by what confronted us.

Not only were there more entries than ever before, but the quality and range were like nothing we had seen in the previous three years of the competition. There were 44 entries from 16 outlets, including print, television, radio and online. This was more than three times the previous level of entry. For the first time entries came from *SABC* (the national broadcaster), *Radio 702* (a private talk station), Politicsweb (a website), Sake24 (the business section of the Afrikaans dailies), *Business Times* (business section of the *Sunday Times*) and a small-town community paper called the *Highlands Herald*. This was apart from the regular entrants: *Mail & Guardian*, *Daily Dispatch*, *Beeld/Die Burger* – all previous winners – as well as the *Sunday Times*, *Noseweek*, *Carte Blanche*, and others.

A short-listing panel had been asked to reduce the final list to a maximum of six, only the serious contenders. After long hours of debate, they came back with 10 and said they could take it no lower. They were uncomfortable even doing that. When we looked through this pile, we had to reluctantly agree. The top 20 entries were all good, the top 10 were all excellent – and they were certainly all contenders for the top prize.

When the judges met, it took a long time to get a “short short-list” of five entries. They all agreed that the difference between any of the top 10 was fractional. To get down to just two took more time, and then to choose between the winner and runner-up was excruciating. There could be no better testimony to the excellence of entries.

The judges made the obvious point that this was “the best evidence

that pockets of journalistic excellence exist all over the country” and this reflected very positively on the state of our democracy. Justice Malala, former editor and one of the judges, put it this way: “I feel very positive about the future of South Africa after reading and watching these entries. Certainly, our democracy is vibrant and our media is even more so. If this country continues to produce this quantity and volume of investigative work, the politicians and shady businesspeople are in trouble.”

Another judge, Charlayne Hunter-Gault said: “This year’s submissions were so outstanding, we had to work harder and longer to choose a winner. But that’s fine with me, because gratifyingly, it speaks to the journalists of South Africa taking seriously their roles as the guardians of their country’s promise.”

There were a number of other things that stood out. Entries did not just deal with the political and the usual flow of exposés of the corruption of officialdom, but also focused on white-collar crime, environmental issues and the socio-economic environment. It was clear that the scope and range of hard-nosed reporting were spreading.

The domination of print as the primary medium of investigative reporting was being challenged. There were a number of interesting television entries and one which had been published only on the Internet. The only medium that was under-represented was radio. *Radio 702* and *Eyewitness News* each put in one entry, and there was not a single one from the national public broadcaster, which dominates radio. It was a sign of the emerging power of the internet and the sad state of most of our radio journalism.

The judges noted that there was markedly better quality of presentation and editing in the print entries. “In previous years, we have had cause to bemoan the fact that some promising entries were harmed by shoddy editing and design, negatively affecting their readability. Not so this year.”

Entries came from young and old, showing a good mix of experience as well as new enthusiasm and energy. Did this signal that the industry trend of losing older, more skilled journalists was at least slowing down? It certainly gave hope that fresh talent was coming in.

One had to ask why there had been such a boom in competition entries. Why were all the predictions of the demise of investigative reporting so off the mark? What accounted for such richness in in-depth, probing stories, most notably at a time when the media seemed to be under such political and financial pressure? There could not be many countries in the

world that, within one year, could produce such a range and quality of investigative reporting.

Maybe the news media were settling down after the turmoil of the first years of transition? Could it be that journalists were finding their feet again and newspapers their voice? Was it possible that newspapers, having gone through something of a transformation, were regaining the confidence to take on authority and the skill to make their stories stick? Might it reflect the rise of a new generation of journalists whose formative years were in the post-apartheid period, with less historical baggage and less emotional commitment to the liberation movement?

Part of the reason might be that the Taco Kuiper competition had been running for four years, with a very generous cash prize, and was now establishing itself among journalists. The prize was created after the death of Kuiper, a financial publisher, who left a good deal of his considerable estate to The Valley Trust with the instruction that they should promote investigative reporting. Kuiper was a Dutch immigrant who had fallen in love with this country and made his fortune here, but was troubled in particular by white-collar crime and the need to keep a watch on it. The Trust, in partnership with Wits Journalism, started the award, a system of grants to support reporters doing investigative work, a Taco Kuiper Chair in Investigative Journalism at Wits University and the Wits Justice Project, which uses students as interns to investigate injustices in our legal and court systems.

The award certainly drew attention because it offered by far the biggest cash prize in the country (R200 000 for a winner and R100 000 for a runner-up), and also because it enjoyed long-term sustainability without the burden and unpredictability of commercial sponsorship.

Journalists would also have seen that the Afrikaans newspapers, which won the prize in its first year, were carving out a new position for themselves in the journalistic landscape, and tough investigative reporting was a key part in this. The second winner, the *Daily Dispatch*, used hard-hitting exposés to reach beyond their small footprint and make a national impact. And the *Mail & Guardian* had sustained itself against the odds by being a cheeky muckraker.

One thing became clear: it is not the wealthiest and best-resourced papers that lead the way in investigations. It seldom is. In South Africa's media history, it has usually been the smaller, under-resourced, often loss-

making papers which put their energies into breaking investigative stories: the *Guardian* of the 1950s (on labour conditions), *Drum* magazine in the 1950s (on prison and labour conditions), the *Rand Daily Mail* in the 1960s and 1970s (prison conditions), the *Sunday Express* in the 1970s (Info Scandal), the *Vrye Weekblad* (death squads) and *Weekly Mail* (Inkathagate) in the 1990s, and the *Daily Dispatch* in the 1970s and now. The large and prosperous institutions – such as the SABC, the biggest newsroom in Africa by a long way – shied away from such troublesome stories. It is no coincidence. Smaller, more marginal papers wanted to make a mark and bold exposés were a way to do this. They are often best placed to take the risks, having less to lose. Larger and wealthier papers tended to be more cautious and middle-of-the-road, not least of all because they think investigations often made advertisers nervous.

Two community papers deserve special mention: a one-man Barberton operation, called the *Umjindi Guardian* (now renamed the *Guardian*), run by the indomitable Bheki Mashile, received special mention at the 2008 awards. And the *Highlands Herald* was spotlighted in 2009.

There are exceptions to this pattern. The *Sunday Times* – perhaps the most lucrative paper of all in this country – has had great episodes of investigative reporting. But it occurred only at distinct times, under certain editors – notably Joel Mervis in the 1970s and Mondli Makhanya more recently – who made their names on their courage and outspokenness.

One factor in the emergence of such impactful journalism in recent years was the divisions in the ruling party. It is when those in power are fighting among themselves that leaks tend to happen. Those fighting for political advantage throw mud at each other, and sometimes the media is the best catapult. Battles over state power and resources are reflected in the media, not necessarily as a result of the hard slog of investigation but often through timely and well-placed leaks. At times like this, a liberation movement in power loses its sheen and its moral authority – opening the way for more aggressive reporting.

Leaks designed to serve internal party political battles brought some criticism of journalists for allowing themselves to be used as fodder in such battles, serving one side rather than reporting from the sidelines. Leaks are almost always intended to serve the purpose of the source and there have certainly been instances where journalists have betrayed the bigger story by allowing themselves to be courted by one side, in exchange for leaks and

leads. Using sources, and not having them use you, is a constant balancing act for journalists.

Two things happened in South Africa in recent years to feed the flow of information. First, doubts began to be aired about “delivery” – the capacity of the ANC government to achieve its bold promises. In 2009, the ANC campaigned on the basis that delivery of crucial services, like health and housing, had faltered and needed greater impetus. President Zuma rose to power on the promise of doing better on this front. The media, which had been critical about state service delivery and highlighted its failures, had been accused of being eager-to-criticise Afro-pessimists. Now this line of criticism had legitimacy – even the ruling party was saying it.

Secondly, there was also a creeping loss of confidence in many of the institutions of democracy. In the early years of transition, a number of bodies were set up to monitor governance, put a check on state power and prevent corruption: the Public Protector, the Human Rights and Gender commissions, the Constitutional Court, the Judicial Service Commission, Parliament itself, independent regulators in many sectors such as broadcasting, energy and banking, the special police force called the Scorpions, to name just a few. Great – and perhaps unrealistic – hope was placed in these important bodies, as well as resources, and they were seen as a crucial check on the power of a massive ruling party with a firm grip on power. Many of these bodies were new and energetic and had more promise in the early years than a media still burdened by its history and struggling with transformation.

That has changed. There has been an operational failure in at least some of these bodies, and a number have been compromised by the ANC’s policy of “deployment” – systematically placing its loyal cadres, acting under its orders, in all the important institutions of government and the private sector. The news media have stepped into the breach, perhaps because of their greater relative independence. The private sector media may be the one pillar of democracy where it is most difficult for the ruling party to deploy its cadres and where an independence of spirit has flourished.

Parliament and the prosecuting authorities backed off from probing the arms deal shenanigans, but some newspapers stuck with the story. The presidency seemed to go soft on corruption, dismantling the Scorpions, and shackling the National Prosecuting Authority, but at least some journalists were relentless in pursuing tales of corruption. The prison authorities failed

to act when the president's friend and convicted fraudster Schabir Shaik was shown to be flouting his parole; but reporters and photographers stuck with the story and splashed it over the front pages. When the government shunned a Cosatu call for "lifestyle audits" of political leadership that would show who was using their power to enrich themselves, the media did it anyway. The Judicial Service Commission faltered in calling to account judges who had political clout but flexible ethics, but the media watched their every move.

For all its faults and inadequacies, the private media has become the primary institution holding the government and the private sector to account, exposing corruption and the abuse of power, and keeping a torch shining into the dark areas of our society. Far from being the enemy of democracy described by many of its critics, the media in its reluctance to accept facile calls for national unity and to insist on the value of its muckraking, has become a bulwark against the potential abuse of power by a dominant ruling party.

This is largely due to a few individuals in a few of our newsrooms who have shown courage and consistency in investigative reporting, and to some editors and publishers/owners who have recognised the value – both journalistic and financial – of exposé, and backed their reporters. Nelson Mandela also recognised their value when he said: "A critical independent and investigative press is the lifeblood of any democracy. It must be free from state interference. It must have the economic strength to stand up to bullying by Government officials. It must be protected so that it can protect our rights as citizens."<sup>xix</sup>

This book is a tribute to them and, hopefully, an encouragement to others to join them.

The journalists featured here are our reportorial troublemakers – those who relentlessly disturb the complacency of people with power and wealth, making difficult their lives and limiting their opportunities to abuse their power and wealth. This book should make clear how valuable it is to have troublemakers in our newsrooms and editorial offices, and what an important social and political role they can play.

Anton Harber

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- i The State of our Journalism: Colloquium at Wits University, 8 February 2010. Available at [www.journalism.co.za](http://www.journalism.co.za).
- ii *ibid*
- iii Nelson Mandela, Speech to the IPI Congress, Cape Town, 14 February 1994.
- iv See G. Berger, *Publishing for the People: The Alternative Press, 1980–1999*.
- v ANC Discussion Document 2002. Available at [www.anc.org.za](http://www.anc.org.za).
- vi ANC Media Policy 2007. Available at [www.anc.org.za](http://www.anc.org.za).
- vii Quoted in *Business Day*, 9 April 2010, p.11.
- viii Joel Netshitenzhe, Speech to Sanef, Johannesburg, 13 August 2004.
- ix ANC Media Freedom Day Statement, 2005. Available at [www.anc.org.za](http://www.anc.org.za).
- x In 2008, the SABC still enjoyed 53% of all television advertising revenue and 42% of all radio advertising revenue.
- xi “Working together, we can do more” was their slogan.
- xii ANC, Resolutions of the 52nd National Conference, Polokwane, 16–20 December 2007. Available from [www.anc.org.za](http://www.anc.org.za).
- xiii Interestingly, this was often the pattern under apartheid: government would make threats and the media would respond by tightening their self-regulation, leading to a climate of self-censorship.
- xiv *Sunday Times* 8 August 2010, p10
- xv “Media Transformation, Ownership and Diversity”, an NGC 2010 discussion document, available at [www.anc.org.za](http://www.anc.org.za).
- xvi C. Lewis, *The Growing Importance of Non-Profit Journalism*, 2006.
- xvii France developed an 800 million euro scheme to support subscriptions for young people, and Italy ploughed about 700 million euros into newspapers.
- xviii [www.editorsweblog.com](http://www.editorsweblog.com).
- xix Speech to the international Federation of Newspaper Publishers Conference, Prague, 1992, available at <http://www.anc.org.za/show.php?include=docs/sp/1992/sp0526.html>.