

*'The public's right to know should not tip the delicate balance of trust between government and the media'*

BY NJABULO NDEBELE

The headlines are combative: "Denel tries to gag us over huge arms deal" and then "We name Denel's secret arms buyer". First, *The Sunday Independent* tries to win the sympathy of its readers. It casts itself as the protector of public interest in the face of some cloak-and-dagger arms deal in which the offending party is using old apartheid laws to gag the newspaper. *The Sunday Independent* then responds defiantly by naming the buyer.

All very heroic, except that all I could register in response to all this was profound disappointment. Try as I might to remove this feeling, it persisted. I was disturbed that I should feel this way. I should be joining the newspaper in defence of free speech. But I just failed to erase the feeling that there was something flawed in the tone of *The Sunday Independent's* stance on the issue of our selling of arms to other countries. Subsequently, John Battersby's open letter to Jon Qwelane confirmed why I felt so disappointed.

I was disappointed by what seemed to be rather self-conscious posturing by a newspaper that I thought had made a leap away from this kind of thing. After all, this is not a newspaper labouring under a serious threat of institutionalised censorship. In a constitutional environment that protects the newspaper, censorship is not the central issue. What is at issue, a matter *The Sunday Independent* does not own up to, is that it is engaged in a contest over the definition and ownership of public interest. The seeming lack of awareness of what undergirds the journalistic posturing is at the heart of the capacity of contemporary South African journalism to reflect and articulate the complexities of our changing society.

*The Sunday Independent* took a knee-jerk response to what is a complex issue. Battersby's prediction that "the stand taken by *The Sunday Independent* will assist those in government – and the society at large – who are engaged in this task" masks the kind of self-righteousness that does not seem to allow for the possibility that the newspaper itself stands to

learn from this experience.

For now, *The Sunday Independent* has got it all right. It can only teach others. It has declared its position to be unassailable: reveal everything that comes your way, in the name of public interest.

This is possibly an ideal world but, in a new democracy in transition, riding on a steep learning curve, we all need to pause and reflect and articulate our positions in context. I felt let down by what is poised to be one of the best newspapers this country has seen in decades.

I doubt that *The Sunday Independent* is against economic development for our country. I suspect it supports job creation. At the same time, we have a constitution based on, among other things, human rights. But it is also a constitution that, as minister [Kader] Asmal correctly indicates, is not pacifist. The combination of the imperatives of economic development, human-rights goals, and a non-pacifist constitution, which also protects free speech, suggests that any issue is likely to be settled within a context of conflicting



Questioning: Njabulo Ndebele

rights. No sooner do you assert the right to secrecy in a business deal by a public entity, than you are challenged by the public's right to have that information. It is clear from this that public interest is an inherently complex phenomenon.

While it may be in the public's interest that a successful deal is concluded, and that the public should

have information about the arms deal, we have to deal with the fact that premature disclosure, for understandable commercial reasons, may threaten the deal.

The issue then is not whether the deal should be revealed, but whether understandings are based on regulation or on a delicate balance of trust between government and the media in the context of which the two parties can set out the conditions of information dissemination and public disclosure on certain issues. Such a relationship, of course, can only be developed over a period of time. It is clearly a complex relationship. The government and the media need to talk urgently.

Both stand to learn much about the imperatives of professionalism, citizenship, responsibility – all reinterpreted within a new democracy that fully understands, among other things, its duty to protect itself. The learning will not be a one-way street.

Some of the questions to be brought to the discussion table are: How fast can our media move away from a journalistic tradition based on

the need for instant gratification? Does our current journalistic practice have sufficient tools to unravel and reflect in an illuminating way the complexities of our current society? (I have serious doubts in this regard.) How soon can new kinds of training disabuse some of our "progressive" newspapers of notions that they are teaching all of us about the workings of democracy? These questions will require some serious introspection within the media profession before they meet with government, which may rightly pose such questions at the meeting.

Can areas be identified around which a sensitive interaction between a democratic government and the media is seen as an essential aspect of the decisions around the timing of the revealing of sensitive information?

My emphasis on "sensitive interaction" is meant to suggest that the respective rights of the parties are not in any manner compromised by fixed agreements. The parties remain free to act according to their fundamental mandates. In this connection, the do-

main of understanding is underscored by the exercise of the highest discretion. Is this possible, or are positions so potentially irreconcilable that the issue requires legislation? I hope not.

Clearly no less than a new relationship between the government and the media, between the media and the public is called for. Public trust in the media will not develop where most of us, serious observers of our society who try to be dispassionate and believe in the freedom of the press, have the impression that a self-righteous media environment is not only out to bash the government, but also condescends towards the public. At best, some newspapers assume an alliance with the public which, in my view, has yet to be earned.

All this may have been done in good faith, which surely all suggests that perhaps the educator seriously needs to be educated.

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