



PUBLIC PROTECTOR
SOUTH AFRICA

**Address by Public Protector Adv. Thuli Madonsela during the
Association for Independent Publishers Conference in Boksburg on 13
September 2013**

"The Role of Independent Print Media in the South African Media Context".

**Programme Director;
President of the independent print media of South Africa Mr Mahmood Sanglay;
Distinguish Members of the Executive;
Ladies and gentlemen;**

Introduction

It is an honour and privilege for me to address this important occasion.

This conference takes place shortly after the 36th anniversary of the gruesome death of one of the country's fearless freedom fighters, Stephen Bantu Biko.

Ironically the world came to know the real story behind Biko's death through the pen of a courageous journalist by the name of Donald Woods, who was a close friend of Biko's.

As many of you know, Woods fled the country a year after Biko's death, fearing that the ruthless apartheid government that banned him from work, could possibly kill him.

He skipped the country but not before examining Biko's battered body and taking pictures that he would publish in same year from England. It is through the work of Donald Woods that today we know what exactly happened to Steve Biko and it is through his work that the government's cover up of how Stephen Bantu Biko really died was exposed.

Woods was only able to tell this story from outside the country because the country he fled to, the UK, had a free press. He could not have told the same story here because of lack of freedom of the media.

Biko himself wrote a lot about how he thought life should be lived. Because of lack of freedom of the media, we only came to know about some of his writings after his death.

I know of one such publication by him called "I Write What I Like". Many young people like this very short publication and it is a testimony to the power of the pen and it continues to influence

people's life today. But, also, if you look at what Steve Biko did, writing despite the obstacles under apartheid, it just shows that independent contributors to knowledge have a place and they can change things.

This brings me to the topic of today, which is *"The Role of Independent Print Media in the South African Context"*.

I would imagine that the emphasis is on "Print Media" because here we are a convention of "publishers but I believe that we will be talking for the media as a whole, including those that are involved in independent broadcasting and those that are involved in electronic media.

Why is the media important?

The South African media has struggled to find its place for many years but even during apartheid it was not possible to suppress the power of the pen.

Addressing SANEF in 2009, the late Chief Justice, Pius Langa, said the following.

"Without the media, equality and human dignity would diminish in this democratic state. Independence of both the media and the judiciary is very important for our democracy to flourish."

Incidentally, the late Chief Justice Pius Langa was speaking on an occasion to commemorate what we refer to as Black Wednesday, the day many publications were banned during apartheid because alternative voices were being suppressed.

Chief Justice Pius Langa's words were not so different from what former President Nelson Mandela had said in December 1997.

"Instrumental in keeping us in touch and informed, in the dissemination of both the good news and the bad, the sensational and the mundane, has been the media. I wish to pay tribute on this occasion to their unflinching, and often ill-appreciated, commitment to their task and their contribution to a more informed and hence a better world."

Programme Director;

The media has made humanity's life a little easier than it was many years ago. Today, we regard ourselves as citizens of the global village primarily because of the media. We get to know in real time what is happening in Brazil right now because of the advances that have been made in the media.

We get to know what is happening right now in Syria, as it is happening because of advances that have been made in the media. But it's not just advances that have been made in terms of technology; it is also the courage of the different souls that are playing a role within the media that we get to know what is happening in difficult place such as Syria. It is also through the media that we get to know in the conflict between Palestinians and Israelis.

Close here at home, many people have learnt about this institution, the Public Protector, through the work of the media.

Programme Director and President of the association;

We appreciate your kind words and the recognition that you have given to our office. We must indicate though, Mr Sanglay, that the reason our office is known and the reason South Africans have some trust in it is because of the stories that have been told by the media. From our side, we know that no Ombudsman office could achieve any impact if it had no support from the media.

Judges often complain that they are not as powerful as the executive because they do not have the purse and they do not have the sword. But if judges feel that they are no powerful because they don't have the purse of the sword, think about an Ombudsman or a Public Protector. We do not have the purse; we do not have the sword and we do not even have the power to cause a sheriff to come and confiscate anything from your house.

It is through what we call "moral suasion" that we are able to persuade decision makers to do the right things; and "moral suasion" is impossible without the media causing society to engage in dialogue about many of the issues we make findings on.

Apart from the work of the Public Protector, there are many things that we get to know about a society and do something about; because of the media. For example, it is through the media that we will get to know about the outbreak of the killer disease and then take precautionary measures.

It is also through the media that we get to know about available opportunities that we can take advantage of, whether they are developmental or economic. But perhaps what is more important regarding the role of my office, the Public Protector, is that the media is one of the most effective accountability mechanisms in the world.

I often draw parallels between the role of my office and that of the media. Though we function differently, we both operate as watchdogs and we both give people a voice.

As a watchdog, the media plays an oversight role over the state and corporations in civil society. It watches closely over those that exercise power in society, particularly those that exercise public power and control over state resources.

The media shines the light in the dark corners of society, bringing to the surface important information about those who do wrong. The media also gives us information about those that abuse state resources and those that enrich themselves in the exercise of state power.

The media also makes aware when corporations misbehave because it is not only government that misbehaves. It was through the media that we learnt to know that poor people were been cheated through price-fixing in the bread industry. It was the media that told us recently that public resources have been looted because big cooperation's colluded in the pricing of stadia during the 2010 FIFA World Cup preparations.

The media helps to keep alive the constitutional dream of an improved quality of life for all our people. The media keeps us aware that our Constitution promises every person in this country a freed potential.

The media also keeps us aware that sometimes we are not doing what we are supposed to be doing. For example, two weeks ago the media informed us that the Presidency told us that instead of poverty reducing, it increased to 48% in 1995 to 52, 3% in 2012. Two days ago, we were told again by the media that the Presidency have announced that most government

departments are not running their affairs as required by law and the Constitution.

Clearly the media operates in most part to benefit the society. Of course there is commercial interest there and career interest; and that's how society operates.

But because of the placed of the media in keeping democracy alive and promoting accountability and transparency in a constitutional democracy, it is in our interest to protect the media and ensure that we have free media.

It is true though that the media often gets it wrong. I believe that the fairest thing to do in those circumstances is to approach the relevant outlet in the media and make sure that whatever you consider to be an injustice is corrected.

But despite such shortcomings, self-regulation remains our best bet in terms of maintaining media independence and an effective media. But the media must work hard and strive for fairness and accuracy. I have no doubt in my mind that research developments in the media are in that direction.

The chairperson, Mr. Sanglay, reminded us today about some of the challenges that also remain in the media. So, it is not just issues of fairness in reporting that maybe challenges; one of the key challenges in the media is diversity and I think that concerns this particular constituency.

Community media challenges

We are all aware that many media houses, particularly independent media houses, struggle with funding, office space, printing costs, advertising, and distribution of their work.

This is one of the reasons the Media Development and Diversity Agency (MDDA) was established in 2002.

As the name suggests, the agency was created -through an Act of Parliament- to develop and bring diversity with the media sector.

The MDDA is funded by both the public and private funds. It supports community media through grants, training opportunities and equipment.

But we do know that despite the MDDA's efforts, many independent media outlets are struggling. Some of them that had benefited from this excellent initiative, the MDDA, died despite these efforts.

I believe that some of the discussion today and throughout your conference will be around, why is it difficult for some of the media outlets to survive? You will also be discussing how do we ensure that media diversity in this country continues to grow?

We do know that the mainstream media itself has become fairly integrated. I would want to believe that during the days that former editor of City Press and distinguished journalist, Mr Mathatha Tsedu, who is one of the executive here, it was very difficult for African people to get into management and let alone to find themselves in editorial positions

But many of the mainstream media outlet today are now managed by people from various race

groups, but ownership remains a huge challenge and also distribution of editorial space at the moment is still not truly reflective of the distribution of humanity in our society.

I am convinced that one of these things will be discussed, and I am convinced that together in your diversity here you will be able to come up with ideas that, if shared with government and other potential supporters, can be turned into success stories.

The media enjoys constitutional protection primarily because it is part of pillars of a thriving democracy. As I indicated when I started, public accountability is not possible without the media in modern society and transparency both by government and actors in civil society is not possible without the media.

Conclusion

It is difficult to imagine a world without the media, mainstream or grassroots.

What a sad day it would be to have the corrupt looting of public resources continue unnoticed because there was no media. What a sad day it would be that people would find themselves being ravaged by disease when they could have taken measures had they known that there was an outbreak. What a sad day it would be if we were to do nothing because we are in South Africa when people are dying in Syria and Sudan and elsewhere in the world because we didn't know because there was no media to let us know.

Like the late Chief Justice Langa, I would mourn the day the media went silent. Let us protect our media and let us ensure that our efforts contribute to a diverse media that allows diverse voices to be represented in all dialogues in our society and the world.

Thank you for this privilege to address you. I wish you well and success in your deliberations.

Thank you.

Adv. Thuli Madonsela

Public Protector South Africa